

RESOLUTION

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE ADOPTION OF THE 2021 HUNTERDON COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE

WHEREAS, all jurisdictions within Hunterdon County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Hunterdon County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Hunterdon County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Township of Clinton:

- 1) Adopts in its entirety, the 2021 Hunterdon County Hazard Mitigation Plan Update (the "Plan") as the jurisdiction's Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.

7) Will provide an update of the Plan in conjunction with the County no less than every five years.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: January 12, 2022

RESOLUTION

RESOLUTION AUTHORIZING PARTICIPATION IN THE NATIONWIDE SETTLEMENT AGREEMENTS WITH JOHNSON & JOHNSON, MCKESSON, CARDINAL HEALTH, AND AMERISOURCEBERGEN TO RESOLVE CLAIMS INVOLVING THEIR ROLES IN THE COUNTRY'S OPIOID CRISIS

WHEREAS, after years of negotiations, two proposed nationwide settlement agreements (“settlements”) have been reached that would resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen (“distributors”), and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson (collectively, “Johnson & Johnson”); and

WHEREAS, the proposed settlements require the distributors and Johnson & Johnson to pay billions of dollars to abate the opioid epidemic. Specifically, the settlements require the distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the “Settlement Amount”). Of the settlement amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis; and

WHEREAS, the settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states’ and subdivisions’ lawsuits and further require the distributors to implement additional safeguards to prevent diversion of prescription opioids; and

WHEREAS, each of the proposed settlements has two key participation steps: first, each state decides whether to participate in the settlements, and second the subdivisions within each participating state must then decide whether to participate in the settlements; and

WHEREAS, the more subdivisions that participate, the greater the amount of funds that flow to that state and its participating subdivisions; and

WHEREAS, any subdivision that does not participate cannot directly share in any of the settlement funds, even if the subdivision’s state is settling and other participating subdivisions are sharing in settlement funds; and

WHEREAS, New Jersey has joined both settlements; and

WHEREAS, the deadline for New Jersey’s subdivisions (*i.e.* counties and municipalities) to join the settlements was originally January 2, 2022 and was subsequently extended to January 26, 2022; and

WHEREAS, participation in the nationwide settlements will not only hold the companies financially accountable by requiring payments of as much as \$26 billion, the settlements will provide funding to support programs that address the opioid epidemic in New Jersey and across the country, and will require significant changes in the pharmaceutical industry aimed at preventing similar crises in the future; and

WHEREAS, the opioid epidemic continues to devastate communities around the country and it is critical that the funds begin to flow to allow governments to address the epidemic in their communities as soon as possible;

WHEREAS, the amounts to be paid under the settlements, while insufficient to abate the epidemic fully, will allow state and local governments to commence with meaningful change designed to curb opioid addiction, overdose and death; and

WHEREAS, if there is not sufficient subdivision participation in these proposed settlements, the settlements will not be finalized, the important business practice changes will not be implemented, the billions of dollars in abatement funds will not flow to communities, and more than 3,000 cases may be sent back to their home courts for trial, which will take many years; and

WHEREAS, the extent of participation also will determine how much money each state and its local subdivisions will receive because approximately half of the abatement funds are in the form of “incentive payments,” *i.e.*, the higher the participation of subdivisions in a state, the greater the amount of settlement funds that flow into that state; and

WHEREAS, the fewer subdivisions that participate, the less money New Jersey and its subdivisions will receive; and

WHEREAS, at a regular meeting held on December 15, 2021, the Mayor and Council found that it was in the best interests of Clinton Township and its residents to participate and join in the settlements in order to hold these companies financially accountable for the ongoing opioid crisis and to implement the necessary changes to prevent such a crisis from happening again in the future, and to that end by motion authorized the Mayor and Clerk to sign all documents and undertake all acts necessary to join the settlements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen to resolve claims involving their participation in the opioid crisis; and

WHEREAS, the Mayor and Council now wish to adopt the within resolution to ratify and memorialize the authorizations previously granted by motion at the December 15, 2021 meeting;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton in Hunterdon County, New Jersey as follows:

1. The Mayor, Clerk, Administrator, Attorney and any other municipal official that may be appropriate, be and are hereby authorized and directed to sign any documents and undertake any acts necessary in order to join the settlements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen to resolve claims involving their participation in the opioid crisis.
2. The Clerk shall cause a copy of this resolution to be sent to the Office of the Attorney General and the New Jersey League of Municipalities.
3. This resolution shall take effect immediately and shall be retroactive to December 15, 2021.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: January 12, 2022

I, Carla Conner, Clerk of the Township of Clinton in Hunterdon County, New Jersey, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Clinton Township Mayor and Council at a meeting held on January 12, 2022.

Carla Conner, RMC, Township Clerk

RESOLUTION

RESOLUTION DIRECTING THE CLINTON TOWNSHIP PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTIES LOCATED AT 42 FAIRVIEW AVENUE, 173 CENTER STREET AND 3 GRAYROCK ROAD AND DESIGNATED ON THE CLINTON TOWNSHIP TAX MAPS AS BLOCK 74, LOTS 16, 17.01 AND 19 (THE “EXPANDED STUDY AREA”) MEET THE CRITERIA FOR DESIGNATION AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-1 *et seq.*, authorizes municipalities to determine whether certain parcels of land located within their boundaries constitute areas in need of redevelopment, pursuant to enumerated criteria set forth in said statute at N.J.S.A. 40A:12A-5; and

WHEREAS, the LRHL at N.J.S.A. 40A:12A-5 provides that before making such a designation, the governing body of the municipality must direct the municipal planning board to conduct an investigation into whether the parcels in question meet one or more of the criteria set forth in the LRHL for designation as an area in need of redevelopment (“AINR” or “area in need”); and

WHEREAS, the LRHL at N.J.S.A. 40A:12A-6 also requires the governing body to specify whether the area being investigated will be a condemnation area in need of redevelopment or a non-condemnation area in need of redevelopment; and

WHEREAS, the Mayor and Council directed the Board to investigate a study area comprising the properties located at 2, 10 and 12 Grayrock Road and designated on the Township tax maps as Block 77.01, Lots 2, 3 & 4 (the “Study Area”) and produce a report containing its findings as to whether the Study Area meets one or more of the criteria set forth at N.J.S.A. 40A:12A-5, and to make a recommendation to the Mayor and Council as to whether all or a portion of the Study Area should be designated as a non-condemnation area in need of redevelopment (see Clinton Township Resolution #107-2021 adopted July 14, 2021); and

WHEREAS, since then, the Township has been approached by additional property owners in the immediate vicinity of the Study Area who wish to have their properties considered for inclusion in any potential area in need of redevelopment; and

WHEREAS, to that end, the Mayor and Council wishes to expand the Study Area to include these additional properties;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton in Hunterdon County, New Jersey, as follows:

1. The preamble to this resolution is hereby incorporated as if more fully set forth herein.
2. The Clinton Township Planning Board is hereby directed to expand the initial Study Area by adding the properties located at 42 Fairview Avenue, 173 Center Street and 3 Grayrock Road and designated on the Clinton Township tax maps as Block 74, Lots 16, 17.01 and 19 to the properties located at 2, 10 and 12 Grayrock Road and designated on the Township tax maps as

Block 77.01, Lots 2, 3 & 4 (together referred to as the “Expanded Study Area”), as more specifically shown on the map attached hereto as Exhibit A.

3. The Clinton Township Planning Board is hereby directed to conduct a preliminary investigation of the Expanded Study Area in accordance with the requirements set forth in N.J.S.A. 40A:12A-6, in order to determine whether the Expanded Study Area constitutes a non-condemnation area in need of redevelopment.
4. More specifically, the Planning Board is directed to prepare a map showing the boundaries of the proposed redevelopment area and locations of the parcels of property included therein, with a statement setting forth the basis for the investigation appended to the map; to prepare a report containing its findings; and to hold a duly noticed public hearing for the purpose of presenting the results of its investigation, hearing from all persons who are interested in, or would be affected by, the determination that the Expanded Study Area is a non-condemnation area in need of redevelopment area, and receiving into the record any objections to such a determination that any or all properties included in the Expanded Study Area be designated as a non-condemnation area in need of redevelopment.
5. After completing its hearing on the matter, the Planning Board shall make a recommendation to the Mayor and Council as to whether all or a portion of the Expanded Study Area should be designated as a non-condemnation area in need of redevelopment.
6. The Township Clerk shall cause a copy of this resolution to be transmitted forthwith to the chair and administrative officer of the Planning Board.
7. This resolution shall take effect immediately.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: January 12, 2022

I, Carla Conner, Clerk of the Township of Clinton in Hunterdon County, New Jersey do hereby certify that the foregoing is a true copy of a resolution duly passed by the Clinton Township Mayor and Council at its regular meeting held on January 12, 2022.

Carla Conner, RMC, Township Clerk

RESOLUTION

AWARDING GOODS AND SERVICES AGREEMENT

WHEREAS, the Township of Clinton desires to retain the services of a qualified firm for purposes of providing email and back up service; and

WHEREAS, the Township has solicited and received informal quotes for the provision of these services; and

WHEREAS, the firm of LiftOff, LLC, 1667 Patrice Circle, Crofton, MD 21114, has provided a proposal to the Township for purposes of performing the sought-after services for the following fees:

Police Department: \$7,206
Municipal Offices: \$7,302

WHEREAS, the Township seeks to award the contract to LiftOff based on price and other factors; and

WHEREAS, the Agreement shall be for an amount not to exceed \$15,000 for term of one year; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-3a, authorizes the Township to award this agreement without public bidding because it will not exceed the bid threshold.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with LiftOff, LLC for cloud data back up and email services, consistent with this Resolution and the above “Whereas” clauses. The terms of the Agreement are also subject to the approval of the Administrator and Township Attorney’s office.
2. The agreement is awarded without competitive bidding as authorized by N.J.S.A. 40A:11-3a.
3. The firm of LiftOff, LLC shall be paid a fee not to exceed \$15,000 based on the fees set forth above and in the attached Agreement.

4. The initial term of the agreement shall be one year, and the term may be extended for up to two additional one-year terms, subject to the prior consent of the parties, compliance with the New Jersey Local Public Contracts Law, and the Township's availability of sufficient funds for subsequent years.
5. A copy of this Resolution, and the Agreement shall be placed on file in the Office of the Clerk.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: January 12, 2022

RESOLUTION

RESOLUTION TO CARRY OVER VACATION DAYS FROM 2021

WHEREAS, Section 3.6, "D" of the Clinton Township Personnel Policies, Practices and Regulations permits employees to carry over unused vacation days for the 2021 year and,

WHEREAS, permission to do so must be granted by Resolution adopted by the Mayor and Council; and,

WHEREAS, current vacation days carried over into the subsequent year must be used by March 31, 2022; and

WHEREAS, the following employees have requested carry-over of vacation time noted:

<u>First Name</u>	<u>Last name</u>	<u>Carry-over Vacation Hours</u>
Mike	Akers	50
Larry	Anthes	40
Scott	Bowerbank	32
Harry	Bugal	19.5
Alfonso	Carasio	14
Shane	Carle	60
Patti	Centofanti	35
Carla	Conner	35
Donna	Cramer	14
Brian	Dickson	60
Todd	Dicksen	12
Dylan	Dohanic	24
Deb	Dominijanni	35
Brian	Eick	40
Denise	Filardo	35
Jeff	Glennon	29.5
Terri	Howell	35

<u>First Name</u>	<u>Last name</u>	<u>Carry-over Vacation Hours</u>
Lynn	Lorenz	35
Drew	MacQueen	54
Kim	Marino	25
Claude	Meixsell	32
Vita	Mekovetz	21
William	Musacchio	30
Jenn	Petruzziello	39.5
Frank	Praino	51.5
Nicholas	Praino	60
Sean	Ross	60
Lisa	Saharic	14
Joe	Sangiovanni	53
Peter	Schlesier	60
Tom	Silva	35
Jeff	Smith	36
John	Tiger	12
Jeff	Ward	35

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: January 12, 2022