

TOWNSHIP OF CLINTON
REGULAR MEETING
MARCH 08, 2023

Mayor Mullay called the meeting to order at 7:00 p.m. announcing that all laws governing the Open Public Meetings Act have been met and adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Act. A copy of the agenda for this meeting was sent to the Hunterdon County Democrat, posted on the bulletin board on March 6, 2023, and was made available to the public to download on the Township's website prior to the meeting.

SALUTE TO THE FLAG

ATTENDANCE ROLL CALL:

Councilman Glaser	Present
Councilman Kochanowski	Present
Councilwoman Switlyk	Present
Council President Strauss	Present
Mayor Mullay	Present

Also Present:

Trishka Cecil, Township Attorney
Carla Conner, Township Clerk

COMMENTS FROM THE PUBLIC FOR ITEMS LISTED ON THE AGENDA ONLY (Note: The Mayor and Council will take public comment on the ordinance(s), if any, listed under Section I during the Public Hearing portion)

CONSENT AGENDA:

All items listed with an asterisk (“*”) are considered to be routine by the Township Mayor and Council and will be enacted by a single motion. There will not be separate discussion of these items unless requested by the mayor, a Council member or citizen, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

A **MOTION** was made by Councilman Glaser, seconded by Council President Strauss, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

***APPROVAL OF MINUTES:**

REPORTS:

Councilman Glaser

Councilman Glaser reported that the regular meeting for the Planning Board was held on March 6th and shared with the Council a few items that needed to be brought to their attention as well. North Hunterdon High School came to the meeting with a non-binding capital improvement review and recommendation for the renovation and expansion of the existing "North" parking lot. There was information given regarding the size and additional parking spots, and the Board determined that the changes are consistent with the master plan and made additional recommendations. There was also a hearing regarding the Periodic Reexamination Report of the Master Plan and Development Regulations and Amendments to the Land Use Plan and Housing Plan Elements of the Clinton Township Master Plan, which were all adopted. The next meeting will be on March 20th. The Sewage Authority held a meeting on March 2nd and all routine matters were discussed, as well as the annual hearing rate was approved to increase from \$130.00 to \$135.00. The coordination of the North pump station upgrade with the construction of the new Votech campus continues. The next regular meeting for the Sewage Authority will be held on April 6th. The first meeting regarding the Finance Committee and the 2023 budget with the Administrator and CFO went well and commended them both for their hard work. The resident who inquired about the micro license has stayed in contact and is looking forward to a work session in the coming months when the agenda permits.

Councilman Kochanowski

Councilwoman Switlyk

The Environmental Commission met on March 2, and the next meeting will be on April 6. Green Team met on February 21, and will meet again on March 14. Ms. Switlyk reported on upcoming events throughout the Township with both Environmental Commission and the Green Team and gave locations and times for a few of them. Open Space met on March 2, and will meet again on March 23. There will be a bulk tree planting day on April 23rd at Windy Acres. There are a few items that need to be fixed at locations around the Township and meetings regarding these issues have been discussed. Another Disc Golf Clinic will be held in May. A date to come later, and Disc Golf will be added to the website for the public. Along with Disc Golf being added to the website, the following will be added as well: Stormwater Treatment information, forestry management plans, scheduled events, hunting information, studies for bats, birds, and monarch butterflies/ milkweed.

Council President Strauss

Mr. Strauss noted that the Historical Preservation Commission did not hold their March 1st meeting due to not having a quorum, but their next meeting will be held on April 5 at 7 pm. There is a Class A seat vacancy on the Commission. A Public Safety update was given from the Police Department and Fire Department, along with Emergency Medical Services.

Mayor Mullay

NEW BUSINESS:

1. * Resolution to carry over vacation days from 2022. – this resolution was pulled from the agenda
2. * Resolution authorizing the refund of a premium refund for Block 79.02, Lot 8.0209

**RESOLUTION #47-2023
 AUTHORIZING THE RETURN OF PREMIUM REFUNDS ON
 LIEN REDEMPTIONS**

WHEREAS, liens on properties located in the Township of Clinton have been redeemed;
 and

WHEREAS, Tax Collector, Patricia Centofanti requests Mayor and Council approve the premium refunds required.

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

Checks shall be issued for the properties listed below, such checks representing premium refunds on tax liens.

<u>Block</u>	<u>Lot</u>	<u>Certificate</u>	<u>Vendor</u>	<u>Premium</u>
79.02	8.0209	2022-003		2100.00
TOTAL				\$2,100.00

A **MOTION** was made by Councilman Kochanowski, seconded by Councilwoman Switlyk, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

3. Resolution authorizing the hiring of a DPW Parks Foreman.

**RESOLUTION #48-2023
 HIRING A FULL TIME PARKS FOREMAN FOR PUBLIC WORKS PARKS
 DEPARTMENT**

WHEREAS, due to a need for a Parks Foreman for Public Works, and;

WHEREAS, the Township has advertised to fill the position, and the Township Administrator and Public Works Director has interviewed a number of candidates,
 and;

WHEREAS, based on his experience, the Administrator and Public Works Director recommend that the Township hire Dakota Simon as the full time Parks Foreman.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body, of the Township of Clinton, County of Hunterdon, State of New Jersey, that Dakota Simon be appointed DPW Parks Foreman effective on or about March 27, 2023 at an salary stated in the hire offer letter, with all the benefits afforded full time employees with the Township, and pursuant to the DPW contract now in place.

BE IT FURTHER RESOLVED, that this appointment will be subject to a drug test and background check.

A **MOTION** was made by Councilwoman Switlyk, seconded by Councilman Kochanowski, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

4. Resolution opting in for additional opioid settlements.

RESOLUTION #49-2023

RESOLUTION AUTHORIZING PARTICIPATION IN THE NATIONWIDE SETTLEMENT AGREEMENTS WITH TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART TO RESOLVE CLAIMS INVOLVING THEIR ROLES IN THE COUNTRY'S OPIOID CRISIS

WHEREAS, after years of negotiations, proposed nationwide settlement agreements ("Settlements") have been reached that would resolve opioid litigation brought by states, local political subdivisions, and special districts against two pharmaceutical manufacturers, Teva and Allergan ("Manufacturers"), and three pharmacies, CVS, Walgreens, and Walmart ("Pharmacies"); and

WHEREAS, the Settlements require the settling Manufacturers and Pharmacies to pay over 20 billion dollars; of this amount, approximately \$17 billion will be used by participating states and subdivisions to remediate and abate the impacts of the opioid crisis; and

WHEREAS, the Settlements also contain injunctive relief governing opioid marketing, sale, distribution, and/or dispensing practices; and

WHEREAS, two steps are required in order to participate in the Settlements: first, each eligible state decides whether to participate in each Settlement; then second, eligible subdivisions within each participating state decide whether to participate in each Settlement; 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 the Settlements; and
WHEREAS, the deadline for New Jersey's subdivisions (*i.e.* counties and municipalities) to elect to participate in the Settlements is April 18, 2023; 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, the Mayor and Council find that it is in the best interests of Clinton Township and its residents to participate and join in the Settlements; and
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, are hereby authorized and directed to sign any documents and undertake any acts necessary in order to join the nationwide settlement agreements With Teva, Allergan, CVS, Walgreens, and Walmart 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.

A **MOTION** was made by Councilman Glaser, seconded by Council President Strauss, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

5. Resolution authorizing 2023-2024 farm services concession agreements for various properties in the Township:
 - a. Brays Hill – Block 30, Lot 19 and 23
 - b. Hacketts Preserve – Block 63, Lot 2
 - c. Kaufelt – Block 82, Lot 3
 - d. Marookian – Block 82, Lot 4.03
 - e. Green Acres Property – Block 7, Lot 18.03, 31.01, 31.02
 - f. Prostak Farm – Block 19, Lot 28 and Block 25, Lot 10

**RESOLUTION #50-2023
RESOLUTION AUTHORIZING 2023-2024 FARM SERVICES CONCESSION
AGREEMENTS FOR VARIOUS PROPERTIES IN THE TOWNSHIP**

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) and corresponding regulations (N.J.A.C. 5:34-9.4) permit the granting of a license through a concession agreement, which allows a municipality to receive from or exchange services with farmers;
and

WHEREAS, the Township of Clinton (“Township”) desires to grant licenses and enter into one-year concession agreements for the following open space properties in the Township, pursuant to which the farmer will mow and maintain the trails on the property in question in exchange for using the tillable portions of the property for agricultural purposes, and will also assist the Township with composting and tilling the leaves collected pursuant to the Township’s leaf collection program:

- (A) Brays Hill - Block 30, Lots 19 and 23
- (B) Hacketts Preserve – Block 63, Lot 2
- (C) Kaufelt – Block 82, Lot 3
- (D) Marookian – Block 82, Lot 4.03
- (E) Green Acres Property – Block 7, Lots 18.03, 31.01, 31.02
- (F) Prostak Farm – Block 19, Lot 28 and Block 25, Lot 10

WHEREAS, prior to the Township beginning the procurement process for concession agreements, the township attorney must provide an opinion of the legality of such concession procurement; and

WHEREAS, the township attorney has given an opinion that such concession procurement meets the requirements of state laws and regulations and is a legal procurement; and

WHEREAS, the Township Mayor and Council have considered the benefits to the Township of having the above properties farmed, the public trails on said properties mowed and maintained at no expense to the Township’s taxpayers, and assistance with the composting and tilling of leaves collected during the annual leaf collection; and

WHEREAS, the Township has estimated the value of the mowing services and leaf composting and tilling to be approximately \$30,500.00; and

WHEREAS, the concession agreements will be procured via informal quotations because the aggregate value of the agreements does not exceed the bidding threshold set forth in the Local Public Contracts Law; and

WHEREAS, the Township will not incur any costs as a result of the concession agreements; and

WHEREAS, other than as set forth herein, the Township will not provide any services and/or facilities to fulfill the concession agreements; and

WHEREAS, a farm services concession agreement template is attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, the Mayor and Council find that entering into one-year farm service concession agreements in accordance with the terms and conditions contained in the template agreement is advantageous to the Township and in the best interests of the public.

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 Council hereby approves the template one-year farm services concession agreement for the following properties in the Township: Windy Acres, Marookian, Brays Hill, Kaufelt, Hacketts Preserve and Prostak Farm.
3. The Township Administrator, Clerk, Public Works Director, and Attorney are hereby authorized and directed to prepare one-year farm services concession agreements in a form similar to the template agreement for the six open space properties, and the Mayor and Clerk are hereby authorized and directed to execute such agreements once approved as to form and content by the Township Attorney.
4. This resolution shall take effect immediately.

A **MOTION** was made by Councilman Glaser, seconded by Councilwoman Switlyk, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

6. Resolution awarding a goods and services agreement to Karen Romano to provide day-to-day coverage in the Planning Board Department on an interim basis (NTE \$2,400.00).

RESOLUTION #51-2023
RESOLUTION AWARDING A GOODS AND SERVICES AGREEMENT TO KAREN ROMANO TO PROVIDE DAY-TO-DAY COVERAGE IN THE PLANNING DEPARTMENT ON AN INTERIM BASIS (NTE \$2,400.00)

WHEREAS, the Township of Clinton ("Township") requires the services of a land use administrator to provide day-to-day coverage in the Planning Department while the Township's Planning Administrator is on medical leave; and

WHEREAS, Karen Romano has offered to provide the needed services for a fee of \$60.00 per hour; and

WHEREAS, the Township wishes to enter into a goods and services agreement (“Agreement”) with Ms. Romano for the provision of the services described above; and

WHEREAS, the Township has a need to acquire these services without a “fair and open process” as defined by P.L. 2004, c.19, the “Local Unit Pay-to-Play Law”; and

WHEREAS, Ms. Romano has completed and filed with the Township the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8 and Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 (collectively, the “Pay-to-Play Forms”); and

WHEREAS, the Agreement shall be for an amount not to exceed \$2,400.00 and a term of thirty days beginning on March 13, 2023, as more specifically described in the Agreement; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-3 authorizes the Township to award this agreement without public bidding because it is under the bid threshold; and

WHEREAS, there are sufficient available funds for this award, as set forth in the Certification of Available Funds completed by the Chief Financial Officer;

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 and Clerk are hereby authorized and directed to execute a thirty-day goods and services agreement with Karen Romano to provide day-to-day coverage in the Planning Department while the Planning Administrator is on medical leave.
2. Ms. Romano shall be compensated at a rate of \$60.00 per hour for an estimated average of 10 hours per week up to a maximum of 40 hours, in an amount not to exceed \$2,400.00. The term of the Agreement shall be from March 13, 2023 to April 12, 2023, or when Ms. Romano’s services are no longer required, whichever occurs first.
3. The Agreement is awarded without competitive bidding as a goods and services agreement under the bid threshold, as authorized by N.J.S.A. 40A:11-3.
4. A copy of this resolution, the Pay-to-Play Forms and the Agreement shall be placed on file in the Office of the Clerk.
5. A notice of this action shall be published in the Township’s official newspaper as required by law.
6. This resolution shall take effect immediately.

A **MOTION** was made by Councilman Glaser, seconded by Council President Strauss, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

7. Resolution awarding a goods and services agreement to Cyndi Kiefer to serve as acting Planning Board and Zoning/ Board of Adjustment secretary on an interim basis (NTE \$1,400.00).

RESOLUTION #52-2023

RESOLUTION AWARDING A GOODS AND SERVICES AGREEMENT TO CYNDI KIEFER TO SERVE AS ACTING PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT SECRETARY ON AN INTERIM BASIS (NTE \$1,400.00)

WHEREAS, the Township of Clinton (“Township”) requires the services of a land use administrator to serve as the acting secretary to the Township Planning Board and Zoning Board of Adjustment while the Township’s Planning Administrator is on medical leave, specifically by attending Planning Board and Zoning Board of Adjustment meetings and preparing the minutes of said meetings; and

WHEREAS, Cyndi Kiefer has offered to provide the needed services for a flat fee of \$175.00 per meeting and \$175.00 per set of minutes; and

WHEREAS, the Township wishes to enter into a goods and services agreement (“Agreement”) with Ms. Kiefer for the provision of the services described above; and

WHEREAS, the Township has a need to acquire these services without a “fair and open process” as defined by P.L. 2004, c.19, the “Local Unit Pay-to-Play Law”; and

WHEREAS, Ms. Kiefer has completed and filed with the Township the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8 and Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 (collectively, the “Pay-to-Play Forms”); and

WHEREAS, the Agreement shall be for an amount not to exceed \$1,400.00 and a term of sixty days beginning on March 13, 2023, as more specifically described in the Agreement; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-3 authorizes the Township to award this agreement without public bidding because it is under the bid threshold; and

WHEREAS, there are sufficient available funds for this award, as set forth in the Certification of Available Funds completed by the Chief Financial Officer;

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 and Clerk are hereby authorized and directed to execute a sixty-day goods and services agreement with Cyndi Kiefer to serve as Acting Secretary to the Township Planning Board and Zoning Board of Adjustment by attending meetings and preparing minutes of said meetings while the Township’s Planning Administrator is on medical leave.
2. Ms. Kiefer shall be compensated at a flat rate of \$175 per meeting and \$175 per set of minutes, in an amount not to exceed \$1,400.00. The term of the Agreement shall be from March 13, 2023 to May 12, 2023, or when Ms. Kiefer’s services are no longer required, whichever occurs first.
3. The Agreement is awarded without competitive bidding as a goods and services agreement under the bid threshold, as authorized by N.J.S.A. 40A:11-3.
4. A copy of this resolution, the Pay-to-Play Forms and the Agreement shall be placed on file in the Office of the Clerk.

5. A notice of this action shall be published in the Township’s official newspaper as required by law.

6. This resolution shall take effect immediately.

A **MOTION** was made by Councilman Glaser, seconded by Council President Strauss, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

8. Resolution reducing the application fee and initial escrow deposit to be provided by CRC Communities at Headley Farm Estates, Inc., in connection with its application for preliminary site plan approval for a proposed inclusionary multi-family housing development (Application No. PB-2022-12/ Block 46, Lot 33.01).

RESOLUTION #53-2023

RESOLUTION REDUCING THE APPLICATION FEE AND INITIAL ESCROW DEPOSIT TO BE PROVIDED BY CRC COMMUNITIES AT HEADLEY FARM ESTATES, INC. IN CONNECTION WITH ITS APPLICATION FOR PRELIMINARY SITE PLAN APPROVAL FOR A PROPOSED INCLUSIONARY MULTI-FAMILY HOUSING DEVELOPMENT (APPLICATION NO. PB-2022-12 / BLOCK 46, LOT 33.01)

WHEREAS, CRC Communities at Headley Farm Estates, Inc. (“CRC”) is the owner of property designated as Block 46, Lot 33.01 (“Property”); and

WHEREAS, the Property is located in the AH-8 Affordable Housing Zone, which was created by Township Council Ordinance #1121-18 adopted on November 7, 2018; and

WHEREAS, the Property is proposed to accommodate a 400-unit inclusionary housing development to satisfy a portion of the Township’s affordable housing obligation as set forth in the Third Amendment to the Township’s settlement agreement dated May 2, 2021 and in the Township’s Amended Housing Plan Element and Fair Share Plan adopted by the Clinton Township Planning Board (“Planning Board”) on June 7, 2021 and endorsed by the Township Mayor and Council on June 23, 2021; and

WHEREAS, the Project includes a 26% set-aside that will yield 104 low- and moderate-income housing units; and

WHEREAS, CRC has applied to the Clinton Township Planning Board for preliminary major site plan approval in connection with the Project; and

WHEREAS, pursuant to section 165-13C(1)(g) of the “Code of the Township of Clinton” (“Code”), applicants seeking preliminary subdivision or site plan approval must pay an application fee of \$250 plus \$50 per unit, and must provide an escrow fee (initial escrow deposit) of \$250 plus \$500 per dwelling unit; and

WHEREAS, section 165-13C(2) of the Code states that “for Council on Affordable Housing low and moderate income units . . . , the Subsection C(1)(g) preliminary application fee of \$50 per dwelling unit . . . shall be waived”; and

WHEREAS, based on the above-referenced provisions, CRC would be required to pay an application fee of \$15,050.00 and make an initial escrow deposit of \$200,250.00; and

WHEREAS, by letter dated December 15, 2022, CRC’s attorney, Guliet Hirsch, asserted that the application fee “greatly exceeds the normal administrative costs of processing the CRC preliminary site plan application,” and requested that the Township reduce the fee to \$500; and

WHEREAS, Ms. Hirsch also challenged the initial escrow deposit as “excessive and unnecessary to cover the cost of initial application review by the Board Engineer, Planner and Attorney,” and requested that the Township reduce the deposit to \$5,000; and

WHEREAS, under the Mount Laurel doctrine, municipalities are prohibited from imposing unnecessary cost-producing exactions on developers of affordable housing projects; in addition, COAH’s Second Round and Third Round rules include the requirement that “fees to review development applications shall be estimated prior to the payment of filing fees” and that “developers shall be entitled to review . . . escrowed fees” [see N.J.A.C. 5:93-10.3(b) (Second Round rule); N.J.A.C. 5:97-104(b) (Third Round rule)]; and

WHEREAS, Township staff undertook a detailed review of the anticipated administrative expenses associated with processing CRC’s application, which came out to approximately \$2,100; and

WHEREAS, recognizing that the Project is an inclusionary affordable housing project and thus subject to the requirements of the Mount Laurel doctrine and COAH’s regulations, the Mayor and Council find that it is reasonable and appropriate to reduce CRC’s application fee to \$2,100; and

WHEREAS, for the same reasons, the Mayor and Council also find that it is reasonable and appropriate to reduce CRC’s initial escrow deposit to \$10,000, as it did most recently in connection with an application by Ingerman to construct a municipally sponsored affordable housing project on Route 31 North near the Spruce Run Reservoir; and

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 restated herein.
2. For the reasons set forth in the foregoing preamble, the application fee for Application No. PB-2022-12 shall be and is hereby reduced to \$2,100, and the initial escrow deposit to be provided by CRC in connection with said application shall be and is hereby reduced to \$10,000.
3. Nothing herein shall be deemed to abrogate or otherwise alter CRC’s obligation to replenish the escrow account upon request and pursuant to the requirements of the Township Code.
4. This resolution shall take effect immediately.

A **MOTION** was made by Councilman Glaser, seconded by Councilman Kochanowski, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

9. Payment of Bills.

TOTALS:

CURRENT	\$1,628,275.47
TRUSTS	\$15,010.00
ESCROW	\$717.00
UNEMPLOYMENT	\$2,833.32
RECREATION	\$1,711.60
GRAND TOTAL:	\$1,648,547.39

A **MOTION** was made by Council President Strauss, seconded by Councilman Kochanowski, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA – NONE

EXECUTIVE SESSION:

BE IT RESOLVED that the Mayor and Council will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to section 7B of the Open Public Meeting Act. The general nature of the subject to be discussed in this session are as follows:

- a. Pending or anticipated litigation and matters requiring confidential advice of counsel [N.J.S.A. 10:4-12b (7)]: Melsky v. Township of Clinton et al., Docket No., HNT-L-80-20.
- b. Contract negotiations [N.J.S.A. 10:4-12b (4) and 12b(7)]: Update regarding various contract negotiations.

It is unknown precisely when the matters discussed in this session will be disclosed to the public. Matters concerning litigation may be announced upon the conclusion of any trial or

settlement of the litigation. Other matters may be made public when the need for confidentiality no longer exists.

A **MOTION** was made by Councilman Kochanowski, seconded by Council President Strauss, and a Roll Call of the following was recorded:

Councilman Glaser	Yes
Councilman Kochanowski	Yes
Councilwoman Switlyk	Yes
Council President Strauss	Yes
Mayor Mullay	Yes

Motion carried.

No formal action will be taken after the executive session.

ADJOURNMENT:

A **MOTION** was made by Councilman Glaser to adjourn the meeting at 8:12 p.m. and was seconded by Councilman Kochanowski with a vote of ayes all, nays none recorded.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: May 24, 2023