



## Township of Clinton Council Meeting

1370 Route 31

Lebanon, New Jersey 08833

June 14, 2023

The mayor started the meeting at 7:02 pm and acknowledged that Lindsay Heller will be the secretary for this meeting in lieu of the Clerk.

Mayor Mullay read the Public Notice.

“This meeting is being held in accordance with the Open Public Meetings Act and all laws governing have been met. Adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Act, and a copy of this agenda has been sent to the Hunterdon County Democrat, posted on the bulletin board in the Municipal Building, and was made available to the public on the Township’s website on June 13<sup>th</sup>, 2023.”

### **SALUTE TO THE FLAG**

### **ATTENDANCE**

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

### **Also Present:**

Trishka Cecil, Township Attorney,  
William Close, Township Administrator  
Larry Plevier, Township Engineer

### **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, under Section G, during the Public Hearing portion).

There were no comments from the public.

## **PROCLAMATIONS**

Mayor Mullay read a resolution recognizing Carla Conner, Municipal Clerk, for her years of service to the Township of Clinton.

**The Mayor and Council adjourned the Council meeting at 7:07 pm and convened the Board of Health meeting.**

## **BOARD OF HEALTH**

Approving a Septic System Waiver Request for a property located on Block 45, Lot 7 in the Township of Clinton.

John Febbo, property owner, reviewed the reasons for the request and the plan that was submitted to the Township. The new septic system is 11 feet off the slab and the issue that has come to view is if the septic is moved back more, it will be in the old septic field. Mr. Febbo said the house will remain a 2-bedroom house and has public water as well. It is a small lot, so the space is tight.

The Council granted the septic system waiver request.

<b>Roll Call</b>	<b>Motion</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
Brian Mullay, Mayor			X			
Marc Strauss, Council President		X	X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman	X		X			
Amy Switlyk, Councilwoman			X			

**The Mayor and Council adjourned as the Board of Health and reconvened at 7:12 pm as the Governing Body.**

## **REPORTS FROM COUNCIL MEMBERS AND MAYOR**

Councilman Glaser reported that the Planning Board meeting was canceled. Next scheduled meeting will be on Monday, June 19<sup>th</sup>. The Sewage Authority meeting was held on June 8<sup>th</sup>, where routine matters were discussed, and the North Hunterdon Pump Station rebuild contract was awarded. The cost will be higher than originally estimated due to labor and other inflation requiring some changes to the original paperwork, which the Authority has reworked. There was nothing to report on the Finance Committee. The Cannabis Subcommittee reported that the resident of an adjacent town that was interested in the micro license is still in touch and is looking forward to attending a work session in the upcoming months when the agenda allows for it.

Councilman Kochanowski reported that the North Hunterdon High School seniors graduated today.

Councilwoman Switlyk reminded that the Green Fair is scheduled for July 8<sup>th</sup>. There was a class trip at Windy Acres that was rescheduled from last week due to the forest fire smoke. There were 24 students who participated. Ms. Switlyk thanked the Township DPW

for the clean-up of the pavilion for this event. There is a scheduled walk at the Beaver Brook this weekend. There was a concern reported regarding a person on the trail laying down with wildlife. The administration will report to the police about this matter.

Council President Strauss reported on the speed survey that was conducted for David Post Road. Mr. Strauss spoke with Fire Chief Emery on various matters as well. OEM would like to schedule a meeting for the 26<sup>th</sup> of June.

Mayor Mullay reported that the Summer Recreation camp has over 200 children signed up. Mayor Mullay noted that various vacancies are being filled this evening, and that the process continues to fill other positions within the Township.

**ORDINANCES**

1. PUBLIC HEARING – An Ordinance of the Township of Clinton in Hunterdon County, New Jersey amending the Township’s Stormwater Management Regulations set forth in Article XXXV (Surface Water Management) of Chapter 165 (Land Use Regulations) of the “Code of the Township of Clinton”.

Township Attorney Cecil advised that the Township’s Planning Board has not yet reviewed the ordinance for consistency with the Master Plan and is still within the 35-day statutory period to do so, therefore the Governing Body cannot hold the public hearing.

The Public Hearing was carried until the July 12<sup>th</sup> Council meeting.

2. PUBLIC HEARING – Capital Ordinance for various other improvements and equipment by the Township of Clinton, in the County of Hunterdon, New Jersey, appropriating the total amount of \$453,700.00 which \$200,000.00 is from the General Capital Fund, Capital Improvement Fund, and \$253,700.00 is from General Capital Fund, Fund Balance.

**OPEN PUBLIC HEARING**

There were no comments from the public.

**CLOSE PUBLIC HEARING**

Motion was made by Councilwoman Switlyk to adopt the ordinance, seconded by Councilman Glaser. The vote record follows.

Roll Call	Motion	Seconded	Ayes	Nays	Recuse	Abstain	Absent
Brian Mullay, Mayor			X				
Marc Strauss, Council President					X		
Bill Glaser, Councilman		X	X				
Tom Kochanowski, Councilman			X				
Amy Switlyk, Councilwoman	X		X				

**CONSENT AGENDA**

“All items listed are considered to be routine by the Township Mayor and Council and will be enacted by a single motion. There will be no 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 Consent Agenda and voted on separately.”

Motion was made by Mayor Mullay to approve the Consent Agenda, seconded by Council President Strauss. Councilwoman Switlyk abstained from items 1 and 2 under the Consent Agenda.

1. Approval of the regular session meeting minutes from March 8, 2023.

<b>Roll Call</b>	<b>Motion</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
Brian Mullay, Mayor	X		X			
Marc Strauss, Council President		X	X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman					X	

2. Approving the Payment of Bills.

<b>Roll Call</b>	<b>Motion</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
Brian Mullay, Mayor	X		X			
Marc Strauss, Council President		X	X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman					X	

3. Resolution requesting approval of items of revenue and appropriation for the 2023 Clean Communities Grant in the 2023 Township Budget (Chapter 159).

<b>Roll Call</b>	<b>Motion</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
Brian Mullay, Mayor	X		X			
Marc Strauss, Council President		X	X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman			X			

4. Approval of Liquor Licenses for various establishments in the Township of Clinton, including Beaver Brook Country Club, LLC., Rock U, LLC. for Bourbon Street Liquors, Grayrock Inn, Inc. for Finnagels, Cryans of Clinton, LLC., and Spruce Run Restaurants, LLC., for Riley & Jakes.

Roll Call	Motion	Seconded	Ayes	Nays	Abstain	Absent
Brian Mullay, Mayor	X		X			
Marc Strauss, Council President		X	X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman			X			

## NEW BUSINESS

The Mayor moved the discussion and resolution regarding the NJDOT Application to the beginning of the “New Business” section.

### 6. Approving a NJDOT Application for a road closure on Moebus Road (Presentation).

The Township Engineer reviewed the application to NJDOT and the process to be followed for the proposed road closure. The plans were drafted and discussed regarding emergency response, which all first responders agreed too. All the work improvements are being done on the Township side, due to the Town of Clinton not fully endorsing the project. The scope and layout of the project was discussed.

#### Public Comments:

Damion Ryan, Township of Clinton, asked about the estimated costs with the project that the Township will be responsible for. There is a concern with traffic among employees with the new warehouse, including trucks. The Township Engineer noted that there will be no impact on utilities as they are underground, and the fire hydrants will not be moved.

Mike Hamburg, Township of Clinton, asked if there was anything that the residents could do to help with the Town of Clinton regarding this project.

Ryan Schmidt, Township of Clinton, asked why the Town of Clinton did not support the project.

Motion was made by Councilman Kochanowski to adopt the resolution, seconded by Councilwoman Switlyk. The vote record follows.

Roll Call	Motion	Seconded	Ayes	Nays	Abstain	Absent
Brian Mullay, Mayor			X			
Marc Strauss, Council President			X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman	X		X			
Amy Switlyk, Councilwoman		X	X			

**1. Approving the seasonal hire of Joseph Bostock in the Department of Public Works.**

Administrator Close mentioned that this hire will help the DPW as they are shorthanded.

Motion was made by Councilwoman Switlyk to adopt the resolution, seconded by Councilman Glaser. The vote record follows.

Roll Call	Motion	Seconded	Ayes	Nays	Abstain	Absent
Brian Mullay, Mayor			X			
Marc Strauss, Council President			X			
Bill Glaser, Councilman		X	X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman	X		X			

**2. Approving the seasonal hires for the 2023 Summer Recreation Program.**

Councilman Glaser requested to increase the hourly rates from \$14.00 to \$14.13 an hour to match the current minimum wage. Administrator Close noted that the Township paid \$14.00 last year. The Council agreed to increase the hourly salary to \$14.13 an hour.

Motion was made by Councilman Kochanowski to adopt the resolution, seconded by Council President Strauss. The vote record follows.

Roll Call	Motion	Seconded	Ayes	Nays	Abstain	Absent
Brian Mullay, Mayor			X			
Marc Strauss, Council President		X	X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman	X		X			
Amy Switlyk, Councilwoman			X			

**3. Approving the full-time hire of Noemi Galdamez as an Administrative Office Clerk for the office of the Municipal Administrator and Clerk.**

Mayor Mullay stated that Ms. Galdamez has done a great job and has passed her probationary period.

Motion was made by Mayor Mullay to adopt the resolution, seconded by Council President Strauss. The vote record follows.

Roll Call	Motion	Seconded	Ayes	Nays	Abstain	Absent
Brian Mullay, Mayor	X		X			
Marc Strauss, Council President		X	X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman			X			

#### 4. Resolution to defer Local District and Regional School Taxes.

Motion was made by Councilman Glaser to adopt the resolution, seconded by Councilwoman Switlyk. The vote record follows.

Roll Call	Motion	Seconded	Ayes	Nays	Abstain	Absent
Brian Mullay, Mayor			X			
Marc Strauss, Council President			X			
Bill Glaser, Councilman	X		X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman		X	X			

#### 5. Approving to release certain performance guarantees and escrows for the property located at Block 63, Lot 7.07, in the Township of Clinton.

Motion was made by Council President Strauss to adopt the resolution, seconded by Councilwoman Switlyk. The vote record follows.

Roll Call	Motion	Seconded	Ayes	Nays	Abstain	Absent
Brian Mullay, Mayor			X			
Marc Strauss, Council President	X		X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman		X	X			

#### UNFINISHED BUSINESS - None

#### CORRESPONDENCE – None

#### PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Kathy Reese, Annandale, mentioned an email that was sent to the mayor regarding the reimbursement of street lighting and removal of items. Administrator Close stated that the association would need to submit their receipts to the Township for reimbursement. The Director of Public Works has to get numbers as well, and they are waiting for those numbers to come in. The Administrator and Mayor spoke about moving the agreement to calendar year rather than fiscal year for reimbursements.

Doug Pecota, Township of Clinton, asked about the turtle that was mentioned in Councilwoman Switlyk's report.

#### EXECUTIVE SESSION

The Council entered Executive Session at 8:14 pm.

**“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 Meetings Act.

The general nature of the subject(s) to be discussed is as follows:

1. 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.
2. Pending or anticipated litigation/ matters falling within the attorney-client privilege [N.J.S.A. 10:4-12b(7)]: Update/ Discussion regarding disciplinary matters.

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.

Formal action may be taken after the executive session.”

Roll Call	Motion	Seconded	Ayes	Nays	Abstain	Absent
Brian Mullay, Mayor		X	X			
Marc Strauss, Council President	X		X			
Bill Glaser, Councilman			X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman			X			

The Council reconvened at 8:57 pm.

## ADJOURNMENT

The Council adjourned the meeting at 8:58 pm on a motion by Councilman Glaser, seconded by Council President Strauss, and followed by a roll call vote.

Roll Call	Motion	Seconded	Ayes	Nays	Abstain	Absent
Brian Mullay, Mayor			X			
Marc Strauss, Council President		X	X			
Bill Glaser, Councilman	X		X			
Tom Kochanowski, Councilman			X			
Amy Switlyk, Councilwoman			X			