



MINUTES

**Township of Clinton Mayor and Council
December 6, 2023
7:00 p.m.**

1370 Route 31 North, Annandale, New Jersey 08801

Mayor Mullay called the meeting to order at 7:01 p.m. and read the following statement into the record: "Adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Act. On December 4, 2023, a copy of this agenda was sent to the Hunterdon County Democrat, posted on the bulletin board in the Municipal Building and made available to the public on the Township's website."

SALUTE TO THE FLAG

ROLL CALL

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

Also Present:

William Close, Township Administrator
Trishka Waterbury Cecil, Township Attorney
Kim Marino, Acting Recording Secretary (for this meeting only)

COMMENTS FROM THE PUBLIC FOR ITEMS LISTED ON THE AGENDA ONLY– Comments should be limited to three (3) minutes.

There were no comments from the public.

APPROVAL OR CORRECTION OF MINUTES

1. Regular Session meeting minutes from October 11, 2023. – Tabled
2. Regular Session meeting minutes from October 25, 2023.

Councilwoman Switlyk abstained from the October 25, 2023 meeting minutes.

Councilman Glaser motioned to approve the Regular Session meeting minutes from October 25, 2023; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote (Councilwoman Switlyk abstained).

CONSENT AGENDA

The items listed below are considered to be routine by the 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 member of the public, in which event the item will be removed from the Consent Agenda and voted on separately.

Council President Strauss asked to pull Resolution 217-2023.

Councilwoman Switlyk motioned to approve the Consent Agenda; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote.

1. Approval of bills/vouchers.

Totals:

CURRENT	\$3,406,900.74
TRUSTS	\$58,185.50
ESCROW	\$2,329.50
GRANTS	\$25,055.32
RECREATION	\$10,057.00
CAPITAL	\$526,003.38
OPEN SPACE	\$1,542.96
<u>Grand Total</u>	<u>\$4,030,074.40</u>

Breakdown of Current:

BOARD OF EDUCATION	\$2,659,087.00
TOTAL OPERATIONS	\$747,813.74

2. **Resolution 212-2023** – Resolution of the Mayor and Council of the Township of Clinton authorizing a transfer of funds within the Township’s accounts.

RESOLUTION

212 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHROIZING A TRANSFER OF FUNDS WITHIN THE TOWNSHIP’S ACCOUNTS

WHEREAS, NJSA 40A:4-58 permits transfers between current year budget appropriations during the last two months of the municipal fiscal year, and

WHEREAS, there are certain budget year 2023 appropriations that require transfers to meet the charges and obligations that will be incurred by the end of this fiscal year,

NOW, THEREFORE BE IT RESOLVED by the governing body of the Township of Clinton that the transfers below are hereby authorized to be made:

FROM

Planning Board	S&W	\$10,000.00
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Police Retirement	O/E	\$0.95
Administration	S&W	\$3,000.00
Mayor/Council	O/E	\$500.00
Tax Collection	O/E	\$1,000.00
Fire Prevention	S&W	\$5,000.00
Court	S&W	\$500.00
Total		\$20,000.95
TO		
Planning Board	O/E	\$10,000.00
PERS Retirement	O/E	\$0.95
Administration	O/E	\$3,000.00
Mayor/Council	S&W	\$500.00
Tax Collection	S&W	\$1,000.00
Fire Prevention	O/E	\$5,000.00
Public Defender	O/E	\$500.00
Total		\$20,000.95

3. **Resolution 213-2023** – Resolution of the Mayor and Council of the Township of Clinton authorizing the purchase of rock salt from Morton Salt through the Hunterdon County CO-OP for 2023-2024, Contract #51-HCCPS, in the amount not to exceed \$36,420.00.

**RESOLUTION
213 – 2023**

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE PURCHASE OF ROCK SALT FROM MORTON SALT THROUGH THE HUNTERDON COUNTY CO-OP FOR 2023-2024, CONTRACT #51-HCCPS, IN THE AMOUNT NOT TO EXCEED \$36,420.00

WHEREAS, the Township of Clinton finds a need to purchase road rock salt to be used by the Department of Public Works, and

WHEREAS, the Township is a member of the Hunterdon County Purchasing CO-OP and said salt is available for purchase through the CO-OP, as a result of a public bidding process conducted by the CO-OP under contract number #51-HCCPS;

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

1. The Public Works Director is hereby authorized to purchase Rock Salt for 2023-2024 from Morton Salt through Hunterdon County CO-OP Contract #51-HCCPS, at a total cost not to exceed \$36,420.00.
2. This resolution shall take effect immediately.

4. **Resolution 214-2023** – Resolution of the Mayor and Council of the Township of Clinton supporting the Drive Sober, Get Pulled Over Impaired Driving Enforcement for the period of December 15, 2023, through January 1, 2024, through the Somerset County Prosecutor’s Office, in the amount not to exceed \$3,710.00.

**RESOLUTION
214 – 2023**

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON SUPPORTING THE DRIVE SOBER, GET PULLED OVER IMPAIRED DRIVING ENFORCEMENT FOR THE PERIOD OF DECEMBER 15, 2023, THROUGH JANUARY 1, 2024, THROUGH THE SOMERSET COUNTY PROSECUTOR'S OFFICE, IN THE AMOUNT NOT TO EXCEED \$3,710.00

WHEREAS approximately one-third of all fatal traffic crashes in the United States involve impaired drivers; and

WHEREAS impaired driving crashes killed 11,654 people in the United States in 2020; and

WHEREAS impaired driving crashes cost the United States almost \$44 Billion a year; and

WHEREAS, during the past five years New Jersey's roadways experienced 33,798 crashes and 662 fatalities involving impaired drivers; and

WHEREAS an enforcement crackdown is planned to combat impaired driving; and

WHEREAS the year-end holiday season is traditionally a time for social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the first holiday DWI mobilization around the Thanksgiving Holiday; and

WHEREAS the project will involve increased impaired driving enforcement from December 15, 2023, through January 1, 2024; and

WHEREAS an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey that the Township of Clinton declares its support for the Drive Sober, Get Pulled Over Impaired Driving Enforcement for the period of December 15, 2023, through January 1, 2024, and pledges to increase awareness of the dangers of drinking and driving; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

5. **Resolution 215-2023** – Resolution of the Mayor and Council of the Township of Clinton recognizing the First Holiday DWI Mobilization around the Thanksgiving Holiday from November 22, 2023, through November 26, 2023, in the Township of Clinton.

**RESOLUTION
215 – 2023**

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON RECOGNIZING THE FIRST HOLIDAY DWI MOBILIZATION AROUND THE THANKSGIVING HOLIDAY FROM NOVEMBER 22, 2023, THOURGH NOVEMBER 26, 2023, IN THE TOWNSHIP OF CLINTON.

WHEREAS approximately one-third of all fatal traffic crashes in the United States involve impaired drivers; and

WHEREAS impaired driving crashes killed 11,654 people in the United States in 2020; and

WHEREAS impaired driving crashes cost the United States almost \$44 Billion a year; and

WHEREAS, during the past five years New Jersey's roadways experienced 33,798 crashes and 662 fatalities involving impaired drivers; and
WHEREAS an enforcement crackdown is planned to combat impaired driving; and
WHEREAS the year-end holiday season is traditionally a time for social gatherings which include alcohol; and
WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the first holiday DWI mobilization around the Thanksgiving Holiday; and
WHEREAS the project will involve increased impaired driving enforcement from November 22, 2023, through November 26, 2023; and
WHEREAS an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey that the Township of Clinton declares its support for the first holiday DWI mobilization around the Thanksgiving Holiday from November 22, 2023, through November 26, 2023, and pledges to increase awareness of the dangers of drinking and driving; and
BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

6. **Resolution 216-2023** – Resolution of the Mayor and Council of the Township of Clinton supporting the 2023-2024 Impaired Driving Education & Enforcement Grant.

RESOLUTION

216 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON SUPPORTING THE 2023 – 2024 IMPAIRED DRIVING EDUCATION & ENFORCEMENT GRANT

WHEREAS, approximately one-third of all fatal traffic crashes in the United States involve impaired drivers; and
WHEREAS, impaired driving crashes killed 11,654 people in the United States in 2020; and
WHEREAS, impaired driving crashes cost the United States almost \$44 Billion a year; and
WHEREAS, during the past five years New Jersey's roadways experienced 33,798 crashes and 662 fatalities involving impaired drivers; and
WHEREAS, an enforcement crackdown is planned to combat impaired driving; and
WHEREAS, educating our youth and public are essential to combating impaired driving; and
WHEREAS, the project will involve increased impaired driving enforcement & educating our youth and public from October 1, 2023 through September 13, 2024; and
WHEREAS, an increase in impaired driving enforcement along with educating our youth and public and with a reduction in impaired driving will save lives on our roadways;
NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, as follows:

1. The Township hereby declares its support for the *2023 Impaired Driving Education & Enforcement grant* from October 1, 2023, through September 13, 2024, and pledges to increase awareness of the dangers of impaired driving.
 2. This resolution shall take effect immediately.
7. **Resolution 218-2023** – Resolution of the Mayor and Council of the Township of Clinton authorizing a refund of Recreation Basketball Registration fees.

RESOLUTION

218 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING A REFUND OF RECREATION BASKETBALL REGISTRATION FEES

WHEREAS, from time-to-time individuals who register for Township recreation programs subsequently withdraw from those programs; and

WHEREAS, such individuals are entitled to have their registration fees returned to them;

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

1. The Chief Financial Officer is hereby authorized to issue the following basketball registration fee refund(s):

Judy Leibowitz	\$140.00
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2. This resolution shall take effect immediately.

REPORTS FROM MAYOR AND COUNCIL MEMBERS

Councilman Glaser mentioned the Planning Board may have a Special Meeting on December 20th to adopt a resolution and their Re-Organization meeting is scheduled for January 8th. The Sewerage Authority’s meeting is tomorrow December 7th at 8 am. The Finance Committee has started to meet regarding the Township Budget.

Councilman Kochanowski seconded that the Finance Committee has a meeting on December 19th.

Councilwoman Switlyk reported on the Open Space meeting in November and gave an update on the grant application that was sent to the County for a parcel off Allerton Road. The property hopefully can be appraised after tonight’s meeting when a resolution is passed. A pre-appraisal application has been submitted for another parcel. Councilwoman Switlyk commented on the issues that are happening at Open Space properties regarding vandalism, dropping off garages, cutting into trails, and dogs off leashes. Options for how to prevent this from happening were discussed with the Township Administrator and the Police Chief. Bee hives are to be set up at another Township location. The Green Team was canceled due to lack of attendance, but the pollination garden is completed. There was an update on the Fountain Motel property with previous issues. Water testing is to be done at Windy Acres.

Council President Strauss shared that the Historical Commission’s meeting was cancelled for tonight due to lack of quorum. The Commission has a vacancy that needs to be filled. Public Safety reports included the proposed stop sign on Cokesbury Road at

Water Street, work orders at both Fire Stations, pending repairs, and an ARP Grant. JCP&L has a planned power outage scheduled and the information is on the website.

Mayor Mullay gave thanks for the upgrades at the Public Safety building. The Recreation Committee met and there were talks of a grant for a playground. Mayor Mullay provided Personnel updates and welcomed back a previous employee. Leaf collection has come to an end and the Mayor thanked the Department of Public Works Director for all the work that the Department put in for this process.

Chief DeRosa reported on the speaker, Chris Herran, that was at the High School.

ORDINANCE SECOND READING/ADOPTION – None*

**The second reading and public hearing for Ordinance #1191-2023 will take place at the December 20, 2023 meeting of the Mayor and Council.*

RESOLUTIONS

Council President Strauss recused himself at 7:37 pm.

1. **Resolution 217-2023** – Resolution of the Mayor and Council of the Township of Clinton authorizing the submission of a grant application to the New Jersey Department of Community Affairs and authoring the execution of a grant agreement with same for PPE Turnout Gear.

Mayor Mullay motioned to approve Resolution 217-2023; Councilman Glaser seconded.

Result: Motion passed by unanimous vote (Council President Strauss recused).

RESOLUTION 217 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH SAME

WHEREAS, the Township of Clinton desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately in order to purchase personal protective equipment (turnout gear) for the Township Fire Department;

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

1. The Township through its mayor, administrator and other appropriate staff and officials is hereby authorized to apply to the New Jersey Department of Community Affairs (“Department”) for a grant in order to acquire firefighter personal protective equipment (turnout gear) for the Township’s fire company.
2. The Mayor and Council recognize and accept that the Department may offer a lesser or greater amount; therefore, the Mayor and Clerk are hereby authorized

and directed to execute such grant agreement as may be received from the Department.

- 3. Upon receipt of the fully executed agreement from the Department, the expenditure of funds pursuant to the terms of said agreement is hereby authorized.
- 4. The persons whose names, titles, and signature appear below, or their successors in said titles, are hereby authorized to sign the grant application, and are further authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)	(signature)
(name)	(name)
(title)	(title)

- 5. This resolution shall take effect immediately.

Council President Strauss returned at 7:37 pm.

The Mayor and Council approved Resolution 220-2023 by a motion subject to writing a resolution after the fact.

- 2. **Resolution 220-2023** – Resolution of the Mayor and Council of the Township of Clinton approving a request from the Township of Clinton Police Chief to use Property Room Consulting for the evidence audit, in an amount not to exceed \$4,500.00, and utilizing DEA funds to complete the process.

Councilwoman Switlyk motioned to approve Resolution 220-2023; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

**RESOLUTION
220–2023**

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPROVING A REQUEST FROM THE TOWNSHIP OF CLINTON POLICE CHIEF TO USE PROPERTY ROOM CONSULTING FOR THE EVIDENCE AUDIT, IN AN AMOUNT NOT TO EXCEED \$4,500. AND UTILIZING DEA FUNDS TO COMPLETE THE PROCESS

WHEREAS, the Clinton Township Police Department (“CTPD”) wishes to become an accredited police department; and

WHEREAS, part of the process involves obtaining a “change-over” audit of the CTPD’s evidence room and training of CTPD detectives; and

WHEREAS, the Township of Clinton (“Township”) requires the services of a qualified

organization to assist the CTPD with the above-described audit and training; and **WHEREAS**, Property Room Consulting, Inc. (“Provider”) has submitted a proposal dated November 9, 2023, in which it has offered to provide the needed services to the Township for a fixed fee of \$4,500; and

WHEREAS, the Township wishes to enter into a goods and services agreement (“Agreement”) with Provider for the provision of the services described above, which services will be paid for utilizing DEA funds; 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, Provider 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 \$4,500.00 and a term of one year or until the required services have been completed, whichever is sooner; 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 goods and services agreement with Provider to conduct a change-over audit of the CTPD’s evidence room and provide the necessary training regarding the handling of evidence in compliance with State accreditation requirements.
 2. Provider shall be compensated at a flat rate of \$4,500.00 for its services in accordance with Provider’s proposal dated November 9, 2023. The term of the agreement shall be from December 1, 2023 to November 31, 2024 or until such time as Provider’s services have been completed, whichever is sooner.
 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 Township 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.
3. **Resolution 221-2023** – Resolution of the Mayor and Council of the Township of Clinton Approving an Amendment to the Collective Negotiations Agreement Between the Township and FOP Lodge 182 Superior Officers Association.

Councilman Kochanowski motioned to approve Resolution 221-2023; Council President Strauss seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

221 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPROVING AN AMENDMENT TO THE COLLECTIVE NEGOTIATIONS AGREEMENT BETWEEN THE TOWNSHIP AND FOP LODGE 182 SUPERIOR OFFICERS ASSOCIATION

WHEREAS, the Township employs police officers in the rank of Lieutenant; and
WHEREAS, the Fraternal Order of Police Lodge 182 Superior Officers Association (“SOA”) represents a collective negotiations unit consisting of superior officers holding the rank of Sergeant; and

WHEREAS, evidence has been submitted to the Township that a majority of the officers holding the rank of Lieutenant also wish to be represented by the SOA; and

WHEREAS, the Township and SOA have agreed to include the rank of Lieutenant in the existing SOA superior officers collective negotiations unit and to amend Article I, Section B of the collective negotiations agreement between the Township and the SOA, as set forth in that certain Side Letter Agreement attached hereto as Exhibit “A”;

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

1. The Side Letter Agreement attached to this resolution as Exhibit “A” is hereby approved.
2. The Mayor and Clerk are hereby authorized to execute said agreement on behalf of the Township, or such other substantially similar agreement as shall have been approved by the Township Attorney or Township Labor Counsel.
3. This resolution shall take effect immediately.
4. **Resolution 222-2023** – Resolution of the Mayor and Council of the Township of Clinton Approving a Shared Services Agreement with the Clinton Township Board of Education for a School Resource Officer for Calendar Year 2024.

Councilman Kochanowski motioned to approve Resolution 222-2023; Council President Strauss seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

222 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPROVING A SHARED SERVICES AGREEMENT WITH THE CLINTON TOWNSHIP BOARD OF EDUCATION FOR A SCHOOL RESOURCE OFFICER FOR CALENDAR YEAR 2024

WHEREAS, various New Jersey state statutes governing municipalities encourage and permit a variety of shared services, consolidated, and regional services; and

WHEREAS, in 2007, the New Jersey legislature adopted the “Uniform Shared Services and Consolidation Act,” N.J.S.A. 40A: 65-1 *et seq.*, to create a new shared services

statute to effectuate agreements between local units for any service or circumstance intended to reduce property taxes through the reduction of local expenses and to effectuate agreements between local units for any service or circumstance that any party to the agreement is empowered to provide within its own jurisdiction; and **WHEREAS**, the Clinton Township School District Board of Education (“School District”) and the Township of Clinton (“Township”) desire to enter into a shared services agreement through which the Township will assign of a police officer to the School District on a full-time basis to serve as a school resource officer; and

WHEREAS, the School District and the Township recognize the potential benefits to the students and staff of the School District and the citizens of the Township to have a school resource officer assigned to the School District’s three schools to provide for the safety and security of all persons during regular school hours, and where feasible, to assist the School District staff in providing assistance with programs that promote a safe school environment; and

WHEREAS, it is in the best interests of the School District and the Township to enter into this agreement.

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

1. The Council hereby approves a one-year shared services agreement with the Clinton Township School District Board of Education to provide a full-time police officer to the School District to serve as a school resource officer under the following terms and conditions:
 - a. The term of the agreement shall be from January 1 to December 31, 2024.
 - b. During the term of the agreement, the Township will assign one officer to serve at the Clinton Township Middle School on days when school is in regular session, up to forty hours per week. The officer shall not be assigned to any school other than the Clinton Township Middle School without the express permission of the Chief of Police.
 - c. The officer will be selected by the Township Chief of Police in consultation with the School District.
 - d. The officer will remain an employee of the Township.
 - e. The officer shall successfully complete training for safe school resource officers in accordance with New Jersey state law.
 - f. All specific duties of the school resource officer shall be assigned through the Clinton Township Police Department’s chain of command in cooperation with the Superintendent of School or the Superintendent’s designee.
 - g. The primary function of the school resource officer shall be to provide for the safety and security of all persons (students, teachers, staff, parents, contractors, etc.) on school property during regular school hours. Where feasible, the officer will work collaboratively with the district and other agencies to create safe and drug-free schools and promote healthy youth development.

- h. The officer shall not act as a school disciplinarian.
 - i. The School District will pay the Township \$182,253.08 for services rendered as set forth in the agreement.
 - 2. The Mayor and Acting Clerk are hereby authorized to execute the said agreement on behalf of the Township (Exhibit "A" hereto), or such other substantially similar agreement, the terms and form of which shall have been reviewed and approved by the Township Attorney.
 - 3. The Mayor, Acting Administrator, Acting Clerk, Township Attorney, Chief of Police, and other appropriate officers, employees, and professionals, are hereby authorized and directed to prepare and execute any and all other documents and undertake any and all acts necessary to effectuate the terms hereof.
 - 4. The agreement shall take effect upon the adoption of authorizing resolutions by both the Township and the Board of Education, and the execution of the agreement by both parties.
 - 5. The Acting Clerk shall cause a copy of this resolution and the fully executed agreement to be filed with the Division of Local Government Services in the New Jersey Department of Community Affairs for informational purposes.
5. **Resolution 223-2023** – Resolution of the Mayor and Council of the Township of Clinton Approving a Restated Shared Services Agreement with the North Hunterdon-Voorhees Board of Education for a School Resource Officer for the 2023-2024 School Year.

Councilman Kochanowski motioned to approve Resolution 223-2023; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

**RESOLUTION
223 – 2023**

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPROVING A RESTATED SHARED SERVICES AGREEMENT WITH NORTH HUNTERDON-VOORHEES SCHOOL DISTRICT BOARD OF EDUCATION FOR A SCHOOL RESOURCE OFFICER FOR THE 2023-2024 SCHOOL YEAR

WHEREAS, various New Jersey state statutes governing municipalities encourage and permit a variety of shared services, consolidated, and regional services; and **WHEREAS**, in 2007, the New Jersey legislature adopted the "Uniform Shared Services and Consolidation Act," N.J.S.A. 40A: 65-1 *et seq.*, to create a new shared services statute to effectuate agreements between local units for any service or circumstance intended to reduce property taxes through the reduction of local expenses and to effectuate agreements between local units for any service or circumstance that any party to the agreement is empowered to provide within its own jurisdiction; and **WHEREAS**, the Township and the North Hunterdon-Voorhees School District Board of

Education (“School District”) and the Township of Clinton (“Township”) desire to enter into a shared services agreement through which the Township will assign of a police officer to the School District on a full-time basis to serve as a school resource officer at North Hunterdon High School; and

WHEREAS, the School District and the Township recognize the potential benefits to the students and staff of the School District and the citizens of the Township to have a school resource officer assigned to North Hunterdon High School to provide for the safety and security of all persons during regular school hours, and where feasible, to assist the School District staff in providing assistance with programs that promote a safe school environment; and

WHEREAS, it is in the best interests of the School District and the Township to enter into this agreement.

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

1. The Mayor and Council hereby approve a shared services agreement with the North Hunterdon-Voorhees School District Board of Education to provide one full-time police officer to the School District to serve as a school resource officer at North Hunterdon High School on the terms and conditions set forth in the restated agreement attached hereto as Exhibit “A.” The term of the agreement shall be retroactive to July 1, 2023 and shall remain in effect until December 31, 2024. The agreement shall not be terminated during the 2023-2024 school year.
2. The Mayor and Acting Clerk are hereby authorized to execute the said agreement on behalf of the Township, or such other substantially similar agreement, the terms and form of which shall have been reviewed and approved by the Township Attorney.
3. The Mayor, Acting Administrator, Acting Clerk, Township Attorney, Chief of Police, and other appropriate officers, employees, and professionals, are hereby authorized and directed to prepare and execute any and all other documents and undertake any and all acts necessary to effectuate the terms hereof.
4. The agreement shall take effect upon the adoption of authorizing resolutions by both the Township and the Board of Education, and the execution of the agreement by both parties.
5. The Acting Clerk shall cause a copy of this resolution and the fully executed agreement to be filed with the Division of Local Government Services in the New Jersey Department of Community Affairs for informational purposes.
6. **Resolution 224-2023** – Resolution of the Mayor and Council of the Township of Clinton requesting approval of items of revenue and appropriation for the 2023 Drive Sober, Get Pulled Over End of the Year Holiday Crackdown for the period of December 15, 2023, through January 1, 2024, in the Township of Clinton.

Result: Motion passed by unanimous vote.

RESOLUTION

224 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION FOR THE 2023 DRIVE SOBER, GET PULLED OVER END OF THE YEAR HOLIDAY CRACKDOWN FOR THE PERIOD OF DECEMBER 15, 2023, THROUGH JANUARY 1, 2024, IN THE TOWNSHIP OF CLINTON

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

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

1. The Township hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2023 budget in the sum of \$3,710.00 which is now available from the State of New Jersey Law and Public Safety, Division of Highway Traffic Safety for Drive Sober Get Pulled Over through Somerset County.
2. The like sum of \$3,710.00 is hereby appropriated under the caption of Drive Sober Get Pulled Over.
3. This resolution shall take effect immediately.

7. **Resolution 225-2023** – Resolution of the Mayor and Council of the Township of Clinton requesting approval of items of revenue and appropriation for the 2023 Drive Sober, Get Pulled Over Thanksgiving Holiday Crackdown for the period of November 22, 2023, through November 26, 2023.

Mayor Mullay motioned to approve Resolution 225-2023; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

225 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION FOR THE 2023 DRIVE SOBER GET PULLED OVER THANKSGIVING HOLIDAY CRACKDOWN FOR THE PERIOD OF NOVEMBER 22, 2023, THROUGH NOVEMBER 26, 2023

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the

budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and **WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

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

1. The Township hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2023 budget in the sum of \$1,045.90 which is now available from the State of New Jersey Law and Public Safety, Division of Highway Traffic Safety for Drive Sober Get Pulled Over through Somerset County.
2. The like sum of \$1,045.90 is hereby appropriated under the caption of Drive Sober Get Pulled Over.
3. This resolution shall take effect immediately.

8. **Resolution 227-2023** – Resolution of the Mayor and Council of the Township of Clinton confirming the appointment of Donna Cramer as Deputy Registrar of Vital Statistics for the Township of Clinton.

Councilman Kochanowski motioned to approve Resolution 227-2023; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

**RESOLUTION
227 – 2023**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON
CONFIRMING THE APPOINTMENT OF DONNA CRAMER AS DEPUTY REGISTRAR
OF VITAL STATISTICS FOR THE TOWNSHIP OF CLINTON**

WHEREAS, N.J.S.A. 26:8-17 states that “the local registrar, immediately upon acceptance of the appointment, shall appoint a deputy to assist in the normal, day-to-day operation of the office and whose duty shall be to act in the registrar's stead in case of absence, disability or death of the registrar”; and

WHEREAS, pursuant to N.J.S.A. 26:8-17, the deputy registrar shall serve at the pleasure of the local registrar and shall receive instructions from and perform his or her duties under the direct supervision of the registrar, who shall be the final authority with the responsibility of fulfilling the duties of the local registrar outlined in N.J.S.A. 26:8-25; and

WHEREAS, by resolution dated September 13, 2023, the Township Mayor and Council appointed Lindsay Heller to serve as the Township’s registrar; and

WHEREAS, Ms. Heller in turn has selected Donna Cramer to serve as the deputy registrar for the Township;

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

1. The findings set forth in the preamble to this resolution are hereby incorporated as if more fully restated herein.
 2. Township Registrar Lindsay Heller's appointment of Donna Cramer as her deputy registrar is hereby confirmed.
 3. Consistent with N.J.S.A. 26:8-17, Ms. Cramer shall serve at Ms. Heller's pleasure and shall receive instructions from and perform her duties under Ms. Heller's direct supervision.
 4. A copy of this resolution shall forthwith be transmitted to the New Jersey Office of Vital Statistics.
 5. This resolution shall take effect immediately.
9. **Resolution 228-2023** – Resolution of the Mayor and Council of the Township of Clinton approving a salary adjustment for Francesca Escudero in the Township of Clinton Police Department.

Councilman Kochanowski motioned to approve Resolution 228-2023; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

228 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPROVING A SALARY ADJUSTMENT FOR CLINTON TOWNSHIP POLICE OFFICER FRANCESCA ESCUDERO

WHEREAS, on November 30, 2023 Francesca Escudero successfully graduated from the Morris County Police Academy; and

WHEREAS, pursuant to section XVI.A of the collective negotiations agreement ("CNA") between the Township of Clinton and Fraternal Order of Police Lodge 182, new hires who successfully complete their academy training shall advance to the probationary rate NA for one year within completion of the academy and in accordance with the CNA's salary guide; and

WHEREAS, Chief Thomas DeRosa has requested that Officer Escudero's salary be adjusted to the probationary rate of \$45,910.00 retroactive to December 1, 2023;

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

1. Effective as December 1, 2023, Officer Francesca Escudero's annual salary shall be \$45,910.00 plus all benefits afforded to other full-time Township employees.
 2. This resolution shall take effect immediately.
10. **Resolution 174-2023 [Corrected]** – Resolution of the Mayor and Council of the Township of Clinton accepting improvements and approving request by ExxonMobil Technology and Engineering Co. (*fka ExxonMobil Research and*

Engineering) for release of performance guarantee (block 30, Lots, 17, 30, 31, 41/Block 31, Lot 1/ Block 30.02, Lot 1).

Councilman Kochanowski motioned to approve Resolution 174-2023; Council President Strauss seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

174 – 2023

[CORRECTED]

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON ACCEPTING IMPROVEMENTS AND APPROVING REQUEST BY EXXONMOBIL TECHNOLOGY AND ENGINEERING CO. (*fka* EXXONMOBIL RESEARCH AND ENGINEERING) FOR RELEASE OF PERFORMANCE GUARANTEE (BLOCK 30, LOTS 17, 30, 31, 41/BLOCK 31, LOT 1/BLOCK 30.02, LOT 1)

WHEREAS, the Township of Clinton is the beneficiary of a performance guarantee posted by ExxonMobil Technology and Engineering Co. (*fka* ExxonMobil Research and Engineering) in the amount of \$3,040,947.60 in connection with development approvals granted by the Clinton Township Planning Board on October 17, 2016, as memorialized in Resolution PB-2016-05 adopted on November 7, 2016, for property located in the Annandale section of the Township and designated on the Clinton Township tax maps as Block 30, Lots 17, 30, 31, 41; Block 31, Lot 1; and Block 30.02, Lot 1, which guarantee was subsequently reduced to \$821,055.85 (see Resolution #94-19 adopted by the Clinton Township Mayor and Council on August 7, 2019); and

WHEREAS, the specific improvements for which the original guarantee was posted and the improvements that remained to be completed after the original guarantee was partially reduced are described in a letter dated July 16, 2019 from then-Township Engineer Cathleen F. Marcelli, PE of Mott MacDonald, a copy of which is included in the report dated September 6, 2023 from Township Engineer Larry Plevier, PE/CME of Mott MacDonald, attached hereto as Exhibit A; and

WHEREAS, Exxon has completed the installation of the remaining bonded improvements and by letter dated September 1, 2023 has requested that the performance guarantee be released in full, which letter is included in the Township Engineer's report attached as Exhibit A; and

WHEREAS, section 165-49E(1) of the Township Code states that prior to the release of a performance guarantee, the developer shall post with the Township a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the improvements that are being released; and

WHEREAS, section 165-49E(3) of the Township Code states that the term of the maintenance guarantee shall be for a period not to exceed two years and shall automatically expire at the end of the established term; and

WHEREAS, the Township Engineer's report was received by the Acting Township Clerk on September 6, 2023; and

WHEREAS, the Township Engineer's report indicates that 100% of the bonded improvements have been installed as shown on the approved site plan and are complete

and satisfactory, and further indicates that all landscaping has been completed and accepted by the Township Landscape Architect (see Site Inspection Memorandum prepared by Brian W. Bosenberg, dated April 10, 2019, included as part of Exhibit A), and a maintenance bond for a total of \$14,650.00 (15% of the total landscaping improvements) was previously posted for the performance bond reduction; and

WHEREAS, the Township Engineer therefore recommends that the performance guarantee be released in full, conditioned upon the posting of a two-year maintenance guarantee pursuant to Code section 165-49E and payment of inspection fees pursuant to Code section 165-49J; and

WHEREAS, no cause has been established to reject the completed improvements or withhold the performance guarantee; 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 findings set forth in the preamble to this resolution are hereby incorporated as if fully restated herein.
2. The completed improvements identified on the spreadsheet included with the Township Engineer's September 6, 2023 report (Exhibit A hereto) are hereby approved and accepted.
3. In accordance with section 165-49E of the Township Code, a maintenance guarantee shall be posted with the Township in the amount of \$380,118.45, which represents 15% of the cost of the bonded improvements being accepted herein. The maintenance guarantee shall be for a period of two years and shall automatically expire at the end of the two years.
4. As recommended by the Township Engineer, the total performance guarantee shall be released, and all cash returned to Exxon, once the appropriate maintenance guarantee has been posted.
5. Exxon shall continue to be responsible for all inspection fees associated with the improvements covered by the maintenance guarantee, as required by section 165-49J of the Township Code.
6. This resolution shall take effect immediately.

11. **Resolution 230-2023** – Resolution of the Mayor and Council of the Township of Clinton Approving Request by Clinton LIHTC Urban Renewal LLC for Release of Performance Guarantee for the "Clinton Woods" Affordable Housing Development (Block 82, Lot 4.03).

Councilwoman Switlyk motioned to approve Resolution 230-2023; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

230 – 2023

RESOLUTION ACCEPTING IMPROVEMENTS AND APPROVING REQUEST BY CLINTON LIHTC URBAN RENEWAL LLC FOR RELEASE OF PERFORMANCE

**GUARANTEE FOR THE “CLINTON WOODS” AFFORDABLE HOUSING DEVELOPMENT
(BLOCK 82, LOT 4.03)**

WHEREAS, the Township of Clinton is the beneficiary of a performance guarantee posted by Clinton LIHTC Urban Renewal LLC (“the developer”) on March 21, 2022 in connection with development approvals granted by the Clinton Township Planning Board for property located on Route 31 South and designated on the Clinton Township tax maps as Block 82, Lot 4.03 in connection with the affordable housing development commonly known as the “Clinton Woods” development; and

WHEREAS, the site improvements for which the original guarantee was posted are set forth in a letter dated December 29, 2021 from Township Engineer Larry Plevier, PE of Mott MacDonald (see **Exhibit A** attached hereto); and

WHEREAS, the total amount of the original performance guarantee was \$2,585,574.90, of which \$2,327,017.41 was posted in the form of a performance bond issued by Hartford Casualty Insurance Company (Bond #45BCSIU8597) and the remainder was posted in cash; and

WHEREAS, by letter dated January 5, 2023 from Deanna Shipman, Development Project Manager, to Township Clerk Carla Conner, the developer requested to have the original performance guarantee reduced, which request was approved by the Mayor and Council pursuant to Resolution #34-2023 adopted on February 8, 2023; and

WHEREAS, the developer has now completed all of the bonded improvements and requested that the performance guarantee be released in full (see letter dated November 2, 2023 from Anthony Weigand, Project Manager to Lindsay Heller, Acting Township Clerk, attached hereto as **Exhibit B**); and

WHEREAS, the Township Clerk has received a report from Township Engineer Larry Plevier, PE/CME of Mott MacDonald dated November 10, 2023, which report indicates that 100% of the bonded improvements have been installed as shown on the approved site plan and are complete and satisfactory (see **Exhibit C** attached hereto); and

WHEREAS, the Township Engineer’s report (Exhibit C) includes a landscape inspection report prepared by Township landscaping consultant Jim Mazzuco, LLA of Bosenberg Landscape Architecture, which indicates that Mr. Mazzuco inspected the relevant landscaping improvements for plantings within the public right-of-way and found them to be satisfactory; and

WHEREAS, the Township Engineer has recommended that in light of the above, the improvements be accepted, and the performance guarantee released in full, conditioned upon the posting of a two-year maintenance guarantee pursuant to section 165-49E of the “Code of the Township of Clinton” (“Code” or “Township Code”) and payment of inspection fees pursuant to section 165-49J of the Code; and

WHEREAS, no cause has been established to reject the completed improvements or withhold the performance guarantee;

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

1. The findings set forth in the preamble to this resolution are hereby incorporated as if fully restated herein.

2. The completed improvements identified on the spreadsheet included with the Township Engineer's November 10, 2023 report (Exhibit B to this resolution) are hereby approved.
3. In accordance with section 165-49E of the Township Code, a maintenance guarantee shall be posted with the Township in the amount three hundred and twenty-three thousand one hundred and ninety-six dollars and eighty-six cents (\$323,196.86), which represents 15% of the cost of the improvements in the original performance guarantee. The maintenance guarantee shall be for a period of two years and shall automatically expire at the end of the two years.
4. As recommended by the Township Engineer, the total performance guarantee shall be released, and all cash returned to the developer once the appropriate maintenance guarantee has been posted.
5. The developer shall continue to be responsible for all inspection fees associated with the improvements covered by the maintenance guarantee, as required by section 165-49J of the Township Code.
6. This resolution shall take effect immediately.

12. **Resolution 231-2023** – Resolution of the Mayor and Council of the Township of Clinton Authorizing the Township to Obtain Property Appraisals in Connection with a Potential Open Space Acquisition (Windy Hill/Ronquist).

Council President Strauss motioned to approve Resolution 231-2023; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

231-2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE TOWNSHIP TO OBTAIN PROPERTY APPRAISALS IN CONNECTION WITH A POTENTIAL OPEN SPACE ACQUISITION

WHEREAS, the Township of Clinton is considering acquiring for public recreation, conservation and general open space purposes a ±91.69-acre parcel situated at 23 Windy Hill Road in Annandale, New Jersey and designated as Block 82, Lot 54 on the Clinton Township tax maps ("project" or "Windy Hill project"); and

WHEREAS, to that end, the Township is seeking funding from Hunterdon County Municipal Grants Program, which provides County Open Space Funds to municipalities in connection with preserving open space, natural areas, farmland and historic sites; to acquire, develop, improve and maintain county and municipal lands for recreation and conservation purposes; and preservation of historic structures, properties, facilities, sites, areas, or objects; or for the payment of debt service or indebtedness issued or incurred by the municipality for any of the purposes described above; and

WHEREAS, in connection with said application, the Township must provide the County with two appraisals of the property's fair market value;

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

1. The Township Administrator on behalf of the Township is hereby authorized to solicit proposals from qualified real property appraisers for purposes of obtaining two independent appraisals of the Windy Hill property's fair market value.
2. The Mayor and Clerk are hereby authorized to enter into and execute agreements on behalf of the Township with the two appraisers whose proposals in the professional judgment of the Township Administrator and Mayor are the most advantageous to the Township, conditioned upon the following:
 - a. The total cost of each agreement does not exceed \$5,000.00;
 - b. The Chief Financial Officer certifies that funds are available to pay for the agreed-upon services; and
 - c. The Township Attorney approves the agreement(s) as to form and substance prior to their execution.
3. The Mayor, Clerk, Township Administrator, Township Attorney, and other appropriate staff and officials are hereby authorized to undertake any and all acts and execute and file any and all documents as may be necessary to effectuate the purposes hereof.
4. This resolution shall take effect immediately.

Ms. Marino recused herself.

13. **Resolution 226-2023** – Resolution of the Mayor and Council of the Township of Clinton approving a salary adjustment for the Court Administrator, Kimberly Marino.

Councilman Kochanowski motioned to approve Resolution 226-2023; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

226 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPROVING A SALARY ADJUSTMENT FOR MUNICIPAL COURT ADMINISTRATOR KIMBERLY MARINO

WHEREAS, Kimberly Marino serves as the Clinton Township Municipal Court Administrator and additionally, through Shared Services Agreements, serves as Municipal Court Administrator for the Town of Clinton, Union Township, Lebanon Township, the Boroughs of High Bridge and Hampton, and remains as the Custodian of Records for the North Hunterdon Municipal Court; and

WHEREAS, the Mayor and the Township Administrator have recommended that Ms. Marino's salary be adjusted to \$80,000.00 per year, retroactive to January 1, 2023;

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

1. Effective retroactively as of January 1, 2023, Kimberly Marino's annual salary shall be \$80,000.00, together with all benefits afforded to full-time Township employees.
2. This resolution shall take effect immediately.

Ms. Marino returned.

NEW BUSINESS

There was no new business

UNFINISHED BUSINESS

There was no unfinished business

CORRESPONDENCE

1. 2023 Re-Examination Report from the Township of Readington.
2. Ordinance No. 09-2023 from the Township of Lebanon.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA – Comments should be limited to three (3) minutes.

There were no comments from the public.

ADJOURNMENT

The Mayor and Council adjourned at 8:01 pm.

Respectfully submitted,


Lindsay Heller
Acting Township Clerk

Approved by the Mayor and Council: February 14, 2024