



MINUTES

**Township of Clinton Mayor and Council
December 20, 2023
7:00 p.m.**

1370 Route 31 North, Annandale, New Jersey 08801

Mayor Mullay called the meeting to order at 7:03 pm and read the following statement into record: "Adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Act. On December 15, 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	Absent
Council President Strauss	Present
Mayor Mullay	Present

Also Present:

William Close, Township Administrator
Trishka Waterbury Cecil, Township Attorney
Lindsay Heller, Acting Township Clerk

**COMMENTS FROM THE PUBLIC FOR ITEMS LISTED ON THE AGENDA ONLY--
Comments should be limited to three (3) minutes. – None.**

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.

Resolution #234-2023 was pulled from the Consent Agenda.

Council President Strauss motioned to approve the Consent Agenda; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote (Councilwoman Switlyk absent)

1. Approval of bills/vouchers.

Totals:	
Current	\$2,937,755.00
Trusts	\$6,202.99
Grants	\$14,809.50
Capital	\$22,425.00
Dog License	\$3.60

Grand Total: \$2,981,196.09

Breakdown of Current:

Board of Education \$2,659,087.00

Total Operations: \$278,668.00

2. Resolution 232-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing to release certain Performance Guarantees and Escrow for Block 13, Lot 7.09, in an amount not to exceed \$2,000.00, and Block 12, Lot 18.01, in an amount not to exceed \$2,000.00.

RESOLUTION

232 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING TO RELEASE CERTAIN PERFORMANCE GUARANTEES AND ESCROWS FOR BLOCK 13, LOT 7.09 AND BLOCK 12, LOT 18.01

BE IT RESOLVED that certain performance guarantees and escrows have been recommended by the Construction Department and Township Engineer to be released;

NOW, THEREFORE BE IT RESOLVED that the following refunds be issued:

<u>Amount</u>	<u>Block / Lot</u>	<u>Type of Permit</u>
\$2,000.00	13/7.09	Performance Guarantee
\$2,000.00	12/18.01	Performance Guarantee

3. Resolution 233-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing a transfer of funds.

RESOLUTION

233 – 2023

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON
AUTHORIZING A TRANSFER OF FUNDS**

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

Finance	O/E	\$5,000.00
Total		<u>\$5,000.00</u>

TO

Tax Collector	O/E	\$5,000.00
Total		<u>\$5,000.00</u>

4. Resolution 235-2023 – Resolution of the Mayor and Council of the Township of Clinton requesting approval of items of revenue and appropriation for the 2022-2023 Impaired Driving Education and Enforcement Grant.

REPORTS FROM MAYOR AND COUNCIL MEMBERS

Councilman Glaser gave updates regarding the Planning Board and the special meeting that was held regarding the Willows at Spruce Run. The Planning Board’s re-organization meeting is scheduled for January 8th. Councilman Glaser shared a few updates regarding the Finance Committee and the temporary budget for the Township.

Councilman Kochanowski seconded Councilman Glaser’s comments about the Finance Committee.

Council President Strauss reported on the accreditation program with the Police Department and a traffic complaint with Main Street. No reports from the Fire Department, OEM, Board of Education, or the Historic Commission.

Mayor Mullay announced potential personnel activity within the next few weeks.

Administrator Close reported on the Finance Committee, the budget conversations with the C.F.O. and Tax Assessor, the recent Somerset County Joint Insurance Fund meeting and the dividend check that was given for the Township’s MIRNA Account. Mr. Close thanked the Risk Management Team for their work and attention to matters.

ORDINANCE SECOND READING/ADOPTION

1. Ordinance 1191-2023 – An Ordinance of the Township of Clinton in Hunterdon County, New Jersey Accepting the Donation of Vacant Real Property located on

New Jersey State Highway Route 31 and Molasses Hill Road and Designated as Block 26, Lot 1 on the Clinton Township Tax Maps.

Councilman Kochanowski motioned to approve Ordinance 1191-2023; Council President Strauss seconded.

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

The Mayor and Council discussed Resolution 234-2023.

1. Resolution 234-2023 – Resolution of the Mayor and Council of the Township of Clinton approving a refund for a duplicate payment of permit for the Building Department, in an amount not to exceed \$75.00.

Mayor Mulla motioned to approve Resolution 234-2023 by a motion subject to revisions of the resolution; Council President Strauss seconded.

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

RESOLUTION

234-2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPROVING A REFUND FOR A DUPLICATE PAYMENT OF PERMIT FOR THE BUILDING DEPARTMENT, IN AN AMOUNT NOT TO EXCEED \$75.00

WHEREAS, The Construction Office collected a duplicate payment of \$75.00 on October 30, 2023, and \$75.00 on December 1, 2023, from Innovative Therapies; and

WHEREAS, The Construction Office is requesting to refund \$75.00 to Innovative Therapies; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, County of Hunterdon, that the CFO is authorized to refund Innovative Therapies in the amount of \$75.00 from the UCC clearing account.

RESOLUTIONS

1. Resolution 236-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing the initiation of a procurement card program.

Councilman Kochanowski motioned to approve Resolution 236-2023; Council President Strauss seconded.

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

RESOLUTION

236 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE INITIATION OF A PROCUREMENT CARD PROGRAM

WHEREAS, N.J.S.A. 40A:5-16 permits the use of Procurement Cards (P-Cards) by local units for specific circumstances to be used for certain payments; and

WHEREAS, the statute permits a municipality to adopt policies that permit specifically named employees to use P-Cards for the acquisition of goods and services under certain circumstances set forth in the statute; and

WHEREAS, the Township Administrator has recommended the establishment of a Procurement Card Program to reduce or eliminate the need for employee reimbursement; and

WHEREAS, the Township Council desires to establish the fiscally responsible practice of procurement cards to enhance accountability; and

WHEREAS, the Chief Financial Officer recommends establishing a Procurement Card Program with any of the financial institutions listed in the 2023 Cash Management Plan; and

WHEREAS, all transactions must comply with provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. Seq.,) and the use of a P-Card will not change or eliminate any provisions of that law; and

WHEREAS, internal controls that ensure compliance with the statutory authorization and the Local Finance Board's rules will be in place; and

WHEREAS, the Township Administrator or their designee shall be the program manager, answerable to the Chief Financial Officer for the efficiency of the program; and

WHEREAS, the Chief Financial Officer and program manager will adhere to the laws and guidance as set forth by the New Jersey Statutes and New Jersey Division of Local Government Services Local Finance Notices on the matter as well as local purchase policy.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Clinton, County of Hunterdon, State of New Jersey that the Procurement Card Program for the year 2023 with the above stipulations and in accordance with N.J.A.C. 5:30-9A and N.J.S.A. 40A:5-16 is approved; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Clinton, County of Hunterdon, State of New Jersey that the Chief Financial Officer is authorized to sign and submit all necessary documents with a financial institution listed in the 2023 Cash Management Plan to establish this Procurement Card Program.

2. Resolution 237-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing the Request for Proposal for the hiring of an automated data processing firm for payroll processing and payroll services for the Township of Clinton through the competitive contracting process.

Councilman Glaser motioned to approve Resolution 237-2023; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote (Councilman Switlyk absent).

RESOLUTION

237 – 2023

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE HIRING OF AN AUTOMATED DATA PROCESSING FIRM FOR PAYROLL PROCESSING AND PAYROLL SERVICES FOR THE TOWNSHIP OF CLINTON THROUGH THE COMPETITIVE CONTRACTING PROCESS

WHEREAS, the Township has a desire to provide Payroll Data Processing Services as an efficient outsourced service for its payroll and human resources function; and

WHEREAS, such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.1(b)(3).; and

WHEREAS, the Township desires to evaluate such software offerings from Vendors within the procedures as set forth in the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-4.1 et. seq. and N.J.A.C. 5:34-4 et. Seq.); and

WHEREAS, the Township desires to enter into a contract for up to a seven (7) year contract that will satisfy the needs of the Township; and

WHEREAS, as per statute the process will be administered by the Township Manager, Legal Counsel or Qualified Purchasing Agent.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clinton, County of Hunterdon, State of New Jersey, as follows:

The Qualified Purchasing Agent is hereby authorized to commence the competitive contract/ procurement as allowable under the New Jersey Local Publics Contract Law allowing for a minimum of 20 days' notice after advertisement to receive responses, per Local Publics Contract Law.

3. Resolution 238-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing the solicitation of proposal for Animal Control Services during Calendar Year 2024 using BidNet Direct.

Councilman Glaser motioned to approve Resolution 238-2023; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote (Councilman Switlyk absent).

RESOLUTION

238 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE SOLICITATION OF PROPOSALS FOR ANIMAL CONTROL SERVICES DURING CALENDAR YEAR 2024 USING BIDNET DIRECT

WHEREAS, the Township of Clinton (“Township”) requires the services of a qualified firm to provide animal control services to the Township during calendar year 2024; and

WHEREAS, the Township Administrator has recommended that the Township solicit proposals from qualified vendors using the online bidding platform Bidnet Direct;

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 is hereby authorized to solicit proposals from qualified vendors for the provision of animal control services during calendar year 2024 using the online platform Bidnet Direct.
2. This resolution shall take effect immediately and shall be retroactive to December 1, 2023.

4. Resolution 239-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing the Chief of Police and Township Administrator to advertise and solicit applications for a Class II Special Law Enforcement Officer.

Councilman Glaser motioned to approve Resolution 239-2023; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote (Councilman Switlyk absent).

RESOLUTION

239 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE CHIEF OF POLICE AND TOWNSHIP ADMINISTRATOR TO ADVERTISE AND SOLICIT APPLICATIONS FOR A CLASS II SPECIAL LAW ENFORCEMENT OFFICER

WHEREAS, section 4-52G of the Clinton Township Code authorizes the Mayor and Council to appoint and reappoint special law enforcement officers pursuant to N.J.S.A. 40A:14-146.9 *et seq.* for terms not to exceed one year; and

WHEREAS, the Chief of the Clinton Township Police Department has indicated that there is a need for a Class II special law enforcement officer in the Township, and to that end wishes to post an advertisement and solicit applications for the position;

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 Chief of Police and Township Administrator are hereby authorized to post an advertisement and solicit applications for a Class II Special Enforcement Officer.
2. The selection and hiring of any such officer shall be subject to the approval of the Mayor and Council.
3. This resolution shall take effect immediately.

Council President Strauss recused himself at 7:19 pm.

5. Resolution 240-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing the purchase through Capital Ordinance #1186-2023 from

New Jersey Fire Equipment Co., of ventilation fans, in an amount not to exceed \$13,800.00.

Councilman Kochanowski motioned to approve Resolution 240-2023; Councilman Glaser seconded.

Result: Motion passed 3-1-1 (Council President recused; Councilwoman Switlyk absent).

RESOLUTION

240 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE PURCHASE THROUGH CAPITAL ORDINANCE #1186-2023 FROM NEW JERSEY FIRE EQUIPMENT COMPANY OF VENTILATION FANS, IN AN AMOUNT NOT TO EXCEED \$13,800.00

WHEREAS, The Fire Department is in need to purchase ventilation fans; and

WHEREAS, The Township has secured funds in the Capital Budget for the Fire Department; and

WHEREAS, The Fire Chief secured three (3) quotes; New Jersey Fire Equipment Co. in the amount of \$13,800.00, Fire & Safety Services in the amount of \$14,225.00, and Strategic Safety Dynamic in the amount of \$16,387.60 for the forementioned equipment; and

WHEREAS, the Fire Chief is recommending to purchase the equipment form New Jersey Fire Equipment Co. since this vendor submitted the lowest quote; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for amount NTE \$13,800.00 for the ventilation fans; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said goods and services through Capital Ordinance #1186-2023.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, hereby authorize the Fire Chief to accept and purchase the forementioned equipment in the amount of \$13,800.00 from New Jersey Fire Equipment Co.

6. Resolution 241-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing the purchase through Capital Ordinance #1186-2023 from Witmer Public Safety, Inc., of gas detection meters, in an amount not to exceed \$9,244.00 (NJ State 20-Fleet-01118).

Councilman Kochanowski motioned to approve Resolution 241-2023; Councilman Glaser seconded.

Result: Motion passed 3-1-1 (Council President recused; Councilwoman Switlyk absent).

RESOLUTION

241 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE PURCHASE OF GAS DETECTION METERS THROUGH CAPITAL ORDINANCE #1186-2023 FROM WITMER PUBLIC SAFETY, INC. IN AN AMOUNT NOT TO EXCEED \$9,244.00 (NJ STATE 20-FLEET-01118)

WHEREAS, The Fire Department is in need to purchase upgraded Gas Detection Meters; and

WHEREAS, The Township has secured funds in the Capital Budget for the fire department; and

WHEREAS, Witmer Public Safety Group, Inc. was awarded for NJ State contract 20-Fleet-01118 for the forementioned equipment; and

WHEREAS, the Fire Chief secured an estimate for \$9,244.00 for the Gas Detection Meters; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for amount NTE \$9,244.00 for the Gas Detection Meters; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said goods and services through Capital Ordinance #1186-2023.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, hereby authorize the Fire Chief to accept and purchase the forementioned equipment in the amount of \$9,244.00.

Council President Strauss reconvened with the Council at 7:20 pm.

7. Resolution 242-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing the Strategic Plan for Funding Municipal Alliances: Governor’s Council on Alcoholism and Drug Abuse for the Fiscal Grant Cycle July 1, 2024, through June 30, 2025.

Mayor Mullay motioned to approve Resolution 242-2023; Council President Strauss seconded.

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

RESOLUTION

242 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE STRATEGIC PLAN FOR FUNDING MUNICIPAL ALLIANCES: GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FOR THE FISCAL GRANT CYCLE JULY 1, 2024, THROUGH JUNE 30, 2025

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Clinton, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Hunterdon;

NOW, THEREFORE, BE IT RESOLVED by the Township of Clinton, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the North Hunterdon Municipal Alliance grant for fiscal year 2025 in the amount of:

DEDR	\$ <u>10,070.00</u>
Cash Match	\$ <u>2,517.50</u>
In-Kind	\$ <u>7,552.50</u>

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

8. Resolution 243-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing the solicitation of proposals for Information Technology Consulting and Management Services using BidNet Direct.

Councilman Glaser motioned to approve Resolution 243-2023; Council President Strauss seconded.

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

RESOLUTION

243 – 2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE SOLICITATION OF PROPOSALS FOR INFORMATION TECHNOLOGY CONSULTING AND MANAGEMENT SERVICES USING BIDNET DIRECT

WHEREAS, the Township of Clinton (“Township”) requires the services of a qualified firm to provide information technology consulting management services to the Township; and

WHEREAS, the Township Administrator has recommended that the Township solicit proposals from qualified vendors using the online bidding platform Bidnet Direct;

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 is hereby authorized to solicit proposals from qualified vendors for the provision of information technology consulting and management services using the online platform Bidnet Direct.
2. This resolution shall take effect immediately and shall be retroactive to December 1, 2023.

9. Resolution 244-2023 – Resolution of the Mayor and Council of the Township of Clinton authorizing the submission of a letter of support for a proposed Community Solar Project at 111 Cokesbury Road in Clinton Township.

Councilman Glaser motioned to approve Resolution 244-2023; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote (Councilman Switlyk absent).

RESOLUTION

244–2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE SUBMISSION OF A LETTER OF SUPPORT FOR A PROPOSED COMMUNITY SOLAR PROJECT AT 111 COKESBURY ROAD IN CLINTON TOWNSHIP

WHEREAS, pursuant to the Clean Energy Act of 2018 (L. 2018, c.17) and the Solar Act of 2021 (L. 2021, c. 169), the New Jersey Board of Public Utilities (NJBPU) has established a permanent Community Solar Energy Program (CSEP) by Board Order dated August 16, 2023; and

WHEREAS, the CSEP provides incentives to eligible community solar facilities to enable the continued efficient and orderly development of solar electric generating sources throughout New Jersey; and

WHEREAS, all community solar projects must be low- and moderate-income (LMI) projects, meaning at least 51% of the project's capacity must be subscribed by or reserved for qualified LMI subscribers; and

WHEREAS, IPPsolar LLC seeks to participate in the CSEP by establishing a community solar project utilizing roof-top panels on a building located at 111 Cokesbury Road, which panels received the necessary approvals from the Township's Zoning Board of Adjustment in 2019; and

WHEREAS, in order to register as a participant in the CSEP, IPPsolar must among other things submit a letter of support from the Mayor and/or Council for the proposed project;

WHEREAS, the Mayor and Council find that the provision of clean energy at a discounted rate would be beneficial to the Township's and low-and moderate-income residents;

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 is hereby authorized to prepare and submit on behalf of the Township a letter of support for IPPsolar's proposed community solar project at 111 Cokesbury Road.
2. This resolution shall take effect immediately.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA – Comments should be limited to three (3) minutes - None

EXECUTIVE SESSION

Council President Strauss made a motion to enter Executive Session at 7:30 pm; Councilman Kochanowski seconded.

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 or subjects to be discussed in this session is as follows:

1. Pending or anticipated litigation and employee disciplinary matter [N.J.S.A. 10:4-12b(7)]
2. Matters falling within the attorney-client privilege involving legal briefing and training by the Township Attorney [N.J.S.A. 10:4-12b(7)]

The matters discussed in this closed session will be made public if and when the need for confidentiality no longer exists.

Formal action may be taken.

ADJOURNMENT

The Mayor and Council adjourned the meeting at 8:28 pm.

Respectfully submitted,



Lindsay Heller
Acting Township Clerk

Approved by the Mayor and Council: February 14, 2024