



MEETING MINUTES

Township of Clinton Mayor and Council
April 24, 2024
7:01 p.m.

1370 Route 31 North, Annandale, New Jersey 08801

Mayor Mullay 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 April 19, 2024, 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	Absent
Councilwoman Switlyk	Present
Council President Strauss	Absent
Mayor Mullay	Present

Also Present:

Trishka Waterbury Cecil, Township Attorney
Lindsay Heller, Acting Township Clerk
William Close, Acting Township Administrator
Christine Licata, Township C.F.O.
Larry Plevier, Township Engineer
Tom DeRosa, Police Chief

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

Walter Wilson, Clinton Township, asked questions about the Master Plan and Ordinance 1196-2024. Mayor Mullay noted that the comments for the ordinance will not be accepted until the public hearing. Mr. Wilson understood and asked about the changes and the tree ordinance that is on the agenda regarding the design standards and DEP requirements and stated he does not agree with them.

APPROVAL OR CORRECTIONS OF MINUTES

1. Regular Session meeting minutes from April 10, 2024. – TABLED.

BOARD OF HEALTH

The Council adjourned the Mayor and Council meeting and convened as the Board of Health at 7:06 pm.

Kurt Hoffman presented the amendment to the Council for Block 66, Lot 9.

1. Approving an amended Septic System Waiver Request for a property located at Block 66, Lot 9 in the Township of Clinton.

Mayor Mullay motioned to approve the waiver request; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

The Board of Health meeting ended, and the Council reconvened at 7:08 pm.

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.

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

Result: Motion passed by unanimous vote.

1. Approval of bills/vouchers.

TOTALS:

Current	\$2,231,934.47
Trusts	\$3,025.00
Recreation	\$1,200.00
Dog License	\$325.80
Grand Total:	\$2,236,485.27

Breakdown of Current:

Exxon Tax Overpayment	\$1,770,709.19
Total Operations:	\$461,225.28

2. Resolution 2024-93 – Resolution of the Mayor and Council of the Township of Clinton authorizing the release of refund for overpayment of real estate taxes.

RESOLUTION

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON
AUTHORIZING THE RELEASE OF REFUND FOR OVERPAYMENT OF REAL ESTATE
TAXES**

WHEREAS, on properties located within the Township of Clinton, an overpayment of real estate taxes has been made; and

WHEREAS, applications have been made to the Tax Collector for refunds of said overpayments, totaling **\$1,770,709.19**; and

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

1. The Tax Collector is hereby authorized and directed to issue the following refund:

VENDOR	BLOCK	LOT	Quarter	AMOUNT
EXXON MOBIL CORPORATION	30	30	2024/2	\$1,770,709.19
PO BOX 64106				
SPRING, TX 77387-4106				
TOTAL REFUNDS				\$1,770,709.19

2. This resolution shall take effect immediately.

REPORTS FROM MAYOR AND COUNCIL MEMBERS

Councilman Glaser reported the Planning Board will meet on April 6th and shared an update on the Highlands Council, including the proposed affordable housing amendment to the Regional Master Plan. Councilman Glaser attended the Local Safety Action Plan meeting regarding critical incidents with traffic in the County. The Sewerage Authority is meeting on May 9th, and he held his comments for the Finance Committee until budget adoption.

Councilwoman Switlyk reported on Open Space and the hunting program. There will be updates regarding the 5K trail with a new layout for the Cross Country team as well. Councilwoman Switlyk had concerns with the trails and requested that the Department of Public Works look into the concerns and have them addressed. Spraying will be starting soon with the farmers, and reminders will be posted at the trails and Open Space properties for the public, as well as online, to keep them informed. A letter with property rules to residents was suggested, and Councilwoman Switlyk believes this will be helpful to all with reminders about the properties. The Green Team is going to try for the Silver Medal next year but will still submit points for this year. The Environmental Commission is hosting a clean up on May 4th, and information can be found online. Community day is Saturday, April 27th and the Environmental Commission will be passing out seedlings and well water testing kits.

Mayor Mullay seconded the Community Day reminder for this Saturday at Bundt Park starting at 2 pm, and there is a race in the morning. There are interviews being held for DPW and the Police Department.

Trishka Cecil mentioned that the Township and the new owners for 4 Old Jericho Road will be meeting tomorrow, April 25th for the closing.

PUBLIC HEARING: 2024 MUNICIPAL BUDGET ADOPTION

Councilman Glaser commented that the budget is responsible and appropriate for the Township and went through the changes of this year from last year. Taxpayers will see an increase of about \$8 more per month. There was an increase in the tax levy, and revenues are down slightly from last year. Thirty-three percent of the budget is public safety and \$1.5 million is allocated for Capital, including roads. Net debt is down from last year. The budget presentation will be posted on the website.

William Close thanked the C.F.O., Finance Committee and the Mayor for their work and working together on the budget. The tax collection rate is over 98%, which is very good for the Township, and he thanked the tax collector for her work. Mr. Close mentioned that the fund balance increased, which is good news for the Township as well.

Anna Gregorian, Clinton Township, had questions about taxes and the roads within the Township, including Austin Hill. There are downed trees in her neighborhood, along with paving issues. Ms. Gregorian wanted to know if this budget would include her road and neighborhood for maintenance and fixing. Mayor Mullay mentioned that every year the Township Engineer and the Director of DPW evaluate the Township's roads and determine which can be addressed. Councilman Glaser reported that there are 112 roads in the Township, and some are worse than others. There is a schedule every year for maintenance. Ms. Gregorian asked about the trees and the Mayor informed that the DPW will be around this week or next to see who is responsible for the trees. Mr. Plevier and Mr. Close gave information on road paving with the State aid and County Co-Ops.

Mayor Mullay thanked Mr. Close, Department Heads, the Finance Committee, Ms. Licata, and Mr. Plevier for the budget and their work with this.

1. Resolution adopting the 2024 Municipal Budget.

Mayor Mullay motioned to approve the 2024 Municipal Budget; Councilman Glaser seconded.

Result: Motion passed by unanimous vote.

ORDINANCE FOR FIRST HEARING/ INTRODUCTION

1. ORDINANCE #1197-2024 – An Ordinance of the Township of Clinton in Hunterdon County, New Jersey, Modifying the Stormwater Management

Requirements for Major Developments and Amending Chapter 165 (Land Use Regulations) of the “Code of the Township of Clinton”.

Councilman Glaser motioned to approve the introduction of Ordinance #1197-2024; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

Public Hearing for Ordinance 1197-2024 is scheduled for May 22, 2024, at 7 pm.

ORDINANCES FOR SECOND READING/ADOPTION

1. ORDINANCE #1195-2024 – An Ordinance of the Township of Clinton Regulating the Storage of Salt and Other Solid De-icing Materials on Private Properties, Consolidating Existing Section Required for MS4 Municipal Storm Water Permit and Amending Chapter 220 of the “Code of the Township of Clinton” Entitled “Sewers and Sewage Disposal”.

There were no public comments for Ordinance #1195-2024.

Councilman Glaser motioned to approve the adoption of Ordinance #1195-2024; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

2. ORDINANCE #1196-2024 – An Ordinance of the Township of Clinton Regulating Tree Removal and Replacement and Adopting a New Chapter of the “Code of the Township of Clinton” Entitled “Tree Removal and Replacement”.

There were no public comments for Ordinance #1196-2024.

Councilman Glaser motioned to approve the adoption of Ordinance #1196-2024; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

RESOLUTIONS

1. Resolution 2024-94 – Resolution of the Mayor and Council of the Township of Clinton authorizing 2024-2025 Farm Services Concession Agreements for various properties in the Township.

Councilwoman Switlyk motioned to approve Resolution 2024-94; Councilman Glaser seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

2024 – 94

RESOLUTION OF THE MAYOR AND COUNCIL AUTHORIZING 2024-2025 FARM SERVICES CONCESSION AGREEMENTS FOR VARIOUS PROPERTIES IN THE TOWNSHIP

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

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

- A. Brays Hill - Block 30, Lots 19 and 23
- B. Hacketts Preserve - Block 63, Lot 2
- C. Kaufelt - Block 82, Lot 3
- D. Marookian - Block 82, Lot 4.03
- E. Windy Acres-Block 7, Lots 18.03, 31.01, 31.02
- F. Prostack Farm-Block 19, Lot 28 and Block 25, Lot 10

And

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

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

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

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

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

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

agreements; and

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

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

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

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

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

2. Resolution 2024-95 – Governing Body Certification of Compliance with the United State Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964.

Councilman Glaser motioned to approve Resolution 2024-95; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

2024 – 95

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42

U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Township of Clinton, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

3. Resolution 2024-96 – Resolution of the Mayor and Council of the Township of Clinton authorizing the unclaimed money in the evidence room at the Township Police Department to be deposited into the Police Township account.

Mayor Mullay motioned to approve Resolution 2024-96; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

2024 – 96

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE UNCLAIMED MONEY IN THE EVIDENCE ROOM AT THE TOWNSHIP POLICE DEPARTMENT TO BE DEPOSITED INTO THE POLICE TOWNSHIP ACCOUNT

WHEREAS, the evidence audit for the accreditation program has been completed; and
WHEREAS, during the process of accreditation, the Police Department discovered currency in the evidence room that remained unclaimed six (6) months after intake and is therefore now Township property; and

WHEREAS, per the Township of Clinton Police Department Policy, the unclaimed money can be co-mingled with other Township funds; and

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 following amount of \$983.06 shall be deposited in the Township Police Department account.
2. This resolution shall take effect immediately.

4. Resolution 2024-97 – Resolution of the Mayor and Council of the Township of Clinton approving a request from the Township of Clinton Police Chief to use PMC Associates for cradlepoint products, in an amount not to exceed \$3,300.00 and utilizing DEA funds to complete the process, through State Contract #83900.

Councilman Glaser motioned to approve Resolution 2024-97; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

2024 – 97

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPROVING A REQUEST FROM THE TOWNSHIP OF CLINTON POLICE CHIEF TO USE PMC ASSOCIATES FOR CRADLEPOINT PRODUCTS, IN AN AMOUNT NOT TO EXCEED \$3,300.00 AND UTILIZING DEA FUNDS TO COMPLETE THE PROCESS, THROUGH STATE CONTRACT #83900

WHEREAS, the Clinton Township Police Department (“CTPD”) has through State Contract #83900 acquired the services of PMC Associates to provide and configure Cradlepoint products and internet access for the Department’s police vehicles; and

WHEREAS, the Department seeks to acquire additional Cradlepoint products and associated access and configuration services from PMC Associates; and

WHEREAS, PMC Associates is willing to provide the products and extend its services to the Department through April 7, 2025 for a total cost of \$3,271.68; and

WHEREAS, the Department wishes to use DEA funds to finance the cost of the extended agreement with PMC Associates;

WHEREAS, there are sufficient available funds for this contract extension, 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 Council hereby authorize the Department to extend its use of PMC Associates through April 27, 2025, through State Contract #83900, for a total cost not to exceed \$3,300.00, and further authorizes the use of DEA funds to finance the costs thereof.
2. This resolution shall take effect immediately.
5. Resolution 2024-98 – Resolution of the Mayor and Council of the Township of Clinton approving a request from the Township of Clinton Police Chief to use Vector Solutions for internal affairs management and performance tracking, in an amount not to exceed \$4,100.00 and utilizing DEA funds to complete the process.

Councilwoman Switlyk motioned to approve Resolution 2024-98; Mayor Mullay seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

2024 – 98

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPROVING A REQUEST FROM THE TOWNSHIP OF CLINTON POLICE CHIEF TO USE VECTOR SOLUTIONS FOR INTERNAL AFFAIRS MANAGEMENT AND

PERFORMANCE TRACKING, IN AN AMOUNT NOT TO EXCEED \$4,100.00 AND UTILIZING DEA FUNDS TO COMPLETE THE PROCESS

WHEREAS, the Clinton Township Police Department (“CTPD”) wishes to utilize DEA funds to implement a system for internal affairs management and performance tracking; and

WHEREAS, the implementation of such system is long overdue and will be a great benefit to the Township Police Department; and

WHEREAS, the Township Police Department currently does not have a system in place that can do such tracking; and

WHEREAS, Vector Solutions has submitted a quote that was significantly lower than other quotes received, and the first-year amount not to exceed is \$4,100.00, with the second-year price not to exceed amount is \$3,600.00; 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, County of Hunterdon, State of New Jersey, as follows:

1. The Mayor and Council hereby authorize the Township to enter into an agreement with Vector Solutions to implement a system for internal affairs management and performance tracking in an amount not to exceed \$4,100.00 for the first year and \$3,600.00 for the second year of the contract.
2. The Mayor and Council further authorize the Township to use DEA funds to finance the costs of the contract and implementation.
3. This resolution shall take effect immediately.

6. *Resolution 2024-99 – Resolution of the Mayor and Council of the Township of Clinton authorizing members of the public to install and maintain beehives on specific portion of Windy Acres (Block 7, Lots 18.3, 31.01, & 31.02).*

Resolution 2024-99 was tabled due to modifications of the resolution requested by Councilman Glaser.

NEW BUSINESS

1. Resolution 2024-100 – Resolution of the Mayor and Council of the Township of Clinton rejecting all responses for CC#24-02, IT Consulting Services Competitive Contract.

Councilman Glaser motioned to approve Resolution 2024-100; Councilwoman Switlyk seconded.

Result: Motion passed by unanimous vote.

RESOLUTION

2024 – 100

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON REJECTING ALL RESPONSES FOR CC#24-02, IT CONSULTING SERVICES COMPETITIVE CONTRACT

WHEREAS, the Township of Clinton received bids in a fair and open manner on January 18, 2024 at 11:00 A.M., for CC#24-02, IT Consulting Competitive Contract Services

WHEREAS, the Township received five (5) responses to the invitation to respond; and

WHEREAS, after receipt it became apparent to the Township of the need to revise bids; and

WHEREAS, the New Jersey Local Public Contracts Law at N.J.S.A. 40A:11-13.2(d) allows for rejection of bids when, "d. the contracting unit wants to substantially revise the specifications for the good or services"; and

WHEREAS, it is the desire of the Township to substantially revise the bid specifications for Competitive Contract #24-02; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that any and all responses received for Competitive Contract #24-02, IT Consulting Services, are hereby rejected in accord with the authority granted within N.J.S.A. 40A:11-13.2(d) and the Township Administrator is authorized to immediately rebid once specifications are revised.

OLD BUSINESS

1. Resolution of the Mayor and Council of the Township of Clinton appointing an additional Municipal Prosecutor for the Township of Clinton during calendar year 2024. *Tabled*
2. Resolution of the Mayor and Council of the Township of Clinton awarding audio system in the Courtroom. *Tabled*

CORRESPONDENCE

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

Doug Pecota, Clinton Township, asked about spraying the properties and if there can be a longer timeframe for than when the spraying is happening; the smell lingers from the spraying and the public and their pets shouldn't be inhaling it after.

EXECUTIVE SESSION

ADJOURNMENT

The Council adjourned at 8:05 pm.

Respectfully submitted,



Lindsay Heller

Acting Township Clerk

Adopted by Mayor and Council: May 8, 2024

