

RESOLUTION

AUTHORIZING THE RETURN OF PREMIUM REFUNDS ON LIEN REDEMPTIONS

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

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

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

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

<u>Block</u>	<u>Lot</u>	<u>Certificate</u>	<u>Vendor</u>	<u>Premium</u>
79.02	8.0209 C0209	2020-007	US BANK CUST/PRO CAP 8/PRO CAPITAL MGT II	500.00
			50 S 16 TH ST SUITE 2050	
			PHILADELPHIA, PA 19102	
			TOTAL	\$500.00

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: September 14, 2022

CERTIFICATION

I, Carla Conner, Municipal Clerk of the Township of Clinton, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 14th day of September, 2022.

Conner Conner, Municipal Clerk

RESOLUTION

CHAPTER 159

REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION SRO FOR THE CLINTON TOWNSHP MIDDLE SCHOOL

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 that the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2022 budget in the sum of \$95,000.00, which is now available from Miscellaneous Revenue, Special Items of Revenue Anticipated, Shared Services Agreement offset with Appropriation and

BE IT FURTHER RESOLVED, that the like sum of \$95,000.00 is hereby appropriated General Appropriations Shared Service Agreements.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: September 14, 2022

CERTIFICATION

I, Carla Conner, Municipal Clerk of the Township of Clinton, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 14th day of September, 2022.

Conner Conner, Municipal Clerk

RESOLUTION
RESOLUTION ADOPTING A PROTOTYPICAL
SERVICE AGREEMENT

WHEREAS, the Township of Clinton previously adopted a Deferred Compensation Plan and Service Agreement provided by Great-West Life & Annuity Insurance Company Plan Id#:74-PD-GWL-120208 and Service Agreement #: 23-GWL/NPC-SA-E010702 for the purposes of:

- the desire to attract and retain qualified employees;
- the accrual of tax benefits to eligible employees through participation in a Deferred Compensation Plan as established pursuant to Section 457 of the Federal Internal Revenue Code;
- the fact that there is no cost to the local governmental unit to adopt and implement a Deferred Compensation Plan; and
- the implementation of a Deferred Compensation Plan serves the interests of the local governmental unit by enabling it to provide enhanced retirement security to its eligible employees.

WHEREAS, Great-West Life & Annuity Insurance Company has assigned the provision of services to its wholly owned subsidiary, Empower Retirement, LLC, who will continue to provide the same services under an updated Service Agreement. The previously adopted Deferred Compensation Plan remains in full effect and is not being changed.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council is authorized to execute a Service Agreement with Empower Retirement, LLC, 21-SA-EMPOWER-110121, and to submit all necessary documents to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

Local Plan Administrator (N.J.A.C. 5:37-5.4)

The Council and Mayor is hereby designated as the Local Plan Administrator for the administration of the Plan.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: September 14, 2022

CERTIFICATION

I, Carla Conner, Municipal Clerk of the Township of Clinton, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 14th day of September, 2022.

Conner Conner, Municipal Clerk

RESOLUTION

RESOLUTION ACCEPTING IMPROVEMENTS AND APPROVING REQUEST BY CHABAD OF HUNTERDON COUNTY FOR RELEASE OF PERFORMANCE GUARANTEE (BLOCK 90, LOT 2.15)

WHEREAS, the Township of Clinton is the beneficiary of a performance guarantee posted by Chabad of Hunterdon County in August 2018 in connection with development approvals granted by the Clinton Township Planning Board on February 5, 2018 for property located at 63 Payne Road and designated on the Clinton Township tax maps as Block 90, Lot 2.15; and

WHEREAS, the specific improvements for which the guarantee was posted are identified in a letter dated July 2, 2018 from then-Township Engineer Cathleen F. Marcelli, PE of Mott MacDonald (see **Exhibit A** attached hereto); and

WHEREAS, the total amount of the performance guarantee is \$116,856.00, of which \$105,170.40 was posted in the form of a performance bond issued by Unity Bank (Bond No. UB0001159) (see **Exhibit B** attached hereto), and the remainder was posted in cash; and

WHEREAS, Chabad of Hunterdon County has completed the installation of the bonded improvements and requested that the performance guarantee be released in full; 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, on August 24, 2022, the Township Clerk received a report from Township Engineer Larry Plevier, PE/CME of Mott MacDonald, dated August 24, 2022, 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 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") 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; 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 August 24, 2022 report (**Exhibit C** to this resolution) 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 thirteen thousand, five hundred and ninety-nine dollars (\$14,607.00), 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 Chabad of Hunterdon County, once the appropriate maintenance guarantee has been posted.
5. Chabad of Hunterdon County 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.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: September 14, 2022

I, Carla Conner, Clerk of the Township of Clinton in Hunterdon County, New Jersey, do hereby certify that the foregoing is a true copy of a resolution duly passed by the Clinton Township Mayor and Council at its regular meeting held on September 14, 2022.

Carla Conner, RMC, Township Clerk

RESOLUTION

RESOLUTION ACCEPTING IMPROVEMENTS AND APPROVING REQUEST BY HIONIS FARMS, LLC FOR RELEASE OF PERFORMANCE GUARANTEE (BLOCK 4, LOT 20)

WHEREAS, the Township of Clinton is the beneficiary of a performance guarantee posted by Hionis Farms, LLC in October 2014 in connection with development approvals granted by the Clinton Township Planning Board on May 19, 2014 for property located at 5 Muirfield Lane and designated on the Clinton Township tax maps as Block 4, Lot 20; and

WHEREAS, the specific improvements for which the guarantee was posted are identified in a letter dated July 3, 2014 from then-Township Engineer Cathleen F. Marcelli, PE of Mott MacDonald (see **Exhibit A** attached hereto); and

WHEREAS, the total amount of the performance guarantee is \$172,227.24, of which \$155,004.52 was posted in the form of a performance bond issued by Farm Credit East (Bond No. 4757513-401) (see **Exhibit B** attached hereto), and the remainder was posted in cash; and

WHEREAS, Hionis Farms, LLC has completed the installation of the bonded improvements and requested that the performance guarantee be released in full; and

WHEREAS, on August 25, 2022, the Township Clerk received a report from Township Engineer Larry Plevier, PE/CME of Mott MacDonald, dated August 25, 2022, 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 has recommended that in light of the above, the improvements be accepted and the performance guarantee released in full; and

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

WHEREAS, section 165-49E of the Township Code provides 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, which guarantee shall be for a period not to exceed two years and shall automatically expire at the end of the established term; and

WHEREAS, in this instance, the Township Engineer by email dated August 31, 2022 has indicated that due to the age of the project and the fact that all of the improvements are private improvements, a maintenance bond is not needed;

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 August 25, 2022 report (**Exhibit C** to this resolution) are hereby approved and accepted.
3. The total performance guarantee shall be released, and all cash returned to Hionis Farms, LLC.
4. The developer shall not be required to provide a maintenance guarantee to the Township.
5. This resolution shall take effect immediately.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: September 14, 2022

I, Carla Conner, Clerk of the Township of Clinton in Hunterdon County, New Jersey, do hereby certify that the foregoing is a true copy of a resolution duly passed by the Clinton Township Mayor and Council at its regular meeting held on September 14, 2022.

Carla Conner, RMC, Township Clerk

RESOLUTION

**TO RELEASE CERTAIN PERFORMANCE GUARANTEES
AND ESCROWS**

BE IT RESOLVED that certain performance guarantees and escrows have been recommended by the Construction Code and Township Engineer to be reduced,

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

Amount	Block / Lot	Street Address	Applicant	Type of Permit
\$2,000.00	82.10/3	10 Westminster Dr	Alfred&Melissa Haley	Performance Guarantee

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: September 14, 2022

CERTIFICATION

I, Carla Conner, Municipal Clerk of the Township of Clinton, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 14th day of September, 2022.

Conner Conner, Municipal Clerk

**RESOLUTION
TO REFUND FOR OVERPAYMENT ON CONSTRUCTION PERMIT**

WHEREAS, Albert Mastrobattista of 159 Center Street, Clinton Township paid for fire and construction subcodes and DCA fees in the amount of \$161.00 and;

WHEREAS, Albert Mastrobattista issued check #1128 in the amount of \$161.00 and;

WHEREAS, the Construction Official verified that the construction sub code was not required as the permit was for a replacement and that a refund should be issued in the amount of \$75.00 and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, County of Hunterdon, authorize the CFO to refund Albert Mastrobattista in the amount of \$75.00 from the UCC clearing account.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Adopted: September 14, 2022

CERTIFICATION

I, Carla Conner, Municipal Clerk of the Township of Clinton, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 14th day of September, 2022.

Conner Conner, Municipal Clerk