



MEETING MINUTES

Township of Clinton Mayor and Council
May 8, 2024
7:00 p.m.

1370 Route 31 North, Annandale, New Jersey 08801

The Mayor read the following statement into the record at 7:03 p.m.: “Adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Act. On May 3, 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	Present
Councilwoman Switlyk	Absent
Council President Strauss	Present
Mayor Mullay	Present

Also Present:

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.

The Mayor asked for Public Comment on agenda matters. There were none.

The Mayor then sought public comment from anyone who wished to discuss items not on the agenda.

Jackie Florio, Clinton Township, shared concerns about Old Mountain Road. Correspondence has been shared with the Mayor, Council, and Engineer and Ms. Florio is hoping to get the water situation handled for her parents’ house and their neighbors that are affected by this. Mayor Mullay responded that the Township DPW and Township Engineer will follow up within the week.

Steve Halliday, Old Mountain Road resident, commented that the drains on the south side used to collect water and now they don’t. The water is not directed to the drain.

Rocky DeGrassio, Clinton Township resident, who lives on Old Mountain Road, had a gravel driveway, and paved it due to the water issue. The Halliday's water issue goes into their backyard and sits there.

APPROVAL OR CORRECTIONS OF MINUTES

1. Executive Session meeting minutes from March 27, 2024.

Councilman Kochanowski motioned to approve the Executive Session Meeting Minutes from March 27, 2024; Council President Strauss seconded.

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

2. Regular Session meeting minutes from April 10, 2024.

Councilman Glaser motioned to approve the Regular Session meeting minutes from April 10, 2024; Council President Strauss seconded.

Result: Motion passed by a vote of 3 in favor and none opposed. (Councilwoman Switlyk absent/ Mayor Mullay abstained).

3. Regular Session meeting minutes from April 24, 2024.

Councilman Glaser motioned to approve the Regular Session meeting minutes from April 24, 2024; Mayor Mullay seconded.

Result: Motion passed by a vote of 2 in favor and none opposed. (Councilwoman Switlyk absent/ Councilman Kochanowski and Council President Strauss 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.

Councilman Glaser asked to have resolutions 2024-103 and 2024-104 removed for separate discussion.

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

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

1. Approval of bills/vouchers.

TOTALS:	
Current	\$3,879,495.70
Trusts	\$7,386.82
Escrow	\$3,187.50
Recreation	\$8,886.11
Open Space	\$446.51
Grants	\$714.00
Grand Total	\$3,900,116.64

BREAKDOWN OF CURRENT	
N. Hunterdon-Voorhees HS	\$2,331,130.65
PERS/PFRS Annual Appropriation	\$1,225,521.00
TOTAL OPERATIONS	\$322,844.05

2. Resolution 2024-101 – Resolution of the Mayor and Council of the Township of Clinton authorizing the hire of David Gesek as a full-time laborer for the Public Works Department.

RESOLUTION

2024 – 101

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE HIRE OF DAVID GESEK AS A FULL TIME LABORER IN THE PUBLIC WORKS DEPARTMENT

WHEREAS there exists a need for a Full-Time Laborer for in the Township’s Public Works Department; and

WHEREAS, the Administrator and Public Works Director have recommended David Gesek to be hired to fill the position;

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

1. Mr. David Gesek is hereby appointed as a full-time employee to serve as Laborer in the Department of Public Works effective on or about May 28, 2024.
2. Mr. Gesek’s starting salary shall be \$45,000.00 per year. Mr. Gesek shall also be afforded all benefits according to full-time employees of the Department of Public Works pursuant to the Township’s personnel policies and applicable collective bargaining agreement.
3. This resolution shall take effect immediately.

3. Resolution 2024-102 - Resolution of the Mayor and Council of the Township of Clinton authorizing sale of surplus personal property with GovDeals through Sourcewell Co-Op, Contract #021821-GDI.

RESOLUTION

2024 – 102

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING DISPOSAL OF SURPLUS PERSONAL PROPERTY WITH GOVDEALS THROUGH SOURCEWELL CO-OP, CONTRACT #021821-GDI

WHEREAS, the Township of Clinton is the owner of certain surplus personal property which is no longer needed for public use; and

WHEREAS, the Mayor and Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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 sale of the surplus personal property shall be conducted through GovDeals through Sourcewell CO-OP, Contract #012821-GDI. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the Township Municipal Clerk’s office.
 2. The sale will be conducted online, and the address of the auction site is www.govdeals.com
 3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
 4. The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
 5. The Township of Clinton has the right to add additional items, and a resolution with the additional items will be adopted at a Township Mayor and Council meeting after.
 6. The Township of Clinton reserves the right to accept or reject any bid submitted.
4. Resolution 2024-105 – Resolution of the Mayor and Council of the Township of Clinton authorizing third amendment to the October 25, 2017 redevelopment agreement between the Township of Clinton and Annandale Village, LLC., to extend certain deadlines set forth therein.

RESOLUTION

2024 – 105

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THIRD AMENDMENT TO THE OCTOBER 25, 2017 REDEVELOPMENT AGREEMENT BETWEEN THE TOWNSHIP OF CLINTON AND ANNANDALE VILLAGE, LLC., TO EXTEND CERTAIN DEADLINES SET FORTH THEREIN

WHEREAS, on October 25, 2017, the Township of Clinton (“Township”) and Annandale Village, LLC (“Redeveloper”) entered into a redevelopment agreement (“Agreement”) for the redevelopment of the Fox Seals (aka Old Municipal Building) site in the Village of Annandale, designated on the Clinton Township tax maps as Block 53, Lot 3, and located on Washington Street and West Street (“site” or “property”); and **WHEREAS**, paragraph 2.3 of the Agreement states that “Redeveloper shall have one hundred twenty (120) days from the conclusion of the Due Diligence Period to obtain all Governmental Approvals for the [redevelopment],” which deadline may be extended provided Redeveloper has been diligently pursuing its approvals; and **WHEREAS**, on December 11, 2019, the Township extended to June 1, 2020 the deadline to obtain all governmental approvals, including building permits; and

WHEREAS, on February 14, 2024, the Township further extended the deadline to obtain all governmental approvals to June 1, 2024 (see Resolution #2024-62); and **WHEREAS**, the Redeveloper is diligently pursuing the governmental approvals and anticipates completely the process in the coming months; and **WHEREAS**, out of an abundance of caution and mindful of the numerous unforeseen delays that have affected this project, the Redeveloper has requested that the deadline be further extended to September 1, 2024; **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Clinton in Hunterdon County, New Jersey as follows:

1. The preamble to this resolution is hereby incorporated as if more fully set forth herein.
 2. Redeveloper shall have until September 1, 2024 to obtain all governmental approvals, including building permits, to proceed with construction of the project.
 3. All other deadlines and milestones set forth in the Agreement as most recently amended on February 14, 2024 shall remain unchanged.
 4. The Township Attorney is hereby authorized and directed to prepare an amendment to the redevelopment agreement consistent with the terms of this resolution, and the Mayor and Clerk are hereby authorized and directed to sign said amendment on behalf of the Township.
 5. This resolution shall take effect immediately.
5. Resolution 2024-106 – Resolution of the Mayor and Council of the Township of Clinton authorizing to release certain performance guarantees for Block 76, Lot 2. – *Tabled*.
6. Resolution 2024-107 – Resolution of the Mayor and Council of the Township of Clinton authorizing the execution of a Mutual Aid Agreement for Municipal Law Enforcement and Emergency Services.

**RESOLUTION
2024 – 107**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON
AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT FOR
MUNICIPAL LAW ENFORCEMENT AND EMERGENCY SERVICES**

WHEREAS, the Township of Clinton has entered into a reciprocal mutual aid agreement with other Hunterdon County municipalities for the provision of municipal law enforcement and emergency services; and

WHEREAS, the Hunterdon County Prosecutor’s Office has prepared an updated form of agreement that will supersede the current agreement, which it indicates is outdated; and

WHEREAS, pursuant to the mutual aid agreement, the participating law enforcement agencies provide resources and equipment to one another at no cost during disasters, emergencies, special events, or other incidents where there is a need for additional personnel or resources; and

WHEREAS, the Mayor and Council find that continued participation in the above-described mutual aid shared services will advance the public health, safety and welfare;

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 of this resolution is hereby incorporated as if more fully set forth herein.
 2. The Township is hereby authorized to enter into a mutual aid agreement with the other municipalities of Hunterdon County for law enforcement and emergency services.
 3. The Mayor, Chief of Police, Administrator, and/or other appropriate Township staff and professionals are hereby authorized and directed to sign the Hunterdon County Municipal Law Enforcement and Emergency Shared Services Mutual Aid Agreement” on file in the Office of the Township Clerk, or such other substantially similar agreement as shall be approved as to form and substance by the Township Attorney.
 4. This resolution shall take effect immediately.
7. Resolution 2024-108 – Resolution of the Mayor and Council of the Township of Clinton authorizing a Person-to-Person liquor license transfer with LeCram II Corp to Jacomaso, LLC. - *Tabled.*
8. Resolution 2024-109 – Resolution of the Mayor and Council of the Township of Clinton appointing a Municipal Court Spanish Language Interpreter.

RESOLUTION

2024 – 109

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON APPOINTING A MUNICIPAL COURT SPANISH LANGUAGE INTERPRETER

WHEREAS, the Clinton Township Municipal Court requires the services of a Spanish language interpreter; and

WHEREAS, Haydee Ballester has offered to provide the requested interpreting services at a rate of \$75 per hour, with a minimum of two hours; and

WHEREAS, the Certified Municipal Court Administrator has recommended the appointment of Ms. Ballester to 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 preamble to this resolution is hereby incorporated as if more fully set forth herein.
2. Haydee Ballester is hereby appointed to serve as the Spanish language interpreter for the Clinton Township Municipal Court and such other municipal courts as have entered into shared court agreements with Clinton Township.
3. Ms. Ballester shall be compensated for her services at a rate of \$75 per hour, with a minimum of two hours, until such time as her services are no longer required.
4. This resolution shall take effect immediately.

The Council voted on Resolutions 2024-103 & 2024-104.

9. Resolution 2024-103. Resolution of the Mayor and Council of the Township of Clinton approving HMFA PILOTs and financial agreements for Ingerman Phase 1.

RESOLUTION

2024-103

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING EXECUTION OF AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES PURSUANT TO N.J.S.A. 55:14K-1 ET SEQ. WITH SPRUCE RUN LIHTC 1, LLC FOR PHASE 1 OF A 100 PERCENT AFFORDABLE MULTI-FAMILY RENTAL HOUSING PROJECT, CONSISTING OF 48 UNITS (BLOCK 70, LOTS 6 AND 6.01; 1726 and 1730 ROUTE 31)

WHEREAS, in accordance with the New Jersey Supreme Court's "Mount Laurel I" decision (*South Burlington County NAACP v. Mount Laurel*, 67 NJ 151 (1975)), the Township of Clinton has a constitutional obligation to provide for its fair share of the region's affordable housing needs; and

WHEREAS, as part of the Township's "third round" affordable housing plan, Ingerman Development Company, LLC *aka* Spruce Run LIHTC 1, LLC (hereinafter referred to as the "Sponsor") proposes to develop 96-units of 100% affordable multi-family rental housing development in two phases, pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 *et seq.*), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 *et seq.*), and all applicable guidelines promulgated thereunder (collectively, the "HMFA Requirements") on a site designated as Block 70, Lots 6 and 6.01 on the official tax maps of the Township, being an 11.7-acre property with a physical address of 1726 and 1730 Route 31, Clinton Township; and

WHEREAS, each phase will contain forty-eight units of multi-family rental housing affordable to very low-, low- and moderate-income households; and

WHEREAS, both phases will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (the "Agency"); and

WHEREAS, on January 10, 2024, the Mayor and Council adopted a Resolution of Need (Resolution #2024-35) determining that Phase 1 (consisting of forty-eight affordable units) will meet an existing affordable housing need within the Township; and

WHEREAS, also on January 10, 2024, the Mayor and Council adopted a Resolution of Need (Resolution #2024-36) determining that Phase 2 (consisting of forty-eight affordable units) will meet an existing affordable housing need within the Township; and

WHEREAS, both phases will help satisfy the Township's "Mt. Laurel" affordable housing obligation; and

WHEREAS, both phases will be subject to the requirements of the New Jersey Housing and Mortgage Finance Agency (the "HMFA"), including mortgage and loan documents executed pursuant to the HMFA Law; and

WHEREAS, all of the units of rental housing for each phase will qualify as low- and moderate-income units under the Fair Housing Act, N.J.S.A. 52:27D-301 *et seq.* and the Uniform Housing Affordability Controls, N.J.A.C. 5:80-16.1 *et seq.*; and

WHEREAS, the HMFA Law permits the governing body of a municipality in which a housing project financed by the HMFA is located to exempt such housing project from real property taxation if the housing project's sponsor enters into an agreement (a "PILOT Agreement") with the municipality for payments to the municipality in lieu of taxes for municipal services; and

WHEREAS, the Mayor and Council find that entering into a PILOT Agreement with Sponsor for each phase is necessary to assure construction of the affordable rental housing, and have negotiated PILOT Agreements with Sponsor for each phase, consistent with HMFA Law and protocols, that obligate Sponsor to pay an annual service charge of 6.28% of its revenues from each phase to the Township for a period of thirty years; and

WHEREAS, Sponsor has provided an estimate of revenues from each phase and payments in lieu of taxation to the Township, it being acknowledged that the actual revenues and corresponding payments in lieu of taxation cannot be determined until the specific phase has been implemented and, further are subject to HMFA Law; and

WHEREAS, the Mayor and Council deem it appropriate to authorize and enter into a PILOT Agreement with Sponsor;

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 Mayor and Clerk are hereby authorized to execute an Agreement for Payments in Lieu of Taxes with Sponsor, consistent with the form agreement attached hereto as Schedule A.
3. This resolution is hereby adopted with the intent and purpose that from the date of execution of a mortgage from the HMFA, Phase 1, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to Phase 1 are made to the municipality in such amounts and manner as set forth in the attached Agreement for Payments in Lieu of Taxes.
4. The Mayor and Council do hereby adopt the within resolution and make the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Law with the intent and purpose that the HMFA shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate Phase 1.
5. This resolution shall take effect immediately.

10. Resolution 2024-104 – Resolution of the Mayor and Council of the Township of Clinton approving HMFA PILOTs and financial agreements for Ingerman Phase 2.

RESOLUTION

2024-104

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING EXECUTION OF AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES PURSUANT TO N.J.S.A. 55:14K-1 ET SEQ. WITH SPRUCE RUN

LIHTC 2, LLC FOR PHASE 2 OF A 100 PERCENT AFFORDABLE MULTI-FAMILY RENTAL HOUSING PROJECT, CONSISTING OF 48 UNITS (BLOCK 70, LOTS 6 AND 6.01; 1726 and 1730 ROUTE 31)

WHEREAS, in accordance with the New Jersey Supreme Court's "Mount Laurel I" decision (*South Burlington County NAACP v. Mount Laurel*, 67 NJ 151 (1975)), the Township of Clinton has a constitutional obligation to provide for its fair share of the region's affordable housing needs; and

WHEREAS, as part of the Township's "third round" affordable housing plan, Ingerman Development Company, LLC *aka* Spruce Run LIHTC 1, LLC (hereinafter referred to as the "Sponsor") proposes to develop 96-units of 100% affordable multi-family rental housing development in two phases, pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 *et seq.*), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 *et seq.*), and all applicable guidelines promulgated thereunder (collectively, the "HMFA Requirements") on a site designated as Block 70, Lots 6 and 6.01 on the official tax maps of the Township, being an 11.7-acre property with a physical address of 1726 and 1730 Route 31, Clinton Township; and

WHEREAS, each phase will contain forty-eight units of multi-family rental housing affordable to very low-, low- and moderate-income households; and

WHEREAS, both phases will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (the "Agency"); and

WHEREAS, on January 10, 2024, the Mayor and Council adopted a Resolution of Need (Resolution #2024-35) determining that Phase 1 (consisting of forty-eight affordable units) will meet an existing affordable housing need within the Township; and

WHEREAS, also on January 10, 2024, the Mayor and Council adopted a Resolution of Need (Resolution #2024-36) determining that Phase 2 (consisting of forty-eight affordable units) will meet an existing affordable housing need within the Township; and

WHEREAS, both phases will help satisfy the Township's "Mt. Laurel" affordable housing obligation; and

WHEREAS, both phases will be subject to the requirements of the New Jersey Housing and Mortgage Finance Agency (the "HMFA"), including mortgage and loan documents executed pursuant to the HMFA Law; and

WHEREAS, all of the units of rental housing for each phase will qualify as low- and moderate-income units under the Fair Housing Act, N.J.S.A. 52:27D-301 *et seq.* and the Uniform Housing Affordability Controls, N.J.A.C. 5:80-16.1 *et seq.*; and

WHEREAS, the HMFA Law permits the governing body of a municipality in which a housing project financed by the HMFA is located to exempt such housing project from real property taxation if the housing project's sponsor enters into an agreement (a "PILOT Agreement") with the municipality for payments to the municipality in lieu of taxes for municipal services; and

WHEREAS, the Mayor and Council find that entering into a PILOT Agreement with Sponsor for each phase is necessary to assure construction of the affordable rental housing, and have negotiated PILOT Agreements with Sponsor for each phase,

consistent with HMFA Law and protocols, that obligate Sponsor to pay an annual service charge of 6.28% of its revenues from each phase to the Township for a period of thirty years; and

WHEREAS, Sponsor has provided an estimate of revenues from each phase and payments in lieu of taxation to the Township, it being acknowledged that the actual revenues and corresponding payments in lieu of taxation cannot be determined until the specific phase has been implemented and, further are subject to HMFA Law; and **WHEREAS**, the Mayor and Council deem it appropriate to authorize and enter into a PILOT Agreement with Sponsor;

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 Mayor and Clerk are hereby authorized to execute an Agreement for Payments in Lieu of Taxes with Sponsor, consistent with the form agreement attached hereto as Schedule A.
3. This resolution is hereby adopted with the intent and purpose that from the date of execution of a mortgage from the HMFA, Phase 2, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to Phase 2 are made to the municipality in such amounts and manner as set forth in the attached Agreement for Payments in Lieu of Taxes.
4. The Mayor and Council do hereby adopt the within resolution and make the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Law with the intent and purpose that the HMFA shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own, and operate Phase 2.
5. This resolution shall take effect immediately.

REPORTS FROM MAYOR AND COUNCIL MEMBERS

Councilman Glaser mentioned the Planning Board met on May 6th for routine matters and to begin the capital reviews for the two HVAC projects at North Hunterdon. The next meeting is scheduled for June 3rd, but a special meeting may occur on May 20th prior to the Board of Adjustment meeting to conclude the North Hunterdon capital review. The Sewerage Authority met on May 2nd and addressed routine matters; the next meeting is scheduled for June 6th at 8:30 a.m.

Councilman Kochanowski reminded all that the Food Truck Festival is on May 19th at Bundt Park.

Council President Strauss reported that the Board of Education adopted the budget on April 29th. There is a vacancy on the BOE Board. State testing is in progress and preparation for the end of the school year has started. Historical Preservation Commission is scheduled to meet on June 5th; the May meeting was canceled due to lack

of quorum. Council President Strauss gave updates from Public Safety and the reports given by the departments.

Mayor Mullay announced that Community Day was a success, even with the weather. The Council is optimistic about the Jake's Playground Grant that was submitted by the Township. There are a few personnel vacancies that are being addressed by the Council and Administrator. ExxonMobil announced that they will be vacating from Clinton Township by the end of 2028.

ORDINANCE FOR FIRST HEARING/ INTRODUCTION

1. **ORDINANCE #1198-2024** – Capital Ordinance for Various Other Improvements and Equipment by the Township of Clinton, in the County of Hunterdon, New Jersey, Appropriating the total amount of \$1,010,500.00, of which \$524,490.93 is from the General Capital Fund, Capital Improvement Fund, and \$486,009.07 is from General Capital Fund, Fund Balance.

Councilman Glaser motioned to introduced Capital Ordinance #1198-2024; Council President Strauss seconded.

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

Public Hearing for Ordinance #1198-2024 is scheduled for May 22, 2024.

2. **ORDINANCE #1199-2024** – An Ordinance of the Township of Clinton in Hunterdon County, New Jersey, Authorizing and Directing the Permanent Closure of Moebus Place to Vehicular Traffic within the Township of Clinton and Amending Section 7-17 of the "Code of the Township of Clinton".

Mayor Mullay motioned to introduced Ordinance #1199-2024; Councilman Glaser seconded.

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

Public Hearing for Ordinance #1199-2024 is scheduled for May 22, 2024.

3. **ORDINANCE #1200-2024*** – Capital Ordinance for Various Road Improvements by the Township of Clinton, in the County of Hunterdon, New Jersey, Appropriating the Total Amount of \$1,153,531.00 of which \$1,000,000.00 is from the General Capital Fund, Capital Improvement Fund, and \$153,531.00 is from New Jersey Department of Transportation Grant.

Councilman Kochanowski motioned to introduced Capital Ordinance #1200-2024; Councilman Glaser seconded.

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

Public Hearing for Ordinance #1200-2024 is scheduled for May 22, 2024.

4. ORDINANCE #1201-2024* – An Ordinance of the Township of Clinton in Hunterdon County, New Jersey, Cancelling Ordinance #1171-2022 and Rescinding Financial Agreement Between the Township of Clinton and Spruce Run Urban Renewal Associates, LLC., Pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.*

Councilman Glaser motioned to introduced Ordinance #2001-2024; Councilman Kochanowski seconded.

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

Public Hearing for Ordinance #1201-2024 is scheduled for May 22, 2024.

The Township Attorney and Council President Strauss noted that the original numbers shown on the agenda (#2000-2024 and #2001-2024) were incorrect and should be changed to #1200-2024 and #1201-2024 respectively.

ORDINANCES FOR SECOND READING/ADOPTION – None

RESOLUTIONS

1. Resolution 2024-110 – Resolution of the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, authorizing the award of a required disclosure contract with BIS Digital for supply and installation of sound system.

Councilman Glaser motioned to approve Resolution #2024-110; Councilman Kochanowski seconded.

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

RESOLUTION

2024 – 110

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A REQUIRED DISCLOSURE CONTRACT WITH BIS DIGITAL FOR SUPPLY AND INSTALLATION OF SOUND SYSTEM

WHEREAS, the Township of Clinton has a need for an updated sound and recording system for its daily operations through BIS Digital, 1350 NE 56th Street, Suite 300, Ft. Lauderdale, FL. 33334, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 *et. Seq.*, and,

WHEREAS, the Qualified Purchasing Agent has certified that the value of the contract is in excess of the Pay to Play threshold of \$17,500.00; and

WHEREAS, the Township has complied with the New Jersey Local Public Contracts Law at N.J.S.A. 40A:11-6.1 in obtaining multiple quotes; and

WHEREAS, BIS Digital, 1350 NE 56th Street, Suite 300, Ft. Lauderdale, FL. 33334, has satisfied the standard of most advantageous vendor, price and other factors considered, with a quoted price of \$25,624.73; and

WHEREAS, BIS Digital, has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that BIS Digital has not made any reportable contributions to a political or candidate committee in the Township of Clinton in the previous one year, and that the contract will prohibit BIS Digital from making any reportable contributions through the term of the contract, and

WHEREAS the Chief Financial Officer certifies the availability of funds in the amount of \$25,624.73 from: 04-215-55-921-006; and

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

1. That the award for services, per quote be and hereby is awarded to BIS Digital, 1350 NE 56th Street, Suite 300, Ft. Lauderdale, FL. 33334 in the amount of \$25,624.73 for sound system supply and installation.
 2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Business Administrator
 - B. Chief Financial Officer
 - C. Purchasing Agent
2. Resolution 2024-111 – Resolution of the Mayor and Council of the Township of Clinton establishing pilot apiary and pollinator program authorizing members of the public to install and maintain beehives on a specific portion of Windy Acres (Block 7, Lots 18.3, 31.01, & 31.02).

Councilman Glaser motioned to approve Resolution #2024-111; Council President Strauss seconded.

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

RESOLUTION

2024 – 111

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING MEMBERS OF THE PUBLIC TO INSTALL AND MAINTAIN BEEHIVES ON A SPECIFIC PORTION OF WINDY ACRES (BLOCK 7, LOTS 18.3, 31.01 & 31.02)

WHEREAS, the Township of Clinton owns public open space commonly known as Windy Acres, and designated on the Township tax maps as Block 7, Lots 18.3, 31.01 and 31.02; and

WHEREAS, the use of Windy Acres is generally restricted to passive recreation and conservation; and

WHEREAS, Windy Acres also includes an exclusion area or areas not subject to Green Acres Program restrictions (the “Unrestricted Space”); and

WHEREAS, the Township’s Environmental Commission and Open Space Committee recommend that members of the public be allowed to install and maintain beehives in

this area, both because of the ecological benefits provided by honeybees and because allowing beekeeping in the Unrestricted Area will create opportunities to conduct educational programs and activities for the community regarding the importance of pollinators to our ecosystem; and

WHEREAS, to further this purpose, the Township seeks to make the Unrestricted Space available in 2024 and 2025 on a first-come, first-served basis to members of the Township community who wish to engage in bee-keeping activities and who meet the minimum qualifications set forth hereinbelow; and

WHEREAS, members of the public shall meet the following minimum qualifications to gain access to the Unrestricted Space for these purposes:

1. The beekeeper must be a registered beekeeper in the State of New Jersey and provide proof of same to the Township;
2. The beekeeper must provide proof that the beekeeper maintains sufficient insurance in the State of New Jersey covering liability for its beekeeping activities at the Public Space and which names the Township of Clinton as an additional insured;
3. The beekeeper must sign a waiver on a Township form agreeing to indemnify and hold harmless the Township from any and all liability associated with or arising out of the beekeeping activities at the Unrestricted Space;
4. The beekeeper must agree to abide by all Township requirements and acknowledge that failure to do so could result in the Township ordering the removal of the beekeeper's hives;
5. The beekeeper must agree to work with the Township to provide educational programs and activities for the community regarding beekeeping;
6. The beekeeper may utilize the Unrestricted Space for beekeeping activities only, and shall return the area used to its original state, reasonable wear and tear excepted, at the conclusion of the beekeeping activities;
7. The beekeeper may not utilize the Unrestricted Space for commercial purposes, *i.e.*, the beekeeper may only donate the honey or honeycombs or retain the honey or honeycombs for personal consumption.

and

WHEREAS, upon providing the requisite information herein, a beekeeper may be permitted to install and maintain up to three hives during 2024 and 2025 in the Unrestricted Space, subject to the beekeeper's continued compliance with these minimum requirements and subject to the Township Administrator's (or Administrator's designee's) approval of the specific location for each beekeeper;

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 of this resolution is hereby incorporated as if more fully set forth herein.
2. The Council hereby authorizes beekeepers meeting the minimum qualifications set forth above to utilize the Unrestricted Space for authorized beekeeping activities during calendar years 2024 and 2025.
3. This resolution shall take effect immediately.

Council President Strauss recused at 7:35 p.m.

3. Resolution 2024-112 – Resolution of the Mayor and Council of the Township of Clinton authorizing the grant application for the State of New Jersey Department of Community Affairs, Division of Local Government Services for the LEAP Challenge Grant.

Mayor Mullay explained the LEAP Grant and plans with the Town of Clinton to help both towns fund the study.

Mayor Mullay motioned to approve Resolution #2024-112; Councilman Kochanowski seconded.

Result: Motion passed by unanimous vote (Councilwoman Switlyk absent/ Council President Strauss recused).

RESOLUTION

2024 – 112

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON FOR THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE LEAP CHALLENGE GRANT

WHEREAS, the State of New Jersey has allocated \$150,000 within each county for a statewide total of \$3.15 million in Local Efficiency Achievement Program (LEAP) funds to promote innovation among peer local units across New Jersey; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program; and

WHEREAS, the LEAP Challenge Grant exists to challenge municipalities and counties to collaborate on more extensive partnership and collaborations to produce efficiencies through shared services; and

WHEREAS, the Township of Clinton and the Town of Clinton, have determined to apply for a LEAP Challenge Grant through the State of New Jersey Local Efficiency Achievement Program in the amount of \$72,500.00; and

WHEREAS the Township of Clinton has agreed to be the lead agency in this program; and

WHEREAS, the Mayor and Council of the Township of Clinton, is acknowledging and accepting the responsibility of acting as applicant and administrator for this grant on behalf of all participating local units; and

WHEREAS, the State of New Jersey has made LEAP Grants available to assist local units to study, develop and implement new shared services initiatives; and

WHEREAS, the purpose of the project submitted in this grant application is to provide benefits to the participating local units' residents through the sharing of Clinton Township and Town of Clinton Fire Department Feasibility Study.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, that the Township of Clinton, County of Hunterdon, State of New Jersey does make application for a LEAP Challenge Grant to support undertaking this endeavor on behalf of the Town of Clinton and if awarded and upon execution of said Agreement, that the Township of Clinton does accept the Terms and Conditions specified in the Agreement in connection in the grant award.

4. Resolution 2024-113 – Resolution of the Mayor and Council of the Township of Clinton authorizing the application of Taylor Meise for membership in the New Jersey State Fireman’s Association.

Councilman Kochanowski motioned to approve Resolution #2024-113; Councilman Glaser seconded.

Result: Motion passed by unanimous vote (Councilwoman Switlyk absent/ Council President Strauss recused).

RESOLUTION

2024 – 113

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE APPLICATION OF TAYLOR MEISE FOR MEMBERSHIP IN THE NEW JERSEY STATE FIREMAN’S ASSOCIATION

WHEREAS, Taylor Meise is a member of the Township’s Fire Department, Annandale Hose Co. #1; and

WHEREAS, Mr. Meise wishes to join the New Jersey State Fireman’s Association; and

WHEREAS, Annandale Hose Co. #1 has reviewed the request by Mr. Meise and recommends that he become a member of the New Jersey State Fireman’s Association;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that Taylor Meise of Annandale Hose Co. #1 be and is hereby authorized to apply for membership in the New Jersey State Fireman’s Association.

5. Resolution 2024-114 – Resolution of the Mayor and Council of the Township of Clinton authorizing the application of John Gorman for membership in the New Jersey State Fireman’s Association.

Councilman Kochanowski motioned to approve Resolution #2024-114; Mayor Mullay seconded.

Result: Motion passed by unanimous vote (Councilwoman Switlyk absent/ Council President Strauss recused).

RESOLUTION

2024 – 114

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLINTON AUTHORIZING THE APPLICATION OF JOHN GORMAN FOR MEMBERSHIP IN THE NEW JERSEY STATE FIREMAN’S ASSOCIATION

WHEREAS, John Gorman is a member of the Township’s Fire Department, Annandale Hose Co. #1; and

WHEREAS, Mr. Gorman wishes to join the New Jersey State Fireman’s Association; and

WHEREAS, Annandale Hose Co. #1 has reviewed the request by Mr. Gorman and recommends that he become a member of the New Jersey State Fireman's Association;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that John Gorman of Annandale Hose Co. #1 be and is hereby authorized to apply for membership in the New Jersey State Fireman's Association.

Council President returned to the meeting at 7:38 p.m.

NEW BUSINESS

1. Motion regarding Hearing Officer findings and recommendation in In Re Patrolman Hars and Township of Clinton Police Department.

Mayor Mullay motioned to accept the report of Hearing Officer C. William Bowkley, dated March 1, 2024, and to accept the findings and recommendations of said report, and to terminate Patrolman Stephen Hars effective immediately; Council President Strauss seconded.

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

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*.

CORRESPONDENCE

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


Damion Ryan, Clinton Township, asked a few questions regarding the Moebus Place Ordinance and the next steps involved with closing the road. Mr. Ryan also asked questions regarding the closing of ExxonMobil in the Township.

EXECUTIVE SESSION -- None

ADJOURNMENT

The Council adjourned at 7:49 p.m.

Respectfully submitted,


Lindsay Heller

Acting Township Clerk

Adopted by Mayor and Council: May 22, 2024


Hon. Brian Mullay

