

**CLINTON TOWN COUNCIL
DECEMBER 14, 2022
7:30 P.M.**

FLAG SALUTE
ROLL CALL
STATEMENT OF ADEQUATE NOTICE

1. SWEARING IN OF COUNCILMAN JOHN KASHWICK
2. APPROVAL OF MINUTES: Council Meeting November 23, 2022
3. APPROVAL OF MONTHLY REPORTS – NOVEMBER
4. PUBLIC COMMENTS
5. MAYOR’S COMMENTS
6. RESOLUTION #152-22 – SUPPORT OF OPEN BURNING OF CHRISTMAS TREES
7. RESOLUTION #153-22 – GRANT FOR PROPERTY ACQUISITION AND CONSTRUCTION
8. RESOLUTION #154-22 – GRANT FOR REFORESTATION AND TREE PLANTING
9. RESOLUTION #155-22 – CHAPTER 159
10. RE3SOLUTION #156-22 – TRANSFER OF FUNDS
11. RESOLUTION #157-22 – AUTHORIZATION TO SIGN TREATMENT WORKS APPROVAL
12. RESOLUTION #158-22 – MUNICIPAL COURT SHARED SERVICE AGREEMENT
13. CORRESPONDENCE
14. REPORTS OF COUNCIL
15. STANDBY AND OVERTIME
16. PAYMENT OF BILLS
17. RESOLUTION # 159-22 - EXECUTIVE SESSION - Contract Negotiations / Personnel
18. ADJOURNMENT

**TOWN OF CLINTON
RESOLUTION # 152-22**

**RESOLUTION IN SUPPORT OF PROPOSED SENATE BILL NO. 861 ALLOWING
MUNICIPALITIES TO CONDUCT ANNUAL EVENT FOR OPEN BURNING OF CHRISTMAS
TREES.**

WHEREAS, for many years, the Town of Clinton (Town) held annual holiday gatherings where open burnings (bonfires) were conducted using discarded Christmas trees under the watchful eyes of the Clinton Fire Department; and

WHEREAS, Great music, food, and entertainment for children served as an excellent complement to the bonfire on a cold winter night; and

WHEREAS, this event was enjoyed by thousands of residents over the years and is wonderful community events for all that attend; and

WHEREAS, by holding this successful event, it also allowed the Town to utilize the trees as fuel for the bonfire rather than have taxpayers fund the cost to have them disposed of through traditional solid waste means and be brought to a landfill; and

WHEREAS, many years ago, the New Jersey Department of Environmental Protection, Division of Air Quality (NJDEP) advised municipalities that opening burning events where Christmas trees were utilized were now prohibited as they considered these trees “rubbish”, which was prohibited from being burned in this fashion; and

WHEREAS, since the inception of this enforcement action by NJDEP, the Town of Clinton was no longer able to burn Christmas trees at our annual holiday event and was forced to utilize other material that was not deemed “rubbish” by the NJDEP, as well as pay to have the discarded trees disposed of; and

WHEREAS, Senate Bill No. 861 is being considered by the New Jersey Legislature that permit NJDEP to establish rules, regulations, and standards for the open burning of Christmas trees by municipalities within the State, and would permit municipalities to conduct annual events for open burning of Christmas trees.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Clinton support the bill being proposed in order to ensure that the Town, as well as all other municipalities in the State, are permitted to hold annual holiday bonfire fueled by discarded Christmas trees in a safe and enjoyable manner.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Murphy, Senate President, Assembly speaker, DEP Commissioner and Conference of Mayors.

Mayor Janice Kovach

Adopted:
December 14, 2022

TOWN OF CLINTON, HUNTERDON COUNTY
RESOLUTION #153-22

Whereas, the Town of Clinton desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$3,000,000 to carry out a project for property acquisition and construction of a new Police / Office of Emergency Management facility.

Be it therefore RESOLVED,

- 1) that the Town of Clinton does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the term of the agreement between Town of Clinton and the New Jersey Department of Community Affairs.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)

Janice Kovach
Mayor

CERTIFICATION:

I, Cecilia Covino, Municipal Clerk of the Town of Clinton, do hereby certify that at a meeting of the Mayor and Council held on December 14, 2022 the above resolution was duly adopted.

AFFIX GOV'T.,
CORPORATE OR
NOTARY SEAL

Cecilia Covino, RMC/CMC, Municipal Clerk

**GRANT AGREEMENT
BETWEEN**

(Name of Grantee)

AND

THE STATE OF NEW JERSEY

BY AND FOR

THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

GRANT IDENTIFIER:

GOVERNING BODY RESOLUTION

The governing body of _____
(print Grantee's name)

desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately _____
to fund the following project:

_____.

Therefore, the governing body resolves that _____ or the successor to the office of
(print name)

_____ is authorized (a) to make application for such a grant, (b) if awarded, to execute
(print title of authorized official)

a grant agreement with the State for a grant in an amount not less than _____ and not more than _____,
and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations.

*The _____ authorizes and hereby agrees to
(print name of Grantee's governing body, e.g., board of chosen freeholders)
match _____% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the
match for such purposes, whether cash, services, or property, is hereby certified. Up to 100% of the match will be made up of in-
kind services (if allowed by grant program requirements and the agreement).*

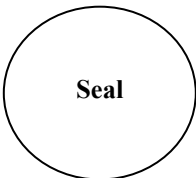
The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant
to the agreement.

Introduced and passed _____, _____.

Ayes: _____

Noes: _____

Absent: _____



* The portion of this form between the asterisks should only be completed if matching funds are required under the terms of the
agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended
hereto, breaking out the in-kind services.

RESOLUTION - #155-22

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 thereof was not determined at the time of the adoption of the budget and,

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

WHEREAS, the Town of Clinton has received \$2,685.00.00 from the Statewide Insurance Fund in the State of New Jersey and wishes to amend its 2022 budget to include this amount as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for they year 2022 in the sum of \$2,685.00 which is now available as a revenue from:

Miscellaneous Revenues

Special Item of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:
SIF Risk Control Grant, and

BE IT FURTHER RESOLVED, that a like sum of \$2,685.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from the .5% Cap

Public and Private Programs Off-Set by Revenues:

SIF Risk Control Grant:

Other Expenses

Mayor Janice Kovach

DATED: December 14, 2022

RESOLUTION #155-22

WHEREAS, it has been determined that there will be excesses in certain appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations for the year 2022 and it has also been determined that certain appropriations are deemed to be insufficient to fulfill the purposes of such appropriations; and

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of the amount of such appropriations as may be deemed in excess to such appropriations as may be deemed to be insufficient; and

WHEREAS, the transfers about to be authorized do not affect any appropriations, to which or from which transfer are prohibited under the statutes;

NOW, THEREFORE, BE IT RESOLVED that the following transfers between 2022 appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

	<u>From</u>	<u>To</u>
Sewer Utility – Salary & Wages	\$20,000.00	
Sewer Utility – Other Expenses		\$20,000.00
TOTALS	<u>\$ 20,000.00</u>	<u>\$20,000.00</u>

Mayor Janice Kovach

Adopted: December 14, 2022

Municipal Clerk

**TOWN OF CLINTON
RESOLUTION #156-22**

**RESOLUTION AUTHORIZING THE ADMINISTRATOR TO EXECUTE THE
STATEMENTS OF CONSENT TO SUPPORT THE SUBMISSION OF THE
TREATMENT WORKS APPROVAL APPLICATION TO THE STATE OF NEW
JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION WITH REGARDS
TO 1445 NJ-31, CLINTON, NJ 08801 (NORTH HUNTERDON HIGH SCHOOL PUMP
STATION UPGRADES) – TOWNSHIP OF CLINTON BLOCK 1 LOT 79**

WHEREAS, there is a need by the Clinton Township Sewerage Authority (CTSA) to apply for Treatment Works Approval from the State of New Jersey Department of Environmental Protection Division of Water Quality in connection with the North Hunterdon High School Pump Station Upgrades by the CTSA in the Township of Clinton (the “Project”); and

WHEREAS, the Town of Clinton, as owner/operator of the Waste Water Treatment Facility, is required to consent to the filing of the Treatment Works Approval Permit Application for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Administrator is authorized to sign for the Governing Body at appropriate locations on the NJDEP WQM-003 Statements of Consent Form for the Treatment Works Approval Permit Application to be filed in connection with for the Project.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Clinton Township Sewerage Authority.

Mayor Janice Kovach

December 14, 2022

Cecilia Covino, RMC/CMC

RESOLUTION # 158-22

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT FOR A SHARED MUNICIPAL COURT BETWEEN THE TOWNSHIP OF CLINTON AND THE TOWN OF CLINTON

WHEREAS, an agreement providing for shared services among municipalities is permitted under the “Uniform Shared Services and Consolidation Act,” N.J.S.A. 40A:65-1 *et seq.*; and

WHEREAS, N.J.S.A. 2B:12-1c provides that two or more municipalities may agree to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court; and

WHEREAS, N.J.S.A. 2B:12-1c further provides that where municipal courts share facilities, the identities of the individual courts shall continue to be expressed in the captions of orders and process; and

WHEREAS, the Township and Clinton (“Clinton Township”) and the Town of Clinton wish to share municipal court services, personnel and facilities as permitted by N.J.S.A. 2B:12-1c and to that end wish to authorize and enter into the shared court agreement;

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 fully restated.
2. The formation of a Shared Municipal Court between Clinton Township and the Town of Clinton is hereby authorized and approved on the terms and conditions set forth in that certain agreement entitled “Municipal Court Shared Services Agreement between the Township of Clinton and the Town of Clinton” and marked “(*Clinton Shared Ct. Draft subject to Judiciary Approval*)”. The final form of the agreement shall be subject to the review and approval of the Administrative Office of the Courts (“AOC”) and the Vicinage 13 Assignment Judge.
3. The Mayor and Clerk are hereby authorized and directed to execute the said agreement on Clinton Township’s behalf, or such other substantially similar agreement as shall have been approved by the AOC Vicinage 13 Assignment Judge.
4. The Mayor, Township Clerk, Township Administrator, Township Attorney, Municipal Court Administrator and other court personnel are hereby authorized and directed to undertake any and all acts and sign any and all documents as may be required to implement the terms hereof.

5. The shared court shall begin on January 1, 2023 or such later date as shall be approved and authorized by the AOC and the Vicinage 13 Assignment Judge.
6. The Township Clerk shall forthwith submit a certified copy of this resolution and a copy of the draft agreement approved herein to the Honorable Kevin Shanahan, A.J.S.C., Assignment Judge for Vicinage 13.
7. This resolution shall take effect immediately.

ATTEST:

Carla Conner, RMC, Township Clerk

Hon. Brian Mullay, Mayor

Adopted: December 21, 2022