

Mayor Holt called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Christenson, De Cleene, Garber, Kovach @ 7:35 pm, Pendergast,
Schaumburg, Mayor Holt

STATEMENT OF ADEQUATE NOTICE:

Mayor Holt read the following statement: “Adequate notice of this meeting has been provided, indicating the time and place of the meeting and the proposed agenda, which notice was posted, made available to newspapers, and filed with the Clerk of the Town of Clinton in accordance with Section 3(d) of Chapter 231 of the Public Laws of 1975.”

APPROVAL OF MINUTES

A motion was made by Mrs. Pendergast, seconded by Mrs. Schaumburg, to approve the minutes of January 25, 2005 as submitted.

Vote all ayes
2 Abstentions (Holt and De Cleene)
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Mr. De Cleene, seconded by Mrs. Pendergast, to approve the monthly reports for the month of January as submitted:
Administrator’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control Account, Fire Official’s Report, Sewer Collector’s Report Tax Collector’s Report, Water Collector’s Report, Treasurer’s Report, Wastewater Treatment Plant Superintendent’s Report, Zoning Officer/Construction Official Report.

Vote all ayes
Motion carried

PUBLIC COMMENT

Brenda Menichello, 11 Haver Farm Road, questioned the reason the assessed value rose 19% on her home.

Sheri Roberts, 14 Goosetown Drive, questioned an increase of 26% on her assessment.

RoseMarie Platt asked what are assessments based on?

Mayor Holt and Attorney Cushing attempted to explain the process and that 20% of taxes received actually stay in the Town compared to the 80% that go to the two schools, County and Library taxes. Mayor Holt suggested that anyone having questions, come in to see the Tax Assessor on the 2nd Wednesday of the month between 4:30 p.m. and 5:30 p.m. If unable to come in at that time, the Assessor would arrange to meet to answer questions at another time.

Laurie Insel asked if records are available for review if someone was interested in a tax appeal. Ms. Insel was assured that they were.

Pat Hatalla said she read an article that a 60 home development was being built in Union Township on Rupell's Road. She asked if anyone from Clinton's Council attended meetings regarding this development to see if traffic studies were completed and questioned Union Township on the impact this development would have on the Town of Clinton?

Jack Harrison, 28 Spruce Run Road, asked how would a new, third high school get paid for? Mayor Holt stated it would be bonded for \$80,000,000.00.

Patrick E. McGuire, 94 Center Street, stated that he feels the Mayor and Council have an "absolute impossible task". Mr. McGuire referred to "supply and demand" and the reason real estate costs keep rising is because Clinton is such a desirable area to live. Mayor Holt said it is a learning process and that's why the residents have come out tonight to ask questions.

Raymond Bahto suggested that everyone consistently write letters to Trenton, the State Supreme Court about the problem of taxes.

Carmine Iazzetta commended the Road Department in the Town who work on road construction, water lines and other jobs that must save the Town from going out to contractors to complete necessary projects. "This Town has created a great work force over the years". Mayor Holt explained that the Town looks at project and if time and ability in our work force permit, our multi talented workers may undertake such a job. At times, it may not prove beneficial to have our men, do the job but to hire outside contractors.

MAYOR'S COMMENTS

1. A letter of thanks from Kenneth Mandoli, Director of Public Safety from Franklin Township, commending Patrolmen Glennon and Cohen for assisting in a serious gas leak situation that occurred in the Walmart Plaza on January 20, 2005.
2. Hunterdon County Cross Acceptance Committee held a meeting tonight and another to be held February 22 at 6:00 p.m. This is the beginning of a culmination of a years work with surrounding municipalities. Clinton Planning Board and Board of Adjustment members will be representing the Town of Clinton due to the fact that both meetings are Council nights.
3. Water Superintendent, Tom Tharp, has submitted a letter of recommendation to Mr. Cutter, asking that Water Collector, Nancy Burgess, be made a permanent employee. Nancy began in July, 2004, and has been a fine addition to the staff. A motion was made by Mrs. Schaumburg, seconded by Mrs. Kovach, to accept Mr. Tharp's recommendation as submitted.

Vote all ayes
Motion carried

4. On Saturday, February 5, 2005, a CERT (Community Emergency Response Team) exercise was performed at the Patrick McGaheeran School. Five municipalities participated in the training program. Mayor Holt, Sgt. Kubinak and Councilman De Cleene as well as Freeholders Fuzo and Mueller, participated in the drill. The exercise was well executed with simulated explosions, fire, smoke and victims.

5. Pat Hatalla, Newsletter/Web Site Committee, asked if a decision has been made regarding the minutes and associated resolutions of Council, Planning Board and Board of Adjustment being displayed on the Web Page. A motion was made by Mrs. Kovach, seconded by Mrs. Pendergast, that minutes would be made available for public viewing on the web only after they have been approved by the Council or appropriate boards.

Vote all ayes
Motion carried

Mayor Holt said a statement should be made that says the minutes are not "official records" and that they may only be obtained in the Clerk's Office.

MURAL PROJECT – I-78 OVERPASS

Mural project organizers Heidi Funke and Karen Romagna attended this evening's meeting to answer questions anyone might have regarding the painting of a mural under the Route 78 overpass on Leigh Street. Ms. Funke and Ms. Romagna have begun organizing this project and recruited the help of Town residents in planning the public art project which will consist of historic Clinton sights. The project will be privately funded and appears to be a positive project. The women have contacted New Jersey Department of Transportation to discuss the project and seek approval from them due to the fact that the two concrete abutments are State property. The NJDOT explained to the women that they would have to get a letter from the municipality showing their support for the project. A motion was made by Mrs. Kovach, seconded by Mrs. Pendergast, to have a letter drafted and sent to NJDOT in support of the project.

Mr. Carmine Iazzetta asked for children participation in painting the mural. Mr. Iazzetta was assured that the children would be participating in a section of the design.

Vote all ayes
Motion carried

APPLICATION FEE REFUND

Allison McGinley, Board of Adjustment Secretary, is requesting an application fee of \$200.00 to John Bohnel. Mr. Bohnel decided not to proceed with his Board of Adjustment application. A motion to refund the fee as requested was made by Mr. De Cleene, seconded by Mrs. Pendergast.

Vote all ayes
Motion carried

WATER REFUND

Nancy Burgess, Water Collector, is requesting a water refund to be issued in the amount of \$28.37 for Account #6724 in the name of Michael Kruse. The amount was paid twice by the tenant. A motion was made by Mr. De Cleene, seconded by Mrs. Garber to grant the refund as requested.

Vote all ayes
Motion carried

PROFESSIONAL SERVICE AGREEMENTS

A motion was made by Mr. Christenson, seconded by Mr. De Cleene, to accept the Professional Services Agreement for Municipal Attorney, Richard P. Cushing of the firm Gebhardt & Kiefer, P.C. for the calendar year 2005.

Vote all ayes
Motion carried

A motion was made by Mr. Christenson, seconded by Mrs. Schaumburg, to accept the Professional Services Agreement for Water Engineer, Andrew S. Holt, P.E. of Suburban Consulting Engineers, Inc. for the calendar year 2005.

Vote all ayes
Motion carried

A motion was made by Mrs. Kovach, seconded by Mr. De Cleene, to accept the Professional Services Agreement for Alternate Planner, James L. Dodge, P.E., P.P. for the calendar year 2005.

Vote all ayes
Motion carried

SPECIAL EVENT APPLICATION – FLEET ART IN THE OPEN

Mayor Holt explained that this application will be postponed for discussion tentatively until the February 22, 2005. Mayor Holt would like to have a meeting with Museum Director, Marjorie Nathanson, Mr. Pender, Police Chief Matheis, and Mr. Cutter to resolve a few issues.

SPECIAL EVENT AND BANNER APPLICATION – FLAG DAY PARADE

Mayor Holt explained that he would like to host a meeting here in this office to discuss this application. This event has been held for many years and should not be hindered by entities holding events on both ends of the Main Street. Mayor Holt said he did not have a problem with the event being approved subject to a meeting being held to make sure that differences are resolved. A motion was made by Mrs. Kovach, seconded by Mrs. Schaumburg, to approve the application subject to the outcome of the meeting.

Vote all ayes
Motion carried

PUBLIC HEARING ORDINANCE #05-01 – INDEX RATE

A motion was made by Mrs. Pendergast, seconded by Mr. Christenson to open the public hearing on Ordinance #05-01:

ORDINANCE #05-01
AN ORDINANCE OF THE TOWN OF CLINTON
TO EXCEED THE INDEX RATE AND LIMITING ANY
INCREASE IN THE TOWN OF CLINTON 2005 BUDGET TO 3.5%

Vote all ayes
Motion carried

Rob Ragozine, Haver Farm Road, questioned based on what vote is an ordinance passed or denied. It would have to be a majority of the governing body.

There being no further comments, a motion was made by Mr. De Cleene, seconded by Mrs. Pendergast, to close the public hearing.

Vote all ayes
Motion carried

A motion was made by Mr. Christenton, seconded by Mrs. Pendergast, to approve Ordinance #05-01 as submitted.

ROLL CALL: Ayes: Christenson, De Cleene, Garber, Kovach, Pendergast, Schaumburg, Holt

Vote all ayes
Motion carried

RESOLUTION #34-05 – OVERPAYMENTS

A motion was made by Mrs. Pendergast, seconded by Mrs. Schaumburg, authorizing the Chief Financial Officer to refund the overpayments as requested.

Vote all ayes
Motion carried

(A copy of this Resolution is attached to these minutes)

RESOLUTION #35-05 – VETERAN’S DEDUCTION

A motion was made by Mr. De Cleene, seconded by Mrs. Schaumburg, authorizing the Chief Financial Officer to issue a check in the amount of \$250.00 to James S. Horvath for a Veteran’s Deduction on his taxes.

Vote all ayes
Motion carried

(A copy of this Resolution is attached to these minutes)

RESOLUTION #36-05 – RENAISSANCE AT UNION TOWNSHIP

Mr. Cutter explained the proposed Fallone Properties, Renaissance at Union Township. Requested from the Town of Clinton is a Resolution consenting to this development being incorporated to the Upper Raritan Water Quality Management (WQM) and a modification of the Union Township Wastewater Management Plan. A motion was made by Mrs. Pendergast, seconded by Mr. Christenson to adopt Resolution #36-05 with an amendment made by Mr. Cutter. The amendment to the second paragraph will read: “potable water for the proposed residential development would be provided by the Town of Clinton Water Company when available”.

Vote all ayes
Motion carried

(A copy of this Resolution is attached to these minutes)

RESOLUTION #37-05 – LOSAP (Length of Service Award Program)

Nancy Smith submitted a list of names received from the Clinton Fire Department and Clinton First Aid & Rescue Squad of members who have qualified for credit under the LOSAP program for the year 2004. This list must be posted for 30 days at both entities and the Municipal Building. A motion was made by Mr. De Cleene, seconded by Mrs. Kovach, to accept the lists as submitted.

Vote all ayes
Motion carried

(A copy of this Resolution is attached to these minutes)

HIGHLANDS LITIGATION

Mrs. Kovach updated Council on the number of municipalities choosing not to support the Hunterdon County Board of Chosen Freeholders in their efforts to enter into litigation with the

State of New Jersey to a legal challenge of the Highlands Legislation. Furthermore, they do not wish to see funds of the Town of Clinton, nor County funds, monies, a portion of which are raised from taxpayers, be used to support such a challenge. Mr. Christenson suggested authorizing Attorney Cushing to propose language for a resolution.

RESOLUTION #38-05 – GRANT/LOAN APPLICATION NJDEP

Attorney Cushing has prepared a revised Resolution to be submitted to the New Jersey Department of Environmental Protection expressing support of the submission of the grant / loan application by the Hunterdon Museum of Art. The Town of Clinton is awaiting an agreement among the three property owners who share ownership of the Dike. A motion was made by Mrs. Pendergast, seconded by Mr. De Cleene, to adopt Resolution #38-05 with amendments.

Vote all ayes
Motion carried

(A copy of this Resolution is attached to these minutes)

APPOINTMENT OF AUDITOR

The Finance Committee, Nancy Smith, Janice Kovach and Mayor Holt recently met to interview three auditing firms and narrowed the possibilities to two. Current auditor, William Colantano, reduced his price \$8,300 and was highly praised by Mayor Holt, Councilman Christenson and Councilwoman Pendergast, and Finance Officer Nancy Smith, and suggested we retain Mr. Colantano. Mrs. Kovach commented that the process of soliciting new professionals keeps them competitive. Councilman De Cleene, Councilwoman Garber agreed with Mrs. Kovach. Councilwoman Schaumburg also agreed with Mrs. Kovach and felt she was a little concerned that Mr. Colantano dropped his contract \$8,300.00. She felt it was good that the process took place. Mrs. Kovach recommended the Firm of Suplee, Clooney and Company, who are also the auditors for the North Hunterdon-Voorhees Regional High School. If the school budget should fail, the Town would have to hire a forensic auditor to represent the Town of Clinton. A motion was made by Mrs. Kovach, seconded by Mrs. Schaumburg to retain the Firm of Suplee, Clooney and Company.

ROLL CALL: Ayes: Garber, Schaumburg, Kovach, De Cleene
Nays: Christenson, Pendergast, Holt

4 Ayes
3 Nays
Motion carried

The Firm of Suplee, Clooney and Company will be invited to attend the Budget Meeting on Thursday, February 10th. Mr. Colantano will continue his work with Council until the Budget is introduced and passed on Second Reading.

CORRESPONDENCE

1. A letter received from Attorney Rylak concerning private block parties and Town Road Closures.
2. Correspondence directed to the Buildings & Grounds Committee regarding the Leigh Mansion hitching post and steps. The Committee will discuss the matter at an upcoming meeting.

3. Acknowledgement received from Senator Leonard Lance upon receipt of the Town of Clinton's expressing opposition to Assembly Bill No. 3529 concerning workers' compensation and support for Property Tax Reform Convention. Acknowledgement also received from Assemblywoman Connie Myers regarding safety issues on Interstate 78.
4. North Hunterdon-Voorhees Regional High School District has forwarded correspondence to municipalities concerning their budgetary situation.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Robert A. Cutter, PW/Business Administrator

1. Mr. Cutter has been named the Chairman of the Statewide Insurance Fund at their Re-organization meeting. Mrs. Smith and Mr. Cushing were in attendance at the meeting. Mr. Cutter thanked Mayor and Council for excusing him one day a month to attend meetings.
2. A Special Spring Clean-Up will be held the last week of March, first week of April, weather permitting. The notice will be available in the Newsletter and the Town Web Page.

CFO Nancy E. Smith

1. Bond Anticipation Note has been sold to PNC Bank, N.A. East Brunswick, New Jersey at the Price of \$1,150,000.00 at an interest rate per annum of 2.42%.

Councilman De Cleene

1. Roads Committee meeting March 1, 2005 at 9:30 a.m.

Councilwoman Pendergast

1. Parks and Playgrounds discussed the proposition from Clinton Township to join the Skate Park at an annual cost of \$1,000.00 from the Town plus insurance. Town of Clinton families would also have to pay \$50.00 per child or \$75.00 per family. The Commission decided to decline their offer.

Summer Recreation will be held June 27 through July 22. The next meeting is February 17th.

The Town Picnic has been scheduled for June 25th.

Attorney Cushing – RESOLUTION #40-05

Mr. Cushing prepared a Resolution opposing the Highlands Litigation as discussed earlier in this meeting. Mr. Cushing read the Resolution aloud which was accepted by the Mayor and Council. A motion was made by Mrs. Kovach, seconded by Mrs. Schaumburg to accept Resolution #40-05 as presented.

Vote all ayes
Motion carried

(A copy of this Resolution is attached to these minutes)

Councilman Christenson

1. A meeting of the Emergency Services and Fire Department will be held Wednesday night.

2. COAH Committee will be interviewing two COAH Planners and will report back at the next meeting.

Councilwoman Schaumburg

1. Historical Commission – Craig Rogers has been appointed as the new chairman. Brandi Matz, interested in filling the open position on the Commission will attend the next meeting February 16th.
2. Rescue Squad has adopted their 2005 Budget

Councilwoman Garber

1. Newsletter deadline is February 11, 2005.
2. Clinton Guild – next meeting February 16, 2005 at the Clinton Holiday Inn at 6:00 p.m.

RESOLUTION 39-05 – TRANSFER OF FUNDS

A motion was made by Mrs. Pendergast, seconded by Mr. Christenson, to approve Resolution #39-05 authorizing a Transfer of Funds.

Vote all ayes
Motion carried

(A copy of this Resolution is attached to these minutes)

APPROVAL OF OVERTIME & STANDBY PAY:

A motion was made by Mr. , seconded by Mrs. , to pay the following overtime and standby pay for the period of January 13 – January 26, 2005.

| <u>Public Works Department</u> | <u>Standby & Lead Op</u> | <u>B & G Roads</u> | <u>Water</u> | <u>Sewer</u> |
|--------------------------------|----------------------------------|----------------------------|--------------|--------------|
| Peter Bross | 12 sb | 22 ½ ot | 7 ot / 3 dt | -- |
| David Burdge | -- | 31 ot | 4 ot | -- |
| Michael Cobb | -- | -- | -- | -- |
| Howard Deemer | 8 sb | 35 ot | 10 ot | -- |
| Arthur Dysart | -- | 35 ot | 4 ot | -- |
| John Giordano | -- | 34 ot | -- | -- |
| George Moore | -- | 31 ot/ 3 dt | -- | -- |
| Robert Niezgoda | 8 sb | -- | -- | 22 ot/ 3 dt |
| Roger Plaisted | -- | 7 ot | 4 ot | -- |
| Jeff Reed | 8 sb | -- | -- | 10 ot |
| Wayne Smith | 4 sb | 39 ½ ot / 4 dt | 4 ot | -- |
| Donald Tharp | 12 sb | -- | -- | 6 ot/3 dt |
| David Zyck | -- | 27 ot | -- | -- |

| <u>Police Department</u> | <u>Hours</u> | <u>Jobs</u> |
|--------------------------|--------------|-------------|
| Sgt. Cory Kubinak | 2 Hrs. | -- |
| Ptl. Jay Hunter | 3 Hrs. | -- |
| Ptl. Leon Cohen | 3 Hrs. | -- |
| Ptl. Jeffrey Glennon | -- | -- |

| | | |
|---------------------|--------|----|
| Ptl. James Crilly | 5 Hrs. | -- |
| Ptl. Tim McGuire | -- | -- |
| Ptl. Matt Thompson | -- | -- |
| Ptl. James Kramer | 6 ½ ot | -- |
| Ptl. Ryan Garbolino | -- | -- |

PAYMENT OF BILLS

A motion was made by Mrs. Pendergast, seconded by Mrs. Kovach, to approve the voucher list attached to these minutes.

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mrs. Kovach, seconded by Mrs. Pendergast, to adjourn the meeting at 10:00 p.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC
Town Clerk

APPROVED BY MAYOR & COUNCIL

J. Matthew Holt, Mayor