

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

Flag Salute.

Roll Call: Present – Duffy, Insel, Pender, Pendergast, Shea, Mayor Schaumburg
Absent - Valenta

Also in attendance: Elizabeth McManus, Professional Planner (left 7:45 p.m.)
Andrew S. Holt, PE (left at 7:58 p.m.)

STATEMENT OF ADEQUATE NOTICE:

Mayor Schaumburg 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 Mr. Pendergast, seconded by Mr. Shea to approve the minutes of May 25, 2010 as submitted.

Vote all ayes
1 Abstention (Duffy)
Motion carried

APPROVAL OF MONTHLY REPORTS – MAY

A motion was made by Mrs. Insel, seconded by Mr. Pendergast, to accept the Monthly Reports for the month of May as submitted.

Assessor’s Report, Administrator’s Report, Buildings and Grounds Foreman’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control / Inspection Report, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, Treasurer’s Report, Zoning Officer’s Report.

Vote all ayes
Motion carried

MAYOR’S COMMENTS

Mayor Schaumburg proudly announced that she has become an aunt!

PUBLIC HEARING OF ORDINANCE #10-08 - Planned Residential Development

Professional Planner, Elizabeth McManus, once again attended the meeting to explain and answer any questions pertaining to the Ordinance. The amendments in Ordinance #10-08 are for the PRD-P zone district which are necessary for the Land Use Code to be consistent with the May 2008 Master Plan, the 2006 Housing Element and Fair Share Plan and the 2010 Housing Element and Fair Share Plan. The area of which the ordinance was prepared is commonly known as the Twin Ponds project, located on the western section of the Town. This ordinance will increase the housing density from 48 to 61 units and allow for 12 affordable housing units, which the Town will gain 4 bonus credits making the Town eligible for 16 affordable housing credits. There will also be family rental units available.

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to open the public hearing on Ordinance #10-08 on submitted:

ORDINANCE #10-08
AN ORDINANCE OF THE TOWN OF CLINTON AMENDING
THE LAND USE CODE OF THE TOWN

Vote all ayes
Motion carried

Walter Wilson, Attorney for Kenny Lang, builder of the Twin Ponds Project, stated that he and his client fully support the ordinance with the changes and stated that is substantially consistent with the original plan. They have applied for permits, have complied with other regulations and studies and intend on starting the project as soon as permits are received.

There being no further comments, a motion was made by Mr. Pendergast, seconded by Mrs. Insel, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Pender, seconded by Mrs. Insel, to adopt Ordinance #10-08 on second reading.

ROLL CALL: Ayes: Duffy, Insel, Pender, Pendergast, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

PUBLIC HEARING - 2.5 MILLION GALLON WATER STORAGE TANK

The Mayor opened the public hearing at 7:45PM and introduced Andrew Holt from Suburban Consulting Engineers, Inc. of Mount Arlington, NJ. Mr. Holt is the Town of Clinton Water System Consulting Engineer and is the project engineer for the Town of Clinton 2.5 million gallon water storage tank construction and explained the reason for the Public Hearing. The Town has applied to the New Jersey Environmental Infrastructure Trust (NJEIT) in 2009 to fund the cost of the proposed project. The Federal ARRA Stimulus program was the incentive to apply for participation in the NJEIT program, and the project is just now under final review, due to its position in the ranking. A component of the project is the environmental review being conducted by NJDEP, and a requirement of that program under a Level 2 review is to conduct a local public hearing. Mr. Holt explained that the project has already been presented to the Town Council previously when the bond ordinance was introduced, and more recently, when it was presented to the Clinton Township Board of Adjustment for the height variance and site plan approval. During those hearings, most of the impacts associated with the project were explored, and discussed in a public forum.

Mr. Holt displayed the February 2009 Level 2 Environmental Review Report prepared by Suburban Consulting Engineers, and referred to Page 31, which includes a summary table of environmental impacts. Mr. Holt reviewed each of these resource features, described the adverse impacts and methods used to mitigate those impacts, where applicable. Mr. Holt also referred to the most recent project design plans prepared by Suburban Consulting Engineers, last revised March 31, 2010.

Members of the Council were given the opportunity to ask questions about the environmental impacts associated with the tank project.

Mr. Cutter noted that proof of publication for the hearing was confirmed.

Councilman Shea asked where the tank would exactly be located on the site. Mr. Holt explained the proposed new tank location, 30-feet east of the existing tank.

Councilman Shea asked what is the project schedule? Mr. Holt explained that subject to NJEIT funding availability, it would be bid immediately, and a 9-month construction period is anticipated. Following, the rehabilitation of the existing tank would occur in the next optimum painting season, either spring 2011 or fall 2011.

Councilman Shea asked about the height of the tank. Mr., Holt explained that the design is for an overall height of 62-feet, but depending on the successful bidders design, a flatter roof system may be utilized resulting in a lower height (approximately 53-feet)

A motion was made by Mr. Duffy, seconded by Mr. Pender, to open the public hearing.

Vote all ayes
Motion carried

There being no public comments or questions of the project, a motion was made by Mrs. Insel, seconded by Mr. Pendergast, to close the public hearing at 7:58 p.m.

Vote all ayes
Motion carried

INTRODUCTION OF BOND ORDINANCE #10-09 – IMPROVEMENTS TO WATER UTILITY

Mr. Cutter explained the improvements to Well #12R and the new Well #16. Final approvals have been received the New Jersey Highlands Council.

A motion was made by Mr. Pendergast, seconded by Mrs. Insel to open adopt Bond Ordinance #10-09 on first reading as submitted:

ORDINANCE #10-09

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,675,000 FOR IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWN OF CLINTON, COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,675,000 BONDS OR NOTES OF THE TOWN FOR FINANCING PART OF THE APPROPRIATION

Vote all ayes
Motion carried

ORDINANCE #10-09

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,675,000 FOR IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,675,000 BONDS OR NOTES OF THE TOWN FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED BY THE TOWN COUNCIL, OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section i) The improvement described in Section 3 of this bond ordinance has in part heretofore been authorized to be undertaken by the Town of Clinton, New Jersey as a general improvement. For the improvement or purpose described in Section 3, which includes certain additional improvements, there is hereby appropriated the supplemental amount of \$2,675,000, such sum being in addition to the \$4,450,000 appropriated therefor by Section 3(a) of bond ordinance #09-11 of the Town, finally adopted August 25, 2009. No down payment is required pursuant to N.J.S.A 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d) and is expected to be financed through the New Jersey Environmental Infrastructure Trust with a down payment waiver by the New Jersey Local Finance Board.

Section ii) In order to finance the additional cost of the improvement, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,675,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section iii) (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of a water storage tank, the rehabilitation of the existing water tank, Leigh Street water main replacement, well disinfection upgrades and improvements to Well 12R and Well 16, as described in Section 3(a) of bond ordinance #09-11 of the Town, finally adopted August 25, 2009, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$7,125,000, including the \$4,450,000 bonds or notes authorized by Section 3(a) of bond ordinance #09-11 of the Town, finally adopted August 25, 2009, and the \$2,675,000 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$7,125,000, including the \$4,450,000 appropriated by Section 3(a) of bond ordinance #09-11 of the Town, finally adopted August 25, 2009, and the \$2,675,000 appropriated herein.

Section iv) All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the

notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section v) The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section vi) The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,675,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$752,837 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$700,000 was estimated for these items of expense in bond ordinance #09-11 of the Town, finally adopted August 25, 2009, and an additional \$52,837 is estimated therefor herein.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(d). The purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Town. The amounts to be expended for the purposes pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Town or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 7. The Town hereby declares the intent of the Town to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent

within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Roll call	Moved	Seconded	Ayes	Nays	Abstain	Absent
R. Duffy			X			
L. Insel		X	X			
T. Pender			X			
M. Pendergast	X		X			
D. Shea			X			
M. Valenta						X
Mayor Schaumburg			X			

I, Cecilia Covino, Clerk of the Town of Clinton, do hereby certify the foregoing to be a true copy of an Ordinance introduced and adopted on first reading by the Mayor and Council at their Regular Council Meeting held June 8, 2010. A public hearing is scheduled for June 22, 2010.

A copy of this ordinance will be published in the June 14, 2010 edition of the Courier News. The public hearing and second reading is scheduled for June 22, 2010.

RESOLUTION #95-10 – CHAPTER 159

A motion was made by Mr. Shea, seconded by Mr. Pendergast, to adopt Resolution #95-10, which the Division of Local Government Services approves the insertion of \$4,564.09 into an item of revenue.

ROLL CALL: Ayes: Duffy, Insel, Pender, Pendergast, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #96-10 – AMENDMENT TO PERSONNEL POLICY

A motion was made by Mr. Shea, seconded by Mr. Pender, to adopt Resolution #96-10 which amends Section XXX of the Personnel Policy of the Town of Clinton.

Vote all ayes
Motion carried

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

RESOLUTION # 97-10 – LIQUOR LICENSE – CLINTON HOUSE

A motion was made by Mr. Shea, seconded by Mrs. Insel, to adopt Resolution #97-10 approving the 2010-2011 Liquor License # 1005-33-003-005 for a Plenary Retail Consumption License for Sidirounda, L.L.C. t/a The Clinton House.

Vote all ayes
Motion carried

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

RESOLUTION #98-10 – LIQUOR LICENSE - HOLIDAY INN CLINTON

A motion was made by Mrs. Insel, seconded by Mr. Pendergast, to adopt Resolution #98-10 approving the 2010-2011 Liquor License # 1005-36-004-007 for a Plenary Retail Consumption License (Hotel/Motel Exception) for HIC Associates, LLC, Holiday Inn Clinton.

Votes all ayes
Motion carried

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

RESOLUTION # 99-10 – LIENS ASSESSED TO PROPERTIES

Mr. Cutter explained that in accordance with Section 45, Brush, Grass and Weeds, of the Town of Clinton Code, properties not maintained by homeowners had to be addressed by the Town Public Works Department. The following problem properties have been abated and respective fees assessed. A motion was made by Mr. Pendergast, seconded by Mr. Pender, to place liens as recommended.

2 Hillside Drive	\$103.00
19 West Main Street	\$ 53.00

ROLL CALL: Ayes: Duffy, Insel, Pender, Pendergast, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #100-10- PURCHASE OF POLICE VEHICLE

A motion was made by Mr. Pendergast, seconded by Mr. Pender, to adopt Resolution #100-10 authorizing the award of a contract to Warnock Fleet for the purchase of a 2010 Dodge Charger for the Police Department.

ROLL CALL: Ayes: Duffy, Insel, Pender, Pendergast, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

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

SPECIAL EVENT – RED MILL MUSEUM VILLAGE

A motion was made by Mr. Pender, seconded by Mr. Pendergast, to approve the special event application for the Red Mill Museum Village to host the 2010 Renaissance Festival on June 19, 20, 26, 27, 2010 from noon to 7:00 p.m. each day. The event will include Medieval entertainment, demonstrations and activities and a parade. Police supervision will be necessary for event security and the parade.

Vote all ayes
Motion carried

CORRESPONDENCE

1. The Red Mill Museum Village is requesting the Town rescind the permit fee required for a fire permit that was issued for an event held at the Museum on May 21-23, 2010 in the amount of \$42.00. A motion was made by Mr. Shea, seconded by Mrs. Insel, to approve the request.

ROLL CALL: Ayes: Duffy, Insel, Pender, Pendergast, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

2. The Red Mill Museum Village is request a waiver for the permit fee for the repair of the emergency exit stair at the Museum. A motion was made by Mr. Shea, seconded by Mr. Duffy to approve the request of a waiver in the amount of \$61.00.

ROLL CALL: Ayes: Duffy, Insel, Pender, Pendergast, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

3. The Red Mill Museum Village would like to display temporary signs for the Renaissance Festival. The signs are not exactly in conformance with the ordinance, however, the Board of Adjustment does not meet until after the Festival begins. Zoning Officer, Allison Witt, explained the ordinance to Peter Osborne, Curator of Education and Special Events at the Museum, and the size required. She also suggested that he go before council for clarification. Attorney Cushing directed Ms. Witt to send a letter to the Museum

stating that they are in violation of the Sign Ordinance and next year they must come into compliance or go for a variance.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Robert A. Cutter, PW/Business Administrator

1. Trees are being elevated in the Knolls to allow extra light in the neighborhood.
2. Public Works crew working on maintaining the parks, DeMott Pond is next on the list.

Councilman Shea

1. Reviewed sidewalk paver project with 16 landlords on Main and East Main Street. It appears that 70% of sidewalks will be replaced with the pavers.
2. Board of Recreation discussed the Summer Recreation Program, registrations are down from last year, the program will now be open to surrounding towns.

Grandstand bids also discussed.

Councilman Duffy

1. Mr. Duffy said he was happy to return to Council meetings, he just completed a rigorous fire safety course and has passed his final exam, he is an "official fireman". Mr. Duffy said it was an incredible experience and has gained a new respect for firefighters.

The Clinton Fire Department is using a new dispatch box system and has proven to be a more efficient dispatch system. The Fire Department will gain six new junior firefighters in July following training at the Morristown Academy, a four week course, five days a week.

2. Buildings and Grounds – Clinton Mills Dam and Dike project has been started and temporarily stopped.

Councilman Pender

1. Personnel Committee amending the current policy as presented earlier this evening. Next meeting June 23, 2010.

Councilman Pendergast

1. Rescue Squad – Continues to expand with new members!
2. Emergency Services Foundation may be looking to dissolve, President Michelle Harrison has resigned. The decision will lay with the Trustees, Garber, De Cleene, McGaheran and Korkuch. A decision will be made before July 1, 2010.
3. SWAC – attended a Municipal Outreach Program, all municipalities like the 96 gallon carts. The Town of Clinton will look into purchasing them. The State facilities in Clinton do not Recycle, attempts will be made to direct them to do so.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mrs. Insel, seconded by Mr. Pender, to approve the standby and overtime pay as submitted for , 2010 May 14 through May 27, 2010.

ROLL CALL: Ayes: Duffy, Insel, Pender, Pendergast, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

ROLL CALL: Ayes: Duffy, Insel, Pender, Pendergast, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

RESOLUTION #101 -10 – EXECUTIVE SESSION

A motion was made by Mrs. Insel, seconded by Mr. Duffy to enter into Executive Session to discuss matters of Potential Litigation and Contract Negotiations at 8:30 P.M.

Vote all ayes
Motion carried

A motion was made by Mr. Shea, seconded by Mrs. Insel to return to the Regular Council Meeting at 8:50 P.M.

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mrs. Insel seconded by Mr. Pendergast to adjourn the meeting at 8:52 P.M.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Christine Schaumburg