

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

Flag Salute.

Roll Call: Present – Duffy, Pendergast, Shea, Smith, Valenta, Mayor Schaumburg

**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 - December 28, 2010- Tabled to the next meeting**

**APPROVAL OF MONTHLY REPORTS**

A motion was made by Mrs. Valenta, seconded by Mr. Pendergast, to accept the monthly reports for the month of December as submitted:

Assessor’s Report, Buildings and Grounds Report, Clerk’s Account, Cat & Dog Licensing Accounts Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, Treasurer’s Report.

Vote all ayes  
1 Abstention (Smith)  
Motion carried

**PUBLIC COMMENT**

**MAYOR’S COMMENTS**

Mayor Schaumburg announced that she attended the State of the State Address earlier today. Governor Christie recapped the accomplishments of 2010 and thanked the legislatures for their support, highlighting Arbitration Reform. Looking ahead to 2011, the three priorities are pension and health benefits systems, education and creating jobs. Streamlining the process for small businesses is imperative for starting business and creating jobs in New Jersey. On February 22, 2011, the State is expected to introduce the 2011 budget and Gov. Christie is expected not to increase taxes but is striving to reducing taxes.

**RESOLUTION #37-11 – CANCELLATION OF LIEN**

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to adopt Resolution #37-11 authorizing the Tax Collector to cancel Lien on Block 11, Lot 18 as submitted.

ROLL CALL: Ayes: Duffy, Pendergast, Shea, Smith, Valenta, Mayor Schaumburg

Vote all ayes  
Motion carried

**RESOLUTION #38-11 – AMENDMENT TO PERSONNEL POLICY**

Mr. Duffy addressed Council and the Clinton Fire Department who were also present this evening. Following discussion from a previous Council meeting, Mr. Duffy said the State Law is that any available employees that are firefighters are permitted to respond to fire calls. Chief Mathies said he supports this 100% as Police Chief and OEM coordinator. Fire Chief, Steve Higgins, explained with manpower down it was necessary to take steps to get the best coverage possible. Mayor Schaumburg stated that it is her pleasure to cooperate.

A motion was made by Mr. Duffy, seconded by Mr. Shea, to adopt Resolution #38-11, amending the Personnel Policy of the Town by adding a new article that will permit employees who are members of a volunteer fire company or first aid squad to respond to alarms during working hours.

Chief Higgins announced that he approached Clinton Township and it was agreed between the Fire Departments that they will help each other using the manpower available to both departments. Great news!

**RESOLUTION 38-11**

**AUTHORIZING AN AMENDMENT TO THE PERSONNEL  
POLICY OF THE TOWN OF CLINTON REGARDING  
RESPONDING TO FIRE AND MEDICAL EMERGENCY  
CALLS BY TOWN EMPLOYEES**

**WHEREAS**, N.J.S.A. 40A:9-160.1 provides that municipalities shall grant time off from work with pay for municipal employees who are members of a volunteer fire company or first aid or rescue squad serving the municipality when such employees are called to respond to alarms during working hours; and

**WHEREAS**, the Town has permitted employees who are members of the Clinton Fire Department and/or the Clinton First Aid and Rescue Squad to respond to calls during working hours without loss of pay when so requested; and

**WHEREAS**, the Mayor and Council recognize the importance of proper staffing of the Fire Department and First Aid and Rescue Squad to enable those organizations to respond appropriately to fire and medical emergencies; and

**WHEREAS**, the Mayor and Council wish to amend the Personnel Policy to set forth a formal policy consistent with State statute and its own past practice, permitting Town employees who are members of the Clinton Fire Department and/or the Clinton First Aid and Rescue Squad to respond to calls during working hours without loss of pay;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, Hunterdon County that the Town of Clinton Personnel Policy is hereby amended, effective immediately, by adding a new article substantially in the form attached hereto.

Vote all ayes  
Motion carried

**TIME OFF WITH PAY FOR VOLUNTEER EMERGENCY RESPONDERS**

**POLICY:**

Town of Clinton employees who are members in good standing of the Clinton Fire Department or of the Clinton First Aid and Rescue Squad shall be permitted to respond during their normal working hours without loss of pay to emergency calls or alarms that those two (2) volunteer organizations respond to within their service areas or where mutual aid agreements exist.

**PROCEDURE:**

1. When a Town of Clinton employee who is a member in good standing of the Clinton Fire Department or the Clinton First Aid and Rescue Squad is summoned during normal working hours by those volunteer organizations to respond to an emergency call or alarm, the employee shall immediately notify his or her supervisor of the location, nature, and estimated duration of the call or alarm (if known) and request permission to respond. That permission shall not unreasonably be withheld.
2. The supervisor shall make note of the following information and promptly provide it to the Public Works/Business Administrator, or in his or her absence, to the Town Clerk:
  - a. The time of the employee's departure to the call;
  - b. The location of the call;
  - c. The nature of the call; and
  - d. The estimated duration of the call, if known.
3. Any employee responding to an emergency call or alarm who is away from work in excess of two (2) hours shall promptly inform the Town of the time they expect to return to work by using the Hunterdon County Communications Center to contact the Town Clerk who will inform the Public Works/Business Administrator of the employee's expected return time.
4. Upon return to work from an emergency call or alarm the employee shall immediately report to his or her supervisor. That supervisor shall then notify the Public Works/Business Administrator, or in his or her absence the Town Clerk, that the employee has returned to work.
5. No employee responding to an emergency call or alarm as authorized by the procedure outlined above shall suffer any loss of pay as a result of missing time from work.

**RAFFLE LICENSE – CLINTON PUBLIC PTA**

A raffle application has been received for the Clinton Public School PTA to hold a raffle March 18, 2011. A motion was made by Mr. Shea, seconded by Mr. Smith, to approve the application as submitted.

Vote all ayes  
Motion carried

**RAFFLE LICENSE – NEWCOMERS CLUB OF NOTH HUNTERDON**

The Newcomers Club of North Hunterdon have applied for a raffle to be held April 9, 2011 at the Clinton First Aid and Rescue Squad building. A motion as made by Mr. Pendergast, seconded by Mr. Smith, to approve the application as submitted.

Vote all ayes  
Motion carried

**PINE RIDGE HOMEOWNERS ASSOCIATION/GEORGES PLACE EXTENSION  
MUNICIPAL SERVICES**

Vince Cardarelli and Tom O’Sullivan, residents and Board members of the Pine Ridge Homeowners Association, attended this evening’s meeting to thank Mr. Cutter for his years of communicating with the Association and maintaining the private street. According the Municipal Services Act, it is the responsibility of a municipality to maintain the road. The Agreement outlines the background and the conclusions which will be established in an ordinance for the next meeting’s introduction. A motion was made by Mr. Smith, seconded by Mr. Duffy, to adopt the agreement as submitted. Ordinance will be introduced at the January 25, 2011 meeting.

ROLL CALL: Ayes: Duffy, Pendergast, Shea, Smith, Valenta, Mayor Schaumburg

Vote all ayes  
Motion carried

**INTRODUCTION OF ORDINANCE #11-1 – CAPITAL ORDINANCE**

A motion was made by Mr. Smith seconded by Mr. Pendergast, to introduce Ordinance #11-1 as submitted:

**SEWER UTILITY**

**CAPITAL ORDINANCE NO. 11-1**

CAPITAL ORDINANCE OF THE TOWN OF CLINTON SEWER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON SEWER UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$173,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND RESERVE FOR FUTURE REPLACEMENTS

**BE IT ORDAINED**, by the Mayor and Council of the Town of Clinton, in the County of Hunterdon, State of New Jersey as follows:

**Section 1.** The Town of Clinton in the County of Hunterdon, State of New Jersey, is hereby authorized to make the following improvements to the Sewer Utility in, by and for the Town, including all work, materials and appurtenances necessary and suitable therefore:

<u>PURPOSE</u>	<u>ESTIMATED COST</u>
Filter Replacement Project	\$173,000.00
TOTAL	\$173,000.00

**Section 2.** The aggregate sum of \$173,000.00 is hereby appropriated from the Capital Improvement Fund Reserve for Future Replacements of the Town of Clinton Sewer Utility to the payment of the cost of the improvements as described in Section 1 hereof.

**Section 3.** Said improvements are lawful capital improvements of the Sewer Utility having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

**Section 4.** The capital budget of the Town of Clinton Utility is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

**Section 5.** This capital ordinance shall take effect after final passage and publication as required by law.

Vote all ayes  
Motion carried

A copy of this ordinance has been published in the Hunterdon Review edition of January 19, 2011. A second reading and public hearing is scheduled for February 8, 2011.

**RESOLUTION #39-11 – TEMPORARY BUDGET**

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to adopt Resolution #39-11 as submitted :

**RESOLUTION #39-11**

**WHEREAS**, the Town of Clinton desires to constitute the 2011 Temporary Sewer Capital Budget of said municipality by inserting therein the Filter Replacement Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Clinton as follows:

**Section 1.** The 2011 Temporary Sewer Capital Budget of the Town of Clinton is hereby constituted by the adoption of a schedule to read as follows:  
Temporary Sewer Capital Budget of the  
Town of Clinton  
County of Hunterdon, New Jersey

Projects Scheduled for 2011  
Method of Financing

Filter Replacement Project

Capital Improvement Fund Reserve for Future Replacements: \$173,000.00

**Section 2.** The Municipal Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2011 Temporary Sewer Capital Budget, to be included in the 2011 Permanent Sewer Capital Budget as adopted.

ROLL CALL: Ayes: Duffy, Pendergast, Shea, Smith, Valenta, Mayor Schaumburg

Vote all ayes  
Motion carried

**RESOLUTION #40-11 – ENGINEERING SERVICES FOR THE WWTP**

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to adopt Resolution #40-11 as submitted:

**RESOLUTION FOR AWARD OF PROFESSIONAL SERVICES  
CONTRACT TO MASER CONSULTING FOR  
WASTEWATER TREATMENT PLANT NJPDES PERMIT RENEWAL APPLICATION  
BY THE MAYOR AND COUNCIL  
OF THE TOWN OF CLINTON,  
HUNTERDON COUNTY, STATE OF NEW JERSEY**

**RESOLUTION # 40-11**

**WHEREAS**, the Town of Clinton Sewer Utility is in need of contracting for engineering and related services for Wastewater Treatment Plant Renewal Application for the NJPDES Permit, within the Town of Clinton, Hunterdon County, State of New Jersey; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires a resolution authorizing the award of the contract for professional services and that the contract itself must be available for inspection;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, Hunterdon County, State of New Jersey, that the Mayor and the Town Clerk of Clinton are hereby authorized, respectively, to execute and attest to an agreement with Maser Consulting, for engineering and related services, at a fee not to exceed \$7,000.00.

ROLL CALL: Ayes: Duffy, Pendergast, Shea, Smith, Valenta, Mayor Schaumburg

Vote all ayes  
Motion carried

**RESOLUTION #41-11 – DISCHARGE OF MORTGAGE**

A motion was made by Mrs. Valenta, seconded by Mr. Shea, to adopt Resolution #41-11 authorizing the mayor to execute a Discharge of Mortgage given by Christine Rizzo to the Town of Clinton Affordable Housing Authority. The unit has been purchased by Robert Campi.

Vote all ayes  
Motion carried

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

**RESOLUTION #42-11 – SHARED SERVICE AGREEMENT WITH TOWNSHIP OF CLINTON REGARDING COAH**

Mayor Schaumburg requested that this resolution be tabled until decisions regarding the Council on Affordable Housing are settled and the Governor decides how he will proceed. Resolution tabled for two weeks.

**CORRESPONDENCE**

1. A Citizen's Involvement application has been submitted by David Recame of 26 Haver Farm Road, for the open position on the Board of Adjustment. Mayor Schaumburg appointed Mr. Recame to the open seat as Alternate #2. A motion was made by Mr. Smith, seconded by Mr. Shea to appoint Mr. Recame to the Board of Adjustment.

Vote all ayes  
Motion carried

2. Mayor Schaumburg welcomed James T. Naples to the dais as the new Public Works / Business Administrator. Mr. Naples joined the Town on Monday, January 10, 2011, succeeding Mr. Cutter.

### **REPORTS FROM COUNCIL & TOWN OFFICIALS**

#### **Councilman Duffy**

1. Clinton Fire Department has an application for membership from Christopher Lee Bittenmaster, 29 Lingert Avenue. A motion was made by Mr. Shea, seconded by Mr. Pendergast, to accept Christopher as a member of the Clinton Fire Department.

Vote all ayes  
Motion carried

#### **Councilwoman Valenta**

1. Board of Health will hold their annual Joint Rabies Clinic with Clinton Township on Saturday, January 22, 2011 from 8:00 a.m. to 11:00 a.m.
2. Board of Education – Encouraging input from residents, urging them to attend meetings.
3. Newsletter – A meeting is scheduled for January 18 at 7:00 p.m. The committee will discuss exploring other venues and are expected to submit a letter of interest to the County.

#### **Councilman Pendergast**

1. Recycling – following requests from residents to recycle electronics, Mr. Pendergast is looking into a depot in Franklin Township.

#### **Councilman Shea**

1. Roads Committee – canceled their regular scheduled meeting on Friday, January 7, 2011 in anticipation of having Mr. Naples, the new administrator, join them. The next Roads Committee meeting is scheduled for Friday, January 14, 2011 at 8:00 a.m.

#### **Councilman Smith**

1. Rescue Squad – held their re-organization meeting and named Frank Setnicky as Chief and Melinda Stortz as President. The Squad gained 49 new members in 2010!
2. Water Committee – will hold regular meetings on the third Wednesday of each month  
At 8:00 a.m.

#### **James T. Naples, PW/Business Administrator**

On the job for two full days, Mr. Naples said “it’s all good”! Welcome aboard!!

#### **Police Chief Matheis**

The Chief reminded everyone of the winter parking regulations. No parking on snow covered roads from 2:00 a.m. to 6:00 a.m. Shovel sidewalks within 12 hours of precipitation ceasing and do not shovel it into the streets.

**RESOLUTION # 43-11 – TRANSFER OF FUNDS**

A motion was made by Mr. Pendergast, seconded by Mrs. Valenta, to adopt Resolution # 43-11 as presented.

**RESOLUTION #43-11**

**WHEREAS**, various 2010 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2010 Budget Appropriation Reserve in the last two months of 2010; and

**WHEREAS**, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton that transfers in the amount of \$7,000.00 be made between the 2010 Budget Appropriation Reserves as follows:

	<b><u>FROM</u></b>	<b><u>TO</u></b>
Tax Assessment		
Other Expenses	\$1,600.00	
Liability Insurance		
Other Expenses	\$1,000.00	
Group Insurance		
Other Expenses	\$2,000.00	
Solid Waste Disposal		
Other Expenses	\$ 500.00	
Water Utility		
Salary & Wages	\$1,900.00	
Municipal Clerk		
Other Expenses		\$ 500.00
Engineering		
Other Expenses		\$ 500.00
Fire Prevention		
Other Expenses		\$ 100.00
Streets & Roads		
Other Expenses		\$1,000.00
Buildings & Grounds		
Other Expenses		\$3,000.00
Water Utility		
Other Expenses		\$1,900.00
<b>TOTALS</b>	<b><u>\$7,000.00</u></b>	<b><u>\$7,000.00</u></b>

ROLL CALL: Ayes: Duffy, Pendergast, Shea, Smith, Valenta, Mayor Schaumburg

Vote all ayes  
Motion carried



**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Mr. Smith seconded by Mr. Duffy, to approve the standby and overtime pay attached to these minutes for December 24, 2010 through January 6, 2011

ROLL CALL: Ayes: Duffy, Pendergast, Shea, Smith, Valenta, Mayor Schaumburg

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

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

ROLL CALL: Ayes: Duffy, Pendergast, Shea, Smith, Valenta, Mayor Schaumburg

Vote all ayes  
Motion carried

**ADJOURNMENT:** There being no further business, a motion was made by Mrs. Valenta, seconded by Mr. Duffy to adjourn the meeting at 7:58 P.M.

Vote all ayes  
Motion carried

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Cecilia Covino, RMC/CMC

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Mayor Christine Schaumburg