

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

Flag Salute.

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

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. Smith, seconded by Mr. Pendergast, to approve minutes of January 11, 2011 as submitted.

Vote all ayes
Motion carried

A motion was made by Mr. Duffy, seconded by Mr. Smith, to approve the minutes of January 21, 2011 as submitted.

Vote all ayes
Motion carried

A motion was made by Mr. Duffy, seconded by Mr. Shea, to approve the minutes of January 25, 2011 as submitted.

Vote all ayes
1 Abstention (Mayor Schaumburg)
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Mr. Smith, seconded by Mr. Duffy, to accept the monthly reports for the month of January as submitted:

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

Vote all ayes
Motion carried

PUBLIC COMMENT – None

MAYOR’S COMMENTS – None

WATER REFUND

A request has been made by Nancy Burgess, Water Collector, to refund a credit to La Donna Burton, 14 Moebus Place, Clinton, in the amount of \$87.20. A motion was made Mr. Pendergast, seconded by Mr. Smith to refund the amount requested by the Water Collector.

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

Vote all ayes
Motion carried

STREET BANNER REQUEST

The North Hunterdon Newcomers Club is requesting a banner to be hung April 4 through April 11, 2011 announcing the 5th Chili Cook-Off event to be held on April 9th at the Clinton First Aid and Rescue Squad. A motion was made by Mr. Pendergast, seconded by Mr. Smith, to approve the request as submitted.

Vote all ayes
Motion carried

SPECIAL EVENT AND BANNER REQUEST

The Clinton Sunrise Rotary is requesting approval to hold the annual Rubber Duckie Race and the Sprintin' Clinton 5K race on Sunday, July 10, 2011. A banner is also requested to be hung on East Main from July 1 through July 10, 2011. A motion was made by Mr. Smith, seconded by Mr. Shea, to approve all requests as submitted.

Vote all ayes
Motion carried

RESOLUTION #53-11 – OVERPAYMENT OF TAXES

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to adopt Resolution #53-11 authorizing the Tax Collector to refund the overpayment to Wells Fargo on Block 31, Lot 7.13 as submitted.

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

Vote all ayes
Motion carried

RESOLUTION #54-11 – OVERPAYMENT OF TAXES

A motion was made by Mr. Pendergast, seconded by Mr. Shea, to adopt Resolution #54-11 authorizing the Chief Financial Office to refund the overpayment on Block 3, Lot 1 as submitted.

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

Vote all ayes
Motion carried

RESOLUTION #55-11 – POLICE SALARIES

A motion was made by Mr. Pendergast, seconded by Mr. Smith to adopt Resolution #55-11, Police Salaries, excluding the Police Chief, as submitted:

RESOLUTION #55-11
2011 SALARY RESOLUTION

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

That the following position titles within the Town of Clinton in the County of Hunterdon, the respective salaries or compensation set forth below are hereby fixed as the maximum amounts to be paid for the year 2010 (retroactive) and 2011:

POSITION

SALARY

	<u>2010</u>	<u>2011</u>
Sergeant	93,270.04	96,359.44
Patrolman-First Class	85,568.85	88,504.23
Patrolman-Second Class	75,037.94	77,762.70
Patrolman-Third Class	62,542.67	65,017.52
Patrolman-Fourth Class	58,009.81	60,394.00
Patrolman-Fifth Class	55,317.03	57,647.37
Patrolman-Sixth Class	52,624.26	54,900.74
Patrolman-Seventh Class	49,931.48	52,154.11
Patrolman-Eighth Class	47,238.71	49,407.48
Recruit	44,545.94	46,660.86
Police Shift Differential	1,200.00	

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #11-1 – CAPITAL ORDINANCE

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to open the public hearing of Ordinance #11-1:

**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

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Smith, seconded by Mr. Pendergast to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to adopt Ordinance #11-1 on second reading.

ROLL CALL: AYES: Duffy, Pendergast, Shea, Smith, Mayor Schaumburg

Vote all ayes
Motion carried

RAFFLE LICENSE – NORTH HUNTERDON ROTARY

North Hunterdon Rotary had prior approval to hold a raffle at the Clinton Fire Department on February 10, 2011. Due to the winter storms this year, tickets have not been selling and the Rotary requested to have the drawing date moved to March 31, 2011.

A motion was made by Mr. Shea, seconded by Mr. Pendergast, to approve the request to change the drawing date.

Vote all ayes
Motion carried

SPECIAL EVENT & BANNER REQUEST

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to approve the Special Event Application and Banner date for the Clinton Sunrise Rotary to hold the Annual Pender Fishing Derby on May 7, 2011. The banner will be displayed from April 25 through May 9, 2011.

Vote all ayes
Motion carried

CORRESPONDENCE

1. Received notification from the State of New Jersey, Department of Transportation, that the Town of Clinton has been selected to receive funding for the 2011 Municipal Aid Program for the East Main Street Improvement project in the amount of \$125,000.00.
2. A letter received from a resident of Annandale commending Patrolman Jim Kramer for coming to her rescue during a recent snow storm when her car got stuck on Alton Place.

REPORTS FROM COUNCIL & TOWN OFFICIALS

James T. Naples, PW/Business Administrator

1. Mr. Naples recognized the Public Works Department for the fantastic job of removing snow and clearing the roads during our recent snow storms.
2. Attended the First Aid & Rescue Squad meeting with Councilman Smith. It is a well run organization.

Kathy Olsen, CFO

1. Attending a Budget Seminar on March 11, 2011, and suggested council discuss dates for budget meetings. It was decided to hold two meetings, Wednesday, February 23 and Wednesday March 9, 2011 at 6:00 p.m. Ms. Olsen will contact auditor, Warren Korecky, to attend the meeting on March 9th.

Councilman Smith

1. First Aid & Rescue Squad meeting followed a Blood Drive that was held and collected over 50 units of blood. Settling a bet made by Chief Stenicky that they would not have so many units collected, he accepted the consequences, "pied by the members!"
The squad reported 181 call for the month of January, 31 more than last year. Response times Are 5 minutes in Clinton, 10 minutes outside of Town.
2. Water Department will meet with Neptune Meters on Wednesday, February 9 at 8:30 a.m. to discuss new meters. The next Water Committee meeting is scheduled for February 16 at 8:00 a.m.

Councilman Shea

1. Roads Committee met on Friday, February 4, 2011 joined by the engineers. Discussion took place to combine the three grants the Town has been awarded into one. Bid estimates for the Lower Center Street, Main Street, and East Main Street project are being worked on. Plans are for late August/early September timeframe.

2. A meeting will be held on Wednesday, February 16, 2011 at 10:30 a.m. with the New Jersey Department of Transportation to discuss the West Main Street grant.

Councilman Pendergast

1. Sewer meeting will be held on Friday February 18, 2011 at 8:00 a.m. at the Wastewater Treatment Plant.

Councilman Duffy

1. Clinton Fire Department applied for a grant through FEMA in the amount of \$4,000.00. The Fire Department plans to proceed with a lock box program, especially on commercial buildings. Councilman Smith suggested Mr. Duffy contact the North Branch of the County Library, being involved in the building of the library, Mr. Smith recalls that a lock box was not installed.

RESOLUTION #56 -11 – TRANSFER OF FUNDS

A motion was made by Mr. Pendergast, seconded by Mr. Smith to adopt Resolution #56 -11 as presented:

RESOLUTION # 56 -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 \$3,000.00 be made between the 2010 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
Group Insurance		
Other Expenses	\$1,000.00	
Unemployment Insurance		
Other Expenses	\$ 500.00	
Solid Waste Collection		
Other Expenses	\$ 500.00	
Recycling		
Other Expenses	\$1,000.00	
Legal		
Other Expenses		\$ 800.00
Electricity		
Other Expenses		\$1,350.00

Natural Gas		
Other Expenses		\$ 850.00
TOTALS	\$3,000.00	\$3,000.00

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

Vote all ayes
Motion carried

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Smith seconded by Mr. Pendergast, to approve the standby and overtime pay attached to these minutes for January 21 through February 3, 2011.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

RESOLUTION #57-11 – EXECUTIVE SESSION – Contract Negotiations and Potential Litigation

A motion was made by Mr. Duffy, seconded by Mr. Pendergast, to enter into Executive Session at 7:55 p.m. to discuss matters of Contract Negotiations and Potential Litigation.

Vote all ayes
Motion carried

RESOLUTION #58-11 – APPOINTMENT OF SPECIAL APPRAISER

A motion was made by Mr. Pendergast, seconded by Mr. Shea, to adopt Resolution #58-11 making the appointment of Sterling & DiSanto Associates to act as a special appraiser for the Town of Clinton.

RESOLUTION # 58-11

A RESOLUTION AUTHORIZING THE HIRING OF A SPECIAL APPRAISER

WHEREAS, 111 W Main Street Holdings, LLC has filed an appeal with the New Jersey Tax Court concerning the assessment on its property located at Block 3, Lot 2 in the Town of Clinton, on which the Clinton Holiday Inn is located; and

WHEREAS, the appraisal of hotels is a specialized field of knowledge; and

WHEREAS, the Town of Clinton is in need of a specialized appraiser to work with the Town's Assessor, Ann Marie Obiedzinski and the Town's attorney, in defending the appeal filed by 111 W Main Street Holdings, LLC; and

WHEREAS, the Town has received and reviewed proposals to provide the required appraisal services from 5 qualified appraisers, all of whom are experienced in

appraising hotels; and

WHEREAS, funds are or will be made available, up to, but not to exceed \$ 5,000.00, for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of a professional without competitive bidding providing that the resolution authorizing the award of contracts for "Professional Services" without competitive bidding and the contract itself be made available for public inspection.

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

1. Sterling & DiSanto Associates of 145 West End Avenue, P. O. Box 977, Somerville, New Jersey 08876, be and is hired as a special appraiser to defend the Town of Clinton's assessment before the Tax Court of New Jersey; and the Mayor and Clerk are hereby authorized and directed to execute an agreement with

2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public contracts Law, subject to N.J.S.A. 40A:5-11, which states that "No local unit shall be required to advertise for bids for any of the work performed pursuant to 40A:5-4."

3. A notice of this action shall be printed once in the Hunterdon Review.

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

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mr. Pendergast seconded by Mr. Shea to adjourn the meeting at 8:40 P.M.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC

Mayor Christine Schaumburg