

Regular Council Meeting
March 24, 2009

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

Flag Salute.

Roll Call: Present – Duffy, Insel, Pender, Pendergast, Shea, 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

A motion was made by Mr. Pender seconded by Mr. Shea to approve the minutes of March 10, 2009 regular meeting as submitted.

Vote all ayes
Motion carried

A motion was made by Mrs. Insel seconded by Mr. Pender to approve the minutes of March 16, 2009 budget meeting as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – FEBRUARY

A motion was made by Mr. Duffy, seconded by Mr. Pendergast, to accept the Monthly Reports for the month of January and February as submitted: Code Enforcement Treasurers Report, Reserve Budget, and Temporary Budget.

Vote all ayes
Motion carried

PUBLIC COMMENT

None

MAYOR'S COMMENTS

1. Mayor Schaumburg read a memo addressed to Mayor and Council from Chief Brett Matheis recommending Patrolman Peter Tilstra be advanced to next pay step of 2nd Class Patrolman. Patrolman Tilstra has performed his duties in fine fashion and has met and/or exceeded each of his performance objectives during this past year.

A motion was made by Mr. Pendergast seconded by Mr. Pender to approve the recommendation as submitted.

Vote all ayes
Motion carried

2. Mayor Schaumburg stated there was a School Consolidation meeting the other night, which she was unable to attend. She heard the majority of the Council was able to attend. Prior to this meeting Mayor Schaumburg was able to meet with the Clinton Public School Superintendent, John Alfieri, on this issue. She stated it is important that we be represented there to get an understanding of what is going on, when and if it may happen, and how it would affect the Taxpayers.

Mayor Schaumburg opened up the floor to those attended the meeting.

Councilman Shea stated the State made it seem interesting that the consolidation was already precluded on moving ahead with ending the Glen Gardner Board of Education and merging it with the Clinton Public School Board of Education. That sort of set the tone in the beginning that the State, the County School Interim Superintendent, Chyrss Harcraft, made this determination. After further discussion she did not realize how much we share services between the Towns. The savings would be minimal to the Town's Board of Education to merge. Less than \$25,000 a year. The Clinton BOE would pick up the extra hours and effort from the person eliminated from the Glen Gardner BOE. The State funding that Glen Gardner gets is much greater than the Clinton BOE funding. If you blend the two together we would lose the state funding or a large portion of the funding under the same formula the State is using now. It would be a big tax increase for the Town of Clinton and for Glen Gardner however it would be a big savings for the State. That is how the State would cut its spending on the State level by raising the tax on the local level, us.

Mayor Schaumburg explained from the meeting with John Alfieri the concern was the State Department of Education rates the municipalities. Each municipality gets a letter and that letter is based on household annual incomes. The Town of Clinton is rated higher than Glen Gardner. While the State is saying to consolidate no one is saying what aid is going to be given. Is it going to be more or less? What is the aid going to be? Glen Gardner gets more aid and Town of Clinton gets less. No answers were given from the county school board. Mayor Schaumburg doubts it will be more.

Mayor Schaumburg's understanding from John Alfieri is that the Commissioner of the Department of Education in New Jersey gave herself the authority to do this. The State passed a new State Statute. The commissioner does not have to answer any questions beforehand. She has the sole authority to push this consolidation through at anytime. The Town has always shared services before any shared services were mentioned by the state. Mayor Schaumburg stated we would look into it first to see if it is possible financially and practically. Consolidation is not always the answer. At this time it does not make sense to do this on the municipal level maybe at the state level it looks like it is practical. Our job is to tell the State we are extremely opposed to any consolidation. A

detailed evaluation should be done first to determine what it means to the Clinton taxpayers and the Glen Gardner taxpayers before anything is done.

Councilwoman Insel commented that Chyrss Hartraft stated saving money does not always mean saving for the taxpayers. Councilwoman Insel explained Glen Gardner has 1/3 of students and they get \$1.1 million in aid and Clinton Public has 2/3 of students and they get only \$250,000 in aid. So if the rating should change that would be a change of about \$700,000, which the state would save but would be brought back to the taxpayers.

Mayor Schaumburg commented the school has a cap on their levy. The state will not answer about what happens to the cap if we lose the aid. If we lose the aid we will go over the cap and therefore will we be exempt from the cap. If we are not we would have to cut a lot in the school budget.

Councilwoman Insel asked Chyrss Hartraft if she was our advocate in the process. Her answer was yes but she also said she works for the state. Councilwoman Insel asked if we should have Richard Cushing, Town Attorney, send out a letter about how we feel on the subject that we do not agree with this. Councilwoman Insel's feelings on this was "this was a done deal" according to the State.

Councilman Pendergast said Chyrss Hartraft is a spokes person for the State Board of Education and she is going to do what they say. She will tell our feelings but she will not push for us.

Council feels we must represent ourselves on this issue. There are still so many unanswered questions. At this point the consolidation of the two Board of Educations would be a gigantic burden on the taxpayers.

Richard Cushing stated it would be good to go on record. We should have the auditor do a report on the financial consequences from this consolidation to have an independent study. Kathy Olsen, Chief Financial Officer, will contact the auditor to look into it. Mr. Cushing and the Mayor will put a letter together to submit and present to council. Kathy Olsen will contact both administrators from Clinton Public School and Glen Gardner because they are putting together numbers also.

Mayor Schaumburg thanked everyone for attending this meeting. The school budget is a huge issue. She explained that she has been contacted by several people concerned about what happens if the budget passes or not passes. She explained the process to them.

RESOLUTION #60-09 – SUSTAINABLE JERSEY

A motion was made by Mrs. Valenta, seconded by Mrs. Insel, to support the participation in the Sustainable New Jersey Municipal Certification Program.

Robert Cutter, PW/BusAdm., explained in order to become a member regarding green issues the Council must pass this resolution to submit the application. After it is submitted he will come back with possible grants available. An alternate needs to be appointed also. Mayor Schaumburg designated the Clerk to be the Alternate.

A motion was made by Mrs. Valenta, seconded by Mrs. Insel to pass Resolution #60-09 as submitted.

Vote all ayes
Motion carried

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

PUBLIC HEARING OF ORDINANCE #09-01 – WATER RATES

The Town Water Engineer, Andrew Holt, gave a presentation explaining the water rate increases. He gave an overview on the reason why we need the increase. He explained we need to demonstrate under the state laws that we have significant financial, technical, and managerial resources to run our utility safely and reliably. Many projects in the past have put demands on the water utility and funds are needed for pending projects that need to be addressed. For example, new regulations, system security, reliability of the system, and cost of materials to run system on a daily basis. The last rate increase has been over 15 years ago. The aging system structure needs maintenance, repair and replacement. All of these factors are the reason for the increase. We have reached the point that there are no other opportunities to receive funds from new development. The main changes in the rate schedule are in the fixed charges and the consumption charges. The rate change will be a three-tier charge. This type of charge is to promote water conservation and recognize the cost factor for someone who uses a large quantity of water. Mr. Holt used the methodologies from American Water Works manual of practice, m1 and m52 charts. This is how he came up with this base tier rate. The average family consumes about 13,000 gallons and majority of the users will be in this billing tier. Handouts were available for the public to give ideas on conserving water usage to control the resident's own cost.

A motion was made by Mrs. Insel, seconded by Mr. Pendergast to open the public hearing on Ordinance #09-01 as submitted:

ORDINANCE #09-01
AN ORDINANCE AMENDING THE RATE SCHEDULE OF THE WATER
DEPARTMENT OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON,
NEW JERSEY

Vote all ayes
Motion carried

Whitney Wetherill, 36 West Main Street Clinton, asked how does our new rate compare to other water companies?

Andrew Holt's response is that our rates are comparable to other surrounding rates. With an average usage of 15,000 gallons the current bill would be \$38 under the new rate it will be \$63. At the final tier rate increase it will be \$60, which will be \$3.00 higher than High Bridge is right now. Town of Boonton would be \$77. The larger water utilities, American

Water and Elizabethtown, which are regulated by Board of Public Utilities, would bill you \$96 to \$107 for the same usage. We are still lower than other water utilities.

Mayor Schaumburg stated that for the past 14 years we had new development fees to help us pay for the infrastructure costs so rates would not increase. Now we don't have the new development to help with the cost of infrastructure and new regulations. Our system needs improvements to keep up with the new regulations and standards. There are no other fees being received to cover these cost therefore a rate increase is necessary.

Whitney Wetherill, 36 West Main Street, Clinton, asked could the billing be done as an estimated monthly bill so it won't be a large amount? Can the billing be spread over three months?

Robert Cutter, PW/BusAdm, stated we read each month but bill quarterly. It would be impossible for our meter men to read about 5000 meters once a month to get an actual reading for the water utility system. To bill the accounts on an estimated billing would be costly for the water utility. We would be billing the entire water system each month instead of those accounts on that particular cycle. We would have to find a program that would handle the additional billing.

Nancy Burgess, Water Collector, stated if the accounts were estimated there would be many adjustments when the actual readings came in which in turn would be very time consuming to make the adjustments manually. The water customers can prepay their account and have a credit balance so they would not have to have that large bill.

Mr. Dennis Balodis, member of The Board of Trustees Union Gap Village and Treasurer of the Union Gap Village asked if they would be considered a large user. Union Gap Village is a multiple resident community.

Mayor Schaumburg answered yes. Union Gap has a master meter, which means there is one meter that serves 438 units.

Mr. Balodis stated he feels it is unfair. Union Gap is being billed as if it was one resident. He asked the Council to consider billing Union Gap by unit to make it fair. For example take the total consumption and divide by the number of units.

Mayor Schaumburg understood their issue and would look into this further. The Council would amend the ordinance if they feel it is a more reasonable billing.

Richard Cushing, Town Attorney, suggested to pass this ordinance to meet some cash flow requirements of the water utility. To deal with this issue make an amendment to this ordinance and have it retroactive back to April 1, 2009 for those parties involved.

Mayor Schaumburg agreed with Mr. Cushing for reason of cash flow and that the Council should pass this ordinance and look further into this issue. If the Council agrees to adjust the ordinance then put in an amendment to consider, at the next council meeting. Mayor Schaumburg asked Mr. Cushing to put together an amendment to consider this. This issue does not only affect Union Gap but Oak Knoll also.

Mr. Cushing spoke of another subject that came up was the loss of water between the main master meter and the individual units.

Mr. Balodis responded they are very diligent on a quarterly basis to check their system for water leaks to the units. If any member of the water utility would like to watch how they test all the lines they are welcome.

Dorian Laforce who also is on the Union Gap Board of Trustees, 1 Charles Way asked at the next meeting will they be able to respond to the amendment? Is there is any additional information that you need to make your decision? We believe this is reasonable request and will provide any additional information required.

Mayor Schaumburg responded when it is introduced she will let them respond. After introduction they get a copy to review. Any information they would like to submit would be helpful and they can contact the water department with any questions.

Ms. Laforce asked when will be the next bill be issued if this passes tonight?

Mayor Schaumburg responded Union Gap is being billed this current month, March. So this issue should be resolved before they receive their next bill, which would have the increase. Mayor Schaumburg also stated that we cannot promise how the outcome is going to be. Mayor Schaumburg agrees this needs to be looked at and it will be resolved.

A motion was made by Mrs. Insel, seconded by Mr. Duffy to come out of public hearing on Water Rate Ordinance #09-01.

A motion was made by Mrs. Valenta, seconded by Mrs. Insel to adopt Ordinance #09-01 on second reading as submitted.

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

Vote all ayes
Motion carried

RAFFLE APPLICATION – EMERGENCY SERVICES

A raffle application was submitted by the Clinton Emergency Services Foundation to hold a raffle, from 11:00 am to 2:00 pm at Lower Center Street and Main Street. Prizes will be awarded.

Three members of the committee were present, Gene De Cleene, Michelle Harrison, and Joelle Garber.

Michelle Harrison added that Dr. Jodie Dinnerman is opening a Chiropractic business at 16 Leigh Street and would like to raise money for the Foundation. Dr. Dinnerman is holding a 50/50 during their grand opening on Sunday. There will be a little festival with free back adjustments and speakers all day. Mayor Schaumburg will be there to cut the ribbon.

A motion was made by Mr. Pender, seconded by Mr. Pendergast to approve the request as submitted.

Vote all ayes
Motion carried

CORRESPONDENCE

1. Mr. Jack Holt, a Town Resident, sent a letter commending our public works department. He recently had a tremendous amount of brush and twigs out in front of his residence and when it was time for our public works men to chip the brush they did a terrific job. Mr. Holt stated all of the debris was removed and when they finished the employees had cleaned the area thoroughly. Mr. Holt wanted to thank the public works employees for their outstanding work in the hot, cold, and wet weather.
2. The Shade Tree Commission received the \$3,000.00 for the forestry program 2008 Green Communities Phase I Grant.
3. In addition we received the \$4,000.00 Clean Communities Entitlement Grant.

RESOLUTION #61-09 TRANSFER OF FUNDS

A motion was made by Mrs. Insel, seconded by Mr. Pendergast to authorize a transfer of unexpended balances from the preceding year to cover unexpended balances on accounts for the first three months of the succeeding year. The 2008 Budget Appropriation Reserves in the amount of \$1,725.00 is to be transferred from the Recycling Other Expenses to the Police Department Other Expenses.

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

Vote all ayes
Motion carried

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

REPORTS FROM COUNCIL & TOWN OFFICIALS

Councilman Pendergast

1. Mr. Pendergast reported on SWAC. The hazardous waste electronic cleanup is scheduled for this Saturday, March 28, 2009 down at the County Complex on Route 12, Flemington.
2. Delaware Township doubled their recycling in one month by putting a sign out saying "Today Is Recycling Day". Delaware Township does not have curbside pickup.

Councilman Pender

1. The Environmental Commission met last night and the South Branch River Clean Up is scheduled for April 18th at 9am.

Councilman Duffy

1. Received two membership applications from Ryan Shea, of 17 Messig Road, Clinton, and Craig Allen Jr., of 9 Harvest Court, Clinton to join the Clinton Fire Department. Mr. Shea and Mr. Allen passed the physical and everything is proper and approved. A motion was made by Mr. Duffy, seconded by Mr. Shea to accept the application as submitted.

Vote all ayes
Motion carried

Cecilia Covino, Town Clerk

1. Mrs. Covino reported As The World Turns would like to do more filming in the Town. It may be filmed at the Fine Diner, at a mechanic garage, and by a pay phone by Krauser's. There will be about 25 people involved. The tentative dates are April 9th and 10th, which are black out dates, and also April 16th, 17th, 30th, and May 1st. The application has been submitted to Chief Brett Matheis and approved. The bond will be delivered by FedEx.

A motion was made by Mr. Pendergast, seconded by Mrs. Insel to approve the application as submitted.

Vote all ayes
Motion carried

2. The Red Mill Museum Village is asking for a waiver for the Town's fee of \$252.00 for putting in the fire sprinkler system. The total fee is \$306.00 with \$54.00 going to the State.

A motion was made by Mr. Shea, seconded by Mrs. Insel to accept the waiver.

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

Vote all ayes
Motion carried

Councilman Shea

1. Mr. Shea reported that Budget Printing and Metropolitan Seafood are relocating out of Town. Wells Fargo moved to where Cooper Kettle Realty was located. Many new members have joined the Guild.
2. On Sunday, April 5th, antique show is taking place at the Community Center. There is going to be about 25 vendors.
3. The Guild is applying for a grant from the State to support major events through the Travel Tourism Grant.

4. The Red Mill Village is working in partnership with the Guild to coordinate events going on in Town. The Red Mill is having a Renaissance Fair on Father's Day weekend, June 20th and 21st and the weekend after, June 27th and 28th. The Black Potato Festival will be in July.
5. Mr. Shea reported the Roads Committee is working on plans for the alleyway in Town. They are going to sell engraved bricks at \$100.00 each to cover the cost of the pavers. The timeline for selling these bricks is by April 20th.

Robert A. Cutter, PW/BusAdm

1. Mr. Cutter reported the solid waste collection for the month of February has been the lowest in 15 years. It is 34 ton less in tipping fees than last year, which nets the Town a savings of \$2,560 directly, related to the comingled single frame-recycling program.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Pender, seconded by Mrs. Insel, to approve the standby and overtime pay as submitted for March 6, 2009 through March 19, 2009.

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

Vote all ayes
Motion carried

RESOLUTON #62-09 – EXECUTIVE SESSION – PERSONNEL

A motion was made by Mrs. Insel, seconded by Mr. Duffy to enter into executive session to discuss personal at 8:35pm. Council is not expected to make any decisions.

Vote all ayes
Motion carried

Council returned to the Regular meeting at 8:14pm.

ADJOURNMENT: There being no further business, a motion was made by Mrs. Insel seconded by Mr. Pendergast to adjourn the meeting at 8:15p.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC

Mayor Christine Schaumburg

Prepared by Nancy Burgess