

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

Flag Salute.

Roll Call: Present – De Cleene, Garber, Kovach, Pendergast, Schaumburg, 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 Mr. De Cleene, seconded by Mrs. Kovach, to approve the minutes of September 27, 2005 as submitted.

Vote all ayes
1 Abstention (Pendergast)
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Mrs. Garber, seconded by Mrs. Kovach, to approve the monthly reports for the month of September as submitted:

Administrator’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control Account, Fire Official Report, Police 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

Matthew Williams, 70 West Main Street, came before Council for an explanation as to why the sounds of jack hammers disturbed him at 3:00 a.m. Tuesday morning. Mr. Williams suggested that “this would not happen in other neighborhoods”. Mr. Cutter explained that the work to repair a water leak was scheduled for that time because the traffic at that intersection during the day could not possibly allow for the repair to take place. A leak detector was unable to detect the exact location but usually comes within 10 ft. of the problem. Unfortunately, the extent of the leak was not known and the job was unable to be completed at that time. When the job is rescheduled, notification will be delivered to the surrounding area residents. Mayor Holt asked Mr. Williams to accept an apology on behalf of the Town. Mrs. Schaumburg asked why did the work have to take place at night and why couldn’t a detour during the day permit the work to take place then? Mr. Cutter could not come up with a plausible solution for a detour which would allow the work to take place during the day but said he will look into that.

Fire Chief Tim Langston thanked the Council for forwarding a packet from the State to receive a defibrillator. The application has been completed and returned. Police Sergeant Kubinak stated

that the Police Department received two defibrillators on a grant from the State, and offered them to Clinton Public, because all their cars are already equipped with defibrillators in each. The school was not interested in the particular type, so Sgt. Kubinak offered them to the Fire and Rescue Squad. The men will meet and discuss the equipment.

Mrs. Kovach asked how the specifications for the building are proceeding? Scott Wintermute, Assistant Chief replied that they will be having a meeting at the Fire House on Wednesday night to complete the specifications.

Mrs. Smith inquired about the specifications for the fire truck, they replied that they are also close to completion.

MAYOR'S COMMENTS

1. The New Jersey Chapter of American Public Works Association announced that Paul Klitsch will receive the New Jersey Chapter Employee Award for long term dedication to the Chapter and Tom Tharp will receive the New Jersey Chapter Joseph H. Maher Award for long term dedication. The men will be honored at a breakfast meeting in Atlantic City, on Thursday, November 17, 2005 during the League of Municipalities Convention. Due to the time of the Breakfast, Mayor Holt asked Council to agree that the men be allowed to spend Wednesday night in Atlantic City so they would not have to drive down early Thursday. A motion was made by Mrs. Pendergast, seconded by Mr. De Cleene, to grant the request for the men to spend Wednesday night at the expense of the Town.

Vote all ayes
Motion carried

2. Resolution received from the Borough of Flemington regarding Senior Tax Freeze will be discussed at the next meeting.
3. North Hunterdon Municipal Court held a Finance meeting on October 3 to discuss the 2006 proposed budget. Next meeting November 5, 2005.
4. Hunterdon County Municipal Officers Association Dinner October 20th, at the American Legion, Flemington. U.S. Attorney Christopher Christie is the speaker. Notify clerk if interested in attending.
5. Budget requests have been distributed to Committee liaisons and chairpersons of each Committee. Requests expected beginning of December.
6. Chief Matheis is doing well at the FBI Academy in Virginia. Attending classes Monday through Friday, 8:00 a.m. to 5:00 p.m. Sergeant Kubinak is doing a great job overseeing the Department.
7. Thank you to Acting Foreman, Wayne Smith and Sgt. Kubinak, Clinton Fire Department and Clinton First Aid & Rescue Squad, for keeping matters under control with the heavy rain this past Saturday. Hunterdon County responded quickly to a call from Mr. Cutter to clear debris from under the Halstead Bridge.
8. Exit 15 ramp and overlay pre-construction meeting was held this afternoon, October 11, 2005, 1:00 p.m. in Freehold, Mr. Cutter and Mr. Tharp attended. Mr. Cutter gave an overview of the meeting which was attended by representatives of NJDOT, GPI, Greenman Pedersen Inc. and IEW Construction Group, Trenton, New Jersey. Important dates such as the Christmas Parade

in December and numerous lane closures were discussed. At this time there is no official starting date scheduled, they are still waiting for the contract to submit his schedule, however, a project completion date is scheduled for December 26, 2006. Mr. Cutter will receive a set of plans when they become available.

9. The Town of Clinton has received the second phase Stormwater Grant in the amount of \$6,822.00
10. The Town has also been awarded \$12,500.00 to cover the preparation and implementation of COAH Round Three regulations. Thanks to Carolyn Neighbor, PP, and David Wiant for their help in preparing the Grant submission.

HART TMA – COMMUNITY INITIATIVES GRANT PROGRAM – RESOLUTION 97-05

Mr. Cutter submitted three grant requests to the Hunterdon County T.D.M. (Transportation Demand Management) Community Initiatives Grant Program 2005-2006. The purpose of the grant program is to encourage the implementation of transportation demand management initiatives by providing financial assistance to Hunterdon municipalities, community organizations and schools. All requests are part of the re-examination of the Master Plan. The three requests in order of priority are Wargo Tract Redevelopment, Streetscape Development and Bicycle & Pedestrian Element. Mr. Cutter explained that the Town has a very good chance at the grant, Mrs. Schaumburg stated Mr. Cutter and David Wiant, Planning Board Chair, did a good job in making the submission. A motion was made by Mrs. Kovach, seconded by Mr. De Cleene to pass Resolution # 97-05 supporting the submission of the grant application.

Vote all ayes
Motion carried

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

APPOINTMENT OF COUNCIL CANDIDATE

On September 26, 2005, Councilman Richard Christenson resigned after 10 years on Council. The Vacancy Law dictates that the party of the vacant seat submit three names within 15 days. The names submitted were John Harrison, Martin Pendergast and Robert Smith. In alphabetical order, the men addressed Council and made statements as to their experience and reason for wanting to fill the seat.

John C. Harrison, (Jack) 28 Spruce Run Road, has been a member of the Board of Adjustment and Planning Board, saying “he was often the member who zeroed in on the real issue at hand”. Mr. Harrison accepted questions from Mrs. Kovach, regarding challenges that Clinton faces, if he would be willing to resign from the Boards and his feelings on the Highlands. Mr. Harrison stated that continuing issues of traffic will hopefully be abated with the realignment project of Exit 15. Mr. Harrison said he would be willing to step down from both Boards and as to his feelings regarding the Highlands, he has no problem with the overall plan to preserve the Highlands for water, but feels that Northeastern Jersey should pay for it through water bills. Furthermore, farmers and land owners in Warren and Sussex Counties should not be bearing the load, they should not have the responsibility of supplying water. They should be compensated by municipalities within the area.

Mrs. Schaumburg asked what kind of development would work? Mr. Harrison said we are still looking for the right answer to that question.

Mr. Harrison spoke of school costs and the number of school districts. He favors raising development impact fees so “taxpayers don’t have to shoulder the extra money for bigger schools”.

Mr. De Cleene thanked Mr. Harrison for his volunteerism and said the time given to this position may be more than two nights a month considering meetings and committees. Mr. Harrison laughed and said he realized that at the re-organization meeting on January 1 when the list of appointments was read!

Martin Pendergast, 20 Spruce Run Road, introduced himself and expressed his interest in filling the vacant council seat. He and his family have always been involved with the Town but up until now his contribution has been as a homeowner and his wife, Rosemary, has given her time on Council. Mrs. Schaumburg asked if he would be willing to continue on Council and be on the ballot after November, 2006. Mr. Pendergast said he wasn't interested in running on the ballot for the Council seat. His intentions are not for a long term commitment, but he was willing to take on the responsibility of filling the Council seat for his Town.

Mrs. Kovach asked Mr. Pendergast what he sees facing the Town of Clinton. Mr. Pendergast reiterated the same problems as heard before, traffic and ratables and said we have to keep pushing for ratables and to see what is right for the Town. Mr. Pendergast also feels that Shared Services is huge, and we should promote and explore possibilities. Mrs. Kovach asked about the Highlands. Mr. Pendergast stated honestly, he did not have a lot of thoughts on the issue and felt it was more a Warren and Sussex County issue. Council thanked Mr. Pendergast.

Robert B. Smith, 10 Water Street, came before the Council and introduced himself as a Professional Engineer and Professional Planner who has served as Mayor and Councilman for 30 years. Now retired, he knows what the job involves with man hours and is willing to come out of retirement to fill the vacant seat.

Mrs. Kovach asked Mr. Smith what his feelings are toward Highlands Act and the Highlands Litigation where the Freeholders from Hunterdon and Warren County are suing to have the legislation overturned. Mr. Smith agrees that it is necessary but feels that the economics of the impact need to be examined. There is only a line that goes through Clinton, more of the Highland area is State property. Regarding the litigation, Mr. Smith does not agree that was the only way to proceed and said other avenues could have been pursued before litigation.

Mrs. Schaumburg asked for his feelings on Big Box development for the Industrial Tract and he explained that as a member of the Planning Board for 34 years, he knows Big Box has been ruled out as mentioned in the re-examination of the Master Plan.

Mayor Holt asked the same question that all the men had been asked to reply to, what do you see as the main issues facing the Town of Clinton? Mr. Smith replied traffic, ratables and the enforcement of zoning as the biggest problem.

Mayor Holt addressed Council if further discussion or an Executive Session was necessary, it was not. A motion was made by Mrs. Schaumburg seconded by Mr. De Cleene to appoint John C. Harrison to fill the vacant term of Richard Christenson.

Vote all ayes
Motion carried

Mr. Harrison was sworn in by Attorney Cushing, accepted congratulations from everyone and proceeded to take a seat with Council.

RESOLUTION #95-05 – REQUESTING FUEL COST CAP EXCEPTION

A motion was made by Mrs. Kovach, seconded by Mrs. Pendergast, to adopt Resolution #95-05 as submitted.

Vote all ayes

Motion carried

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

RESOLUTION #96-05 – CURFEW

A motion was made by Mrs. Kovach, seconded by Mrs. Schaumburg, to adopt Resolution #96-05 declaring a curfew from 9:00 p.m. October 13, 2005 to 6:00 a.m. November 7, 2005.

Vote all ayes
Motion carried

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

RAFFLE LICENSE – CLINTON GUILD

Council is in receipt of a raffle application from the Clinton Guild, Inc., to hold a 50/50 raffle on December 15, 2005 at 7:30 p.m. Proceeds devoted to the Clinton Guild and the Christmas Parade. A motion was made by Mrs. Garber, seconded by Mrs. Schaumburg, to approve the request as requested.

Vote all ayes
Motion carried

APPOINTMENT OF NEW CROSSING GUARD

Sergeant Cory Kubinak has submitted the name of Carrie Davison and recommends her as the replacement crossing guard for Alana Staszkeski. A motion was made by Mrs. Pendergast, seconded by Mrs. Schaumburg, to grant the request as submitted. Sgt. Kubinak will confirm the date of hire.

Vote all ayes
Motion carried

SPRINGHOUSE COURT

The Planning Board has heard and approved a subdivision on the Fox property on Leigh Street and have been asked to assist in naming the road. The name “Springhouse Court” was suggested by Mr. Cutter due to the fact that the old springhouse on the property is required to be maintained forever. Naming the street Springhouse Court will serve as a good reminder. The Street Name committee reviewed names and recommend the name “Springhouse Court”. Previously, street names were also reviewed by the Historic Commission, therefore, Mrs. Schaumburg suggested having the current Historic Commission discuss it. A motion was made by Mrs. Kovach, seconded by Mr. Harrison, to approve the name “Springhouse Court” subject to the approval of the Historic Commission.

Vote all ayes
Motion carried

OVERCROWDING ORDINANCE

Mrs. Schaumburg commented on the proposed ordinance and the reason for enacting it. A few years ago, a fire above the Tomato Café on Main Street, a overcrowding situation was discovered, which was a wake up call to Town Officials. The committee, Mayor Holt, Mr. De Cleene, Mrs. Schaumburg, Rob Ragozine and David Wiant, discussed the issue with Attorney Cushing and proposed an ordinance which would incorporate objective standards, air space and windows and also require rental units be registered with the Town. The position of a part time Rental Housing Officer will be sought.

Mr. De Cleene made a motion to open the discussion to the public, motion was seconded by Mrs. Kovach.

Vote all ayes

Motion carried

Whitney Wetherill, West Main Street, stated that there are multiple unrelated people living in certain dwellings in Town. In certain instances, people are provided with shelter by employers. She suggested looking at the language in the ordinance further.

A motion to close the public comment was made by Mr. De Cleene, seconded by Mrs. Kovach.

Vote all ayes
Motion carried

Mr. Cushing will continue researching information and will forward minor changes to the Committee.

CORRESPONDENCE

None

REPORTS FROM COUNCIL & TOWN OFFICIALS

Robert A. Cutter, PW/Business Administrator

Nancy E. Smith , C.F.O.

Councilman De Cleene

1. Road Committee – October 4th the Committee discussed speed platforms on Rupells Road and the addition of a handicap spot to the most westerly extent of existing parking space of Center Street.

Councilwoman Pendergast

1. Parks & Playgrounds approved the Fall Fireworks, Sunday, October 30, 6 pm.. Prior to the Fireworks display, a Halloween Tailgate Style Trunk-or-Treat will take place at 4:30 p.m. Arrangements have been discussed with the Fire & Rescue Squads. Children of Clinton and Glen Gardner will be welcome to attend.

Councilman Harrison

Happy to be here!!

Councilwoman Kovach

1. Highlands Council to meet October 18, 3:00 – 5:30 p.m.; October 19, 7:00 – 9:30 p.m.; October 20, 7:00 to 9:30 p.m. in Chester.
2. Attended Clinton Township hearing on Windy Acres, and read a statement regarding the Water. Commissioner Bradley Campbell asked to receive a copy of the statement. (copy attached)

Councilwoman Schaumburg

1. Historic Commission met with Architect, Susan M. Rochelle and took a tour of 47 Leigh Street. Their next meeting is October 19, 2005. Holly Leone, promoting “Researching Your House” a two-part series that will be held at the Hunterdon County Library on November 1 and November 29, 2005 at 7:30 P.M. First part is “Clues from Deeds”, second part is “Clues from Architecture”.

2. Mrs. Schaumburg asked what procedure would be taken to fill the vacancy on the Board of Adjustment and if an Alternate member will fill the spot? Attorney Cushing explained that there is a method used for soliciting information, anyone interested should complete Citizen Involvement Application. Mayor Holt said the statute does not stipulate that an alternate fills the spot but it is a Council decision of who moves where. Mayor Holt said he would distribute a memo to Council explaining the process.

Councilwoman Garber

1. Web Site – 100 pages are being added to the Site. The Committee is accepting ideas of what to Display. Some suggestions have been “Frequently Asked Questions” (FAQ) and a portfolio of photos. Rob Ragozine, 24 Haver Farm Road, requested that the Council Agenda be available on the Web.
2. SWAC meeting October 18 at 7:30 p.m. at the Route 12 location in Flemington. The Committee is hoping for a quorum to vote for a proposed recycling center on Rt. 31 which could be used for County residents.
3. Clinton guild next meeting, October 19 at 6:30 p.m. at the Holiday Inn.
4. Hair cut-a-thon fund raiser to be held Saturday, November 5, 1:00 to 5:00 p.m. Four stylists will be available: Denise Reed, Sue Morris, Lori Schaible, Joelle Garber. Costs: \$20.00 ages 11 and up; \$10.00 ages 10 and under. Event to be held at Arlene’s Beauty Shop on Main Street. Event to benefit the Clinton Fire Department Truck Fund.

APPROVAL OF OVERTIME & STANDBY PAY:

A motion was made by Mrs. Garber, seconded by Mrs. Pendergast, to pay the following overtime and standby pay for the period of September 22 – October 5, 2005.

<u>Public Works Department</u>	<u>Standby & Lead Op</u>	<u>B & G Roads</u>	<u>Water</u>	<u>Sewer</u>
Peter Bross	8 sb	--	13 ½ ot	--
David Burdge	--	--	11 ½ ot	--
Howard Deemer	8 sb	--	11 ot	--
Arthur Dysart	--	--	10 ½ ot	--
John Giordano	--	--	--	--
George Moore	--	--	--	--
Robert Niezgoda	4 sb	--	--	3 ot
Roger Plaisted	--	--	12 ½ ot	--
Jeff Reed	--	--	--	--
Wayne Smith	--	--	11 ½ ot	--
Donald Tharp	12 sb	--	--	9 ot

<u>Police Department</u>	<u>Hours</u>	<u>Jobs</u>
Sgt. Cory Kubinak	--	--
Ptl. Jay Hunter	--	--
Ptl. Leon Cohen	3 Hrs.	--
Ptl. Jeffrey Glennon	19 Hrs.	--
Ptl. James Crilly	6 Hrs.	--
Ptl. Tim McGuire	10 Hrs.	--
Ptl. Matt Thompson	13 Hrs.	--

Ptl. James Kramer	2 Hrs.	--
Ptl. Ryan Garbolino	--	--

PAYMENT OF BILLS

A motion was made by Mrs. Pendergast, seconded by Mr. De Cleene, 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 Mr. De Cleene, to adjourn the meeting at 9:22 p.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC
Town Clerk

APPROVED BY MAYOR & COUNCIL

J. Matthew Holt, Mayor