

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

Flag Salute.

Roll Call: Present – Christenson, 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 Mrs. Garber, seconded by Mrs. Schaumburg, to approve the minutes of March 8, 2005 as submitted.

Vote all ayes  
Motion carried

**PUBLIC COMMENT**

Laurie Insel, 52 Center Street, asked if a date had been set for a tax course for Town residents. Mrs. Insel was advised that the Town Assessor and Mr. Efstathiou from the Hunterdon County Taxation Board were available in the office on March 9, 2005 to assist residents with questions from 3:00 to 4:30 p.m. The County Tax Board was not available at any other time to hold hours. On April 6, 2005, the Hunterdon County Board of Taxation is hosting a meeting at the County level in Flemington.

**MAYOR’S COMMENTS**

1. Mr. Tozzi, of the New Jersey Department of Transportation, responded to Mr. Cutter’s follow up letter. He reported that he spoke to his Chief regarding the additional turn signals and the countdown method of the crossing signal.
2. Congratulations to Patrolman James Kramer and Detective Jay Hunter for receiving a Civil Service Award from the Chabad of Hunterdon County at a ceremony that took place March 24<sup>th</sup> at the Clinton Holiday Inn.

**PROFESSIONAL AGREEMENTS**

A motion was made by Mr. Christenson, seconded by Mrs. Pendergast, to authorize the Mayor and Clerk to sign the Professional Agreement for Robert J. Clerico, P.E. of the firm Van Cleef Engineering for engineering services for the calendar year 2005.

Vote all ayes  
Motion carried

A motion was made by Mr. De Cleene, seconded by Mr. Christenson, to authorize the Mayor and Clerk to sign the Professional Agreement for Robert C. Bogart, P.E. of the firm Maser Consulting to serve as alternate engineer for the calendar year 2005.

Vote all ayes  
Motion carried

**RESOLUTION #53-05 – BUDGET TO BE READ BY TITLE**

A motion was made by Mr. Christenson, seconded by Mr. De Cleene, to adopt Resolution #53-05 authorizing the 2005 Budget to be read by title only.

Vote all ayes  
Motion carried

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

**PUBLIC HEARING - 2005 BUDGET**

A motion was made by Mrs. Pendergast and Mrs. Schaumburg to open the public hearing of the 2005 Budget. Mayor Holt explained that the tax levy did not increase this year.

Vote all ayes  
Motion carried

As there were no questions from the public, a motion to close the public hearing was made by Mr. De Cleene, seconded by Mr. Christenson.

Vote all ayes  
Motion carried

**RESOLUTION #54-05 – AMENDMENTS TO THE 2005 BUDGET**

Mrs. Kovach questioned the amendment of \$25,000.00 which was received as Municipal Homeland Security Aid and asked why this amount could not go into surplus to help reduce the tax rate. Temporary Auditor, William Colantano, explained that Department of Community Affairs states that the revenue is treated as property tax relief, with no offsetting appropriation. A motion was made by Mr. Christenson, seconded by Mr. De Cleene to adopt Resolution #54-05 as submitted.

Vote all ayes  
Motion carried

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

**RESOLUTION # 55-05 – ADOPTION OF 2005 BUDGET**

Mrs. Schaumburg questioned that the \$17,800.00 that is shown in the Budget did not appear in the Annual Financial Statement. Mrs. Smith, CFO, and Mr. Colantano, explained that the amount of \$21,378.23 was listed under the title of Bureau of Fire Prevention as revenue collected since the inception of the program. For 2005, the Town is anticipating \$17,800.00 as revenue based on what was collected in 2004. A motion was made by Mr. Christenson, seconded by Mr. De Cleene to adopt Resolution #55-05 adopting the 2005 Budget.

ROLL CALL: Ayes – Christenson, De Cleene, Garber, Kovach, Pendergast, Schaumburg, Holt

Vote all ayes  
Motion carried

**RESOLUTION #56-05 – LOCAL EXAMINATION OF THE ANNUAL BUDGET**

The Local Finance Board permits local municipalities in sound fiscal condition to perform an examination of the annual budget every two years and the third year a review by the Division of Local Government Services must be completed. A motion was made by Mrs. Schaumburg, seconded by Mr. Christenson, to adopt Resolution #56-05 as presented.

Vote all ayes  
Motion carried

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

**PUBLIC HEARING ORDINANCE #05-02 – SALARY AND WAGES**

A motion was made by Mrs. Pendergast, seconded by Mr. De Cleene, to open the public hearing of Ordinance #05-02 as submitted:

ORDINANCE # 05-02  
AN ORDINANCE ESTABLISHING THE  
2005 SALARY ORDINANCE OF THE TOWN OF CLINTON

Vote all ayes  
Motion carried

Louis Tranquilli, 11 Rupells Road, asked if job descriptions for each job and performance evaluations have been done? Mr. Cutter explained that evaluations have been completed. Upon the completion of memorandum of agreement with the Teamsters, the job descriptions will be done within the first year of the bargaining agreement.

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

Vote all ayes  
Motion carried

A motion was made by Mr. Christenson, seconded by Mrs. Pendergast, to approve Ordinance #05-02 on second reading.

ROLL CALL: Ayes – Christenson, De Cleene, Garber, Kovach, Pendergast, Schaumburg, Holt

Vote all ayes  
Motion carried

**INTRODUCTION OF ORDINANCE #05-07 – FINES FOR UNLAWFUL WASTE DISPOSAL**

The fines and penalties established in this ordinance are for non-residents who deposit their trash in the Town of Clinton. A motion was made by Mr. De Cleene, seconded by Mrs. Garber, to adopt Ordinance #05-07 on first reading as submitted:

ORDINANCE #05-07  
AN ORDINANCE AMENDING CHAPTER 82 OF THE  
CODE OF THE TOWN OF CLINTON  
TO ESTABLISH NEW FINES AND PENALTIES  
FOR VIOLATIONS THEREOF

Vote all ayes  
Motion carried

A notice of this Ordinance will be published in the Hunterdon Review on March 30, 2005. The public hearing will be held April 12, 2005.

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

Mr. Ron Subber, 10 Rachel Court, asked how the Town becomes aware of illegal depositing of trash? Mr. Cutter explained that residents will advise Town officials if they observe individuals depositing trash, also large amounts at certain addresses may trigger suspicion and will be investigated.

#### **HISTORICAL PRESERVATION GUIDELINES BROCHURE**

Mrs. Schaumburg distributed copies of the brochure to Mayor and Council members and explained that the Historic Commission distributed this brochure in May of 2004 to Construction Official, John Leonard and the Planning Board. The brochure provided guidelines for residents to follow when applying for permits to do work on a property within the historic district. At that time, the Planning Board discussed the brochure and the Board had a problem with the word "shall" being used. Copies of the minutes of that meeting will be made and passed on to Mayor and Council. Mrs. Schaumburg will discuss the recommendations with the Historic Commission.

#### **BANNER REQUEST – CLINTON TOWN PICNIC**

Council is in receipt of a banner request for the Clinton Town Picnic Banner to be displayed June 12 to June 26, 2005. The Picnic is scheduled for June 25 with a rain date of June 26. A motion was made by Mrs. Pendergast, seconded by Mr. Christenson, to grant the request as submitted. Mayor Holt asked that Mrs. Pendergast speak to Mrs. Pender to make sure there is no conflict of banner dates.

Vote all ayes  
Motion carried

#### **CLINTON MILLS DAM / DIKE**

Attorney Robert B. Haines, Counsel for the Hunterdon Museum of Art, and Attorney James Woller, Counsel for Jim and Rosalee Carney, appeared before Council to question the status of the Town of Clinton's position to assist the property owners in the reinforcement project of the dike. After a presentation made by both attorneys, Mr. Cushing asked the attorneys to begin a dialogue between the property owners and to present a proposal prepared by the dam / dike owners to the Town. Mr. Haines requested that the Town get involved at this point, and Mr. Cushing explained that the Town would not get involved until the parties get together first. Mr. De Cleene would like to see an association formed between the property owners and Mrs. Schaumburg stated she would like to see something specific also presented by the owners as to what they have agreed to and what they want from us. Mrs. Kovach asked if they get the grant, what are the obligations of the Town? Once again, Mr. Cushing asked the attorneys to obtain a memorandum of understanding from the three property owners outlining a financial agreement, and forward it to the Town.

#### **CORRESPONDENCE**

1. Mediterranean Wine Tasting on Sunday, April 17, 2005 from 4:00 to 6:00 p.m. at the Hunterdon Museum of Art.
2. Garden State Historic Preservation Trust Fund, 2005 Grant Round for Management Grants workshops announced, April 6, April 8, June 1, 2005.

3. The Business & Education Partnership of Somerset and Hunterdon Counties thanked Chief Matheis for his presentation to the students of the Hunterdon Tomorrow Program and the importance of Criminal Justice.

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

#### **Robert A. Cutter, PW/Business Administrator**

1. Spring Clean Up will be held week of March 28 and the first week of April. It is suggested that yard debris be bagged and raked leaves must not be placed within 10 feet of the storm drains.

#### **Councilman De Cleene**

1. Roads Committee to meet Tuesday, April 5<sup>th</sup> at 9:30 a.m.

#### **Councilwoman Pendergast**

1. Senior Citizen Luncheon scheduled for Sunday, May 1<sup>st</sup> at the Rescue Squad Building. Seniors are asked to reply to Nancy Smith.

#### **Attorney Cushing**

1. Mr. Cushing was asked by Council to apply a minimum and a maximum fine for Ordinance #05-07. Mr. Cushing suggested \$250.00 and \$10,000.00 accordingly. A motion was made by Mrs. Schaumburg, seconded by Mr. De Cleene to insert the fines as suggested.

Vote all ayes  
Motion carried

#### **Councilman Christenson**

1. Fire Department is extending an invitation to Mayor and Council members to attend the trip to American LaFrance on April 2, 2005, postponed from March 26<sup>th</sup>.
2. South Branch Water Shed Clean Up reminder, April 16, 2005.

#### **Councilwoman Kovach**

1. The COAH Committee is working on choosing a Planner. The Committee plans to have a recommendation for the Planning Board on April 5 and to Council on April 12, 2005.

#### **Councilwoman Schaumburg**

1. The Historic Commission met on March 16, two positions remain open. Brandi Matz withdrew her application to become a member. The Commission recommended Rose Marie Platt to become a member, Mayor Holt will meet with Mrs. Schaumburg to discuss the appointment. The Commission will meet again April 20<sup>th</sup> at 7:00 p.m. The Commission also requested that the web sites make a link to the Historic Clinton.com. so that minutes can be made available.
2. Mrs. Schaumburg requested that the Resolution "Engine Braking" be placed on the April 12<sup>th</sup> agenda for discussion.
3. Attended the last Clinton Public School Budget meeting. There has been a severe drop in Glen

Gardner enrollment which has affected the school's funds. Mrs. Schaumburg was the only person present in the audience.

- Also suggested for the April 12<sup>th</sup> agenda is the subject of "Overcrowding". Mr. Cushing prepared a detail package for Council's review, package is available in the Clerk's office.

### **Councilwoman Garber**

- SWAC meeting April 19 at 7:30 at the North Branch of the Hunterdon County Library on Halstead Street.
- Clinton Guild's next meeting April 20<sup>th</sup> at 6:30 p.m. at the Holiday Inn.
- Mrs. Garber requested that the procedure of completing applications for Special Events and banners be separated on individual applications.

### **APPROVAL OF OVERTIME & STANDBY PAY:**

A motion was made by Mrs. Pendergast, seconded by Mr. Christenson, to pay the following overtime and standby pay for the period of February 24 – March 9, 2005.

<u>Public Works Department</u>	<u>Standby &amp; Lead Op</u>	<u>B &amp; G Roads</u>	<u>Water</u>	<u>Sewer</u>
Peter Bross	8 sb	23 ½ ot	9 ot	--
David Burdge	--	31 ot	--	--
Michael Cobb	--	--	--	--
Howard Deemer	8 sb	19 ½ ot	6 ot	--
Arthur Dysart	--	18 ot	--	--
John Giordano	--	27 ½ ot	--	--
George Moore	--	29 ot	--	--
Robert Niezgoda	8 sb	13 ½ ot	--	6 ot
Roger Plaisted	--	--	7 ½ ot	--
Jeff Reed	--	12 ½ ot	--	--
Wayne Smith	--	34½ ot	--	--
Donald Tharp	8 sb	--	--	6 ot
David Zyck	--	25 ot	--	--

<u>Police Department</u>	<u>Hours</u>	<u>Jobs</u>
Sgt. Cory Kubinak	12 ot	--
Ptl. Jay Hunter	--	--
Ptl. Leon Cohen	6 ot	--
Ptl. Jeffrey Glennon	2 ot	--
Ptl. James Crilly	13 ot	--
Ptl. Tim McGuire	16 ot	--
Ptl. Matt Thompson	11 ot	--
Ptl. James Kramer	--	--
Ptl. Ryan Garbolino	9 ot	--

**PAYMENT OF BILLS**

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

Vote all ayes  
Motion carried

**EXECUTIVE SESSION**

A motion was made by Mayor Holt, seconded by Mrs. Schaumburg, to enter into Executive Session to discuss litigation at 9:25 p.m.

Vote all ayes  
Motion carried

A motion was made by Mr. Christenson, seconded by Mr. De Cleene, to return to the regular meeting at 10:18 p.m.

**HISTORIC COMMISSION**

The Historic Commission is asking for a letter from the Town Council regarding the plans for 47 Leigh Street.

**ADJOURNMENT:** There being no further business, a motion was made by Mrs. Pendergast, seconded by Mr. De Cleene, to adjourn the meeting at 10:21 p.m.

Vote all ayes  
Motion carried

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Cecilia Covino, RMC/CMC  
Town Clerk

APPROVED BY MAYOR & COUNCIL

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J. Matthew Holt, Mayor