

Regular Council Meeting  
May 13, 2008

Councilman Robert Ragozine called the meeting to order at 7:30 p.m.

Flag Salute.

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

Also Present – Attornies, Judy Kopen and Richard P. Cushing (RPC left 8:10 p.m.)

**STATEMENT OF ADEQUATE NOTICE:**

Councilman Ragozine 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. Shea, seconded by Mrs. Insel, to approve the minutes of the regular meeting held April 22 , 2008 submitted.

Vote all ayes  
Motion carried

**APPROVAL OF MONTHLY REPORTS – APRIL**

A motion was made by Mr. Shea, seconded by Mr. Pender, to accept the Monthly Reports for the month of April as submitted:

Assessor’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control/Inspection Reports, Police Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, Water Superintendent’s Report, Treasurer’s Report, Wastewater Treatment Plant Superintendent’s Report.

Vote all ayes  
Motion carried

**PUBLIC COMMENT**

Erika Huston, 12 Union Road, wished to address the proposed sidewalk to be laid on Union Road. Mr. Ragozine said there will be an opportunity to address that at the time of the introduction to Ordinance 08-05, later in the meeting.

Joe Procopio, Jr., 14 Busher Place, announced that Councilman Rob Ragozine is an excellent coach!!

Gary Hayes, of 12 East Main Street, Dovetales Fine Heritage Furniture, asked Council to address the crosswalk on the corner of Leigh Street and Main Street. Mr. Hayes commented on an incident he had while crossing at the corner and a school bus not stopping for him. Mr. Hayes asked to see Policemen standing at the corner monitoring the walk and not sitting in patrol cars. He also said that was a reason shoppers do not cross over to East Main for the stores.

**MAYOR'S COMMENTS**

1. Susan Komorowski has been appointed to the Newsletter Committee.
2. An issue has surfaced regarding temporary signs and permits. Mr. Cushing explained that Realtor signs and tradesman signs may be listed as an exemption from the ordinance, allowing such signage without a permit. Mr. Cushing suggested amending the new Sign Ordinance. Council agreed to have Mr. Cushing prepare an amendment for the next Regular Council meeting, May 27, 2008.

**PLANNING BOARD RECOMMENDATION - REVIEW OF THE MASTER PLAN**

The Planning Board adopted the 2008 Master Plan at their May 6, 2008 meeting. The Planning Board is requesting that the Mayor and Council review the plan and implement the necessary zoning ordinances that are outlined in the master document. Mr. Cushing said it would be helpful to have areas outlined by the Planning Board. Councilwoman Insel will bring the request to the Planning Board asking for assistance.

**HUNTERDON COUNTY OPEN SPACE FUNDS**

Kathy Olsen, Chief Finance Officer, is attempting to determine what the county needs to release funds to requesting municipalities. Items pertaining to the Master Plan are part of the required documents. Attorney Cushing suggested Planner, Beth McManus, contact the County Planning Board to find out what items are on the checklist for the Town to get their money.

**RESOLUTION #70-08 – DEFEATED HIGH SCHOOL BUDGET**

Mr. Shea reported on his attendance at the School Board meetings discussing the defeated budget. Mayors and representatives from municipalities sending districts attended and discussed the amounts of cuts necessary to be made. The High School makes the determination of where the cuts will be made. Attached is a Resolution outlining the cuts to the 2008 – 2009 budget. A motion was made by Mr. Pender, seconded by Mr. Shea, to adopt Resolution #70-08 as presented.

ROLL CALL: Duffy, Insel, Shea, Ragozine

Vote all ayes  
Motion carried

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

**RESOLUTION #71-08 – OPPOSITION OF SENATE BILL 1455**

A motion was made by Mrs. Insel, seconded by Mr. Shea, to adopt Resolution #71-08 stating opposition to Senate Bill 1455 which would consolidate the municipal tax assessor, tax collector, municipal health services and municipal animal control services at the county.

Vote all ayes  
Motion carried

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

**RESOLUTION #72-08 – WASTEWATER MANAGEMENT PLANNING AGENCY**

Mr. Cutter explained Resolution #72-08, whereas the County would assume the responsibility of becoming the County Wastewater Management Planning Agency. There is a \$100,000 grant opportunity available to assist the county in completing the plan should

the County accept responsibility. Mr. Cutter completed the Town of Clinton's Wastewater Management Plan in 2002, it is now in the hands of the State of New Jersey DEP. The Town's plan has been used as a sample by State and other municipalities. A motion was made by Mr. Duffy, seconded by Mrs. Insel to adopt Resolution #72-08 as submitted.

Vote all ayes  
Motion carried

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

**RESOLUTION #73-08 – TRANSFER OF DEVELOPMENT RIGHTS GRANT**

The Town of Clinton submitted an application to the New Jersey Highlands Council for a TDR Receiving Zone Feasibility Grant, Phase I project. The Town received the grant in the amount of \$23,500.00. Mr. Cushing briefly explained TDR as a mechanism for re-directing developments rights within the Highland area. Landowners not able to build could receive compensation to keeping their land vacant. Mr. Cushing said it is worth looking into. A motion was made by Mrs. Insel, seconded by Mr. Shea, to adopt Resolution #73-08 authorizing the Mayor and Clerk to execute the Grant Agreement.

Vote all ayes  
Motion carried

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

**RESOLUTION #74-08 – CIVIL DYNAMICS, INC.**

Mr. Cutter informed Council of the proposals accepted for the Clinton Mills Dam and Dike Restoration Project, Final Design and Permitting and Bid Phase. Mr. Cutter reviewed the proposals and recommended to Council, Civil Dynamics, Inc. An estimate of 10 months to complete this phase followed by bids to be solicited. A motion was made by Mrs. Insel, seconded by Mr. Shea to adopt Resolution #74-08 as submitted.

Vote all ayes  
Motion carried

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

**RESOLUTION #75-08 – COAH REGULATIONS**

Mr. Ragozine read Resolution #75-08, which explains several municipalities are working together to challenge the Council on Affordable Housing, Third Round Affordable Housing Regulations. A motion was made by Mrs. Insel, seconded by Mr. Pender, to adopt Resolution #75-08.

ROLL CALL: Duffy, Insel, Pender, Shea, Ragozine

Vote all ayes  
Motion carried

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

**RESOLUTION # 76- 08 - ESTABLISHING RECREATION PROGRAM FEES**

As provided in Ordinance 08-01, fees must be set yearly for the programs sponsored by Board of Recreation Commission. A motion was made by Mr. Shea, seconded by Mrs. Insel, to adopt Resolution #76-08 as submitted, stating the fees to be charged for 2008.

ROLL CALL: Ayes: Duffy, Insel, Pender, Shea, Ragozine

Vote all ayes  
Motion carried

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

**INTRODUCTION OF ORDINANCE # 08-05 – CAPITAL ORDINANCE**

Mr. Cutter gave an overview for the intended use of the proposed capital ordinance. The funds are to be used for sidewalk improvements, namely, construction and installation of a sidewalk on Union Road. The Road Committee met with the three (3) affected neighbors, Thad and Erika Huston, John and Helen Leonard, Lee and Anne Ezawa. The residents also submitted letters in opposition to the proposed sidewalk. Their main issues were liability and clearing the sidewalks of snow and ice. The public was allowed to comment.

Erika Huston, 12 Union Road, expressed her strong opposition to the project and stated that she felt it was extremely unfair that her “insurance would go up” and that her land was being taken from her. She stated clearly “We do not want it”.

Mr. Connell, 18 Messig Road, stated that that stretch is very dangerous for pedestrians from speeders on Union Road, he suggested adding a speed bump to the area.

Mr. Kurtiak, stated he is in full support of the sidewalk, and said that part of Union Road is the “missing link” and that it is a public safety enhancement.

Mr. Pendergast, 20 Spruce Run Road, said “it’s not that big of a deal to take care of the sidewalk”. He has been doing it for years.

Mr. Procopio, 14 Busher Place, said he can sympathize with the resident that they will lose a little land, but, ultimately, it is a safety issue and this is a walking community.

Mr. Kurtiak asked about reviewing the plans. Mr. Cutter said they are on file in his office and anyone wishing to review them should just call him. Mr. Cutter explained that there will be a little narrowing on the road, which may help slow the traffic as a result.

Councilman Shea said his concern was to assist the residents in having the sidewalk cleared and that he and the Mayor have begun an outreach program for the seniors or anyone needing assistance. Two young boys have already agreed to help and names will be available in the clerk’s office.

Councilwoman Insel said the Town was not looking to take property, however, it is being done for safety reasons.

A motion was made by Mrs. Insel, seconded by Mr. Pender to introduce Ordinance #08-05 on first reading as submitted:

ORDINANCE #08-05  
CAPITAL ORDINANCE OF THE TOWN OF CLINTON THE COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF  
IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON AND  
APPROPRIATING THEREFOR THE SUM OF \$74,000.00 FROM THE CAPITAL  
IMPROVEMENT FUND RESERVES FOR SIDEWALKS

Vote all ayes  
Motion carried

A copy of this Ordinance will be published in the Hunterdon Review on May 21, 2008 and a second reading will be scheduled for June 10, 2008.

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

**BANNER REQUEST – CHILI COOK OFF**

Council is in receipt of a banner request from the Newcomer's Club, to display a banner from September 15 to September 29, 2008. The banner will announce the Chili Cook-off scheduled for September 27, 2008. A motion was made by Mr. Pender, seconded by Mrs. Insel to grant the request as submitted.

Vote all ayes  
Motion carried

**SPECIAL EVENT – BEATLE FEST**

Council is in receipt of a Special Event application from the Clinton Guild to host a Clinton Retro Music Festival on Sunday, June 22, 2008, rain date, July 20, 2008 from 2:00 p.m. to 8:00 p.m. The application was very detailed, all issues addressed. Chief Matheis reviewed the application, found it to be completed extremely well and recommended to Council to approve. A letter in opposition was received from Peter Joseph and read aloud.

Councilman Shea, Guild liaison worked with the Guild and stated how thorough the Guild was in organizing the event.

Martin Straka, 2 East Main Street, is the contact for Guild event. He has worked with the merchants, Police, Fire Department and Rescue Squads in planning this family event.

Gary Hayes, Dovetails, is the Vice President of the Guild and takes offense to Mr. Joseph's letter about only a few merchants being members of the Guild, he stated all but two on East Main Street are members.

Peggy Sweet, 41 Main Street, is extremely supportive of the event.

Michelle Kramer, 8 Fisher Court, Lebanon, a frequent shopper on Main Street, is thrilled about the event and is always looking for something to do locally.

Anne Rossi, Addicted Jeans, said she is always trying to market Main Street and is very excited about the event. DJ, Dan Torrone, will be Master of Ceremonies, introducing stores and cheering the crowds.

Peter Sandarian said he is very much in favor of the event.

Frank Gallagher, commended the Guild in bringing the element together as one cohesive haul to bring the event to Town.

Councilwoman Insel asked if they considered parking? Absolutely! Mr. Straka arranged extra parking with the Clinton Fire Department and Wiechert as fund raisers for them and plans to set parking directional signs accordingly.

A motion to approve Beatle Fest was made by Mr. Shea, seconded by Mr. Pender.

Vote all ayes  
Motion carried

**HUNTERDON COUNTY PLANNING BOARD – AWARDS EVENT**

The Hunterdon County Planning Board has decided to return the awards event to a dinner format, charging \$30 to \$50 per person. The Planning Board is asking municipalities how many attendees they would expect and an expense ceiling they would consider. Council discussed the proposal and were happy with the awards event as it was last year, very cordial, with refreshments supplied by the Vo-Tech students of Voorhees. There was no charge to municipalities and the event began approximately 5:30 p.m. The Town Clerk will inform the Planning Board they prefer the event remains as last year.

**PROCLAMATION – PUBLIC WORKS WEEK**

Councilman Ragozine read the Proclamation commending all the efforts of the public works services provided in our community. The Proclamation asks citizens to acquaint themselves with the services the public works officials make every day to our health safety, comfort and quality of life.

**PROCLAMATION – PANCREATIC CANCER**

A proclamation declaring June 30, 2008, Pancreatic Cancer Awareness Day was read. The proclamation is to raise awareness of the thousands of people diagnosed with pancreatic cancer and those that will die from the disease every year.

**PROCLAMATION – MYASTHENIA GRAVIS**

Councilman Ragozine read the Proclamation declaring June as Myasthenia Gravis Awareness Month. A neuromuscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans.

**CORRESPONDENCE**

None

**REPORTS FROM COUNCIL & TOWN OFFICIALS**

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

1. Solid Waste totals have been reduced 113 tons over a two year period. Recycling is 28 tons greater than last year.
2. Mr. Cutter will be giving a brief talk on Saturday, May 17, 2008 at the Bethlehem Township Municipal Building for Green Day . Mr. Cutter will represent the Town of Clinton on their efforts of Going Green.

**Kathy Olsen, CFO**

1. Attended a Pension Seminar. The Town will have to decide which position they want to take with the new Defined Contribution Retirement Program. There are still several questions with the State. Ms. Olsen will keep council informed of new information.

**Councilman Pender**

1. Fishing Derby was held Saturday, April 26, 2008, approximately 105 participants joined in the fun. Thanks to the Public Works Department and Mr. Cutter for their help. Great day, lots of fun.

**Clerk Covino**

1. Reported on a class attended on Paperless meetings for municipalities and the Municipal Clerk's Conference April 21 – 24, 2008.

**Councilman Ragozine**

1. The Board of Recreation Commission held the annual Senior Luncheon on Sunday, May, 4, 2008 at the Clinton First Aid & Rescue Squad Building. Approximately 45 Seniors attended and enjoyed delicious food, door prizes and socializing. It was wonderful to have so many young helpers join the day.
2. Kid's Day, May 31, 2008 from 11:00 a.m. to 2:00 p.m. Children's ID's, games and more fun!!

**Councilwoman Insel**

1. Smart Growth Committee is in search of new members. Next meeting May 22, 2008 at 7:30 p.m.

**Councilman Shea**

1. Roads Committee - The construction project in the Knolls is progressing, the water portion of the project is days away from being bid. Mr. Cutter to discuss with Engineer, Rob Martucci of Van Cleef Engineering.

**Councilman Duffy**

1. Clinton Fire Department - An activity report showed 21 responses for April. Members have been actively training.
2. Environmental Commission – River Clean Up took place April 26, 2008, Mr. Cutter will check with the South Branch about the garbage bags collected than remain on the side of the road.

**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Mr. Pender seconded by Mr. Shea to approve the standby and overtime pay as submitted for April 18, 2008 through May 1, 2008.

ROLL CALL: Ayes: Duffy, Insel, Pender, Ragozine, Shea,

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

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

ROLL CALL: Ayes: Duffy, Insel, Pender, Ragozine, Shea,

Vote all ayes  
Motion carried

**ADJOURNMENT:** There being no further business, a motion was made by Mrs. Insel, seconded by Mr. Pender to adjourn the meeting at 8:40 p.m.

Vote all ayes  
Motion carried

Respectfully submitted,

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Cecilia Covino, RMC/CMC

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Christine Schaumburg, Mayor