

Regular Council Meeting
May 27, 2008

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

Flag Salute.

Roll Call: Present – Duffy, Insel, Pender, Ragozine, 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. Ragozine, seconded by Mr. Shea, to approve the minutes of the regular meeting held May 13, 2008 submitted.

Vote all ayes
2 Abstentions (Valenta, Schaumburg)
Motion carried

APPROVAL OF MINUTES

A motion was made by Mrs. Insel, seconded by Mr. Ragozine, to approve the minutes of May 27, 2008 as submitted.

Vote all ayes
1 Abstention (Valenta)
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

Mayor Schaumburg stated that the approval of Executive Session Minutes will be postponed until after Executive Session this evening.

PUBLIC COMMENT

Erika Huston, 12 Union Road, asked that the proposed sidewalk to be laid on Union Road be postponed until more discussion between the three families affected by the plan and the Town. Ms. Huston asked in a recent letter that a bike path be considered instead of a sidewalk. Mr. Huston asked the Town to consider the cost of \$75,000 to construct the sidewalk could be put to better uses, such as solar panels on the Clinton Public School. Mayor Schaumburg explained that the Road Committee considered other alternatives but a safe passage is needed. If busing, it would be a lot more than \$75,000. Engineer Robert Clerico shares the Town’s concerns.

MAYOR’S COMMENTS

1. Mayor Schaumburg introduced Maria Valenta, the new councilperson, filling the seat of Gene De Cleene.
2. Council appointments have been made, Ms. Valenta is now a member of the Roads Committee and Mr. Shea is the new Roads Chairman. The Mayor explained that Mr. Cutter will arrange meetings schedule with council.
3. Mayor Schaumburg attended the Rescue Squad Open House on May 24th. The Squad is planning a 40th anniversary of the Squad on August 23, 2008.
4. Correspondence received from DOT Commissioner, Kris Kolluri, with a commitment to repave I78 with a rubberized asphalt within the next six months. Thank you to the Hunterdon County Planning Board and Freeholders for having the finances restored. There was a threat of loosing the funds due to State Budget cuts.
5. Kid’s Day is Saturday, May 31, 2008 from 11:00 a.m. to 2:00 p.m. An educational and fun day for parents and children at the Community Center.
6. Mayor Schaumburg announced a Town Hall Meeting event that will be held at the Clinton Public School hosted by the Clinton Book Shop. David Boren, author of “A Letter to America” will be the topic of discussion. Mr. Boren will sign copies purchased at the Clinton Book Shop prior to the event. The event is scheduled for Wednesday, June 18, 2008 from 7-9 pm.

RAFFLE APPLICATIONS – CLINTON GUILD

Council is in receipt of two raffle applications from the Clinton Guild for drawings to take place on June 22, 2008 at the Beatle Fest Event. A motion was made by Mr. Shea, seconded by Mrs. Insel to approve the raffle requests as presented.

Vote all ayes
Motion carried

RAFFLE APPLICATION – HUNTERDON MUSEUM OF ART

Hunterdon Museum of Art has submitted a raffle application to hold a 50/50 cash raffle on June 29, 2008, Art in the Open. A motion was made by Mr. Pender, seconded by Mr. Ragozine to approve the raffle request as presented.

Vote all ayes
1 Abstention (Valenta)
Motion carried

PUBLIC HEARING – ORDINANCE 08-04 – CAP BANK

A motion was made by Mrs. Insel, seconded by Mr. Ragozine, to open the public hearing of Ordinance #08-04:

ORDINANCE #08-04
CALENDAR YEAR 2008
ORDINANCE TO ESTABLISH A CAP BANK
N.J.S.A. 40A:4-45.14

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Ragozine, seconded by Mr. Shea to close the public hearing.

Vote all ayes
Motion carried

A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to adopt Ordinance #08-04 on second reading.

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

Vote all ayes
Motion carried

RESOLUTION #80-08 – CONDUCTING ANNUAL BUDGET

A motion was made by Mr. Ragozine, seconded by Mr. Shea, to adopt Resolution #80-08 declaring the Town of Clinton has conducted an annual budget examination as permitted by N.J.S.A. 40A:4-78b.

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

Vote all ayes
Motion carried

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

RESOLUTION #81-08 – AMENDMENT TO 2008 BUDGET

A motion was made by Mr. Ragozine, seconded by Mr. Shea, to adopt Resolution #81-08 which amends the 2008 Budget upon receipt of Consolidated Municipal Property Tax Relief Aid received from the State of New Jersey in the amount of \$20,533.00.

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

Vote all ayes
Motion carried

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

2008 BUDGET

Auditor, Warren Korecky, was available at the meeting tonight to answer any questions or concerns by the Council or residents regarding the budget. Mayor Schaumburg explained that the State budget crisis and the impact it would have on municipalities and their taxpayers. Unfortunately, the Town of Clinton lost \$102,000 in state aid this year. For the first time in three years, we have to raise taxes almost three cents to make up for the loss in state aid and to balance an \$80,000 pension increase, a \$32,000 court cost increase, and \$30,000 increase in electricity costs. The impact to the average homeowner in Clinton is \$111.00 per household. However, if the State restores municipal aid, it will go directly to property tax relief.

A motion was made by Mrs. Insel, seconded by Mr. Ragozine, to open the public hearing on the 2008 Budget.

Vote all ayes
Motion carried

There being no questions or comments from the public, a motion was made by Mrs. Insel, seconded by Mr. Shea, to close the public hearing.

Vote all ayes
Motion carried

A motion was made by Mr. Ragozine, seconded by Mr. Shea, to adopt the 2008 Budget as presented.

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

Vote all ayes
Motion carried

RESOLUTION #82-08 – 2008 SALARY

A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to adopt Resolution #82-08, the 2008 salaries for all Town of Clinton employees.

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

Vote all ayes
Motion carried

INTRODUCTION TO ORDINANCE # 08-06 – MAYOR’S TERM

Attorney Cushing gave Council and the audience an overview of the State Law that changed the term of a Town Mayor from two years to four years. This became law in June, 2005 and was not made clearly to the attention of Municipal Clerks. It stated that at the time of the next mayoral election, the term would increase to four years, that would have been put into place in January, 2006 following the Election of 2005. However, due to the fact that it was only recently that it came to light, it is now being put into effect, it is the law and the Town must comply. Ordinance #08-06 will change the term of the Mayor in the Town of Clinton Code Book to make it consistent with the State Law. Council terms may also be changed to a four year term in a ward type of municipality. Mr. Cushing explained that Clinton is not a typical size Town to be divided into wards and the option to enter into this term may not be practical. Mr. Shea contacted Deborah Kole, Attorney for the New Jersey League of Municipalities and questioned the change in the Mayor’s term. Ms. Kole explained that this did go into effect in 2005 and that it is the requirement of the Town to comply. Ms. Kole agreed with Mr. Cushing’s opinion. Mr. Shea asked about the Council terms changing and was informed that it may go to referendum for voters to decide.

Dave Kurtiak, Busher Place, questioned that this mayor’s term be put into effect immediately? Mr. Cushing said yes.

Joan Bloomer, Main Street, does this term override the election of 2007 which stated a two year term on the ballot? Once again, Mr. Cushing explained that yes, when the term change was discovered, it became law and is in effect.

Marty Pendergast, asked if Council terms were now changing?

Councilman Duffy asked if powers would be changed for the Mayor?

Frank Gallagher, 31 Center St. asked if this change was for all towns? Yes, it is for all.

Mr. Cushing will be gathering more information on changing the terms of the Council members without having to have individual wards.

Mr. Kurtiak asked if any provisions were made for a mid term referendum? Answer was no.

Councilwoman Insel said the subject has been discussed repeatedly and investigated by our Attorney and the interpretation has been made.

Joan Bloomer said this change taking place mid stream makes her very uncomfortable.

Councilwoman Valenta stated that disenfranchising is a much more serious situation than changing the term.

A motion was made by Mrs. Insel seconded by Mr. Shea, to introduce Ordinance #08-06 as presented.

Vote all ayes
Motion carried

This Ordinance will be published in the June 4 edition of the Hunterdon Review. A Public Hearing will be held June 24, 2008.

Mr. Cushing stated that Reporter, Veronica Slaght, requested a copy of his written opinion, and asked Council's permission to release it. Council authorized Mr. Cushing to release it.

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

Discussion regarding Council terms will continue at the June 10, 2008 Council Meeting.

INTERLOCAL AGREEMENT – BOROUGH OF BLOOMSBURY

For many years, the Town of Clinton and the Borough of Bloomsbury have had an informal agreement in place, where the Town would respond to help locate water line leaks for the Borough. This agreement will now become formal by way of Interlocal Agreement. A motion was made by Mr. Ragozine, seconded by Mr. Pender to proceed with the signing of an Interlocal Agreement.

Vote all ayes
Motion carried

RESOLUTION #83-08 - 2007 AUDIT

Council received copies of the 2007 Audit and has had ample time to review it. Resolution #83-08 certifies that the governing body has familiarized themselves with the audit and reviewed, if any, recommendations made by the auditing firm. A motion was made by Mr. Shea, seconded by Mr. Ragozine, to adopt Resolution #83-08.

ROLL CALL: ayes: Duffy, Insel, Pender, Ragozine, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

Council is required to sign a Group Affidavit certifying personal review of the Audit.
(A copy of this Resolution is attached to these minutes)

RESOLUTION #84-08 – CLINTON FIRE DEPARTMENT LIQUOR LICENSE

A motion was made by Mr. Shea, seconded by Mr. Ragozine, to adopt Resolution #84-08

granting the renewal of the Club License #1005-31-002-001 for the Clinton Fire Department for the calendar year 2008-2009.

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

Vote all ayes
Motion carried

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

RESOLUTION #85-08 – CLINTON HOUSE LIQUOR LICENSE

A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to adopt Resolution #85-08 granting the renewal of the Plenary Retail Consumption License, # 1005-33-003-005 for Sidirounda, L.L.C. t/a The Clinton House for the calendar year 2008-2009.

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

Vote all ayes
Motion carried

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

RESOLUTION #86-08 – APPEAL OF COAH REGULATIONS

The Town of Clinton, in coordination with 18 municipalities at this time, has agreed to appeal to New Jersey Council on Affordable Housing (COAH) with respect to their new Third Round Affordable Housing Regulations. A motion was made by Mr. Shea, seconded by Mrs. Insel, to adopt Resolution #86-08 as submitted.

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

Vote all ayes
Motion carried

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

BANNER REQUEST – HAUNTED MILL

The Red Mill Museum Village is requesting a banner be displayed from October 15 through October 29 announcing the Haunted Mill. A motion was made by Mr. Pender, seconded by Mrs. Insel, to grant the request.

Vote all ayes
Motion carried

RESOLUTION #87-08 – NORTH HUNTERDON MUNICIPAL ALLIANCE

A motion was made by Mr. Pender, seconded by Mrs. Insel, to adopt Resolution #87-08 supporting the submission of an application for the North Hunterdon Municipal Alliance grant for the calendar year 2009 in the amount of \$23,800.00.

Vote all ayes
Motion carried

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

SPECIAL EVENT – FLAG DAY

Council is in receipt of a Special Event request from the Clinton Guild for a Flag Day Parade and Celebration to be held Friday, June 13, 2008. A motion was made by Mr. Pender, seconded by Mr. Ragozine to grant the request.

Vote all ayes
Motion carried

CORRESPONDENCE

1. A letter of resignation was received from Louis Tranquilli, from his position on the Board of Adjustment. A motion was made by Mrs. Insel, seconded by Mr. Ragozine to accept this resignation with regrets. Mayor Schaumburg requested that the web site post the position available.

Vote all ayes
Motion carried

2. A letter regarding temporary signs was received by Joan Bloomer and forwarded to the Zoning Officer.

3. Letter received from Erika Huston opposing the sidewalk on Union Road.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Kathy Olsen, CFO

1. Attended Finance Conference and gathered Budget information. Finance meeting to be arranged.

Clerk Covino

1. Application received late today to hold a Block Party on Spruce Run Road. Chief Mathies has reviewed the application and finds all to be in order. A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to approve the Block Party on Spruce Run Road on Saturday, June 21, 2008.

Vote all ayes
Motion carried

2. Request from Boy Scout Troop 121 has been made to hold a Flag Retirement Ceremony on Saturday, June 14, 2008, at De Mott Pond. Leader in charge, Mark Dau, is requesting that the ceremony begin at 7:00 p.m. in an area to be determined and approved by Mr. Cutter. Jack Daniels, Fire Inspector, said no permits are necessary and the Clinton Fire Department Chief, Scott Wintermute have been contacted and support the request. Chief Matheis is also in full support of the event. A motion was made by Mr. Shea, seconded by Mr. Pender, to support the event of Troop 121.

Councilman Shea

1. Roads Committee – Bids to be prepared for the Knolls Project, meeting to be arranged with Mr. Cutter to discuss.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mrs. Insel, seconded by Mr. Ragozine, to approve the standby and overtime pay as submitted for May 2, 2008 through May 15, 2008.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

RESOLUTION #88-08 - EXECUTIVE SESSION

A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to adopt Resolution 88-08 and to enter into Executive Session to discuss Contract Negotiations, Litigation, and Potential Litigation at 9:05 p.m. Mayor Schaumburg stated that Council will return to resume business.

Vote all ayes
Motion carried

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

Council returned to the regular council meeting at 10:05 p.m.

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Mr. Pender, seconded by Mrs. Insel, to approve the Executive Session minutes of March 25, 2008.

Vote all ayes
3 Abstentions (Duffy, Shea, Valenta)
Motion carried

A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to approve the Executive Session minutes of April 8, 2008 as submitted.

Vote all ayes
1 Abstention (Valenta)
Motion carried

A motion was made by Mr. Pender, seconded by Mr. Ragozine, to approve the Executive Session minutes of April 22, 2008 as submitted.

Vote all ayes
1 Abstention (Valenta)
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mrs. Insel, seconded by Mr. Shea to adjourn the meeting at 10:07 p.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC

Christine Schaumburg, Mayor