

Regular Council Meeting  
June 24, 2008

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

Flag Salute.

Roll Call: Present – Duffy, Insel (arrived at 9:05 p.m.) 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. Pender, seconded by Mr. Shea, to approve the minutes of the regular meeting held June 10, 2008 submitted.

Vote all ayes  
Motion carried

**PUBLIC COMMENT**

Whitney Wetherill, 36 West Main Street, commented on the increase in activity among juveniles in the Lower Center Street parking lot between the hours of 10:00 p.m. and 1 – 2:00 a.m. Ms. Wetherill requested additional Police presence during those times.

Ms. Wetherill suggested additional trash cans be placed on Main Street to avoid the overflowing cans on the weekends.

Lastly, Ms. Wetherill asked if a bike safety training be given in schools for children. She stated that she is nearly run over by children riding their bikes on West Main Street sidewalks. Mayor Schaumburg said she will suggest that to Officer Cohen.

Matt Holt, 17 Georges Place, asked Council and Code Enforcement Officer, Jack Daniels, to address the antique shops encroaching on the sidewalks on Lower Center Street. Merchandise is overflowing onto the walks making it hazardous to pass in front of the stores.

**MAYOR'S COMMENTS**

1. Susan Huntley has taken the position as Municipal Liaison to the Office on Aging for 2008. Ms. Huntley fills the position vacated by Ann Holt. Mayor Schaumburg thanked Ann Holt for her years of service and thanks Ms. Huntley for taking it over.
2. NJDOT has notified Mayor Schaumburg that an electrician will be at the Exit 15 intersection to work on the signalization.
3. The State Budget is waiting for the Governor's signature. \$91,500.00 in State Aid

will be returning to the Town and must go toward property tax relief.

#### **DISCUSSION OF CHANGE IN COUNCIL TERMS**

Discussion continued from the meeting of June 10, 2008, as to a possible change in Council terms. Councilman Duffy prepared a new graph of Mayor and Council terms depicting a staggering of years with the possibilities of terms for each, namely, two year, three year and four year terms. Mr. Duffy distributed copies to Council and the public. Mr. Shea stated that the staggering of the mayors' term in comparison to council terms is to continue with a balance of power. A change in Council terms would be placed as a referendum to the voters.

Mr. Ragozine does not see the benefit in changing Council terms because of the potential cost to the taxpayer.

Mr. Cushing said it would cost time and money to get an opinion from the Department of Community Affairs, possibly \$10,000 to \$12,000. He also said you can seek ideas from the DCA, however, a judge would have to act on the final decision, known as a declaratory judgment. To reach out to legislators for clarification would be advantageous and no cost. Mayor Schaumburg suggested writing letters to legislators to ask for help in clarifying the terms, make changes to the statute, include allowing for a three-year mayoral term. The Mayor feels that a two year term is not enough, and four years is too much. Mayor Schaumburg said she would support sending the letters with a possibility of revisiting the terms again in January.

#### **INTRODUCTION TO ORDINANCE # 08-06 – MAYOR'S TERM**

Attorney Cushing discussed the change in the mayor's term with the attorney from Belvidere, also facing the new law. Both attorneys contacted Marc Pfeiffer, Deputy Director of the Division of Local Government Services for an opinion. Mr. Pfeiffer confirmed that this change in statute is effective immediately and the Town's code book must be amended to reflect the change in terms.

A motion to open the public hearing was made by Mr. Ragozine, seconded by Mr. Shea.

Vote all ayes  
Motion carried

Matt Holt, Hunterdon County Freeholder, resident of 17 Georges Place and former Clinton Mayor, addressed the term being changed at this time. Mr. Holt asked Council to consider the form of government which was intended for our small town which is a strong mayor, enabling the mayor power to appoint members to the Planning Board, veto power, and also to submit names to council for other appointments to committees and commissions. Mayor Schaumburg said she was not particularly in favor of a four year term and a three year term sounds best. At this time, there is no choice, it is a four year term according to the State Statute, N.J.S.A. 40:A-62-2a. Once again, Mr. Cushing explained that in June, 2005, Legislature changed the mayor's term in Town forms of Government to four years. All Town forms were changed to four years effective in the November 2005 election. Mr. Cushing briefly explained the different types of government, Faulkner, Town, Villages and Boroughs.

Megan Jones-Holt said the Mayor's term showed a four year term on the Clinton website.

Erika Huston, 12 Union Road, said that everyone is unhappy about the change in term and that the Mayor should reach out to State Legislators.

Councilman Duffy confirmed the appearance of changing the law at this time and asked if it could be done mid term? Mr. Duffy is an investigator and looked into many cases throughout the United States and said that Clinton and Belvidere were the last two towns out of seven to conform.

Marty Pendergast, 20 Spruce Run Road, asked Council to address what the Town forefathers wanted for the Town of Clinton and said the Town is not out of balance.

A motion to close the public hearing was made by Mr. Ragozine, seconded by Mr. Shea, to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Mr. Shea, seconded by Mr. Ragozine, to adopt Ordinance #08-06 on second reading. Mayor Schaumburg recused herself from voting.

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

Vote all ayes  
Motion carried

#### **DEFINED CONTRIBUTION RETIREMENT PROGRAM**

Kathy Olsen, Finance Officer, explained the changes in the retirement program to various county and municipal officials for new hires. An ordinance will be prepared for the next regular council meeting, July 8, 2008.

#### **WATER REFUND**

Water Collector, Nancy Burgess, is requesting a water refund in the amount of \$79.11, payable to Scott Magee, 35 Troon Terrace, Annandale, New Jersey. A motion was made by Mr. Ragozine, seconded by Mr. Pender, to grant the refund as requested.

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

Vote all ayes  
Motion carried

#### **CORRESPONDENCE**

1. Thank you received from Coreyanne Irons to Mayor Schaumburg and Ginny Rylak for the use of the Community Center for their Benefit Show. They organization raised \$400.00 for the Children's Tumor Foundation.
2. Thank you received from Johnathan Boyle for honoring him with the "Clinton Good Kid" scholarship. Johnathan graduated from North Hunterdon High School.

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

##### **Councilman Duffy**

1. Clinton Fire Department conducted a joint drill with Franklin Township.

**Councilman Shea**

1. Clinton Guild – hosted Beatlefest on Sunday, June 22, 2008 on Main Street and it was a very successful event. It was a day of family fun which generated business for the merchants. The Fire Department raised \$200.00 by permitting parking in their lot. The Town was left clean and no complaints were made. The Guild is considering another similar event for the Fall.
2. Roads Committee – conflict with meeting date of July 3, change to July 8 and will confirm with Road Committee members.

**Clerk Covino**

1. Reported that the Town of Clinton was not awarded the Paris Grant, however, Hunterdon County was awarded \$1,100,000. Additional funds may become available later this year, and the Town of Clinton will be notified promptly if this affects our project application.

**Councilman Ragozine**

1. Finance Committee has changed banking services to PNC.

**Councilman Pender**

1. Reported that once again Flag Day, June 13, 2008 was a huge success.

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

1. Mr. Cutter explained that he is addressing gas saving techniques by having the meter men work three days a week driving the truck, and other time spent working in and around the barn, repairing meters and other similar jobs. The Road Department will try to eliminate one day a week with no vehicles being used, no idling with the vehicles, and have three men to a truck when possible.
2. The truck clearance sign is now on the Leigh Street Bridge where repair work is being done.
3. Civil Dynamics has begun the Clinton Mills Dam and Dike design phase.
4. Hand blowers have been installed in the Community Center.
5. Jonathan Wall, Psy. D. has been granted a 10 ft easement on the side of his property on Lower Center Street. Mr. Cutter was given Council's authorization to ask Dr. Wall to post escrow.

**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Mr. Ragozine, seconded by Mr. Pender, to approve the standby and overtime pay as submitted for May 30, 2008 through June 12, 2008.

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

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

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

ROLL CALL: Ayes: Duffy, Pender, Ragozine, Shea, Valenta, Máyor Schaumburg

Vote all ayes  
Motion carried

**RESOLUTION # 93-08 - EXECUTIVE SESSION**

A motion was made by Mr. Ragozine, seconded by Mr. Shea, to adopt Resolution # 93-08 and to enter into Executive Session to discuss Contract Negotiations and Potential Litigation at 8:55 p.m.

Vote all ayes  
Motion carried

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

Council returned to the regular council meeting at 10:15 p.m.

**ADJOURNMENT:** There being no further business, a motion was made by Mrs. Insel, seconded by Mr. Shea to adjourn the meeting at 10:17 p.m.

Vote all ayes  
Motion carried

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Cecilia Covino, RMC/CMC

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Christine Schaumburg, Mayor

TOWN OF CLINTON  
HUNTERDON COUNTY, NEW JERSEY

ORDINANCE NO. 08-06

AN ORDINANCE TO AMEND SUBSECTION 4-1B OF THE CODE  
OF THE TOWN OF CLINTON TO MAKE THE MAYOR'S TERM  
CONSISTENT WITH STATE STATUTE

WHEREAS, the Code of the Town of Clinton currently provides that the term of the Mayor shall be two years; and

WHEREAS, the mayor was elected in November 2007 for a new term beginning January 1, 2008; and

WHEREAS, *N.J.S.A.* 40A:62-2 was amended to provide that the term of mayor in any town, including those operating under a special charter such as the Town of Clinton, shall be four years; and

WHEREAS, at the time of the mayor's election in November of 2007 *N.J.S.A.* 40A:62-2 provided that the mayor's term shall be four years; and

WHEREAS, by operation of *N.J.S.A.* 40A:62-2 the mayor was elected in November 2007 to a four-year term beginning January 1, 2008 and ending December 31, 2011; and

WHEREAS, the mayor's term as provided by ordinance must be consistent with state statute;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, in the County of Hunterdon and State of New Jersey, as follows:

**Section 1.** Subsection 4-1B of the Code of the Town of Clinton is hereby amended to read:

B. Terms of office. Councilmen shall hold office for three years from January 1 next following their election. The term of office of the Mayor shall be four years.

**Section 2.** This Ordinance shall take effect upon final passage and publication according to law.

TOWN OF CLINTON

ATTEST:

CECILIA COVINO, CLERK

CHRISTINE SCHAUMBURG, MAYOR