

Regular Council Meeting
May 9, 2006

Mayor Schaumburg called the meeting to order at 7:35 p.m.

Flag Salute.

Roll Call: Present – Garber, Harrison, Insel, Kovach, Ragozine, Mayor Schaumburg.
Absent – De Cleene

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 Mrs. Garber, seconded by Mrs. Insel, to approve the minutes of April 25, 2006 as submitted.

Vote all ayes
1 Abstention (Kovach)
Motion Carried

APPROVAL OF MONTHLY REPORTS:

A motion was made by Mrs. Insel, seconded by Mr. Ragozine to approve monthly reports for the month of April as submitted:

Administrator, Clerk’s Account, Cat & Dog Licensing Account, Construction Control Account, Fire Officials Report, Police Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, Wastewater Treatment Plant Superintendent’s Report, Zoning/ Construction Official’s Report.

Vote all ayes
1 Abstention (Kovach)
Motion carried

PUBLIC COMMENTS:

1. William Connelly, Esq., Mendham, NJ, on behalf of Fallone properties LLC and Z & F LLC addressed Mayor and Council looking for a response as to the status of Water and Sewer Agreements with the Town of Clinton. A Water Agreement is pending with Fallone Properties LLC for their property located in Union Township. This also involves the construction of a new well for the Town of Clinton Water Department. Water and Sewer Agreements are pending for Z & F LLC for an office building in the Town. Attorney Cushing reviewed the history and status on these matters to date. He stated that the Town’s Water Engineer has raised one additional issue which needs to be resolved. Mayor Scahumburg advised Mr. Connelly that she is well aware of the situation, which has been continued to be worked on by the Water and Sewer Committees, and assured him that Mr. Cutter will follow this up with Mr. Fallone. Mr. Cutter responded that he will call Mr. Fallone tomorrow to set up a time to meet that is mutually agreeable.
2. Walter Hetzel, Main Street, on behalf of the Clinton Guild, gave information on the Guild’s plans for a car show on Main Street. Richard Urmston, Guild President, has spoken to Chief Matheis who suggested this be presented to Mayor and Council. The event would involve the closing of Main

Street between 5 –8 PM where cars involved in the show would be angle parked. The first date would be Sat., July 22, 2006, followed by alternate Saturdays. Mr. Hetzel has talked with some of the merchants about this and they seem willing. Mrs. Garber and Mrs. Kovach commented that this event has been very successful when it has been held in Somerville. Mr. Ragozine asked if cars might be parked on East Main Street as well. This and other issues will have to be resolved. Mayor Schaumburg stated that this topic will be placed on the Council Meeting Agenda of May 23rd when Chief Matheis could be in attendance to offer his input.

MAYOR'S COMMENTS:

1. The Mayor received a call from a representative of the Shannon Daley Memorial Fund which is an organization established to help local area families who are suffering financial hardship due to a child battling serious illness. Their 5th Annual Golf Tournament will be held on June 26, 2006 and will benefit two area families, one of which is the Hartigan-Love family of Clinton whose 8 year old twins were born prematurely and continue to suffer multiple health problems. The Mayor asked everyone in the Town to support this. There are opportunities for businesses to sponsor this as well. She also urged newspaper reporters to make note of this. Information on the event will be available in the Clerk's office.

AFLAC – REPRESENTATIVE

Mr. Merrill Wettasinghe gave a presentation on the AFLAC Benefit Program explaining the opportunities and benefits of the company which are available to the Town and their employees. Mr. Ragozine explained that he would be discussing this with the Insurance Committee and advise Council as to their findings.

PUBLIC HEARING – ORDINANCE #06-06 - STORMWATER MANAGEMENT PLAN

A motion was made by Mr. Harrison, seconded by Mrs. Insel, to open the public hearing on Ordinance #06-06:

ORDINANCE #06-06
ADOPTION OF THE TOWN OF CLINTON
STORMWATER CONTROL ORDINANCE

Vote all ayes
Motion carried

Mayor Schaumburg noted receipt of Memo dated May 3, 2006, from the Planning Board Secretary stating the Planning Board recommends the adoption of Ordinance #06-06.

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

Vote all ayes
Motion carried

A motion was made by Mr. Harrison, seconded by Mrs. Insel, to adopt Ordinance #06-06 on second reading as submitted.

ROLL CALL: Ayes – Garber, Harrison, Insel, Kovach, Ragozine, Mayor Schaumburg.

Vote all ayes,
Motion carried

PUBLIC HEARING – ORDINANCE #06-07 – AUCTION METHOD FOR HOTEL LIQUOR LICENSES

A motion to open the public hearing on Ordinance #06-07 was made by Mrs. Kovach, seconded by Mr. Ragozine.

ORDINANCE #06-07
ORDINANCE AMENDING CHAPTER 32 OF THE CODE
OF THE TOWN OF CLINTON ENTITLED ALCOHOLIC BEVERAGES
TO PROVIDE FOR AN AUCTION METHOD IN THE AWARD OF
CERTAIN LIQUOR LICENSES

Vote all ayes
Motion carried

This ordinance had been scheduled for public hearing and adoption at the April 25, 2006 Council Meeting. At the public hearing Attorney Walter Wilson, on behalf of Ansuya Enterprises, LLC, asked Council to consider the fair and equitable Historical Method for issuance of the license. Adoption of the Ordinance was tabled until the meeting of May 9th when Mr. Cushing would be in attendance to discuss the bidding process.

Mr. Wilson, in attendance at tonight’s meeting, reemphasized the concerns in his letter to Mayor and Council, dated May 9, 2006, which urged that the ordinance not be enacted. Mr. Cushing summarized the concerns of Mr. Wilson and explained he is confident that a resolution could be crafted to say that the sale of a liquor license could be made to a hotel that meets the qualifications of 100 rooms but does not have a liquor license. He also recommended getting a professional evaluation as to the value of a liquor license in this particular area for a fair market value.

There being no further comments, a motion to close the public hearing was made by Mrs. Kovach, seconded by Mr. Ragozine.

Vote all ayes
Motion carried

Discussion: Mr. Ragozine stated that he stands by his comments on wanting the Town to get a fair market value. Mayor Schaumburg thinks an appraisal of current market value prior to drafting a resolution setting a minimum bid price would help address the fairness issue.

A motion was made by Mrs. Kovach, seconded by Mr. Ragozine, to adopt Ordinance #06-07 on second reading as submitted.

ROLL CALL: Ayes: Garber, Harrison, Insel, Kovach, Ragozine, Mayor Schaumburg

Vote all ayes
Motion carried

PUBLIC HEARING – ORDINANCE #06-08 – COAH THIRD ROUND AFFORDABLE HOUSING

A motion was made by Mrs. Kovach, seconded by Mr. Ragozine, to open the public hearing on Ordinance #06-08:

ORDINANCE #06-08
AN ORDINANCE OF THE TOWN OF CLINTON AMENDING THE LAND
DEVELOPMENT ORDINANCE OF THE TOWN OF CLINTON TO FACILITATE
THE PROVISION OF THIRD ROUND AFFORDABLE HOUSING IN CONNECTION
WITH RESIDENTIAL AND NONRESIDENTIAL GROWTH AND DEVELOPMENT

Vote all ayes
Motion carried

Mayor Schaumburg noted receipt of Memo from the Planning Board Secretary, dated May 3, 2006, stating the Planning Board recommends the adoption of Ordinance #06-08 with minor typographical changes to be made to the Ordinance as listed in the Memo.

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

Vote all ayes
Motion carried

Whitney Wetherill, 36 West Main Street, stated she had some questions on the ordinance.

A motion was made by Mrs. Kovach, seconded by Mrs. Garber, to reopen the public hearing.

Vote all ayes
Motion carried

Mayor Schaumburg and Mr. Cushing answered the questions and clarified the growth share obligation.

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

Vote all ayes
Motion carried

A motion was made by Mrs. Kovach, seconded by Mr. Ragozine, to adopt Ordinance #06-09 on second reading with the minor changes that were submitted.

ROLL CALL: Ayes – Garber, Harrison, Insel, Kovach, Ragozine, Mayor Shaumburg

Vote all ayes
Motion carried

PUBLIC HEARING – ORDINANCE #06-09 – IMPROVEMENTS TO DEMOTT POND

A motion was made by Mr. Harrison, seconded by Mrs. Kovach, to open the public hearing on Ordinance #06-09:

ORDINANCE #06-09
AN ORDINANCE AUTHORIZING THE USE OF CAPITAL
SURPLUS FUNDS, CAPITAL IMPROVEMENT FUNDS AND
WATER CAPITAL IMPROVEMENT FUNDS FOR
IMPROVEMENTS TO DEMOTT POND

Vote all ayes
Motion carried

There being no public comments, a motion to close the public hearing was made by Mr. Ragozine, seconded by Mrs. Garber.

Vote all ayes
Motion carried

A motion was made by Mrs. Kovach, seconded by Mr. Ragozine to adopt Ordinance #06-09 on second reading as submitted.

ROLL CALL: Ayes – Garber, Harrison, Insel, Kovach, Ragozine, Mayor Schaumburg.

Vote all ayes
Motion carried

RAFFLE APPLICATION - #174 – RED MILL MUSEUM VILLAGE

A motion was made by Mrs. Garber, seconded by Mrs. Insel, to grant the raffle request for the Red Mill Museum for raffle to be held on August 13, 2006.

Vote all ayes
Motion carried

RAFFLE APPLICATION - #175 – RED MILL MUSEUM VILLAGE

A motion was made by Mr. Ragozine, seconded by Mrs. Garber, to grant the raffle request for the Red Mill Museum for raffle to be held on June 11, 2006.

Vote all ayes
Motion carried

RESOLUTION #59-06 – LEAD MUNICIPALITY

A motion was made by Mr. Ragozine, seconded by Mrs. Garber, to adopt Resolution #59-06, with the Town of Clinton as Lead Municipality, supporting an application for the North Hunterdon Municipal Alliance grant for the calendar year 2007 in the amount of \$23,742.86.

Vote all ayes
Motion carried

(A copy of the Resolution is attached to these minutes.)

MUNICIPAL ALLIANCE APPLICATION – 2007

A motion was made by Mrs. Kovach, seconded by Mrs. Garber, authorizing Mayor Schaumburg to sign the Application.

Vote all ayes
Motion carried

RESOLUTION #60-06 – AMENDMENT TO BINDING ARBITRATION STATUTE

A motion was made by Mrs. Kovach, seconded by Mr. Ragozine, to adopt Resolution #60-06. Amendment for Binding Arbitration Statute.

Vote all ayes
Motion carried

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

RESOLUTION #61-06 – CHAPTER 159

A motion was made by Mr. Ragozine, seconded by Mrs. Kovach, to adopt Resolution #61-06 approving the insertion of \$4,000.00, a Clean Communities grant from the State of New Jersey, to be appropriated under the caption of General Appropriations in the 2006 Budget.

Vote all ayes
Motion carried

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

RESOLUTION #62-06 – OPEN SPACE TRUST FUND

A motion was made by Mr. Ragozine, seconded by Mrs. Kovach, to adopt Resolution #62-06 to obtain Open Space Trust Funds in the amount of \$25,000.

Vote all ayes
Motion carried

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

RESOLUTION #63-06 – ADJUSTING 2006-2007 NORTH HUNTERDON-VOORHEES REGIONAL HIGH SCHOOL DISTRICT BUDGET

Mrs. Kovach reported on the meeting between various municipalities and the North Hunterdon-Voorhees RHDS Board of Education which was held on May 8, 2006. A consensus was reached to reduce the Budget by \$1,500,000.

A motion was made by Mrs. Insel, seconded by Mr. Harrison, to adopt Resolution #63-06 as submitted.

Vote all ayes
Motion carried

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

CORRESPONDENCE

1. A letter of resignation was read from Lois Terreri, Senior Services Coordinator. Mrs. Terreri will be moving out of Clinton in the fall. A motion was made by Mrs. Kovach, seconded by Mr. Ragozine, to accept the resignation with regret.

Vote all ayes
Motion carried

2. A letter was read from Frank Hooper thanking Council for the Proclamation which was presented to him at his recognition dinner on April 21st.
3. Letter received from Franklin Township Committee supporting the Town's suggestion for the temporary closing of Exit 15.
4. Resolution received from Union Township Committee supporting the temporary closing of Exit 15. Mayor Schaumburg commented that Clinton Township will be discussing this at their meeting tomorrow night. The D. O. T. is seriously considering the closure, and as soon as information from Clinton Township is received she will forward it to them.

REPORTS FROM COUNCIL & TOWN OFFICIALS**Robert A. Cutter, PW /Business Administrator**

1. Buildings and Grounds - Committee recommends the hiring of Suzanne Ocello for the Community Center janitorial position. A motion was made by Mr. Ragozine, seconded by Mrs. Garber, to hire Suzanne Ocello for the janitorial position at an annual salary of \$6,597.50.

Vote all ayes
Motion carried

2. Roads Committee – Minutes of the pre-construction meeting with Hunterdon County for the Halstead Street Bridge have been provided to Mr. Hetzel for the Clinton Guild. Work to begin sometime between June 1 – July 1, 2006. The Halstead River Crossing Water Main Extension project is scheduled to begin May 22, to be completed by May 26, with minimal delays and detours.

Committee agreed with Mr. Cutter's recommendation to apply for Transportation Fund Grants for roads in Clinton Knolls and School Street.

Mr. Cutter thanked Mrs. Bleck's third grade class at CPS for painting the new stormwater inlet heads, as part of the Stormwater Pollution Prevention Program.

Roads Committee approved installaton of speed platforms on Rupells Road. A letter will be sent to Union Township of our intent and providing them with platform design, locations and approximate costs.

Councilman Ragozine

1. Buildings and Grounds – 47 Leigh Street – Architectural plans are close to being finalized.
 - Community Center – Quotes for improvements are still being gathered.

Councilwoman Garber

1. Emergency Management Services – next meeting May 16. Trustees are Gene De Cleene, Joe Korkuch, Patrick McGaheeran, Joelle Garber. Officers are President, Arlene Perez, Vice President, Ray Bahto, Secretary Laurie Insel, Treasurer – to be announced.
2. Clinton Guild – next meeting May 17, 6:30 PM, Holiday Inn. Jef Buehler, State Coordinator, Main Street New Jersey will be making a presentation.
3. Newsletter dealine – May 12.
4. Fire last week on Olsen Lane – Mrs. Garber commended the Clinton Rescue Squad, Clinton Fire and Police Departments as well as those from surrounding municipalities for their overwhelming response.

Councilwoman Kovach

1. Town wide yard sale – June 3, for participation by Town residents, fee of \$10.00 for advertising.
2. Highlands Council Meeting – June 11, 10:00 AM, in Chester.
3. Main Street New Jersey – Jef Buehler will be taking a tour of the Town just prior to his presentation at the May 17th Guild Meeting. Everyone (residents, merchants) are invited to attend the meeting.
4. New Jersey Travel and Tourism – Will be at Liberty Village, Flemington Visitor Information Center May 13 – 21 for See America Week.
5. Grants – Smart Growth has been completed, Fire Equipment has been sent.

Councilman Harrison

1. Sewer Committee – Letters have been sent to all Town food handlers for specifics on grease traps.
 - Monthly flows are normal.
 - Cost estimates are being prepared for proposed Pittstown Road re-lining project.
2. Personnel Committee – Meeting May 12, 9 A.M.
3. Governor's Transportation Meeting – May 10; Mr. Harrison will attend.

Councilwoman Lauri Insel

1. Historical Commission Meeting – will be at May 17 Meeting of the Guild for the Main Street New Jersey presentation. Also, Commission will be reaching out to the Guild to see if they want them to do any tours during Guild events.
2. Smart Growth Committee Meeting – May 8 with presentation by Barry Ableman of D.C.A. with his ideas for the Town.
3. Shade Tree Commission – Arbor Day celebration was held on April 28, with participation by CPS students.

APPROVAL OF OVERTIME AND STANDBY PAY

A motion was made by Mrs. Kovach, seconded by Mrs. Garber, to approve the attached overtime and standby pay for the period of April 20 – May 3, 2006.

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mrs. Kovach, seconded by Mrs. Garber, to approve the voucher list attached to these minutes.

Vote all ayes
Motion carried

EXECUTIVE SESSION

A motion was made by Mayor Schaumburg, seconded by Mr. Ragozine, to enter into Executive Session to discuss contract negotiations at 9:25 P.M.

Vote all ayes
Motion carried

A motion was made by Mrs. Garber, seconded by Mrs. Kovach, to come out of Executive Session and return to the regular meeting at 9:35 P.M.

Vote all ayes
Motion carried

AWARD OF CONTRACT

A motion was made by Mrs. Kovach, seconded by Mrs. Garber, to award the Professional Engineering Contract for Phase I Feasibility and Alternative Assessment Study, Clinton Mills Dam and Dike Restoration Project, to Civil Dynamics, Inc., Stockholm, NJ, in accordance with a proposal made April 3, 2006, not to exceed \$104,980. Award to be pending a review by Robert Clerico, P.E., as to whether a hydrological study needs to be conducted. If this is not required it would reduce the project cost to \$89,480.

Vote all ayes
Motion carried

A motion was made by Mrs. Kovach, seconded by Mr. Ragozine, to go into Executive Session to discuss Personnel and Contract Negotiations at 9:40 P.M.

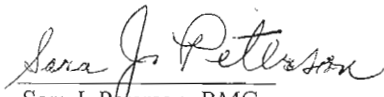
Vote all ayes
Motion Carried

A motion was made by Mr. Ragozine, seconded by Mrs. Kovach, to come out of Executive Session at 9:54 P.M.

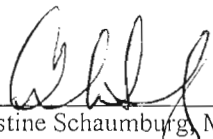
Vote all ayes
Motion carried

A motion was made by Mrs. Garber, seconded by Mr. Harrison, to adjourn the meeting at 9:55 P.M.

Vote all ayes
Motion carried


Sara J. Peterson, RMC
Deputy Town Clerk

APPROVED BY MAYOR & COUNCIL


Christine Schaumburg, Mayor