

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

Flag Salute.

Roll Call: Present – De Cleene, Garber, Harrison, Insel, Kovach, Ragozine, 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 Mrs. Garber seconded by Mr. Ragozine to approve the minutes of May 9, 2006 as submitted.

Vote all ayes  
1 Abstention (De Cleene)  
Motion carried

**PUBLIC COMMENTS**

James DeGroff, 7 Leigh Street, approached Council for assistance in clarification of C-1 Zone requirements. Mr. DeGroff’s current tenant is leaving his building and he would like to rent to Riegel Federal Credit Union. The Credit Union is interested in renting the building which originally housed a bank and the facility is still complete with the vault and other banking structures which would make for an ideal place for the Credit Union to occupy. However, recent changes in the C-1 Zone now prohibit banks and financial institutions. Attorney Cushing suggested Mr. DeGroff approach the Planning Board with his request. The Planning Board may choose to amend the ordinance to allow banking or grant a conditional use permitting banks under limited circumstances. The Board of Adjustment may also choose to grant a "D" variance showing positive criteria. The process is, Council defers to the Planning Board for recommendations. Mr. DeGroff was instructed to contact Allison McGinley to be placed on the June 6 agenda.

Frank Jones, former resident of Clinton Township, attended this evening’s meeting to present a painting to the Town of Clinton. The subject of the painting is the oldest house in Clinton which was razed to put in the parking lot on Lower Center Street. Mr. Jones told a little story about the home and the wood beams that he bought for \$35.00 to put in his home in Clinton Township. Mr. Jones has recently moved to Dover, Delaware and former Mayor McGaheeran and Mayor Schaumburg suggested the Town of Clinton is where the painting should be displayed. Mr. Jones presented the painting to Mayor Schaumburg.

**PROCLAMATION - NATIONAL HUNGER AWARENESS DAY**

Mayor Schaumburg read the proclamation designating June 6, 2006 “National Hunger Awareness Day” in support of NORWESCAP Food Bank. The Mayor also provided information for the Sort-A-Thon taking place on that day.

**PROCLAMATION – MYASTHENIA GRAVIS**

Mayor Schaumburg read the proclamation designating June Myasthenia Gravis Awareness Month. The proclamation is to increase public awareness of this disabling autoimmune neuromuscular disease of severe, crippling weakness and will aid us to better assist Myasthenics throughout the State of New Jersey.

**RESOLUTION #64-06 – CLINTON FIRE DEPARTMENT – LIQUOR LICENSE**

A motion was made by Mr. Harrison, seconded by Mrs. Insel to adopt Resolution #64-06 approving the 2006-2007 liquor license for the Clinton Fire Department, Club License #1005-31-002-001.

Vote all ayes  
Motion carried

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

**RESOLUTION #65-06 – CLINTON HOLIDAY INN**

A motion was made by Mr. Harrison, seconded by Mrs. Garber to adopt Resolution #65-06 approving the 2006-2007 liquor license for the Clinton Holiday Inn, Plenary Retail Consumption License #1005-36-004-005.

Vote all ayes  
Motion carried

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

**CLINTON GUILD - CRUISIN' IN CLINTON**

Richard Urmsron, President of the Clinton Guild, explained the concept of Cruisin' in Clinton which would take place in Town every other Saturday night. Mr. Urmsron discussed the idea with Chief Matheis, to have angle parking on East Main Street for about 40 cars between the hours of 5:00 p.m. and 8:00 p.m. Parking on the North side of the street would not be permitted, allowing for passage of Fire Department, emergency vehicles and locals residents.

Bruce Pearson, 6 Rupells Road, further explained the Cruise Nights he has been involved with as a car enthusiast. He stated how profitable it has been to Flemington and Somerville and suggested it to the Clinton Guild. It has proven to bring shoppers and diners to area shops. People could park at the Municipal Building, Lower Center Street or Water Street lots and walk to see the cars.

Pastor Kelly, Clinton Assembly of God, stated he was not aware of the event and expressed concerns about people using the parking lot behind the Church. It happens during the Christmas Parade, people using the lot. The Church has youth meetings on Saturday evenings and parking should be available to its members. Pastor Kelly said he would like to help in providing parking, however, some discussion will be necessary.

Marion Alterwein, 4 East Main Street, expressed concern about closing the street and having this event on Saturday evenings.

John Palladino, JJ Scoops owner and resident of 46 Halstead Street, stated that this event was previously held on Main Street on Sunday afternoons. Mr. Palladino recalled that it was a great draw to Town.

Margaret Hamilton, 22 ½ Old 22, asked why Saturday evenings were being considered when most shops close earlier on Saturdays.

Councilman De Cleene also remembered the event being held on Sundays and it helped businesses in Town. He stated he was in favor of hosting the event in Town. Councilwoman Garber said it was a great way to promote the Town and that she was much in favor of it. Councilwoman Kovach, also in favor of it, suggested trying Saturdays with the option to change if it did not work.

Mr. Ragozine made a motion seconded by Mr. De Cleene, to have Crusin' in Clinton Sunday afternoons, time to be determined, possibly 2:00 p.m. – 5:00 p.m.

Vote all ayes  
Motion carried

Mr. Urmstron will submit a Special Event application and will be placed on the next council agenda.

#### **HOUSING ELEMENT & FAIR SHARE PLAN**

Mayor Schaumburg addressed the audience and explained the circumstances that took place at the Planning Board meeting held May 16, 2006. The Planning Board discussed the Housing Element and Fair Share Plan which was presented by Clarke, Caton & Hintz, Professional Planners. Mayor Schaumburg explained that she voted for this plan as it is her utmost priority to protect Clinton from builders remedy lawsuits. However, there exists many concerns regarding this plan and reported that Councilwoman Kovach shares these concerns and discussed them with COAH (Council on Affordable Housing). COAH understands our special considerations and has expressed a willingness to work with the Town. However, time is of the essence. As a result, Mayor Schaumburg reinstated a COAH Round 3 subcommittee to work aggressively on these outstanding issues. Dave Wiant and Frank Gallagher have agreed to serve as the Planning Board representatives, Councilwoman Kovach will chair the committee and Mayor Schaumburg will serve as well. This committee and this Council has not only heard the concerns of residents, but shares them and are working diligently toward a better and protective end result leading to Round 3 certification from COAH.

Councilwoman Kovach explained that every municipality has to provide a certain amount of low and moderate income housing. In New Jersey history, there have been three rounds of low income housing demands by the state. Because of a builders remedy in 1985, Clinton received certain protections for six years however the Town did not apply for substantiative certification for rounds one or two even though Clinton met the first two and was ahead of the game with a plus 12 credit status after round two. In 2004, COAH adopted the Round Three rules which included a growth share obligation. COAH required all municipalities to submit by December, 2005, their fair share housing plan that included rounds one, two and three. The Town had worked with our previous planner and submitted a fair share plan that COAH had them deemed insufficient. The Town was given two deadlines in which to provide the information. The Town missed the second deadline and in the process of changing planners, was given additional time by COAH to submit the necessary documentation. A May deadline is now upon us and the recent plan was presented May 16 as an attempt to become compliant. After discussing the plan with a residents and planning boards members at a special meeting of the Planning Board, Mrs. Kovach contacted COAH to request an extension until a more suitable plan can be worked out. COAH agreed to continue working with us so that a substantiative and defendable plan would be submitted. Now with a subcommittee formed, alternate options will be investigated. Mrs. Kovach made a motion, seconded by Mr. Harrison, recommending Council table the Resolution prepared by the Planning Board.

Vote all ayes  
Motion carried

A motion was made by Mrs. Kovach, seconded by Mrs. Garber, to open the discussion to the public.

Vote all ayes  
Motion carried

Whitney Witherill, West Main Street, thanked Mrs. Kovach for giving a very clear explanation of this subject and asked for further clarification regarding the "defendable plan" and how does it tie into the Master Plan? Mr. Cushing explained that the Master Plan are the goals as to how the

Town should develop, ordinances are the implementation of the Master Plan. COAH is an outside force brought in to protect the Town's obligation against builders remedies and to see that the Town fulfill their obligation for low and moderate income housing. COAH reviews plans submitted by Town's and if they are realistic, approve the Town's plans and receive substantive certification.

Al Rylak, Attorney for Summit Manor, resident of 126 Center Street, also commended the efforts of Council and the COAH Round Three Committee for doing things the right way.

Margaret Hamilton asked how required units are determined to be built? Mrs. Kovach explained that housing is determined on projects approved for building, i.e. hotel and office building on Route 31 North.

Christian D'Annunzio, Hunterdon On-Line News, asked how many units are we addressing. Mrs. Kovach explained 20 municipal rental units were in the plan previously submitted to the Planning Board. Mr. D'Annunzio asked if this was based on condemning land? Mrs. Kovach replied no, however, if an owner is unwilling to negotiate for COAH units, the Town would condemn, if necessary. Mr. D'Annunzio questioned if Schoor Depalma was not re-appointed because of missing data in Fall of 2005. Mrs. Kovach explained that Clarke, Caton & Hintz are highly regarded planners. Carl Hintz, Town Planner, has tremendous experience in COAH. Mary Beth Lonigan also has extensive experience with COAH. They are a strong team hired to protect the Town from builders remedy.

Pastor Kelly, Clinton Assembly of God, suggested approaching School Street apartments, Mayor Schaumburg said all options are on the table.

Megan Jones, 17 Georges Place, questioned, if there was a surplus of 12 units, how many units are we dealing with now? In reality, there should be eight (8) units. Ms. Jones asked Council to consider the eight units be negotiated with Clinton Manor Apartments or the School Street apartments. Mrs. Kovach stated we may be deficient in more than eight rental units.

Ms. Wetherill questioned the process of how she would go about the process if interested in qualifying her second floor apartment as an affordable unit or such as a group home? It was explained that any rental unit or group home must have a thirty year deed restriction and must have been listed as an affordable unit for 10 years. Ms. Wetherill asked the question but stated she was not intending to make her home an affordable unit.

E. Patrick McGuire, 94 Center Street, clarified the subject of eminent domain, the taking of property and stated that a "fantasy application" cannot be made to COAH.

Rodney Hendrickson, Planning Board Chairman, once again thanked Mrs. Kovach and asked her to look at the number of units and plan for units to be placed in an area where they zoned.

Jeff Hahn, 10 Goosetown Drive, asked the location of the proposed plan. It was stated that the plan pertained to the area near the waste water treatment plant off Ramsey Road. Mr. Hahn suggested creating a new plan which could bring in rateables.

Matthew Holt, 17 Georges Place, explained that under Rounds One and Two, the Town was in compliance with affordable housing units based on residential growth as were the requirements at that time. Currently, the State of New Jersey's Round Three Growth Share Plan is based on residential as well as all types of zoning, including commercial properties.

Daniel Shea, 17 Messig Road, asked if Clarke, Caton & Hintz push for the extension from COAH? Yes, Mrs. Kovach stated, Clarke, Caton & Hintz lobbied on behalf of the Town.

**MOTIENT COMMUNICATIONS, INC**

A motion was made by Mr. Ragozine, seconded by Mr. De Cleene, authorizing Robert Cutter, PW/Business Administrator to sign a Third Modification Agreement with Motient Communications, Inc. for the period August 1, 2005 through July 31, 2007. The antenna is located on the Clinton Water Department Tank, 29 Petticoat Lane, Annandale, NJ.

Vote all ayes  
Motion carried

**Z & F WATER AGREEMENT**

Mr. Cushing explained the agreements for Z & F and Renaissance. He explained that the issue is for the conveyance of water to these two sites. As part of the agreement, one (1) square acre of Fallone Property (Z & F) has been provided to the Town for the construction of Well #16, a site that has been tested and found to be well suited. An individual of the Fallone Property is also involved with the Renaissance project.

A motion was made by Mrs. Kovach, seconded by Mrs. Garber, authorizing the Mayor and Clerk to sign the Water Agreement for Z & F Fallone upon finalization of the agreement based upon the input of the Attorney and Water Consultant.

Vote all ayes  
Motion carried

**RENAISSANCE AGREEMENT**

A motion was made by Mrs. Kovach, seconded by Mr. Ragozine, authorizing the Mayor and Clerk to sign the water agreement for Renaissance Development in Union Township upon finalization of the agreement.

Vote all ayes  
Motion carried

**PUBLIC HEARING - ORDINANCE #06-10 - AMEND SECTION 82**

A motion was made by Mr. Harrison, seconded by Mrs. Garber, to open the Public Hearing on Ordinance #06-10:

ORDINANCE #06-10  
AN ORDINANCE TO AMEND SECTION 82 OF THE CODE  
OF THE TOWN OF CLINTON TO CORRECT THE FINES FOR BRINGING IN GARBAGE  
FROM OUT OF TOWN

Vote all ayes  
Motion carried

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

Vote all ayes  
Motion carried

A motion was made by Mrs. Kovach, seconded by Mr. De Cleene, to adopt Ordinance #06-10 on second reading as submitted.

ROLL CALL: Ayes: De Cleene, Garber, Harrison, Insel, Kovach, Ragozine, Schaumburg

Vote all ayes  
Motion carried

**CORRESPONDENCE**

1. Council is in receipt of a petition from residents of Kings Crossing complaining about the speed of travelers using Hunts Mill Park . Several suggestions were offered to the Mayor, Council and the Police Chief. Chief Matheis prepared a letter which has been sent to the teams that use the fields. Police presence has already been observed and improvements have been noticed.
2. Countryside New Jersey Magazine did a feature story on the Town of Clinton. Beautiful pictures of the Red Mill Museum Village, Clinton Falls Village, Clinton Canoe Boat House can be seen. A copy of the Magazine is available in the Clerk's Office.
3. A "Proud Resident" of Clinton commended the Police, Fire and Rescue Squad for a professional performance at the Red Mill on Sunday, May 7, 2006. The officer kept a victim calm, the Fire Department rescued the victim and the squad provided medical attention. All performed the ultimate act of heroism. The 12 year old child had been climbing on the cliff behind the museum, parents have been made aware of the dangers and are urged to educate their children as well.
4. Council has received the 2005 Annual Audit from Auditors, Suplee, Clooney and Company. Mayor Schaumburg asked Council to carefully review the Audit prior to the next Council Meeting June 13, 2006. The Audit came without recommendations or comments.

**REPORTS FROM COUNCIL & TOWN OFFICIALS**

**Councilwoman Insel**

1. Mrs. Insel reported on the meeting hosted by the Clinton Guild and Main Street New Jersey. Members of Council, the Historic Commission and the Smart Growth Committee attended. It was an exciting meeting, ideas to make the downtown work were discussed.

**Councilman Harrison**

1. Personnel Committee met and recommends the insertion of the disclaimer statement in the Personnel Policy. A motion was made by Mr. Harrison, seconded by Mrs. Kovach to approve the insertion of the disclaimer.

Vote all ayes  
Motion carried

(A copy of the disclaimer is attached to these minutes)

The Personnel Committee also discussed Personnel evaluations of employees and department heads. Very positive feed back was received.

**Councilwoman Kovach**

1. Lisa Jackson, Commissioner of State of New Jersey DEP is expected to visit Town on Thursday, June 1. Mrs. Kovach will tour the Town with Ms. Jackson and show her where the \$914,000 grant dollars received from the State of being used, the Clinton Dam / Dike.
2. Town Wide Garage Sale is scheduled for Saturday, June 3, 2006 rain or shine from 9:00 a.m. to 3:00 p.m.

3. Next Grants Committee meeting June 6, 2006 at 10:30 a.m.

**Councilman De Cleene**

1. Roads – Attended County meeting April 25 regarding the Halstead Bridge project. Project expected to begin June 15, 2006, pedestrian crossings will be available at all times during construction.

**Councilwoman Garber**

1. Clinton Guild held their regular meeting at the Holiday Inn, hosting Jef Buehler of Main Street New Jersey to discuss downtown revitalization. Jef did a great job and stirred much enthusiasm.
2. Parks and Playground next meeting June 22 @ 7:30 p.m.
3. Fire Department next meeting June 5<sup>th</sup> @ 7:30 p.m.
4. Emergency Services Foundation next meeting June 20<sup>th</sup> @ 7:30 p.m.
5. Next Clinton Guild meeting June 21<sup>st</sup> @ 6:30 p.m.

**Councilman Ragozine**

1. Mr. Ragozine recommended signing an agreement with AFLAC. A motion was made by Mr. Ragozine, seconded by Mrs. Kovach authorizing the Finance Officer to contact AFLAC for an agreement.

Vote all ayes  
Motion carried

**Kathy Olsen, CFO**

1. Ms. Olsen advised Council that the annual “Good Kid Awards” for North Hunterdon, Voorhees, and Clinton Public School will be awarded before the next Council meeting and is asking for authorization to have the Mayor sign the necessary checks. A motion was made by Mrs. Kovach, seconded by Mr. De Cleene, authorizing the Mayor to sign as necessary.

Vote all ayes  
Motion carried

**Attorney Cushing**

1. Mr. Cushing distributed DRAFT copies of the Code Enforcement Ordinance for review.
2. Mr. Cushing explained the Water Agreement for Clinton Township Middle School is near completion. He further explained that the agreement is only for fire flows for the school. A motion was made by Mr. Ragozine, seconded by Mr. Harrison, authorizing the Mayor and Clerk to sign the Water Agreement upon completion.

Vote all ayes  
Motion carried

**APPROVAL OF OVERTIME & STANDBY PAY:**

A motion was made by Mrs. Kovach, seconded by Mr. De Cleene, to approve the attached overtime and standby pay for the period of May 4 – May 17, 2006.

Vote all ayes

Motion carried

**PAYMENT OF BILLS**

A motion was made by Mr. Ragozine, seconded by Mrs. Kovach 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 Potential Litigation at 9:25 p.m.

Vote all ayes  
Motion carried

A motion was made by Mrs. Garber, seconded by Mr. Ragozine to come out of Executive Session at 9:35 p.m.

Vote all ayes  
Motion carried

**ADJOURNMENT**: There being no further business, a motion was made by Mrs. Garber, seconded by Mr. De Cleene to adjourn the meeting at 9:36 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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Christine Schaumburg , Mayor