

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

Flag Salute.

Roll Call: Present – Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg
Absent - Duffy

Also in attendance: Elizabeth McManus, Professional Planner (left 7:50 p.m.)

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. Pendergast, seconded by Ms. Insel, to approve the minutes of April 27, 2010 as submitted.

Vote all ayes
2 Abstentions (Shea and Mayor Schaumburg)
Motion carried

APPROVAL OF BUDGET MEETING MINUTES

A motion was made by Mrs. Insel, seconded by Mr. Pendergast, to approve the minutes of the Budget Meeting held April 7, 2010.

Vote all ayes
Motion carried

APPROVAL OF BUDGET MEETING MINUTES

A motion was made by Mr. Pendergast, seconded by Mr. Pender, to approve the minutes of the Budget Meeting held April 14, 2010.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – APRIL

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

Administrator’s Report, Buildings and Grounds Foreman’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control / Inspection Report, Police Report, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, Treasurer’s Report, Wastewater Treatment Plants Superintendent’s Report, Zoning Officer’s Report.

Mr. Pendergast addressed the Wastewater Treatment Plant Superintendent’s Report that appeared to be missing a column when emailed to council. Mr. Cutter will advise Mr. Klitsch to resend, the report was taken off.

Mr. Shea amended his motion to accept the Monthly Reports submitted, less the report of the Treatment Plan, motion was seconded by Mrs. Insel.

Vote all ayes
Motion carried

PUBLIC COMMENT

Jose Perez, 162-164 Leigh Street, asked Council if there is an ordinance against people parking on the front lawns of their residence. He referred to a neighbor that parks several vehicles on their front lawn overnight and it is unsightly. Mr. Cushing will research the issue and attempt to retrieve sample ordinances for Council's review.

MAYOR'S COMMENTS

None

INTRODUCTION OF ORDINANCE #10-08 - Planned Residential Development

Professional Planner, Elizabeth McManus, attended this evening's meeting to explain the Ordinance and the following four resolutions. The amendments in Ordinance #10-08 are for the PRD-P zone district which are necessary for the Land Use Code to be consistent with the May 2008 Master Plan, the 2006 Housing Element and Fair Share Plan and the 2010 Housing Element and Fair Share Plan. This ordinance will increase the housing density from 48 to 61 units and allowing for 12 affordable housing units. Also included are additional landscaping requirements and sidewalks will be required on both sides leading to the residential area which was questioned by Mr. Shea.

A motion was made by Mr. Pender, seconded by Mr. Shea, to adopt Ordinance #10-08 on first reading as submitted:

ORDINANCE #10-08
AN ORDINANCE OF THE TOWN OF CLINTON AMENDING
THE LAND USE CODE OF THE TOWN

WHEREAS, the Town finds that amendments to the PRD-P zone district are necessary for the Land Use Code to be consistent with the May 2008 Master Plan, the 2006 Housing Element and Fair Share Plan and the 2010 Housing Element and Fair Share Plan;
BE IT ORDAINED by the Mayor and Town Council of the Town of Clinton, in the County of Hunterdon, State of New Jersey, that the Land Use Code of the Town of Clinton be amended as follows (deletions are shown as thus and additions are shown as thus):

1. Section 88-52.1., entitled "PRD-P and PRD Planned Development Districts" of Article VII

entitled, "Zoning Regulations" of the Land Use Code of the Town of Clinton, as heretofore supplemented and amended, is hereby supplemented and amended to add an amend the following:

A. Purpose. The purpose of the PRD-P and PRD Districts is to encourage the development of certain large vacant tracts in a manner which incorporates the best features of design and relates the type, design and layout of residential, nonresidential and recreational development to the particular site and, at the same time, to provide the, realistic opportunity for lower-income housing to be constructed in accordance with the guidelines set forth in the Mount Laurel II decision. Special standards and procedures

applicable to these two districts only are set forth herein to expedite the production of the lower-income housing.

B. Application procedures.

(1) The applicant shall submit all plans and documents to the Planning Board for review and approval as required in Article VI. The Planning Board shall distribute the plans to those agencies required by law to review and/or approve development plans and to all other Town agencies which normally review development plans. The failure of a Town agency to submit a report to the Planning Board shall not extend the time for review and action by the Board.

(2) The technical advisers to the Board shall review the complete application for technical compliance and shall convey comments directly to the applicant's advisers in advance of the public hearing so that at the time of the public hearing the applicant will have had sufficient opportunity to resolve any technical problems associated with the submission. Daytime meetings shall be held at the request of the applicant between the Town's advisers and/or technical coordinating committee and the applicant's advisers for this purpose.

(3) The Planning Board shall hold a public hearing in accordance with N.J.S.A. 40:55D-46.1 on the application. The Planning Board shall take action on the application within 60 days from the date of submission of a complete application for preliminary or for simultaneous preliminary and final approval. If a subsequent final approval is sought, action on the final plan shall be taken by the Board within 30 days of the date a complete application is submitted.

(4) The applicant is encouraged to submit a concept plan for informal review by the Board pursuant to N.J.S.A. 40:55D-10.1 prior to the preparation of a preliminary development plan.

(5) The development plans submitted shall contain the information required in 88-41D and E except that the applicant shall be exempted from any requirements of 88-41D(23).

COMMENT – Since the adoption of the ordinance, these requirements have been incorporated into part of the general code, pursuant to the Municipal Land Use Law (MLUL), and therefore are not needed.

C.B. Permitted uses. Permitted uses shall be as follows:

(1) Principal uses.

(a) Single-family dwellings in the single-family residential development area of the PRD.

(b) Multifamily dwellings and townhouses in the multifamily residential development areas of the PRD-P and PRD.

(c) Two-family dwellings, including both side-by-side-style and duplex-style (one over another) dwellings, in the multifamily residential development areas of the PRD-P and PRD.

(d) Public or private parks and playgrounds.

(e) Public or private recreation buildings and facilities.

(f) Public utilities.

(g) Accessory uses and structures.

(h) Garages and off-street parking facilities.

(i) Storage and maintenance buildings.

(j) Customary accessory structures approved as part of the site plan for the development, including fences, walls, lampposts, trellises and the like.

(k) Signs in accordance with 88-64 of this chapter.

D.C. Tract area, development areas, density and bulk requirements.

(1) Tract area.

Draft PRD & PRD-P Ordinance – May 5, 2010 Page 3

(a) A PRD-P shall contain a minimum of 15 acres.

(b) A PRD shall contain a minimum of 25 acres.

(2) Development areas.

(a) The PRD shall be divided into a single-family residential development area and a multifamily residential development area. The single-family residential development area shall be that area located along, and having a minimum length of 250 feet from, any common boundary with a single-family residential zone in the Town of Clinton.

(b) The PRD-P shall be divided into a multifamily residential development area and an open space area. The multifamily area shall be the entire portion of the tract located south of Village Road and north of Route 78 and shall include the right-of-way of Village Road. The open space area shall be that portion of the tract lying north of Village Road which shall only be developed for active and passive recreation and which may include parking for park users and stormwater management facilities for the multifamily areas. **These two lots shall be considered one tract for the purposes of lot area, open space and density calculations.**

COMMENT – This change provides additional clarity.

(3) Density.

(a) Within the PRD, the gross density shall not exceed 7.2 dwelling units per acre. The net density shall be up to three dwelling units per acre for the single-family residential area and up to 10 dwelling units per acre for the multifamily residential area with such net densities computed as averages for the entire single-family residential development area or multifamily residential development area.

(b) Within the PRD-P, the gross density shall not exceed **2.863.53** dwelling units per acre **where affordable rental units are provided and shall not exceed 2.00 dwelling units per acre where affordable sale units are provided.** The net density **in the entire multifamily residential area shall not exceed 48 61 units where affordable rental units are provided or 34 units where affordable sale units are required. in the entire multifamily residential area.**

COMMENT – This is consistent with the current proposal and the Town's Housing Element.

(4) Bulk requirements, multifamily residential development areas.

(a) Minimum distances.

[1] There shall be the following minimum distances between buildings in the multifamily residential development areas of a PUD or PRD:

Draft PRD & PRD-P Ordinance – May 5, 2010 Page 4

Type of Structure Minimum Distance
(feet)

Windowless wall to windowless wall 20

Window wall to windowless wall 20

Window wall to window wall

Front to front

Building height of up to 30 feet 50

Building height of 30 feet or more 75

Rear to rear 50
End to end 30
Any building face to local street curbface or edge
of pavement

30
Any building face to collector street curbface or
edge of pavement

40
Any building face to arterial street curbface or
edge of pavement

50
Any building face except garage face to common
parking area

12
Garage face to common parking area 5

[2] The Planning Board shall reduce the above distances by not
more than 1/3 if there is an angle of 20 degrees or more between
buildings and if extensive landscaping or buffers are placed
between buildings.

(b) Coverage. The maximum coverage by buildings, in the multifamily
residential development, areas shall not exceed 30%. The maximum
coverage by all impervious surfaces, including buildings, shall not exceed
60%.

(c) Buffer areas. No building, driveway or parking area shall be located
within 30 feet of any tract boundary line, except that in the PRD-P
District, buildings may be located within 20 feet and parking areas may
be located within 15 feet of the tract boundary line adjacent to Route 78 or
Draft PRD & PRD-P Ordinance – May 5, 2010 *Page 5*
the driveway in Union Gap Village, provided that adequate buffer and
noise control can be provided in the reduced space.

(d) Building height. No building shall exceed three stories in height, nor
shall any building exceed 40 feet in height.

(e) Minimum floor area for individual multifamily units:

Number of bedrooms Area (square feet)

1 550

2 660

3 850

(5) Bulk requirements, single-family residential development area.

(a) Lot area. No individual lot shall contain less than 7,500 square feet nor
have a lot width of less than 75 feet.

(b) Building setbacks.

[1] Building setbacks shall be as follows:

Yards Setback

Front yard 30

Rear yard 40

Side yards

Minimum on 1 side 10

Combined 25

[2] Where individual lots are not being subdivided, yards shall be
created for each building such that a subdivision could occur and
all lots and buildings would conform to the area and setback

requirements set forth herein.

E.D. Parking requirements.

(1) Residential uses.

(a)(1) Parking shall be provided for all residential uses per the Residential Site Improvement Standards (RSIS) if applicable, or as follows: .

Type of Use Number of Spaces

Draft PRD & PRD-P Ordinance – May 5, 2010 Page 6

Dwelling units with 1 bedroom or fewer

1.5

All other dwelling units 2.0

COMMENT – These requirements have been superseded by the Residential Site Improvement Standards (RSIS).

(b)(2) Parking spaces in common parking areas in the multifamily residential development area shall be located within 300 feet of the dwelling unit served.

(c)(3) All required parking for multifamily dwelling units shall be provided off-street, except that nothing herein shall be construed to prohibit required parking spaces from being placed perpendicular to a one- or two-way local street or at an angle on a one-way local street, provided that both the pavement width of the street and the length of each parking space meet the requirements set forth in this chapter.

(5)(4) No arterial or collector street shall provide direct access to an individual required parking space.

F.E. Affordable housing requirements.

(1) All developments in the PRD and PRD-P Zones shall be required to provide housing affordable to lower-income households affordable housing.

(2) The total number of affordable units in the PRD Zone shall be 44 to be constructed onsite. The total number of affordable units in the PRD-P Zone shall be 10, to be provided by a contribution in lieu of construction, based on Council of Affordable Housing standards (COAH) in effect at the time of approval. (Note: currently the standard is \$20,000 per unit.)

(3) Development in the PRD-P shall provide a minimum of a twenty percent (20%) affordable housing set-aside.

COMMENT – This is consistent with COAH's rules and the Town's Housing Element.

(4) All affordable units must comply with Council on Affordable Housing regulations (N.J.A.C. 5:97, or as may be amended) and Uniform Housing Affordability Control rules (N.J.A.C. 5:80-26.1, or as may be amended), including, but not limited to, phasing, bedroom distribution and income distribution.

(3) New affordable units shall be equally divided between low- and moderate-income households as per N.J.A.C. 5:93-2.20. Except for inclusionary developments constructed pursuant to low-income tax credits, at least half of all such units shall be affordable to low-income households; and at least half of all such rental units shall be affordable to low-income households; and at least one third of all such units in each bedroom distribution pursuant to N.J.A.C. 5:93.7.3 shall be affordable to low-income households.

Draft PRD & PRD-P Ordinance – May 5, 2010 Page 7

(4) Bedroom mix. Where units are not restricted to senior citizens, the bedroom mix shall be as follows:

(a) The combination of efficiency and one-bedroom units shall be at least 10% and no more than 20% of the total low- and moderate-income units; and

(b) At least 30% of all low- and moderate-income units are two bedrooms; and

(c) At least 20% of all low- and moderate-income units are three bedrooms; and

- (d) Low- and moderate-income units restricted to senior citizens may use a modified bedroom mix, provided that, at minimum, the number of bedrooms equals the number of restricted units within the development.
- (5) Rental and sale prices. The following criteria shall be used in determining maximum rents and sale prices:
 - (a) Efficiency units will be affordable to one-person households; and
 - (b) One-bedroom units will be affordable to 1.5-person households; and
 - (c) Two-bedroom units will be affordable to three-person households; and
 - (d) Three-bedroom units will be affordable to 4.5-person households; and
 - (e) Median income by household shall be established annually by COAH per N.J.A.C. 5:93-7.4(b); and
 - (f) The maximum average rent and price of low- and moderate-income units within each development will be affordable to households earning 57.5% of median income; and
 - (g) Moderate-income sales units shall be available for at least three different prices and low-income sales units shall be available for at least two different prices; and
 - (h) Low-income units shall be reserved for households with a gross household income less than or equal to 50% of the median income approved by COAH; moderate-income units shall be reserved for households with a gross household income less than 80% of the median income approved by COAH as per N.J.A.C. 5:93-9.16; and
 - (i) The sale price of affordable housing units may be increased annually based on the percentage increase in the regional median income for the housing region. In no case shall the maximum resale price of a unit be less than the last recorded purchase price.
 - (j) With the exception of rentals constructed pursuant to low-income tax credit regulations, the rent of an affordable unit may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States, not to exceed 9% in any one year. Rents for units constructed pursuant to low-income tax credit regulations shall be indexed pursuant to the regulations governing low income tax credits.
- (2) For rental units:

Draft PRD & PRD-P Ordinance – May 5, 2010 Page 8

- (a) The rental authority may establish one rent for a low-income unit and one for a moderate-income unit for each bedroom distribution; and
- (b) Gross rents, including an allowance for tenant-paid utilities, shall be established so as not to exceed 30% of the gross monthly income of the appropriate household size as detailed in Subsection F(4) above. The tenant-paid allowance will be consistent with the utility allowance approved by the Department of Housing and Urban Development (HUD) for use in New Jersey,
- (3) For sale units:
 - (a) The initial price of a low or moderate income owner-occupied single-family housing unit shall be established so that after a down payment of 5%, the monthly principal, interest, homeowner and private mortgage insurance, property taxes (based on the restricted value of the low- or moderate-income unit, and condominium or homeowner fees do not exceed 28% of the eligible gross monthly income; and
 - (b) Master deeds of these developments shall regulate condominium or homeowner association fees or special assessments of low- and moderate-income

purchasers at 50% of those paid by market. This 50% is consistent with the requirements of N.J.A.C. 5:93-7.4(e). Once established within the master Deed, the 50% shall not be amended without prior approval from COAH; and [Amended 11-20-2001 by Ord. No. 01-10]

(c) No new low- or moderate-income unit shall be occupied until the Town issues a certificate of occupancy, unless there is a determination by the Affordable Housing Board that the unit is controlled by a deed restriction and mortgage lien approved by COAH, in accordance with the general provisions of N.J.A.C. 5:93-9.3; and

(d) The Town shall require a certificate of reoccupancy for any occupancy of a low or moderate-income sales unit resulting from a resale as per N.J.A.C. 5:93-9.3(c) and (d); and

(e) The mortgage lien and deed restriction shall be filed with the records office of Hunterdon County, shall be in a form approved by COAH and shall have priority over all mortgages on the property except for a first mortgage; and

(f) Municipal, state, non-profit and seller options regarding resale of units shall be consistent with N.J.A.C. 5:93-9.4- 9.8. Municipal rejection of repayment options for sale units shall be consistent with N.J.A.C. 5:93-9.9; and

(g) The continued application of options to create, rehabilitate or maintain low and moderate-income sale units shall be consistent with N.J.A.C. 5:93-9.10; and

(h) Eligible capital improvements prior to the expiration of controls on sales units shall be consistent with N.J.A.C. 5:93-9.11; and

Draft PRD & PRD-P Ordinance – May 5, 2010 *Page 9*

(i) The regulations relating to municipal subsidies and foreclosure detailed in N.J.A.C. 5:93-9.12-9.14 shall be applicable to low- and moderate-income units that are for sale units.

(4) Construction schedule. Low- and moderate-income units shall be constructed in accordance with N.J.A.C. 5:93-5.6(d) as shown below:

Minimum Percentage of
Low/Moderate Income Units
Completed
Percentage of Market Housing
Completed

0 25

10 25 plus 1

50 80

75 75

100 90

100

(8)(5) Site design. Within the PRD district, To the extent possible, the design of the development should integrate low and moderate-income units with the market units. Within the PRD-P district, the design of the development shall integrate low and moderate-income units with the market units. The affordable units shall be designated on the preliminary site plan, shall have compatible exteriors to the market units and shall be located so that they have comparable access to that of the market units to all common elements within the development.

(7) Continued affordability. To ensure that low- and moderate-income units will remain affordable over time and that they are occupied by qualified households, the

Town has established the Affordable Housing Board under Article X of this chapter, which is charged with the responsibility of administering the Town's affordable housing program, as detailed in 88-71 C below and N.J.A.C. 5:93-9.1 (a) P and (b).

(8)Length of affordability. Newly constructed low- and moderate-income units, whether sale or rental, shall remain affordable for at least 30 years. The Affordable Housing Board shall ensure that the appropriate deed restrictions, mortgage liens, and/or deeds of easement, as per N.J.A.C. 5:93 Technical Appendix E or H, are applied to these units to ensure their continued affordability. [Added 11-20-2001 by Ord. No. 01-10]

COMMENT – These affordable housing requirements are in conflict with COAH's rules and/or are regulated by COAH or elsewhere in the Town's ordinances.

Draft PRD & PRD-P Ordinance – May 5, 2010 Page 10

G.F. Common open space and common elements.

(1) A minimum of 20% of the land in the multifamily residential area in a PRD shall, be designated as conservation area, open space, recreation and/or other common open space. A minimum of 60% of the land in a PRD-P shall be open space, including all of the land north of Village Road. The common open space area shall exclude private patios and any area located between a building and street or common parking area.

(2) All property owners and tenants in the development shall have the right to use the common open space and any recreational facilities located on the site.

(3) Common open space may be deeded to the Town, if accepted by the Mayor and Council.

(4) All common open space not accepted by the Town and all common elements in the development shall be deeded to an open space organization established to own and maintain the common elements as provided in *N.J.S.A. 40:55D-43*. The open space organization documents shall be submitted to the Town Attorney for review and approval.

H.G. Engineering and construction design standards, single- and multifamily residential development areas only. Where applicable, design standards shall comply with the RSIS. The following standards shall apply where the RSIS do not.

(1) Drainage.

(a) The drainage system shall be a combination of structural and nonstructural measures of controlling surface runoff.

[1]Structural measures (pipes, inlets, headwalls, etc.) shall be used in the following locations:

[a]At all low points in roadways and driveways.

[b]At all intersections.

[c]At all locations where vehicular or pedestrian paths cross drainageways.

[d]At all locations where water may be trapped by snow or freezing conditions and create danger for pedestrians or vehicles.

[e]At all locations where water will be conducted within 15 feet of a building.

[2]All other areas may be drained through the use of structural or nonstructural measures, as appropriate.

(b) The system shall be adequate to carry off the stormwater and natural drainage water which originates not only within the lot or tract boundaries but also that which originates beyond the lot or tract

boundaries in the current state of development. No stormwater runoff or
Draft PRD & PRD-P Ordinance – May 5, 2010 *Page 11*

natural drainage water shall be so diverted as to overload existing drainage systems or create flooding or the need for additional drainage structures on other private properties or public lands without proper and approved provisions being made for taking care of these conditions.

(c) The following standards shall be used in computing the volume of runoff:

[1] Collection systems. Rational method or an alternative method approved by the Town Engineer shall be used. The following shall be used for the various parameters of the rational formula:

$Q = ACI$

Where

Q is the quantity of water in cubic feet per second (cfs) to be used for design.

A is the drainage area in acres.

C is the runoff coefficient which shall be determined from the graph entitled Rainfall Intensity Duration for Essex and Union Counties. The time of concentration (t) shall be determined by overland flow methods or gutter flow methods contained in ACE Manual No. 37, latest edition, as appropriate, but need not be less than 15 minutes.

[2] Detention systems. All detention systems shall be designed in accordance with the requirements of N.J.A.C. 7:8-3.9.

(d) All storm drainage facilities shall be designed in accordance with the following:

[1] Storm frequency.

Type of Facility Frequency of Storm (years)

Collection systems 15

Culverts 25

Detention systems

Flood and erosion

control

2, 10 and 100

Water quality 1 or 1.25 inches of rain in 2

hours

Draft PRD & PRD-P Ordinance – May 5, 2010 *Page 12*

Emergency spillway 100

[2] Velocity of storm. Velocity shall be determined by the Manning Equation with "n" as set forth in ACE Manual No. 37, latest edition. The velocity shall be restricted to the following maximums or minimums:

Type of Facility Velocity

Pipes and culverts Minimum velocity of 3 feet

per second when flowing $\frac{1}{4}$

full

Open channels and swales Maximum velocity as set forth

in ACE Manual No. 37, latest

edition

[3] Structural considerations.

[a] Pipes and culverts. All pipes and culverts beneath pavements or walkways shall be of reinforced concrete. At all other

locations, other pipe materials may be used provided that such materials can be demonstrated to be structurally adequate by the methods set forth in ACE Manual No. 37, latest edition.

[b]Swales and channels. All swales and channels shall have adequate lining to prevent erosion and shall be of parabolic or trapezoidal section. Trapezoidal sections shall be such that the side slopes shall be no steeper than three horizontal to one vertical and shall have a flat bottom a minimum of two feet wide.

(e)All materials used in the construction of storm sewers, bridges, open channels and swales and other drainage structures shall be in accordance with the specifications set forth in the New Jersey Department of Transportation's Standard Specifications for Road and Bridge Construction, 1983, as amended, supplemented or revised.

(f)(c) Lots and buildings shall be graded to secure proper drainage away from buildings. Additionally, drainage shall be provided in a manner which will prevent the collection of stormwater in pools or other unauthorized concentrations of flow.

(g)(d) Approval of drainage structures shall be obtained from the appropriate Town, county, state and federal agencies and offices.

(h)Where required by the Town, and as indicated on an approved development plan, a drainage right-of-way easement shall be provided to the Town
Draft PRD & PRD-P Ordinance – May 5, 2010 Page 13

where a tract or lot is traversed by a system, channel or stream. The drainage right-of-way easement shall follow the lines of such watercourse and be of sufficient width and alignment to encompass the area of the water course and adjoining floodplain area. The drainage right-of-way easement shall conform substantially with the lines of such watercourse and, in any event, shall meet any minimum widths and locations as shown on the Official Map and/or Master Plan.

(i)All references herein to ACE Manual No. 37, latest edition, shall mean American Society of Civil Engineers Manual on Engineering Practice No. 37, entitled "Design and Construction of Sanitary and Storm Sewers," latest edition.

(j)(e) All developments shall further comply with the Floodplain Ordinance of the Town of Clinton, as amended and supplemented," and all applicable state and federal regulations.

COMMENT – These sections are regulated by the State or elsewhere in the Town's ordinances.

(2) Lighting.

(a) Streetlighting shall be provided at all street intersections and along all collector and local streets, parking areas and anywhere else deemed necessary for safety reasons.

(b) Any outdoor lighting such as building and sidewalk illumination, driveways with no adjacent parking, the lighting of signs, and ornamental lighting, shall be shown on the lighting plan in sufficient detail to allow a determination of the effects upon adjacent properties, roads and traffic safety from glare, reflection and overhead sky glow in order to recommend steps needed to minimize these impacts.

(c) The average intensity of lighting permitted on roadways shall be as follows: 0.2 footcandle along local streets, 2.0 footcandles at local street

intersections, 0.4 footcandle along collector streets and 3.0 footcandles at any intersection involving a collector street.

(d) Parking lot lighting levels shall not exceed 1.0 footcandles.

(e) Lighting levels at the tract boundary shall not exceed 0.1 footcandles.

(f) Light fixtures shall include full cutoff luminaries and metal halide lights.

COMMENT – These amendments will improve the lighting in the development and will reduce light pollution.

(3) Sanitary sewers. The developer shall design and construct sewage collection facilities in accordance with applicable requirements and in such a manner as to make adequate sewage treatment available to each lot and building within the development from said treatment and collection system. The developer shall
Draft PRD & PRD-P Ordinance – May 5, 2010 Page 14

provide the Planning Board with a copy of the agreement with the sewer department.

(4) Streets.

(a) All developments shall be served by paved streets in accordance with the approved subdivision and/or site plan, and all such streets shall have adequate drainage.

(b) Local streets shall be planned so as to discourage through traffic.

(c) All streets within the development shall be designed in accordance with New Jersey Department of Transportation's Standard Specifications for Road and Bridge Construction, 1983, as amended, together with the construction standards of the Town of Clinton, on file with the Town Engineer and Town Public Works/Business Administrator, and the Schedule of Street Design."

(d) Intersections.

[1] Intersections shall be designed in accordance with the following criteria:

Criteria Dimensions

Approach speed (miles per hour) 25

Clear sight distance (length along center line of each approach leg) (feet)

90

Vertical alignment within 50 feet of intersecting curblines or pavement edge

Maximum (percent) 3.0

Minimum (percent) 0.5

Angle of intersection (degrees)

Minimum 75

Preferred 90

Minimum curb cut radius

Local – local 25

Local – collector 25

Collector – arterial 30

Minimum centerline offset of adjacent intersection (feet)

Local – local 125

Local – collector 150

Collector – collector 200

Minimum tangent length approaching intersection (feet)

50

[2]All intersections shall be curbed. If the street is not curbed (local street), then curbing within the intersection shall be offset one foot outside the edge of pavement of the approaches, and curbing shall extend 10 feet beyond the point of curvature of the curb return. The pavement width at the intersection shall be a minimum of 28 feet between curbs or the width of the street, if greater; where an approaching street has a pavement width narrower than 28 feet, a pavement transition of 25 feet in length shall be provided from the wider pavement at the intersection to the narrower pavement beyond the end of the curb.

(e)Pavement specifications shall be as follows:

Class of Street Surface Course Base Course Subbase

Local 2-inch bituminous

concrete surface,

course, Mix I-5

4 inch bituminous

stabilized base course,

Mix I-2

Type 5, Class A soil

aggregate, if and

where required

Collector 2-inch bituminous

concrete surface,

course, Mix I-5

4 inch bituminous

stabilized base course,

Mix I-2

Type 5, Class A soil

aggregate, if and

where required

COMMENT – These items are now regulated by the State or elsewhere in the Town’s ordinances.

(5) Sight triangles. Sight triangle easements shall be dedicated to the Town. No grading, planting or structure shall be erected or maintained more than 24-inches or less than 120 inches above the center-line grade of the intersecting street so that an unobstructed view of the street is maintained. Traffic control devices and other man-made or natural objects may remain within the sight triangle if it can be demonstrated that they do not obstruct the view of oncoming traffic.

(6) Sidewalks. Sidewalks shall be installed **in locations determined by the Board to be in the interest of public safety and proper pedestrian circulation along one or**

Draft PRD & PRD-P Ordinance – May 5, 2010 Page 16

more sides of all public streets and interior drives. Sidewalks need not follow all streets and in some instances may better follow open space corridors. The determination of whether sidewalks are needed and where they are best located shall be based on public safety considering the intensity of development the probable volume of pedestrian traffic, the adjoining street classification (where sidewalks parallel streets), access to school bus stops, recreation areas and the general type of improvement intended.

(7) Water supply.

(a) Water mains shall be constructed in such a manner as to make adequate

water service available to each lot and building within the development. The system shall be designed and constructed in accordance with applicable requirements. Prior to the grant of the preliminary approval, the applicant shall provide the Board with a copy of a letter from the water company indicating that the project will be serviced with public water.

(b) Fire hydrants of a type and, number and in locations shall be approved by the Public Works/Business Administrator with the advice of the chief of the Clinton Fire Company, and shall be installed by the developer.

I.H. Multifamily residential development area requirements.

(1) No building or group of attached buildings shall contain more than 24 dwelling units.

(2) No building shall exceed a length of 220 feet.

(3) Each dwelling unit shall have at least two exterior exposures with at least one window in each exposure; alternatively, each dwelling unit shall be designed in conformance with the Uniform Construction Code such that either 8% of the floor area of all habitable rooms shall be in windows or the maximum depth of the unit shall not exceed 22 feet.

(4) No room within a dwelling unit intended for human habitation shall be located in a cellar, basement or attic, except that a cellar or basement may contain a family room or recreation room.

(5) Accessory buildings shall meet the property line setbacks of the principal buildings.

(6) The maximum height of an accessory building shall be 16 feet. Recreational buildings and facilities shall be governed by the height limitations for principal buildings.

(7) Garages may be built into the principal structure or separately constructed as hereinafter provided. Each garage space shall be at least 10 feet in width and 20 feet in depth. Each group of attached garages shall have a joint capacity of not more than 12 automobiles arranged in a row, and there shall be a minimum distance of 10 feet between structures.

(8) Exterior television antennas shall be limited to one master antenna per building.

Draft PRD & PRD-P Ordinance – May 5, 2010 Page 17

(9)(8) Laundry facilities may be provided in each building. Outside clothes drying is prohibited.

(10)(9) One or more completely enclosed but unroofed structure for the collection and storage of solid waste and recycling shall be provided. The system of collecting and storing solid waste shall be approved by the Board of Health. No garbage or other refuse shall be stored or collected except in such approved structures.

(11)(10) In addition to any storage area contained within the dwelling unit, a minimum of

150 cubic feet of storage space shall be provided for each dwelling unit, which storage area shall be convenient to and accessible from the outside of the building for purposes of storing bicycles, perambulators and similar outside equipment.

(12)(11) Screening and fencing shall be provided as needed to shield parking areas and other common facilities from the view of adjoining properties and streets.

(12) Provisions shall be made for the preservation of existing trees and natural features to the extent possible.

(13) All disturbed areas shall be landscaped. Landscaping shall be provided as follows:

(a) Shade trees shall be planted along all public and private streets, drives

and in common parking areas. Such trees shall be **1 1/2 to two inches 2 1/2 to 3 inches** in caliper at time of planting and shall be planted **a minimum of 50 30** feet on center along both sides of all streets and common parking areas. The Planning Board shall approve the choice of plantings and, in so doing, may rely upon the recommendations of the Shade Tree Commission.

(b) Trees shall be planted between the sidewalk and the cartway of all public streets. Such trees shall comply with the planting standards above.

(b)(c) Common areas and yards shall be planted with: one conifer, six to eight feet high at time of planting, for each dwelling unit; one deciduous tree, **2 1/2 to 3 inches 1 1/2 to two inches** in caliper, for each two dwelling units; and 10 shrubs, **15 to 18 24 to 30** inches high at time of planting, for each dwelling unit.

(c)(d) Buffer areas shall be left in a natural state wherever they are outside the limits of disturbance; otherwise, buffer areas shall be planted with conifers, **six seven** to eight feet high at time of planting, **eight ten** feet on center.

(d)(e) All plantings shall be of nursery stock, balled and burlapped, and shall be healthy and free of disease.

COMMENT – These changes will improve the planting plan and other aspects of the development.

2. Inconsistency. All ordinances or parts of ordinances inconsistent with this Ordinance

are hereby repealed to the extent of such inconsistency.

Draft PRD & PRD-P Ordinance – May 5, 2010 *Page 18*

3. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, section, paragraph, sentence or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

4. Effective Date. This ordinance shall take effect immediately upon final passage and publication thereof according to law.

Vote all ayes
Motion carried

A notice will be published in the Hunterdon Review edition of May 19, 2010. A public hearing is scheduled for June 8, 2010.

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

RESOLUTION #84-10 – ENDORSEMENT OF HOUSING PLAN & SUBMISSION TO COAH

A motion was made by Mr. Shea, seconded by Mrs. Valenta, to adopt Resolution #84-10 endorsing the Housing Element and Fair Share Plan of the Town of Clinton as submitted.

Vote all ayes
Motion carried

Resolution 84-10
Governing Body Resolution Endorsing the Housing Element and Fair Share Plan
Town of Clinton, Hunterdon County, New Jersey

WHEREAS, the Planning Board of Town of Clinton, Hunterdon County, State of New Jersey, adopted the Housing Element of the Master Plan on May 4, 2010; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on May 4, 2010; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Town of Clinton, Hunterdon County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Town of Clinton Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of the Town of Clinton, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this Housing Element and Fair Share Plan to the Council on Affordable Housing as a petition for substantive certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Clinton Town municipal clerk's office located at 43 Leigh Street, during the hours of 8:30am to 4:30pm on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

RESOLUTION #85-10 – REVISED DEVELOPMENT FEE ORDINANCE

A motion was made by Mrs. Insel, seconded by Mr. Shea, to adopt Resolution #85-10 requesting approval of draft Development Fee Ordinance for the Town of Clinton which will increase the fees from developers consistent with COAH rules.

Vote all ayes
Motion carried

Resolution 85-10

Governing Body Resolution Requesting Approval of Draft Development Fee Ordinance
Clinton Town, Hunterdon County, New Jersey

WHEREAS, the Governing Body of Clinton Town, Hunterdon County will petition the Council on Affordable Housing for substantive certification; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

1. A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d) ;
2. A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
3. A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d) ;
4. A description of collection procedures per N.J.A.C. 5:97-8.3(f);
5. A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
6. A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, Clinton Town has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW THEREFORE BE IT RESOLVED that the Governing Body of Clinton Town, Hunterdon County requests that COAH review and approve Clinton Town's development fee ordinance.

RESOLUTION #86-10 – SPENDING PLAN

A motion was made by Mr. Pendergast, seconded by Mr. Pender, to adopt Resolution #86-10 which outlines a spending plan that Towns must establish prior to spending any of the funds in its housing trust fund created with fees received from developers. Towns must produce a projection of revenues anticipated to receive and spend.

Vote all ayes
Motion carried

Resolution 86-10
Governing Body Resolution Requesting Approval of Spending Plan
Clinton Town, Hunterdon County, New Jersey

WHEREAS, the Governing Body of Clinton Town, Hunterdon County will petition the Council on Affordable Housing for substantive certification; and

WHEREAS, Clinton Town will request approval from COAH of its development fee ordinance; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds and/or proceeds from the sale of affordable units;

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

7. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
8. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
9. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
10. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
11. A schedule for the expenditure of all affordable housing trust funds;
12. If applicable, a schedule for the creation or rehabilitation of housing units;
13. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and

14. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
15. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;
16. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
17. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, Clinton Town has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW THEREFORE BE IT RESOLVED that the Governing Body of Clinton Town, Hunterdon County requests that COAH review and approve Clinton Town's spending plan.

RESOLUTION #87-10 – BOND IN CASE OF SHORTFALL

A motion was made by Mrs. Valenta, seconded by Mr. Shea, to adopt Resolution #87-10 which states that the Governing Body of the Town of Clinton will agree to fund any shortfalls in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason.

Vote all ayes
Motion carried

**Resolution 87-10
Governing Body Resolution of Intent to Bond In Case of Shortfall
Clinton Town, Hunterdon County, New Jersey**

WHEREAS, Clinton Town, Hunterdon County, has petitioned the Council on Affordable Housing with its adopted Third Round housing element and fair share plan for substantive certification; and

WHEREAS, Clinton Town may be required to allocate funds for the accessory apartment program; and

WHEREAS, Clinton Town anticipates that funding will come from the following sources to satisfy said obligation: sources including, but not limited to, the Town's affordable housing trust fund – development fees and in-lieu payments; and governmental sources such as the Federal Low Income Housing Tax Credits, New Jersey Balanced Housing funds, HUD funding, Federal Home Loan Bank Board financing, HMFA bond financing, Small Cities funds, etc.; and

WHEREAS, in the event that the above funding sources prove inadequate to meet Clinton Town's funding obligation, Clinton Town shall provide sufficient funding to address any shortfalls.

NOW THEREFORE BE IT RESOLVED by the governing body of Clinton Town, Hunterdon County, State of New Jersey, that the governing body does hereby agree to fund any shortfalls in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED that said shortfall shall be funded by bonding if there are no other resources.

RESOLUTION #75-10 – CERTIFICATION OF ANNUAL AUDIT

The 2009 Annual Audit has been completed by Warren Korecky, R.M.A. of Suplee, Clooney & Company. Copies were distributed to the Mayor and Council for their review. No recommendations were listed. A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to adopt Resolution #75-10 which states that the Mayor and Council have reviewed the Annual Audit and have confirmed same by signing the Group Affidavit.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

RESOLUTION #76-10 – INTENT TO REIMBURSE EXPENDITURES

A motion was made by Mrs. Insel, seconded by Mr. Pender, to adopt Resolution #76-10 which declares the official intent of the Town of Clinton to reimburse expenditures for project costs from proceeds of debt obligation in connection with the Town's participation in the 2010 New Jersey Environmental Infrastructure Trust Financing Program (NJEIT) in connection with the not exceeding \$1,500,000 General Improvement Bond, Series 2010.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #77-10 – PARTICIPATION IN THE NJEIT

A motion was made by Mr. Pender, seconded by Mr. Pendergast, to adopt Resolution #77-10 stating that the Town of Clinton is interested in participating in the 2010 New Jersey Environmental Infrastructure Trust Financing Program.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #78-10 – SET UP ESCROW AGREEMENT

A motion was made by Mr. Pendergast, seconded by Mr. Pender, to adopt Resolution #78-10 which authorizes the Town to set up an escrow agreement to be entered into by and among the Trust, the State and the Town.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #79-10 – APPLICATION TO THE LOCAL FINANCE BOARD

A motion was made by Mrs. Insel, seconded by Mr. Shea, to adopt Resolution #79-10 which supports the submission of application to the Local Finance Board.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #80-10 – SPOUSE OF DISABLED VETERAN

A motion was made by Mr. Pendergast, seconded by Mr. Shea, to adopt Resolution #80-10 authorizing the Tax Assessor to change the status of a property as tax exempt.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #81-10 – OVERPAYMENT OF TAXES

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, authorizing the Tax Collector to remove the overpayment of taxes as submitted.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #82-10 – SCHOOL BUDGET REDUCTION – CLINTON PUBLIC SCHOOL

The Mayor and Councilman Pender attended the School Board meeting with representatives from Glen Gardner. Additional cuts were made to the budget in the amount of \$42,500 for Employee Health Benefits due to the cut in staff and a change in carrier. Cuts were made by eliminating one (1) administrator, two (2) instructors and one (1) food service employee. Enrollment has also dropped, so with the cuts, an efficient education will remain. A motion was made by Mr. Pender,

seconded by Mr. Shea, to adopt Resolution #82-10 as submitted with the reduction in the Clinton-Glen Gardner 2010-2011 budget.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

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

Doris Soden, 28 Pond Ridge, asked if these figures will be in the newspaper? Walter Hetzel, 36 West Main Street, said the reductions are listed on the on-line news. Discussion continued briefly as to cuts and the budget.

RESOLUTION #83-10 – NORTH HUNTERDON-VOORHEES BUDGET REDUCTION

Mayor Schaumburg attended the meeting with 12 Mayors of the sending district. The Board originally cut \$3,000,000.00 from last years budget The proposed budget was defeated on April 20 and also the ballot question. Unfortunately, having the ballot question defeated, a grant that would cover 60/40, cannot not be used. It would have had to be used by the end of June, 2010. An additional \$406,000 was cut and agreed to as presented in Resolution #83-10. A motion was made by Mr. Pendergast, seconded by Mr. Pender, to adopt Resolution #83-10 as presented.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

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

PUBLIC HEARING OF ORDINANCE #10-06 – BOND ORDINANCE FOR IMPROVEMENTS

A motion was made by Mrs. Insel, seconded by Mr. Pendergast, to open the public hearing of Bond Ordinance #10-06:

ORDINANCE #10-06
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO
GEBHARDT FIELD AND RACHEL COURT
IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW
JERSEY, APPROPRIATING \$295,000 THEREFORE AND AUTHORIZING THE ISSUANCE
OF \$105,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST
THEREOF

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mrs. Insel, seconded by Mr. Pendergast, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mrs. Valenta, to adopt Ordinance #10-06 on second reading.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

WATER REFUND

A water refund has been requested by Water Collector, Nancy Burgess, for Tom Giovanucci, Account Number 3922 in the amount of \$22.31. A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to refund the amount as requested.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

SPECIAL EVENT AND BANNER REQUEST

A motion was made by Mr. Pender, seconded by Mr. Pendergast, to approve the special event application and banner request for the ARC of Hunterdon for the "Step Up for the Arc Walk" on Sunday, October 17, 2010 from 7 am to 5 pm. The banner will be displayed from October 1 through October 18, 2010.

Vote all ayes
Motion carried

CORRESPONDENCE

1. An application has been received for the NJ State Firemen's Association. Curtiss Cavitt has completed the process and the Physical. A motion was made by Mr. Shea, seconded by Mrs. Insel, to approve the request as submitted.

Vote all ayes
Motion carried

2. Boy Scouts Troop 121 is requesting a waiving of the Fire Safety Permit in the amount \$42.00 for the Centennial Celebration at the Red Mill. A motion was made by Mr. Pendergast, seconded by Mrs. Valenta to approve the request.

ROLL CALL: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

3. A letter received from Vincent Cardarelli, of Pine Ridge Homeowners' Association, addressed to Mr. Cutter to acknowledge all the help he has given to the association over the years.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Councilman Pendergast

1. Rescue Squad – Clinton First Aid and Rescue Squad reported 166 calls for the month of April and gained 23 new members over the last four months. Basketball game / fund raiser held at Clinton Township School raised \$800.00. Following surgery, Michelle Harrison returned to the hospital with a post operative infection.

2. Sewer meeting, May 18, 2010 at the Treatment Plant.

Councilman Pender

1. Troop 121 held their Centennial Celebration on May 1, 2010. There was a nice turn out, but they plan to advertise a little earlier next year. The general public was invited to see the Scouts in action, demonstrating modern-day Scout skills, games, gear and activities.

2. Personnel Meeting will held on Friday, May 26, 2010 at 10:00 a.m.

3. The Annual Pete Pender Fishing Derby was held April 24, 2010 at DeMott Pond. Attendance was down, but the weather was good. A good time was had.

Councilwoman Insel

1. Attended the County Open Space meeting and the grant application for the Town was approved unanimously!! It will be presented on June 8, 2010 at the Freeholders meeting!

Councilman Shea

1. Board of Recreation held the Annual Senior Luncheon on May 2, 2010. Everyone had a good time, 48 seniors attended.
2. Roads Committee met with interested landlords on Friday, May 7, 2010 regarding the sidewalk paver project. Addressed concerns and questions of landlords.
3. Shade Tree held the annual Arbor Day Celebration at Hunts Mill Park with the 3rd graders. Planted Opal the Oak next to Teddy the Tree!

Councilwoman Valenta

1. Grants Committee – received \$44,000 for the Union Road Pavement project.
2. Clinton Guild – held their Pansy Festival, it was a perfect day! People love the benches on Main Street. The birdhouse contest was also a success!

Kathy Olsen - CFO

1. Notification has been received from the Division of Local Government Services. Municipalities may not be able to adopt budgets as scheduled but may hold the public hearing. There will be no need to re-advertise. Municipalities will be further notified when the State passes their budget and municipalities can move ahead.

Robert A. Cutter, PW/Business Administrator

1. Municipal Auction scheduled for May 13, 2010 at 10:00 a.m.
2. The Town implemented the email notification program. 95 residents were notified of the water main repair on Beaver Avenue. It worked very well. Another message will be placed in the Newsletter asking interested parties to send in their email addresses to be included on the notification list.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Pender, seconded by Mrs. Insel, to approve the standby and overtime pay as submitted for April 16, 2010, through April 29, 2010.

ROLL CALL: Ayes: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

ROLL CALL: Ayes: Insel, Pender, Pendergast, Shea, Valenta, Mayor Schaumburg

Regular Council Meeting
May 11, 2010

Vote all ayes
Motion carried

RESOLUTION #88 -10 – EXECUTIVE SESSION – Collective Bargaining

A motion was made by Mrs. Valenta, seconded by Mrs. Insel, to enter into Executive Session to discuss matters of Collective Bargaining 8:33 P.M.

Vote all ayes
Motion carried

A motion was made by Mr. Shea, seconded by Mrs. Valenta to return to the Regular Council Meeting at 8:45 P.M.

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mrs. Insel seconded by Mr. Pendergast to adjourn the meeting at 8:48 P.M.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Christine Schaumburg