

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

Flag Salute.

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

Lorraine Staples, Esq., of Gebhardt & Keifer, attended this evening's meeting.

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 Mrs. Insel, to accept the minutes of September 8, and September 22, 2009 as submitted.

Vote all ayes
1 Abstention – Duffy, minutes of September 8, 2009
Motion carried

MONTHLY REPORTS – SEPTEMBER

A motion was made by Mr. Duffy, seconded by Mr. Shea, to accept the monthly reports for the month of September as submitted:

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

Vote all ayes
Motion carried

PUBLIC COMMENT

MAYOR'S COMMENTS

1. Mayor Schaumburg read the memo from Police Chief Matheis requesting a replacement for crossing guard, Alana Staszkeski, who has accepted a full-time job beginning October 19, 2009. Chief Matheis submitted Victoria Flegg, of Goosetown Road, for a Substitute Guard position at the rate of pay set by Ordinance. A motion was made by Mr. Pendergast, seconded by Mrs. Valenta, to hire Ms. Flegg as requested.

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

Vote all ayes
Motion carried

PUBLIC HEARING – ORDINANCE 09-14 – OVERNIGHT PARKING

A motion was made by Mr. Shea, seconded by Mr. Pendergast, to open the public hearing on Ordinance #09-14:

ORDINANCE #09-14

AN ORDINANCE AMENDING CHAPTER 135 OF THE CODE OF THE TOWN OF CLINTON TO PROHIBIT OVERNIGHT PARKING ON SNOW COVERED ROADS

Vote all ayes
Motion carried

Anthony Kearns, 108 Center Street, asked if the overnight parking regulations applied town wide? Mayor Schaumburg stated yes, they are.

There being no further questions, a motion was made by Mr. Pendergast, seconded by Mr. Duffy, to close the public portion of the hearing.

Vote all ayes
Motion carried

A motion was made by Mr. Duffy, seconded by Mrs. Valenta, to adopt Ordinance #09-14 on second reading as submitted.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #09-15 – AMENDMENTS TO SIGN ORDINANCE

Attorney Lorraine Staples discussed the changes to the Sign Ordinance regarding all zones and the prohibition of billboards, and provides standards for the zoning officer to issue permits.

A motion was made by Mrs. Insel, seconded by Mr. Duffy, to open the public hearing of Ordinance #09-15:

ORDINANCE #09-15

AN ORDINANCE OF THE TOWN OF CLINTON AMENDING SECTION 88 OF THE LAND USE CODE OF THE TOWN OF CLINTON

Vote all ayes
Motion carried

Anthony Kearns, 108 Center Street, spoke on behalf of himself and Immaculate Conception Parish Festival. Mr. Kearns gave a well thought, reasonable and clear explanation of the demographics that make up an area such as Clinton. He explained that although the current sign ordinance permits advertising Town events, many of the Town residents belong to churches and other organizations outside of the Town. He asked Council to consider permitting signs advertising events for all of Hunterdon County. Mr. Kearns understands Council's goal with signs but fears what may happen years down the road when new council members come along. Joann Connell, 18 Messig Road, asked about freedom of expression signs and asked that non profits special events be included. Mayor Schaumburg stated that the ordinance is being amended to include such events. Another amendment will be to permit commercial contractors to display a sign when doing work at a residence with a time limit to remove following completion of the job. Lorraine Staples will review and make the amendments as requested. Once the review has been made, a time limit will be included. Discussion among Council as to pass the ordinance as is and follow up with changes took place. It was decided to pass the ordinance on second reading as is and make amendments at a subsequent meeting. Additional comments were made by the audience. Whitney Wetherill, 36 West Main Street, suggested passing the ordinance this evening and making changes later. Frank Gallagher, Planning Board chair, also suggested moving forward this evening, as well as Joann Connell and Walter Hetzel.

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Pender, to adopt Ordinance 09-15 on second reading as submitted, and authorized the Attorney to review and make amendments following the advice of the Mayor, Council, Zoning Officer and Code Enforcement Official.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #09- 17 – ACTING ADMINISTRATOR

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to adopt Ordinance #09-17 on first reading as submitted:

ORDINANCE # 09-17
AN ORDINANCE OF THE CODE OF THE TOWN OF CLINTON
AMENDING SECTION 4-8 TO CLARIFY THE PROCEDURE FOR APPOINTMENT
OF AN ACTING PUBLIC WORKS/BUSINESS ADMINISTRATOR

Vote all ayes
Motion carried

A notice of this Ordinance will be published in the October 21, 2009 edition of the Hunterdon Review. A public hearing will be held November 24, 2009.

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

INTRODUCTION OF ORDINANCE #09-18 – ANCHORING DUMPSTERS

Mr. Cutter explained the need to have dumpsters secured in the flood areas where they can be easily moved by flood waters causing a public hazard.

A motion was made by Mrs. Valenta, seconded by Mr. Shea, to adopt Ordinance 09-18 on first reading as submitted:

ORDINANCE #09-18
AN ORDINANCE REQUIRING LICENSES FOR ABOVE-GROUND FUEL STORAGE
TANKS AND DUMPSTERS LOCATED IN AREAS OF SPECIAL FLOOD HAZARD

Vote all ayes
Motion carried

A notice of this Ordinance will be published in the October 21, 2009 edition of the Hunterdon Review. A public hearing will be held November 24, 2009.

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

INTRODUCTION OF ORDINANCE #09-19 – AMENDMENT TO CHAPTER 45

A motion was made by Mr. Pender, seconded by Mr. Pendergast, to adopt Ordinance #09-19 on first reading as submitted:

ORDINANCE 09-19
AN ORDINANCE OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, TO AMEND CHAPTER 45
BRUSH, GRASS AND WEEDS

Vote all ayes
Motion carried

A notice of this Ordinance will be published in the October 21, 2009 edition of the Hunterdon Review. A public hearing will be held November 24, 2009.

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

CLINTON FIRE DEPARTMENT PARKING LEASE

Mr. Cutter discussed the renewal with Bill Wintermute from the Clinton Fire Department. The parking lease will expire the end of October. All original arrangements were agreed upon. A motion was made by Mrs. Insel, seconded by Mr. Duffy, authorizing the Mayor to sign the agreement with the Clinton Fire Department.

Vote all ayes
Motion carried

RESOLUTION #110-09 – CLINTON FIRE DEPARTMENT LIQUOR LICENSE CEASES

A motion was made by Mr. Duffy, seconded by Mr. Shea, to adopt Resolution #110-09, the Clinton Fire Department Liquor License ceases to exist.

Vote all ayes
Motion carried

RESOLUTION #111-09 – INTENTION TO REVISE MASTER PLAN – HIGHLANDS

As a follow up to Council's last meeting, and the results of the Planning Board's meeting of October 6, Council briefly discussed the pros and cons of opting into the Highlands Master Plan. It was decided that Council would opt into the Highlands Master Plan at this time following the recommendation of the Planning Board. Some comments were received from the audience, Walter Hetzel, Planning Board member, saying opting in with the Highlands can protect the Town from builder's remedy suits. Whitney Wetherill, Board of Adjustment member, 36 West Main Street, said she attended the Planning Board meeting and Planner, Carl Hintz, said it would be easier to opt in now and, if necessary, withdraw later. Mayor Schaumburg stated it is beneficial to have the safety and legal protection in case of builder's remedy law suits, and Mr. Shea stated that although "home rule" may be compromised, it is the safe track to take. Attorney Walter Wilson, asked Council to consider large plots of available buildable space and wait for the next round of COAH. He said that the protection the Town would get is defense but not indemnification.

A motion was made by Mr. Duffy, seconded by Mr. Pender, to adopt Resolution #111-09 stating the Town of Clinton's intention to revise its master plan and development regulations for Plan Conformance to the Highlands Council for the portion of jurisdiction lying within the Planning Area in accordance with the Highlands Act, the Regional Master Plan and the Highlands Plan Conformance Guidelines.

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

Vote all ayes
Motion carried

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

FEE WAIVER REQUEST – GIRL SCOUTS

A motion was made by Mrs. Valenta, seconded by Mr. Duffy, to approve the request of the Clinton/Glen Gardner Girl Scouts Halloween Dance fire safety permit fee in the amount of \$42.00.

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

Vote all ayes
Motion carried

SPECIAL EVENT APPLICATION – ANNUAL CHRISTMAS PARADE

Council is in receipt of the Annual Christmas Parade application to be held December 4, 2009 sponsored by the Clinton Guild. Dan Torrone, “Doctor D”, attended this evening’s meeting to promote the parade and answer any questions. All arrangements are the same as previous parades. A motion was made by Mrs. Insel, seconded by Mr. Pender, to approve the request as submitted.

Vote all ayes
Motion carried

RAFFLE APPLICATION – CLINTON PUBLIC SCHOOL PTA

An application has been received from the Clinton Public School PTA to hold a raffle on November 17, 2009. A motion was made by Mrs. Insel, seconded by Mrs. Valenta, to grant the request.

Vote all ayes
Motion carried

CORRESPONDENCE

None

REPORTS FROM COUNCIL & TOWN OFFICIALS

Robert A. Cutter, PW/Business Administrator

1. The last chipping day will be Wednesday, October 21, followed by leaf pick up beginning October 28, 2009.

Councilwoman Valenta

1. Rescue Squad - Four new members have joined the Squad. Several H1N1 clinics are being arranged, notification will be sent out.

Councilman Pendergast

1. SWAC – Next Hazardous Waste Clean Up November 14, 2009 on Route 12 County Complex. Mr. Cutter said anyone looking to dispose of electronics can take them to Best Buy. They Charge \$10 but will give you a gift card for \$10.00.

2. Recycling grants being sent out. \$3,500 grant coming to the town to purchase items such as trash cans, recycling cans, etc.

Councilman Pender

1. Casino Night was held October 9, 2009 at Beaver Brook. It was a huge success!

Councilwoman Insel

1. Patriot's Point, located at the point in front of the Clinton House along Old 22, was adopted by the Clinton Business Group. The Group has trimmed and planted over the past couple years, and recently, directional signs were consolidated by the Public Works Department eliminating unnecessary poles.

Councilman Shea

1. The Board of Recreation is meeting October 22, 2009, Mr. Cutter will be attending to update the Committee on the renovation design of the grandstand.
2. Roads – Moving ahead with the streetscape on Main Street. Dora's new entrance and sidewalk is beautiful. Merchants on Main Street are admiring the new sidewalk and have inquired about following in the design. Notices will be sent out to shop owners as to how to proceed.

Councilman Duffy

1. Fire Department – October is Fire Prevention Month, programs have been held at Clinton Public School. Halloween Open House will be held from 5 – 9 pm on October 31, 2009.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Pendergast, seconded by Mr. Duffy to approve the standby and overtime pay as submitted for September 18 through October 1, 2009.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

RESOLUTION 112-09 - EXECUTIVE SESSION

A motion was made by Mr. Pendergast, seconded by Mr. Duffy, to enter into Executive Session at 8:55 p.m. to discuss a matter of Contract Negotiations

Vote all ayes
Motion carried

A motion was made by Mr. Shea, seconded by Mr. Pender, to come out of Executive Session and return to the regular meeting in order to adjourn at 9:27 p.m.

Vote all ayes
Motion carried

RESOLUTION # 113-09 - AMENDMENT TO INTERLOCAL SERVICES AGREEMENT

A motion was made by Mrs. Valenta, seconded by Mr. Pendergast, to adopt Resolution #113-09, authorizing the amendment to the Interlocal Services Agreement for the Municipal Court of North Hunterdon to be effective January 1, 2010.

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

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 9:30 p.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC

Mayor Christine Schaumburg