

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

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 approve the minutes of October 27, 2009 as submitted.

Vote all ayes
1 Abstention (Shea)
Motion carried

A motion was made by Mr. Pender, seconded by Mrs. Insel, to approve the minutes of the Special Council Meeting of November 6, 2009 as submitted.

Vote all ayes
2 Abstentions (Shea, Valenta)
Motion carried

APPROVAL OF MONTHLY REPORTS

Buildings and Grounds Foreman’s Report , Road Foreman’s Report for November; Treasurer’s Report and Wastewater Treatment Plant Superintendent’s Report for October.

Vote all ayes
Motion carried

PUBLIC COMMENT

Former Mayor, Allie McGaheran, expressed her gratitude to Council for the honor of naming the newly paved alley way “Allie’s Way”! Mayor McGaheran commented on the attractive enclave and the safety it provides to patrons. Rest assured “when the family comes to Town for Thanksgiving dinner, we’ll be marching to see Allie’s Way!!”

Mr. Hetzel commented on the new light in the alley and said it looks great!!

MAYOR’S COMMENTS

Mayor Schaumburg commented on the League of Municipalities which all Council members and department heads attended November 17 through the 19th. “Divided and conquered” everyone learned something and brought back information to share.

RESOLUTION #118-09 – OPEN SPACE TRUST FUNDS

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to adopt Resolution #118-09 asking the County to reserve the Town’s share of Open Space funds in the amount of \$20,012.84.

Vote all ayes
Motion carried

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

RESOLUTION #119-09 – CHAPTER 159

A motion was made by Mr. Pendergast, seconded by Mrs. Valenta, to adopt Resolution #119-09 to insert as an item of revenue, \$3,500 from the State of New Jersey Recycling Tonnage Grant.

Vote all ayes
Motion carried

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

RESOLUTION #120-09 – REFUND OF OVERPAYMENTS

A motion was made by Mrs. Insel, seconded by Mr. Pender, to adopt Resolution #120-09 authorizing the Chief Financial Officer to refund overpayment of taxes as requested.

Vote all ayes
Motion carried

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

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

RESOLUTION #121-09 – TRANSFER OF FUNDS

A motion was made by Mr. Shea, seconded by Mr. Pendergast, to adopt Resolution #121-09 authorizing the transfer of funds as requested.

Vote all ayes
Motion carried

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

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

PUBLIC HEARING OF ORDINANCE 09-17 – ACTING PUBLIC WORKS/BUSINESS ADMINISTRATOR

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to open the public hearing on Ordinance #09-17:

ORDINANCE 09-17

AN ORDINANCE AMENDING SECTION 4-8 TO CLARIFY THE PROCEDURE FOR APPOINTMENT OF AN ACTING PUBLIC WORKS/BUSINESS ADMINISTRATOR

Vote all ayes
Motion carried

There being no public comment, 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. Pender, seconded by Mr. Pendergast, to adopt Ordinance #09-17 on second reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #09-18 – FUEL TANKS AND DUMPSTERS

Mr. Cutter explained that this ordinance is a requirement under Stormwater Regulations. Notices will be sent to all business owners and garbage haulers. A motion was made by Mr. Pendergast, seconded by Mrs. Valenta to open the public hearing:

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

Vote all ayes
Motion carried

There being no public comment, 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. Duffy, seconded by Mrs. Insel, to adopt ordinance #09-18 on second reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #09-19 – BRUSH, GRASS, AND WEEDS

A motion was made by Mr. Pendergast, seconded by Mrs. Insel to open the public hearing:

ORDINANCE #09-19
AN ORDINANCE AMENDING CHAPTER 45
BRUSH, GRASS, WEEDS

Vote all ayes
Motion carried

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

Vote all ayes
Motion carried

A motion was made by Mrs. Valenta, seconded by Mr. Pender, to adopt ordinance #09-19 on second reading.

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

Vote all ayes
Motion carried

**PUBLIC HEARING OF ORDINANCE #09-20 – PRIVATE STORM DRAIN INLET
RETROFITTING**

Mr. Cutter explained that according to Stormwater Regulations, this ordinance must be adopted by the Town to protect public health, safety and welfare.

A motion was made by Mr. Pendergast, seconded by Mr. Duffy, to adopt Ordinance #09-20 on first reading as submitted:

ORDINANCE # 09-20
PRIVATE STORM DRAIN INLET RETROFITTING ORDINANCE

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. Duffy, seconded by Mr. Pendergast, to adopt ordinance #09-20 on second reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #09-21 – REFUSE CONTAINERS / DUMPSTERS

Mr. Cutter explained that this ordinance is also mandated by the State of New Jersey, to assure that dumpsters and refuse containers that are kept outdoors or exposed to stormwater be covered at all times to prohibit spilling, dumping, leaking or discharge of liquids to the municipal storm sewer systems. Mr. Cutter is the local enforcing agent.

A motion was made by Mr. Duffy, seconded by Mr. Pendergast, to open the public hearing of Ordinance #09-21:

ORDINANCE #09-21
REFUSE CONTAINERS / DUMPSTERS

Vote all ayes
Motion carried

Walter Hetzel, Main Street, said that it may be difficult for shop owners to chain dumpsters but suggested to possibly corral them. Mr. Pendergast suggested a hook to secure them. Mayor Schaumburg asked Mrs. Insel to pass the suggestion on to the Planning Board to address these issues during site plan stages. Mrs. Insel informed the Mayor and Council that the Planning Board is working on such measures.

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

Vote all ayes
Motion carried

A motion was made by Mrs. Valenta, seconded by Mr. Pender, to adopt Ordinance #09-21 on second reading.

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

Vote all ayes
Motion carried

ORDINANCE #09-22 – AMENDING THE ORDINANCE CREATING THE MUNICIPAL COURT - WITHDRAWN

Mayor Schaumburg explained that two municipalities have left the court, the Borough of Hampton and the Township of Tewksbury prompting the amending of the ordinance. As recent as last week, the Borough of Lebanon has also withdrawn from the court, the ordinance will have to be further amended causing Ordinance 09-22 to be withdrawn.

PUBLIC HEARING OF ORDINANCE # 09-23 – AMENDMENT TO SIGN ORDINANCE

The latest changes pertain to the display of construction signs, off-site temporary special event signs, garage sale signs and the length of time they may be displayed.

A motion was made by Mrs. Insel, seconded by Mr. Duffy, to open the public hearing of Ordinance 09-23:

ORDINANCE #09-23

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

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

Vote all ayes
Motion carried

A motion was made by Mr. Duffy, seconded by Mrs. Valenta, to adopt ordinance #09-23 on second reading.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE 09-24 – HIGHLANDS

A motion was made by Mr. Pender, seconded by Mrs. Valenta, to introduce Ordinance #09-24 on first reading as submitted:

ORDINANCE 09-24

AN ORDINANCE OF THE TOWN OF CLINTON TO PETITION THE HIGHLANDS COUCIL FOR PLAN CONFORMANCE FOR THE PLANNING AND PRESERVATION AREAS

Vote all ayes
Motion carried

A copy of this ordinance will be published in the December 2, 2009 edition of the Hunterdon Review. A second reading will be held December 22, 2009.

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

INTRODUCTION OF ORDINANCE # 09-26 – RE-ORGANIZATION MEETING

A motion was made by Mr. Pendergast, seconded by Mr. Shea, to introduce Ordinance # 09-26 on first reading as submitted:

ORDINANCE # 09-26
AN ORDINANCE OF THE TOWN OF CLINTON TO ESTABLISH
THE DATE FOR THE YEARLY REORGANIZATION MEETING

Vote all ayes
Motion carried

A copy of this ordinance will be published in the December 2, 2009 edition of the Hunterdon Review. A second reading will be held December 22, 2009.

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

RAFFLE LICENSE

A motion was made by Mrs. Valenta, seconded by Mr. Pender, to approve the raffle application for the Hunterdon Art Museum to be held May 26, 2010.

Vote all ayes
Motion carried

A motion was made by Mrs. Insel, seconded by Mr. Duffy, to approve the raffle application for the Hunterdon Hills Lions Club to be held March 9, 2010.

Vote all ayes
Motion carried

FOOD LICENSE WAIVERS

The Clinton Sunrise Rotary is hosting a Holiday Bazaar on Saturday, November 28, 2009. The Rotary is requesting a food license fee waiver to set up a food stand. A motion was made by Mr. Pendergast, seconded by Mr. Duffy, to grant the fee of \$100.00 be waived; \$75.00 to the County, \$25.00 to the Town.

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

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to approve the food license waiver for the Open Cupboard Food Pantry which relocated to Clinton. The fee is \$225.00, \$200.00 to the County, \$25.00 to the Town.

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

Vote all ayes
Motion carried

CORRESPONDENCE

None

REPORTS FROM COUNCIL & TOWN OFFICIALS

Councilman Pendergast

1. Attended many sessions at the League of Municipalities. Mr. Pendergast suggested a change to the current garbage and recycling schedules. Mr. Cutter will meet with Kasper Disposal to discuss the proposed schedule. The issue is recycling, maybe it should be picked up more regularly to encourage recycling to residents.

Councilman Pender

1. Attended many interesting sessions at the league, in particular, E-Government, web site information and software available to make on-line payments.
2. Emergency Service Foundation meeting cancelled. Next meeting January 7, 2010.
3. Reached out to the Red Mill Museum to discuss a special event, April 22, 2010, honoring Allie McGaheeran and Ella Haver. Hosting the Festival of Trees, December 10 through the 13th, 2009.
4. Clinton Sunrise Rotary hosting a Holiday Bazaar, Saturday, November 28, 2009 at the Community Center from 10:00 a.m. to 3:00 p.m.

Councilman Duffy

1. Attended several seminars, an interesting session addressing the Mayor's Wellness Campaign. Will explore different programs for seniors, such as exercise programs.

Councilwoman Insel

1. Attended a great class on grants, received valuable information.

Attorney Cushing

1. Excellent seminar on negotiations for unions and cases in municipal law.

Cecilia Covino Town Clerk

1. Received ceu's for clerk's certification, attended the clerk's annual meeting, worked closely with the Clerk's Association manning the public relations booth and attended classes to learn techniques for the municipalities. Also attended the session with the new Lt. Governor, Kim Guadagno, Cutting Through the Red Tape, great session, very informative.

Mayor Schaumburg

Mayor Schaumburg asked Council members to review their council appointments and if interested in other positions, to notify her by email by December 11th.

Councilman Shea

1. Enjoyed the Delegates Luncheon attended by Governor Jon Corzine and Governor Elect, Chris Christie, well attended and great address. Gov. Corzine was very supportive of the incoming governor, who spoke of getting hard on crime.
2. Attended class on energy savings.
3. Board of Recreation – donated \$500.00 to the Christmas parade. Yuletide Festival, January 23, 2010, planning on having a temporary ice skating rink. Christmas Parade, Friday, December 4, 2009.

Councilwoman Valenta

1. Attended the Consulting Session and got many great ideas and information.
2. Grants Committee Report – Thanks to Mayor Schaumburg’s persistence in seeking the grant, the Town has been awarded a \$140,000.00 Grant from the State of New Jersey, Transportation Trust Fund for road improvements on Rachel Court. Thanks also to Mr. Cutter and Mrs. Insel for their work on submitting the grant application.

The Highlands Initial Assessment grant in the amount of \$15,500.00

Still under review is the grant application for Lower Center Street and Main in the amount of \$800,000.

Mrs. Insel awaiting word on the Safe Routes to School grant in the amount of \$225,000.

As a total to date, the Town has applied for \$3,500,000 and received \$826,000.

Kathy Olsen CFO

1. Attended several classes for Tax Collectors and Finance. Interesting seminar on budgets and it appears there will be no early adoption on budgets. Attended Purchasing seminar with emphasis on co-op purchasing. Mayor Schaumburg asked what is involved in being a Qualified Purchasing Agent (QPA). Mrs. Olsen stated that courses, time and position. Mayor Schaumburg suggested that we look into this next year, Mrs. Olsen said she should be qualified for such a position in February.

Robert A. Cutter, PW/Business Administrator

1. Council is in receipt of two reports, the Compost Site Report, which has received it’s 14th compliance status with no comments and the Stormwater inspection report which was also in perfect compliance. This is a special recognition for the town to be proud of.
2. Leaves are being picked up and there have been no complaints from residents.
3. The Pony Truss Bridge has been repaired by the County and there were no complaints during the repairs.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Pender, seconded by Mr. Duffy, to approve the standby and overtime pay as submitted for October 30 through November 12, 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 Mr. Duffy, 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 #122-09 – EXECUTIVE SESSION

A motion was made by Mrs. Insel, seconded by Mr. Duffy, to enter into Executive Session to discuss matters of Collective Bargaining, Potential Litigation and Contract Negotiations.

Vote all ayes
Motion carried

A motion was made by Mrs. Insel, seconded by Mr. Duffy, to return to the Regular Council Meeting at 9:35 p.m.

Vote all ayes
Motion carried

RESOLUTION # 123-09 – AMENDMENT TO THE INTERLOCAL AGREEMENT

A motion was made by Mrs. Valenta, seconded by Mrs. Insel, to adopt Resolution #123-09 authorizing the second amendment to the Interlocal Services Agreement for the Municipal Court of North Hunterdon. Be advised that the agreement is now minus Lebanon Borough.

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

Vote all ayes
Motion carried

**INTRODUCTION OF ORDINANCE #09-25 AMENDING THE ORDINANCE
CREATING THE MUNICIPAL COURT OF NORTH HUNTERDON EFFECTIVE 2010**

A motion was made by Mrs. Valenta, seconded by Mr. Pender to introduce Ordinance #09-25 on first reading as submitted:

ORDINANCE #09-25

AN ORDINANCE AMENDING THE ORDINANCE CREATING THE MUNICIPAL COURT
OF NORTH HUNTERDON EFFECTIVE 2010

Vote all ayes
Motion carried

A copy of this ordinance will be published in the Hunterdon Review edition of December 2, 2009. A second reading and public hearing will be held December 22, 2009.

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

ADJOURNMENT: There being no further business, a motion was made by Mrs. Insel, seconded by Mrs. Valenta, to adjourn the meeting at 9:45 p.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC

Mayor Christine Schaumburg