



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

43 Leigh St., P.O. Box 5194

Clinton, N.J. 08809-5194

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Land Use Board Minutes

Minutes of the Town of Clinton Land Use Board reorganization meeting and regular meeting held on January 7, 2014 at 7:00pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Members were sworn in:

Mayor Janice Kovach, Mr. Ken Carberry, Mr. Steve Feldmann, Mr. Matt Maher, Mr. Matt Perez, Mr. Walter Hetzel, Mr. Craig Sailer, Mr. Jim Smith, Mr. Martin Layding, and Mr. Jorge Blanco

Present- Attorney William Caldwell

Attorney William Caldwell called the Reorganization meeting to order at 7:00pm and read the "Statement of Adequate Notice" and the "Administrative Statement".

Adequate notice of this meeting has been provided indicating the time and place of the meeting with the proposed agenda, which notice was posted, made available to the newspapers and filed with the clerk of the Town of Clinton in accordance with Section 3(d) of the Public Laws of 1975".

"Meetings are held on the first Tuesday of each month. Applications must be filed at least 21 days prior to the meeting date. In order to ensure that all applications receive complete and thorough consideration of the board, all meetings will adjourn no later than 10:00pm with all items not concluded to be carried over to the next month's agenda".

ROLL CALL:

Present: Mayor Kovach, Mr. Carberry, Mr. Feldmann, Mr. Hetzel, Mr. Maher, Mr. Perez, Mr. Sailer, Mr. Smith, Mr. Layding, Mr. Blanco

Absent:

Election of Chairman:

A Motion was made by Mayor Kovach, seconded by Mr. Carberry, to nominate Mr. Sailer as Chairman for 2014.

All Ayes. Motion Carried.

Chairman Sailer proceeded to run the meeting.

Election of Vice Chairman:

A Motion was made by Mr. Carberry, seconded by Mayor Kovach, to nominate Mr. Maher as Vice Chairman for 2014:

All Ayes. Motion Carried.

Appointment of Board Attorney:

A Motion was made by Mr. Carberry, seconded by Mr. Hetzel, to appoint William Caldwell as the Board's Attorney for the 2014 calendar year

All Ayes. Motion Carried

Be it Resolved that William Caldwell, Esq. from Carter, Van Rensselaer & Caldwell is hereby appointed to serve as the Land Use Board Attorney for the Town of Clinton and;

Whereas there exists a need for the performance of the statutory legal services for the year 2014 for the Town of Clinton Land Use Board and;

Whereas funds are or will be made available for this purpose to be certified by the local finance officer and;

Whereas the contract for Professional Services was awarded pursuant to the provisions of N.J.S.A. 10:44A-20.4 or 20.5 as appropriate.

Now Therefore, Be Resolved by the Town of Clinton Land Use Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with William Caldwell, Attorney for 2014.

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann, to adopt the Land Use Board Professional Resolution for William Caldwell from Carter, Van Rensselaer & Caldwell:

All Ayes. Motion Carried.

Notice of this action shall be printed once in the Hunterdon Review.

Appointment of Board Engineer:

A Motion was made by Mr. Maher, seconded by Mr. Feldmann, to appoint Robert Clerico from Van Cleef Engineering as the Board Engineer for the 2014 Calendar Year:

All Ayes. Motion Carried.

Be it Resolved that Robert Clerico is hereby appointed to serve as the Land Use Board Engineer for the Town of Clinton and;

Whereas there exists a need for the performance of the statutory Engineering services for the year 2014 for the Town of Clinton Land Use Board and;

Whereas funds are or will be made available for this purpose to be certified by the local finance officer and;

Whereas the contract for Professional Services was awarded pursuant to the provisions of N.J.S.A. 10:44A-20.4 or 20.5 as appropriate.

Now Therefore, Be resolved by the Town of Land Use Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Robert Clerico, Engineer for 2014.

A Motion was made by Mr. Maher, seconded by Mr. Feldmann, to adopt the Land Use Board Professional Resolution for Robert Clerico from Van Cleef Engineering:

All Ayes. Motion Carried

Notice of this action shall be printed once in the Hunterdon Review.

Appointment of Board Planner:

A Motion was made by Mr. Carberry seconded by Mr. Hetzel, to appoint Carl Hintz from Clarke, Caton, Hintz as the Board Planner for the 2014 Calendar Year:

All Ayes. Motion Carried.

Be it Resolved that Carl Hintz from Clarke, Caton, Hintz is hereby appointed to serve as the Land Use Board Planner for the Town of Clinton and;

Whereas there exists a need for the performance of the statutory Planner services for the year 2014 for the Town of Clinton Land Use Board and;

Whereas funds are or will be made available for this purpose to be certified by the local finance officer and;

Whereas the contract for Professional Services was awarded pursuant to the provisions of N.J.S.A. 10:44A-20.4 or 20.5 as appropriate.

Now Therefore, Be Resolved by the Town of Clinton Land Use Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Carl Hintz, Planner for 2014.

A Motion was made by Mr. Carberry, seconded by Mr. Smith, to adopt the Land Use Board Professional Resolution for Carl Hintz from Clarke, Caton & Hintz:

All Ayes. Motion Carried.

Notice of this action shall be printed once in the Hunterdon Review.

Committee Appointments:

Site Plan Committee:

Mr. Feldmann, Mr. Maher, Mr. Smith, Mr. Perez to serve on the Site Plan Committee. The Site Plan Committee will meet on the third Tuesday of each month on an as needed basis.

Master Plan Committee:

Mayor Kovach, Mr. Hetzel, Mr. Smith, Mr. Blanco to serve on the Master Plan Committee. Meetings of the Master Plan will be held on the third Tuesday of each month on an as needed basis.

Designation of Meeting Nights:

The board will continue to meet on the first Tuesday of each month at 7:00pm and the third Tuesday of the month for any carry over items. (copy of schedule attached).

All Ayes. Motion Carried.

Designation of the Official Newspaper:

A Motion was made by Mr. Carberry, seconded by Mr. Hetzel to designate The Hunterdon Review, the Hunterdon Democrat, the Courier News to serve as the official newspapers:

All Ayes. Motion Carried.

Adoption of the Town of Clinton Administrative Statement:

A Motion was made by Mr. Carberry, seconded by Mr. Maher, to adopt the Administrative Statement:

All Ayes. Motion Carried.

A Motion was made by Mr. Hetzel, seconded by Mr. Maher, to adjourn the Reorganization Meeting at 7:15pm.

All Ayes. Motion Carried.

Regular Meeting of Town of Clinton Called to Order at 7:15pm:

Approval of Minutes:

A Motion was made by Mr. Carberry, seconded by Mr. Blanco, to approve the November 25, 2013 minutes:

Ayes. Blanco, Feldmann, Layding, Sailer, Smith.

Abstain: Mayor Kovach, Carberry, Hetzel, Maher, Perez

Motion Carried

A Motion was made by Mr. Carberry, seconded by Mayor Kovach, to approve the December 3, 2013 minutes:

Ayes. Mayor Kovach, Carberry, Feldmann, Hetzel, Maher, Perez

Abstain: Blanco, Layding, Sailer, Smith.

Motion Carried.

A Motion was made by Mr. Smith, seconded by Mr. Feldmann, to approve the December 16, 2013 minutes:

Ayes. Feldmann, Perez, Sailer, Smith.

Abstain: Mayor Kovach, Carberry, Hetzel, Maher, Blanco, Layding

Motion Carried

Memorialization of Resolution for Hunterdon Capital LLC- Block 31 Lots 24.02 & 24.05:

At the request of the applicant the Resolution will be tabled to the February 4, 2014 meeting.

Memorialization of Resolution for The Hunterdon Art Museum- Block 9 Lot 1:

The board reviewed and agreed with Mr. Simon’s request for changes that were sent via email on January 7, 2014, Attorney Caldwell will incorporate the changes into the resolution. The resolution will be tabled to the February 4, 2014 meeting.

Waiver of Site Plan request for Block 10 lot 15- Iannaco:

Mr. Carmen Iannaco, tenant was present.

The board heard the site plan waiver request at their December 3, 2013 meeting and at that meeting Mr. Iannaco was requested to check out what the banking requirements were and the board of health requirements and report back to the board. Mr. Iannaco presented the board with his Board of Health License and a copy of the banking license agreement with the owner of the wire transfer company and the State of New Jersey.

Mr. Perez stated that at last meeting Mr. Iannaco testified that he would be offering an online eBay service, money transfer business, the selling of pre-packaged foods and phone accessories and wanted to confirm that was still the case, Mr. Iannaco testified yes.

A Motion was made by Mr. Carberry, seconded by Mayor Kovach, to grant the waiver of site plan request and permit the change of use to retail conditioned upon the applicant receiving all necessary change of use permits and approvals through the construction office and is subject to standard conditions relating to the application including but not necessarily limited to sign permit approvals, board of health approvals,

payment of all outstanding fees, escrow and permits and any outside agency approvals that may be necessary:

Ayes: Mayor Kovach, Carberry, Feldmann, Hetzel, Maher, Perez

Abstain: Sailer, Smith, Layding, Blanco

Motion carried.

Public Comment:

Attorney Walter Wilson advised the board he is ready to proceed with Eastern Hill's site plan application and inquired what the procedure was in reviewing applications for completeness. The board agreed to continue with the Planning Board procedure and have the Site Plan Committee review all applications for completeness, to help assist the Site Plan Committee Mr. Clerico will be asked to attend the next several meetings.

Voucher Approval:

A Motion was made by Mr. Hetzel, seconded by Mr. Carberry, to approve the attached voucher list:

All Ayes. Motion Carried.

Board Discussion:

The board will hold a special training meeting on Wednesday January 29, 2014 at 7:00pm, the meeting will be noticed.

There being no further business a Motion was made by Mr. Hetzel, seconded by Mr. Carberry, to adjourn the meeting at 8:00pm.

All Ayes. Motion carried.

Respectfully submitted,

**Allison Witt
Land Use Administrator**