

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

Flag Salute.

Roll Call: Present – Garber, Harrison (arrived 7:35pm) Insel, Quinonez-Perez (left at 8:25pm)
Ragozine, Mayor Schaumburg

Absent: De Cleene

STATEMENT OF ADEQUATE NOTICE:

Mayor Schaumburg read the following statement: “Adequate notice of this meeting has been provided, indicating the time and place of the meeting and the proposed agenda, which notice was posted, made available to newspapers, and filed with the Clerk of the Town of Clinton in accordance with Section 3(d) of Chapter 231 of the Public Laws of 1975.”

APPROVAL OF MINUTES

A motion was made by Mrs. Insel, seconded by Mr. Ragozine, to approve the minutes of September 26, 2006. Mrs. Insel asked that the minutes of September 26, 2006 reflect that she stepped out of the Council Room upon discussion of the C-1 Zone amendment. Mrs. Insel is a resident of the C-1 Zone. Correction will be noted. A motion was made by Mrs. Insel seconded by Mr. Ragozine to accept the minutes as amended.

Vote all ayes
1 Abstention (Garber)
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Mrs. Garber seconded by Mrs. Insel to accept the monthly reports for the month of September as submitted:

Administrator’s Report, Assessor’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control Account, Fire Official Report, Police Report, Sewer Collector’s Report, Water Collector’s Report, Wastewater Treatment Plant Report, Zoning Officer/Construction Official Report.

Vote all ayes
Motion carried

PUBLIC COMMENTS

Marion Alterwein, of Hair Horizons on East Main Street, a resident and merchant, addressed the parking situation in the Town of Clinton. Acknowledging the fact that there is a shortage of parking spaces, she suggested that the Mayor and Council send a letter to the Clinton Fire Department requesting that a number of available parking spaces in their lot be made available to merchants. Ms. Alterwein stated that the current parking situation is “out of hand” with Police marking tires and people having to move their cars every two hours. Ms. Alterwein said that some clients have visits that last longer than two hours and this practice is causing problems. Ms. Alterwein asked for a compromise.

Mayor Schaumburg stated that she attended a meeting with Chief Matheis, PW/Bus. Adm., Robert Cutter, Councilwoman Garber and the Clinton Guild Board members. They discussed the situation to great lengths and a letter has already been drafted by the Mayor to the Clinton Fire Department

proposing such an arrangement. The letter has been distributed to the Council for their review and approval before sending it to the Fire Department. Mayor Schaumburg read the letter aloud. Mr. Ragozine said it is a good proposal to the Fire Department and hopes that the Fire Department will agree. Mrs. Garber suggested that the length of time for a permit holder be established, i.e. monthly, yearly. Mayor Schaumburg suggested first come, first served basis. Mrs. Quinones-Perez addressed item 3 in the letter, "parking at your own risk". Mr. Ragozine said a concern of the Fire Department is the liability issue, Mr. Cushing said a hold harmless agreement could be placed on the permit application, no law suit can be filed against the Fire Department or the Town. The police will police the lot and a sign will be placed in the lot "parking by permit only". The letter will be forwarded to the Clinton Fire Department and Council will await their response.

(A copy of the letter to the Clinton Fire Department is attached to these minutes)

MAYOR'S COMMENTS

1. Mayor Schaumburg addressed road construction issues in Town. Halstead Street Bridge project completion date of November 13 has been moved to December 21st. Mayor Schaumburg spoke to Bruce Johnson about the Halstead Street Bridge and pleaded the case of the merchants. She expressed their concerns of the approaching holiday season. The County has approved the contractor, Rencor, to begin working on Saturdays and employ a second crew.
2. Route 173 Bridge on West Main Street, Contractor IEW to submit a more definitive time line.
3. Exit 15 – project to be completed by late May, 2007. Much of the work is expected to be cleaned up before winter and curb work is now being completed. To open the right turn on red off Route 173 will help with the traffic tie ups into the Knolls, this is also expected to be completed before winter. The Town of Clinton is preparing several grant applications to help with the construction projects. A \$10,000 grant for Rupells Road Speed Tables; \$100,000 grant for improvements to School Street and \$200,000 for Clinton Knolls Area Improvement Project.
Mr. Harrison questioned if platforms have been considered for Kings Crossings, Mr. Cutter said they would not work in that development.

SIGN ENFORCEMENT LETTER TO MERCHANTS

Attorney Robert Fodera re-wrote the original letter and it has been distributed to Mayor, Council, Board of Adjustment, Planning Board and the Sign Committee. Merchants will be given 90 days from the date the letter is mailed to come into compliance with any illegal signage being displayed. A motion was made by Mrs. Insel, seconded by Mr. Ragozine to send the letter to the merchants.

Vote all ayes
Motion carried

COUNCIL MEETING DATES

Mayor and Council discussed the two Council meetings in November. Tuesday, November 14 is the week of the League of Municipalities, all Town officials will be in attendance. Discussion to cancel the meeting or to reschedule took place. It was decided to cancel the meeting of November 14 and hold the meeting of November 28th. If an emergency should arise, an emergency meeting can be scheduled. A motion was made by Mr. Ragozine, seconded by Mrs. Garber to cancel the November 14th Council meeting.

Vote all ayes
Motion carried

SPECIAL EVENT – 20th ANNUAL CHRISTMAS PARADE

Frank Hooper has submitted this Special Event request to hold the 20th Annual Clinton Guild Christmas Parade on Friday, December 1, 2006 from 7:00 p.m. to 8:15 p.m. Mr. Cutter said he has sent a letter to John Glynn, of Hunterdon County Engineering Department, regarding the limitations of the Pony Truss Bridge. Last year, large floats were unable to exit Main Street via the bridge due to the limitations of the bridge. If there are going to be restrictions, alternate plans will have to be discussed. Dan Torrone, aka Dr. D., asked about the Halstead Street Bridge access, Mr. Cutter will discuss this with Mr. Torrone. A motion was made by Mr. Harrison, seconded by Mrs. Garber, to approve the request as submitted.

Vote all ayes
Motion carried

STREET BANNER REQUEST – CLINTON GUILD

Council is in receipt of a banner request from the Clinton Guild, to display a banner from November 15 through January, “Season’s Greetings”. Holiday events will be displayed on the banner. A motion was made by Mrs. Garber, seconded by Mr. Ragozine to grant the request as submitted.

Vote all ayes
Motion carried

FIRE SAFETY PERMIT FEE WAIVER – KNIGHTS OF COLUMBUS

The Knights of Columbus wish to sell hot dogs and other items at the Haunted Mill on October 21 and 22 and again the weekend of October 28 and 29th. The Knights have requested a waiver of the \$42.00 Fire Safety Permit for Propane. A motion was made by Mr. Ragozine, seconded by Mrs. Quinones-Perez, to waive the fee as requested.

Vote all ayes
Motion carried

PUBLIC HEARING – ORDINANCE #06-16 – SALARY RANGE

A motion was made by Mr. Ragozine, seconded by Mrs. Garber to open the public hearing on Ordinance #06-16:

ORDINANCE #06-16
AN ORDINANCE FIXING THE POSITION TITLES AND SALARY RANGES OF
CERTAIN OFFICERS AND EMPLOYEES IN THE TOWN OF CLINTON
COUNTY OF HUNTERDON

Vote all ayes
Motion carried

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

Vote all ayes
Motion carried

A motion was made by Mrs. Garber, seconded by Mr. Ragozine to adopt Ordinance #06-16 on second reading.

Vote all ayes
Motion carried

RESOLUTION #107-06 - ELECTRICAL INSPECTOR SALARY

A motion was made by Mr. Ragozine, seconded by Mrs. Garber, to adopt Resolution #107-06 as submitted.

ROLL CALL: Ayes: Garber, Harrison, Insel, Ragozine, Quinones-Perez, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #108-06 – TAX SALE

A motion was made by Mrs. Garber, seconded by Mr. Ragozine, to adopt Resolution #108-06 as submitted.

Vote all ayes
Motion carried

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

RESOLUTION #109-06 – COAH MEDIATION TEAM

A motion was made by Mrs. Insel, seconded by Mrs. Garber, to adopt Resolution #109-06, appointing a COAH mediation team.

Vote all ayes
Motion carried

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

ORDINANCE #06-18 – DISCUSSION

Ordinance #06-18 was introduced at the Council Meeting of September 26, 2006 and then forwarded to the Planning Board and Sign Committee for their review and recommendations. It was agreed that clarification must be made to the Sign Ordinance specifically addressing Commercial Motor Vehicles (CMV) advertising a business which is not located on the property on which the CMV is parked. Ordinance #06-18 is scheduled for the Second Reading on October 24, 2006.

REFUNDS

Allison McGINLEY, Planning Board Secretary, has forwarded three requests for refunds. A motion was made Mrs. Garber, seconded by Mrs. Insel, to refund \$1,000 in escrow fees to Cyrus Fox, Inc. as requested

Vote all ayes
Motion carried

Sofia Tasigiannis and Ursula Stryker applied to the Planning Board for a Site Plan Exemption. After attending the meeting, it had been determined that they needed only to apply for a zoning permit. Therefore, Ms. Tasigiannis is requesting a refund of the application fee of \$100.00 and Ms.

Stryker is requesting a refund of the escrow fee of \$1,000.00. A motion was made by Mr. Harrison, seconded by Mrs. Insel, to refund the \$100.00 to Ms. Tasigiannis as requested.

Vote all ayes
Motion carried

A motion was made by Mr. Harrison, seconded by Mrs. Insel, to refund the \$1,000.00 to Ms. Stryker as requested.

Vote all ayes
Motion carried

Construction secretary, Allison McGinley, is working on a way to improve procedural problems.

WATER AGREEMENT- CLINTON TOWNSHIP BOARD OF EDUCATION

A motion was made by Mr. Ragozine, seconded by Mrs. Insel, authorizing the Mayor and Clerk to sign the Clinton Township Board of Education Water Agreement upon receipt of required fees.

Vote all ayes
Motion carried

WATER AGREEMENT – ANSYUA ENTERPRISE OF CLINTON, LLC

A motion was made by Mr. Ragozine, seconded by Mrs. Insel, authorizing the Mayor and Clerk to sign the Ansuya Enterprise of Clinton, LLC Water Agreement.

Vote all ayes
Motion carried

Mr. Cushing explained the Water Agreements and stated that each developer has contributed their fair share for water service. The agreement with Fallone included Fallone designating an area of the property for the location of a well, a substantial benefit to all three developers.

CORRESPONDENCE

1. A Statement of Complaint has been forwarded to the Department of Transportation by Police Chief Matheis, prepared in conjunction with Lou Tranquilli. The DOT will come out to the Town and conduct a study in an attempt to determine how to keep morning travelers on the highway.
2. Department of Health and Senior Services has forwarded to all New Jersey Mayors a 2006 Hospital Performance Report. Available in the clerks office.
3. Council is in receipt of a letter from Attorney Al Rylak, commending the Mayor and Council for having the police stop illegal parking in the Town of Clinton.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Councilwoman Insel

1. Smart Growth next meeting October 12 at 7:30 p.m.
2. Shade Tree Commission next meeting, October 16th at 7:30 p.m.

3. Historic Commission attended Master Plan Sub Committee and discussed proposed changes to the ordinance.
4. Traffic Comment addressed to the newspapers in the audience, please consider the merchants and let the public know that it's business as usual in the Town of Clinton, in spite of the construction projects.
5. Mrs. Insel asked Council to consider an Ethics Ordinance and suggested they review one from Tewksbury. Attorney Cushing said he will review the State Statute and will have something for the next Council meeting.

Councilman Harrison

1. Sewer meeting held October 3rd, discussed Pittstown Road/Alton Place re-lining project.
2. Personnel – next meeting October 20, 2006 @ 10:30 a.m.
3. Attended the Freeholders meeting where is was unanimously voted on to support the Chamber of Commerce grant application.

Councilwoman Garber

1. Newsletter deadline November 10, 2006. Mayor Schaumburg asked Mrs. Garber to send reminders to all people who need to submit an article.
2. Clinton Guild, next meeting October 18 @ 6:30 p.m.
3. Emergency Services Foundation – Next meeting – October 17th @ 7:30 p.m.
4. Clinton Fire Department, next meeting November 6 @ 7:30 p.m.
5. Parks and Playground next meeting, October 19 @ 7:30 p.m.
6. Mrs. Garber asked Mr. Cutter to include a discussion of sound barriers on the next Road Committee meeting. Also, to discuss installing a netting under the Route 78 overpass on both sides to protect pedestrians and children from debris.

Councilman Ragozine

1. Buildings and Grounds – Anticipating work to begin on 47 Leigh Street the week of October 23

Robert A. Cutter, PW/Business Administrator

1. Garbage Bids were received at the bid opening on September 29th. Mr. Cutter recommended award be made to Kasper Disposal for a 5 year contract. A motion was made by Mr. Harrison, seconded by Mrs. Garber to award the bid to KASPER DISPOSAL SERVICE, INC. commencing November 1, 2006 for solid waste/recycling collection and disposal. Solid Waste \$346,000 and Recycling \$84,000.

Vote all ayes
Motion carried

Mayor Schaumburg

1. Mayor Schaumburg requested that the Building and Grounds Committee include Mr. Cushing at their next meeting to discuss the lease agreement for 47 Leigh Street.

APPROVAL OF OVERTIME & STANDBY PAY:

A motion was made by Mr. Harrison, seconded by Mrs. Insel, to approve the attached overtime and standby pay for the period of September 22 to October 5, 2006.

ROLL CALL: Ayes: Garber, Harrison, Insel, Ragozine, Mayor Schaumburg

Vote all ayes
Motion carried

Mr. Harrison questioned the amount of hours and overtime pay for the police department. This is partially a result of an officer still on active duty with the United States Marine Corp.

PAYMENT OF BILLS

A motion was made by Mr. Ragozine, seconded by Mrs. Garber to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Garber, Harrison, Insel, Ragozine, Mayor Schaumburg

Vote all ayes
Motion carried

EXECUTIVE SESSION

A motion was made by Mrs. Insel, seconded by Mr. Ragozine to enter into Executive Session at 8:45 p.m. to discuss matters of Potential Litigation and Contract Negotiations.

Vote all ayes
Motion carried

A motion was made by Mrs. Insel seconded by Mr. Ragozine to come out of Executive Session and return to the regular Council Meeting at 8:55 p.m.

Vote all ayes
Motion carried

RESOLUTION #110-06 – BID AWARD RESCINDED – MARVEC CONSTRUCTION

The bid award to Marvec Construction Corporation on April 14, 2006 has been rescinded. Marvec Construction was hired to perform work described under the bid specifications for the DeMott Pond Dam Rehabilitation Project and has failed to proceed with the project and has failed to provide necessary documentation required for the project. Therefore, a motion was made by Mr. Harrison, seconded by Mrs. Insel, to adopt Resolution #110-06 rescinding the award of this contract.

Vote all ayes
Motion carried

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

Copies of this Resolution will also be forwarded to the Hunterdon County Democrat, Hunterdon Review and the Hunterdon On-Line News.

ADJOURNMENT: There being no further business, a motion was made by Mrs. Garber, seconded by Mr. Ragozine to adjourn the meeting at 9:00 p.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC
Town Clerk

APPROVED BY MAYOR & COUNCIL

Christine Schaumburg , Mayor