



## **TOWN OF CLINTON**

INCORPORATED APRIL 5, 1865

43 Leigh St., P.O. Box 5194

Clinton, N.J. 08809-5194

(908) 735-8616 FAX (908) 735-8082

### **PLANNING BOARD**

Minutes of the Town of Clinton Planning Board held on August 4, 2009 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Gallagher called the meeting to order at 7:30pm and read the "Administrative Statement" and the "Statement of Adequate Notice":

"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 10:30pm with all items not concluded to be carried over to next month's agenda".

"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".

#### **ROLL CALL:**

**Present:** Baka, Gallagher, Hendricksen, Insel, Maher, McGuire, Paul, Rogan,

**Absent:** Trepkau

Attorney William Caldwell, Robert Clerico, Carl Hintz and Lisa Specca from Clarke Caton & Hintz were present.

#### **Approval of Minutes:**

A Motion was made by Mrs. Insel, seconded by Mr. Baka, to approve the May 5, 2009 minutes with the following change:

Under Smart Growth report- change grant money to \$850,000.

**All Ayes. Motion Carried.**

**Abstain: Hendricksen**

#### **Request for Extension of Final Site Approval- Block 18 Lot 5- Z&F LLC:**

Attorney Lloyd Tubman and John Fallon applicant were present.

Attorney Tubman advised the board they are here tonight to request a one-year extension on their final site plan approval which the board granted on October 2, 2007. Attorney Tubman stated that the DOT improvements have been installed, inspected and approved at this time. The DEP approvals are in place and have been extended. Due to current market conditions the project has been delayed, however, the applicant intends to proceed forward with construction of the two \$50,000 square foot office buildings when the market starts to recover. Attorney Tubman asked the board to grant the one-year extension on the final site plan approval, which will be valid to October 2, 2010.

A Motion was made by Mr. Hendricksen, seconded by Mrs. Insel, to grant a one-year extension of the Final Site Plan Approval to October 2, 2010:

Mr. Baka brought up a concern that has occurred in Clinton with two properties that received approval, the developers started to clear the land, excavated ditches and then construction came to a halt, which has left the sites with open ditches and inquired if any additional provisions can be put in place to prevent this happening with this approval. Mr. Fallone stated it is his intention to proceed forward with construction and he has no intention of leaving the site excavated with open ditches. Attorney Tubman stated they have no problem adding as a condition that the bond required to be posted cover the cost of restoring the site in the event site construction comes to a halt and is left with open ditches. Mr. Hendricksen added there should be language to cover this in the event construction stops in the Developer's Agreement.

**Roll Call Vote:**

Ayes: Baka, Gallagher, Hendricksen, Insel, Maher, McGuire, Paul, Rogan,  
Nays: All Ayes. Motion Carried

**Sign Ordinance Review:**

Chairman Gallagher requested the Master Plan Committee meet with Mr. Daniels, the Town of Clinton Code Enforcement Officer to review the concerns and proposed amendments and then report back to the Planning Board. The next meeting of the Master Plan is August 18, 2009.

**Highlands Presentation:**

Lisa Specca from Clarke, Caton & Hintz presented the Planning Board with a power point presentation highlighting where we are with the Highlands at this time. The overview included the following:

**Highlands region-** 18% of the States land mass falls within the highlands. 65% of the State's drinking water comes from within the Highlands Region.

**Effective Date-** Effective date of the Highlands Water Protection and Planning Act was August 2004. In September 2008 an act was created to allow the DEP to review applications for major development within the preservation area and the Highlands Council reviews applications within the planning area. Conformance is mandatory in the preservation area and voluntary in the planning area, most of The Town of Clinton is in the Planning Area.

**Overlay Zones-** The Highlands Plan has 3 Zones and 4 Sub-Zones: 22% of land falls within the **Protection Zone**; 0% falls within the **Conservation Zone**; 62% within the **Existing Community Zone**. .07% falls within **Wildlife Management Sub-zone**; 0% in the **Environmentally Constrained Sub-zone**; 3% in the **Existing Community Environmentally Constrained Sub-zone**; and 12% in the **Lake Community Sub-zone**. Within the Planning Area the Protection Zone is the most restrictive and the existing community is the most permissive.

**Proposed Land Use Capability Map-** During the first initial assessment it was determined that some changes were necessary to The Town of Clinton's mapping due to some factual data errors. The proposed changes would need to have the Governing Body's recommendation, which would come at a later phase.

**Conformance Benefits-** The Town would acquire the following benefits if they opted into the Highlands Plan; Legal Shield, Grant money, State Plan Endorsement; and COAH obligations would be substantially lower.

**Preliminary Build Out Results in the Planning Zone-** 15 sewer residential units; 3 septic units; and 463 non-residential jobs created. The Highlands build out numbers will determine the third round affordable housing obligations, which are less than what COAH suggested. In addition, conforming

municipalities may be eligible to participate in the highlands "RCA" program.

**Next Step:** The Master Plan element is currently being created; A public meeting must be held to solicit citizen input on the Highlands Conformance process; The Governing Body must make a final decision on "opting-in" for the Planning Area before December 2009.

**Final Step-** Basic plan conformance must be completed by December 8, 2009.

Lisa Specca advised the board funding to implement the changes and ordinances will be funded by Highlands and in the next several years' different programs will have to be implemented for full conformance with Highlands Master Plan.

Due to time limitations the board agreed that it would be better to hold the public meeting on a Council Meeting night, after taking a poll of the members available from the Planning Board the date for the Public hearing will take place on September 22, 2009.

**Voucher Approval:**

A Motion was made by Mr. McGuire, seconded by Mrs. Insel, to approve the vouchers (list attached):

**All Ayes. Motion Carried.**

**Board Discussion:**

Mrs. Insel inquired if it would be a benefit to the town to create an Ordinance requiring any properties within the flood plain to secure items such as dumpsters, picnic tables, propane tanks, etc. Mr. Hendricksen commented that he believes the DEP requires that and that language should be included in our regulated use permits. Mrs. Insel inquired due to the recent flooding is there any recourse the board has with DEP for developments that were approved in the flood zone that have not yet been built. Presently Mr. Cutter is working with Mr. Clerico on looking at the water flood marks and preparing updated information for the FIMA Map.

A Motion was made by Mr. Maher, seconded by Mr. Baka, to open the meeting to the public;

Mr. Donald Yeske, 93 Center Street commented that other areas in the town are also subject to water and if the Town is going to consider new watermarks he would like the rest of the town surveyed.

Mr. Walter Hetzel, Main Street commented on Main Street and the rise of the water from the Beaver Brook overflow.

A Motion was made by Mrs. Insel, seconded by Mr. Baka, to close the meeting to the public:

**All Ayes. Motion Carried.**

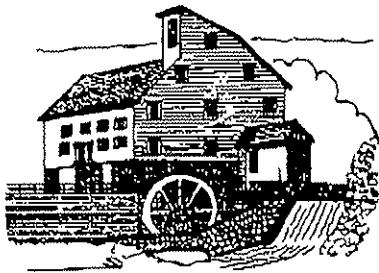
There being no further business, A Motion was made by Mr. McGuire, seconded by Mr. Baka, to adjourn the meeting at 9:20pm.

**All Ayes. Motion Carried.**

Respectfully submitted,

Allison Witt  
Land Use Administrator





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www.clintonnj.gov

**REGULAR COUNCIL MEETING  
SEPTEMBER 22, 2009  
7:30 P.M.**

CALL TO ORDER  
FLAG SALUTE  
ROLL CALL  
STATEMENT OF ADEQUATE NOTICE

1. APPROVAL OF MINUTES – Regular Council Meeting – September 8, 2009 - tabled
2. PUBLIC COMMENTS
3. MAYOR'S COMMENTS
4. HIGHLANDS PRESENTATION – Town Planner, Carl Hintz, Highlands Representative, Tom Borden
5. INTRODUCTION OF ORDINANCE #09-16 – AMENDMENT TO FEE SCHEDULE – CHAPTER 73
6. RESOLUTION # 106-09 - AWARD OF SCADA BID
7. RESOLUTION #107-09 – SUBMIT APPLICATION TO DEPARTMENT OF TRANSPORTATION
8. RESOLUTION #108-09 – CURFEW
9. FEE WAIVER – KNIGHTS OF COLUMBUS
10. HISTORICAL COMMISSION REQUEST
11. RAFFLE APPLICATION – CLINTON PUBLIC SCHOOL PTA
12. BANNER REQUEST – IMMACULATE CONCEPTION PARISH FESTIVAL
13. CITY CONNECTIONS – ANNUAL CONTRACT
14. DORA'S EASEMENT REQUEST
15. CORRESPONDENCE
16. REPORTS FROM COUNCIL & TOWN OFFICIALS
17. APPROVAL OF STANDBY AND OVERTIME PAY
18. PAYMENT OF BILLS
19. RESOLUTION # 109-09 – EXECUTIVE SESSION – Potential Litigation, Contract Negotiations, Personnel, Collective Bargaining
20. ADJOURNMENT

TOWN OF CLINTON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

PROOF OF PUBLICATION AFFIDAVIT

I, Cecilia Covino, as the duly appointed Clerk of the Town of Clinton, do hereby certify that a Public Notice, of which the annexed is a true copy, was published in the Hunterdon Review and circulated in the Town of Clinton, County and State aforesaid, in the issue of September 9, 2009 of said newspaper.

**Town of Clinton**

**NOTICE OF COUNCIL MEETING  
HIGHLANDS PRESENTATION  
SEPTEMBER 22, 2009  
7:30 P.M.**

PLEASE TAKE NOTICE that there will be a Regular Council Meeting called pursuant to the provisions of the Open Public Meetings Law. The meeting will be held in the Town of Clinton Council Room, 43 Leigh Street, Clinton, New Jersey on Tuesday, September 22, 2009 at 7:30 P.M. A presentation will take place by the Town Planner regarding the State of New Jersey Highlands Council. Members of the Planning Board and of the public are welcome to attend. If you are unable to attend, written correspondence may be submitted and acknowledged by the Planner.

Cecilia Covino, RMC/CMC  
Town Clerk

P.F. \$10.23

R9/09/T1

Certified this 9th  
day of September, 2009.



Cecilia Covino, RMC/CMC  
Town of Clinton

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**

Minutes of September 8, 2009 are tabled until the next meeting.

**PUBLIC COMMENT**

Whitney Wetherill, 36 West Main Street, expressed her concerns regarding bike traffic on the sidewalks of West Main Street. Chief Matheis stated that he regularly puts something in the quarterly Newsletter about bike safety.

Nora Burke-Klippstein , 32 Marudy Drive, addressed the Amendment to the Sign Ordinance, which was introduced on September 8, 2009 and scheduled for a public hearing on October 13, 2009. Mrs. Klippstein’s opinion is that the “Town is selling their soul” for the changes being made to protect the Town from billboards. Mr. Cushing explained that the Town is permitting signage, however, the wording of events is what will be addressed. Under the First Amendment Rights, expression is on opinion. The Sign Ordinance continues to be a working document, and on behalf of the Mayor and Council, “let’s see how it works”.

**MAYOR’S COMMENTS**

Mayor Schaumburg announced the resignation of Diane Bowers from the Board of Recreation. A motion was made by Mr. Pendergast, seconded by Mr. Shea, to accept the resignation with regrets.

Vote all ayes  
Motion carried

Mayor Schaumburg made the appointment of Joelle Garber to fill the vacancy on the Board of Recreation.

**HIGHLANDS PRESENTATION – 7:45 p.m. – 9:15 p.m.**

Town Planner, Carl Hintz, along with colleague, Lisa Specca, and Tom Borden, Attorney for the Highlands Council, attended this evenings meeting to make a Highlands presentation. Planners and Mr. Borden prepared a power point to clearly show how the areas are delineated over the seven (7) counties and 88 municipalities. The goal is to protect New Jersey drinking water supplies.

The public and the Planning Board members were invited to attend and ask questions and comment.

Whitney Wetherill, 36 West Main Street, asked about sewers for new construction. Mr. Borden explained that areas where sewer is currently approved in a section would be permitted but not necessarily to a section not recognized without having Highlands approval.

Gene De Cleene, 1 Central Avenue, suggested the topic go back to the Planning Board for their recommendation.

Frank Gallagher, Planning Board Chairman, said he would like to meet with the Board one more time to discuss the options again.

Jim Chmelik, P.E., of Engineering and Land Planning Associates, Inc., asked about sewer for Riverside Drive, where the location has been approved for three, 2 family houses. Approvals were already made, they are safe.

Attorney, Walter Wilson, questioned COAH obligations and limitations on amounts of water to people outside of the highlands area?

Don Yeske, 93 Center Street, said there was a rumor and asked how long would it be before the wells dry out? Mr. Yeske was assured that was not true. Mayor Schaumburg and Mr. Cutter explained that the town will never run out and have taken steps to construct a new well. The Town is waiting permission from the Highlands regarding the new well. Plans and specs are already created.

Mayor Schaumburg said she would like to meet with Eileen Swan and asked Mr. Cutter to arrange a meeting for next week.

The Planning Board and the Governing Body decided to hold one additional Planning Board meeting to discuss Plan Conformance in the planning area. Following the meeting of October 6, 2009, the Board will make their recommendation to Council.

There is information available in the clerk's office to the public for anyone interested in reviewing.

**INTRODUCTION OF ORDINANCE #09-16 AMENDMENT TO FEE SCHEDULE**

A motion was made by Mrs. Insel seconded by Mr. Shea, to adopt Ordinance #09-16 on first reading as submitted:

ORDINANCE # 09-16  
AN ORDINANCE OF THE CODE OF THE TOWN OF CLINTON  
AMENDING SECTION 73-3  
FEE SCHEDULE

Vote all ayes  
Motion carried

A notice of this Ordinance will be published in the September 30, 2009 edition of the Hunterdon Review. A public hearing will be held October 27, 2009.

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

**RESOLUTION 106-09 – AWARD OF SCADA BID**

A motion was made by Mr. Pender, seconded by Mrs. Insel, to adopt Resolution #106-09, awarding the bid for the SCADA System Improvement Project to Pumping Services of Middlesex, New Jersey, as per the recommendation of Engineer, Andrew S. Holt, P.E.



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

Vote all ayes  
Motion carried

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

**RESOLUTION #107-09 – SUBMIT GRANT APPLICATION TO NJDOT**

A motion was made by Mr. Shea, seconded by Mrs. Insel, to adopt Resolution #107-09 supporting the grant submission to NJDOT for the Rachel Court Improvement project and authorizing Town Engineer, Robert Clerico to submit the application.

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

Vote all ayes  
Motion carried

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

**KNIGHTS OF COLUMBUS – FEE WAIVER**

A motion was made by Mr. Pendergast, seconded by Mr. Pender, to grant the fee waiver for the Knights of Columbus in the amount of \$42.00 for a Fire Safety Permit and \$150.00 for a Food Handler's License to operate at the Haunted Mill.

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

Vote all ayes  
Motion carried

**RESOLUTION # 108-09 – CURFEW**

A motion was made by Mrs. Insel, seconded by Mr. Duffy, to adopt Resolution #108-09, declaring the annual curfew.

Vote all ayes  
Motion carried

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

**HISTORIC COMMISSION REQUEST**

Rosemarie Platt, Historic Commission Chairperson, attended the meeting to request the Council's monetary support to purchase a new computer, monitor scanner and printer for the Commission. Councilman Shea had donated a computer, however, Ms. Platt said it did not have the capacity needed to scan and maintain pictures. A new computer was priced at \$800.00. Mayor Schaumburg explained that there are scanners in the Municipal Buildings at 43 and 47 Leigh Street that could accommodate their needs. Mr. Shea said he has another two computers that may work for them and would bring them in and that he and another computer operator could attempt to set them up without having to call on the IT services of JWS Computers. The Commission has a balance in their budget, but is also looking to purchase a new flat file and to have a signed Dan Campanelli painting framed. The painting was donated by Mr. Campanelli. At this time, no commitment was made by Council.

**RAFFLE APPLICATION – CLINTON PUBLIC SCHOOL PTA**

An application has been received from the Clinton Public School PTA to hold a raffle on October 9, 2009 at Dora's Restaurant. A motion was made by Mrs. Insel, seconded by Mrs. Valenta, to grant the request.

Vote all ayes  
Motion carried

**BANNER REQUEST – IMMACULATE CONCEPTION PARISH FESTIVAL**

A motion was made by Mrs. Insel, seconded by Mr. Pender, to permit the Immaculate Conception Parish Festival banner to be displayed June 12 to June 21, 2010 as requested.

Vote all ayes  
Motion carried

**DORA'S RESTAURANT**

Councilman Duffy and Councilwoman Insel, visited the owner of Dora's at the site and were better able to understand the necessity of the proposed steps. As recommended, Town Planner Carl Hintz also visited the site and made recommendations to Mr. Hissena. The new steps will not be as steep and will allow for five more inches on the sidewalk. Mr. Duffy and Mrs. Insel recommend permission be given to Mr. Hissena to proceed with the new steps.

Whitney Wetherill, 36 West Main Street, stated that she objects to the line of sight being blocked. However, being built as proposed, it actually enhances the sight of Main Street. A building permit must be obtained.

**CITY CONNECTIONS, LLC**

The annual renewal contract for the web site provider, City Connections, has been received. Mayor Schaumburg informed council that she looked into other companies but for the services we receive, City Connections located in Barnegat, New Jersey, is excellent. A motion was made by Mrs. Insel, seconded by Mr. Shea, to approve the contract in the amount of \$1,960.00 for the period October 1, 2009 to September 30, 2010.

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

Vote all ayes  
Motion carried

**CORRESPONDENCE**

1. Citizen's Involvement forms have been received from James Smith, West Main Street and Matthew Perez, Spruce Run Road. Matt Perez was appointed by Mayor Schaumburg to the Planning Board. James Smith was appointed to the Smart Growth Committee.

**REPORTS FROM COUNCIL & TOWN OFFICIALS**

**Councilman Pendergast**

1. SWAC – unable to attend, Councilman Shea attended the meeting. Hunterdon County is now 19<sup>th</sup> in the State in recycling.

**Councilman Pender**

1. Reminder – Casino Night, October 9, 2009 at Beaver Brook.

**Councilman Duffy**

1. Fire Department – application for a new member, Jeffrey Plaisted. A motion was made by Mrs. Insel, seconded by Mr. Shea to accept.
2. Clinton Mills Dam and Dike project is moving along. Plan to go out for bids soon. Received approvals from State of New Jersey, Dam Safety.
3. Buildings and Grounds – Community Center Grandstand and bleachers. Waiting on an estimate from N. S. Kim, Architect. Looking into applying for grant money.
4. Handicap access request for Hunts Mill Park, possibly by the well building.
5. Community Center grounds near the tennis courts may be the location to establish the Community Garden and maybe even bocci ball courts or future volley ball court! DeMott Pond is the location for the Rain Garden. An Eagle Scout is planning a project for DeMott Pond, a Memorial Park with flag poles. He also plans to do some fund raising for engraved pavers for the site. The Memorial would honor veterans, and possibly police and firemen. Following the flag retirement ceremonies the last two years, this seems like a logical location.
6. Going out to bid for HVAC.

**Councilwoman Insel**

1. The Committee has sought out a new street light for the alleyway. It has been ordered.

**Councilman Shea**

1. Roads – Union Road paving project complete.
2. Board of Recreation – Town Picnic, September 26, 2009 from 2:00 p.m. to dusk. Fireworks will round out the evening.

**Robert A. Cutter, PW/Business Administrator**

1. The last chipping day will be Wednesday, October 21, followed by leaf pick up.
2. The Clinton Fire Department will close the public parking lot on Wednesday, October 7 from 8:00 a.m. to 6:00 p.m. The Lease renewal will be on the agenda for the next meeting.

**Police Chief Matheis**

Chief Matheis announced the return of Patrolman Jay Hunter on October 8, 2009. Jay has been on active duty with the Marines since April, 2008.

**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Mr. Pendergast, seconded by Mrs. Insel to approve the standby and overtime pay as submitted for September 4 through September 17, 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. Pendergast, 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 109-09 - EXECUTIVE SESSION**

A motion was made by Mr. Pendergast, seconded by Mr. Duffy, to enter into Executive Session at 9:55 p.m. to discuss matters of Potential Litigation, Contract Negotiations, Collective Bargaining, and Personnel.

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 10:48 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 10:55 p.m.

Vote all ayes  
Motion carried

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Cecilia Covino, RMC/CMC

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Mayor Christine Schaumburg

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

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Cecilia Covino, RMC/CMC

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Mayor Christine Schaumburg