

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. Shea seconded by Mr. Insel to approve the minutes of August 25, 2009 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Mr. Pendergast, seconded by Mrs. Insel to accept the Monthly Reports for the month of August as submitted:

Administrator’s Report, Buildings and Grounds Foreman’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Code Construction Control/Inspection Report, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, Wastewater Treatment Plants Superintendent’s Report, Zoning Officer Report.

Vote all ayes
Motion carried

PUBLIC COMMENT – None

MAYOR’S COMMENTS

Very happy to report, the Schaumburg Family has moved back home!

SPECIAL EVENT – ARC’S FIRST RECORDS CHALLENGE

Amie Kotalic and Daniel Sekula are one of ten finalists in “The Roman Jewelers Wedding” contest. The winners of the contest will receive a free luxury wedding valued at \$100,000. The couples must raise money for non-profits and this couple plans to raise \$22,000, \$1.00 per link, creating about a half-mile long paper chain. They wish to begin on the Halstead Bridge, travel down Lower Center and across Main Street, returning to their starting point. They intend to have approximately 100 ARC volunteers holding the paper chain. Ms. Kotalic explained the event to Council and offered the email address GetConnectedWithARC@gmail.com subject “CONNECTME!” The event is scheduled for October 3, rain date October 4th, from 10:30 a.m. to 12:00 noon. The Chief has been informed of the event and was willing to work with the couple.

A motion was gladly made by Mrs. Valenta, seconded by Mrs. Insel, to approve the event as presented.

Vote all ayes
Motion carried

RARITAN VALLEY COMMUNITY COLLEGE – PRESENTING “SWOON”

Cynthia Alexander, Theater Manager of RVCC came before Council this evening to discuss an event that the college would like to offer to the Town of Clinton on the grounds of the Community Center. An Australian Group called Strange Fruit is presenting a unique art performance called *Swoon*. The group would perform on October 1, 2009 at 5:00 p.m. for 20 minutes, rest and make a second performance at 6:00 p.m. Chief Mathies and Mr. Cutter will meet with Ms. Alexander at the site to discuss parking, etc. A motion was made by Mr. Pendergast, seconded by Mrs. Valenta, to approve the event as presented in accordance with Chief Matheis and Mr. Cutter’s recommendations.

Vote all ayes
Motion carried

PUBLIC HEARING ORDINANCE #09-13 – PEDDLERS AND SOLICITING

A motion was made by Mrs. Insel, seconded by Mr. Pendergast, to open the public hearing of Ordinance #09-13:

ORDINANCE #09-13
AN ORDINANCE AMENDING CHAPTER 107
OF THE TOWN OF CLINTON CODE
REGARDING PEDDLING AND SOLICITING

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 hearing.

Vote all ayes
Motion carried

A motion was made by Mr. Shea, seconded by Mrs. Insel, to approve Ordinance #09-13 as submitted.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #09-15 AMENDMENT TO SIGN ORDINANCE

Councilwoman Insel reported that the Planning Board reviewed the Sign Ordinance and discussed changes to the ordinance regarding free expression signs. The signs would be permitted if worded correctly and the size would be limited. The Code Enforcement Officer will not be permitted on private property to remove signs, he will leave the residents a notice. If the sign is not removed, fines will be imposed.

Joann Connell, 18 Messig Road, asked if free expression only applies to political signs or any signs. Mr. Cushing explained that there is no discrimination on any signs.

Judy Zushma, 30 West Main Street, expressed her concerns regarding banners for churches summer camps. Possibly wording them differently will make a difference. She commented on the way the sign issue was handled in the spring and was assured that it would not happen again.

A motion was made by Mrs. Insel seconded by Mr. Pender, to adopt Ordinance #09-15 on first reading as submitted:

ORDINANCE # 09-15
AN ORDINANCE OF THE CODE OF THE TOWN OF CLINTON AMENDING SECTION 88
OF THE LAND USE CODE OF THE TOWN OF CLINTON

Vote all ayes
Motion carried

A notice of this Ordinance will be published in the September 23, 2009 edition of the Hunterdon Review. A public hearing will be held October 13, 2009.

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

RESOLUTION #102-09 – REIMBURSE EXPENDITURES FOR PROJECT COSTS

A motion was made by Mrs. Insel, seconded by Mr. Shea, to adopt Resolution #102-09 agreeing to reimburse expenditures of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations. This Resolution and the two following are in connection with the 2009 New Jersey Environmental Infrastructure Financing Program (NJEIT) in connection with the not exceeding \$3,200,000 General Improvement Bond, Series 2009.

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

Vote all aye
Motion carried

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

RESOLUTION #103-09 – AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS

A motion was made by Mrs. Valenta, seconded by Mrs. Insel, to adopt Resolution #103-09 authorizing the execution and deliver of loan agreements in support of the Town's General Improvement Bonds Series 2009 in an aggregate amount not to exceed \$3,200,000, a portion of which will be to the Trust and a portion of which will be to the State.

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

Vote all ayes
Motion carried

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

RESOLUTION #104-09 – DETERMINING THE FORM AND OTHER DETAILS

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to adopt Resolution #104-09 which determines the form and other details of not exceeding \$3,200,000 General Improvement Bonds, Series 2009 and providing for their sale to the NJEIT.

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

Vote all ayes
Motion carried

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

RESOLUTION 105-09 – OVERPAYMENT OF TAXES

A motion was made by Mr. Pendergast, seconded by Mr. Pender, to adopt Resolution 105-09 authorizing the Chief Financial Office to refund the overpayment on the properties listed.

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

Vote all ayes
Motion carried

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

FEE WAIVER – RED MILL MUSEUM VILLAGE

The Red Mill Museum Village is requesting a waiver of the \$146 permit fee for the electrical panel being updated in the Mill. A motion was made by Mr. Shea, seconded by Mrs. Insel, to grant the request as submitted.

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

Vote all ayes
Motion carried

NEW JERSEY DIVISION OF STATE POLICE LIVE SCAN INITIATIVE

The Town of Clinton is among several New Jersey police departments that have been selected to receive one (1) Live Scan fingerprint device with Mug Photo worth \$25,000.00, funds received under the State of New Jersey American Recovery and Reinvestment Act of 2009: Edward Byrne Memorial Justice Assistance Act Grant Program. Mayor Schaumburg has signed the necessary acceptance which has been forwarded to the Division of State Police. Equipment expected to be received within 12 months. A motion was made by Mrs. Valenta, seconded by Mr. Pendergast, to support the acceptance of the device.

Vote all ayes
Motion carried

CORRESPONDENCE

1. John Baka, Water Street, has submitted his resignation from the Planning Board effective immediately finding a replacement for his position. A motion was made by Mr. Shea, seconded by Mr. Pender, to accept the resignation with regrets.

Vote all ayes
Motion carried

2. Correspondence received from Assemblyman John DiMaio, acknowledging receipt of Resolutions received from the Borough of Glen Gardner and the Town of Clinton, requesting an extension of the elimination of the Glen Gardner Board of Education.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Councilman Pendergast

1. Hunterdon County computer and electronic clean up, Saturday, September 19, 2009 at the Route 12 location.

Councilman Pender

1. Reminder – Emergency Services Foundation, Casino Night, Friday, October 9, 2009 at Beaver Brook Country Club. Raffle tickets available.

Councilwoman Insel

1. Planning Board and Smart Growth Committee will have a Highlands Presentation by Town Planner Carl Hintz, to discuss the pros and cons of the Highlands Plan and whether or not to opt in or out. Council will be having a Presentation at the September 22, 2009 meeting. The Planning Board and public are invited to attend and be prepared with questions for the Planner and the Highlands Council's Attorney, Tom Borden.

Attorney Richard P. Cushing

1. In the process of preparing an ordinance for the securing of dumpsters and propane tanks.

Mayor Christine Schaumburg

1. Mayor Schaumburg addressed notification received from the Department of Transportation of the Town of Clinton's inability to transfer unused funds from the Union Road grant to be used for the Rachel Court Project. Ironically, it was received the day after the Mayor sent a letter to Sharon Shinkle Gardner of DOT asking for assistance. The State originally supported the efforts of the Town and provided the professional services of Orth-Rodgers to complete a transportation study. DOT has made significant contributions to the Town and it would seem only natural for them to support us now. Mayor Schaumburg hopes DOT will reconsider.
2. Walter Hetzel has submitted a Citizen Involvement Application expressing an interest in the Planning Board or the Board of Adjustment. Mayor Schaumburg made the appointment of Mr. Hetzel to the Planning Board. The Clerk will notify Secretary Allison Witt.

Councilman Shea

1. Roads - Construction of Union Road will be complete very soon. Joann Connell, 18 Messig Road, took the opportunity to thank Town Council for the sidewalk on Union Road, she said 'IT'S WONDERFUL!' She enjoys watching the children walking to and from school.
2. Mr. Shea submitted five (5) names that the Committee came up with for the new brick alley.
 - Water Wheel
 - Merchant's Way
 - Rotarian Lane
 - Guild Lane
 - Allie's Way

A quick round of the dais, Council decided Allie's Way would be the choice!

Kathy Olsen, CFO

Mrs. Olsen reported on the business personal property tax notification that was received from the New Jersey League of Municipalities regarding utilities, such as Verizon, attempting to get out of paying taxes on their lines that run through municipalities. This would result in a loss of revenue to municipalities. Kathy Olsen, CFO, informed Council that she researched the subject and attended a class on August 28, 2009 to learn more about it. Mrs. Olsen reported on the very interesting seminar. Through the wires run copper lines, these are taxed and revenue is received by the municipalities. These lines are being replaced by fiber optics. The utilities are saying that they are losing landlines which is reducing the taxable amount due to the municipality. Once they drop below 51% they claim they are no longer liable to pay the taxes.

One municipality, Hopewell Township, is fighting this and has a court date of 2011. Municipalities are being asked to help by donating \$150.00 each towards the cost of the fight. Mayor Schaumburg supported the request and a motion was made by Mr. Pendergast, seconded by Mrs. Insel, to have the Town of Clinton donate \$150.00 to Hopewell Township.

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

Vote all ayes
Motion carried

Mrs. Olsen stated that the League of Municipalities does not want to get involved in this situation but Mayor Schaumburg said she will bring it to the attention of the Conference of Mayors.

Robert A. Cutter, PW/Business Administrator

1. 2009 Stormwater Pamphlet is prepared and ready to be distributed to residents at the Town Picnic and mailed to residents.
2. Alton Place side road being paved.
3. An emergency repair to a water main on the corner of School Street and Leigh Street. The hydrant will be moved beginning tonight at 9:00 p.m. and should be completed by 2:00 – 3:00 a.m. The move has been approved by Police, Fire and Rescue Squad.

Police Chief Brett Matheis

1. Chief Matheis informed Council that new Nextel phones have been ordered saving the Town approximately \$550.00 a month.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mrs. Valenta, seconded by Mr. Pender, to approve the standby and overtime pay as submitted for August 7 through September 3, 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 Mr. Pendergast, 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

ADJOURNMENT: There being no further business, a motion was made by Mrs. Insel seconded by Mr. Pendergast, to adjourn the meeting at 8:45 p.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC

Mayor Christine Schaumburg