

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

Flag Salute.

Roll Call: Present – De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Mayor Schaumburg

Also Present – Elizabeth McManus, Planner (left at 9:00 p.m.)

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. Harrison, seconded by Mr. Shea, to approve the minutes of November 1, 2007 as submitted.

Vote all ayes
3 Abstentions (De Cleene, Insel, Ragozine)
Motion carried

APPROVAL OF MONTHLY REPORTS

Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control/Inspection Report Fire Official Report, Police Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, Treasurer’s Report, Wastewater Treatment Plant’s Superintendent’s Report, Water Superintendent’s Report

Vote all ayes
Motion carried

PUBLIC COMMENT

None

MAYOR’S COMMENTS

1. Mayor Schaumburg addressed the continued parking discussion with the Clinton Fire Department and asked that a meeting be scheduled with Chief Matheis, Councilman Harrison, Fire Department liaison; Jerry Malecki, President of the Fire Department; Attorneys Cushing and Rylak. The clerk will attempt to arrange a meeting and to carry the topic to the December 11th Council meeting.
2. Frank Hooper and Dan Torrone, Clinton Town Parade Organizers, came to Council this evening along with their friend, Tony Shepard aka “Pearly King”. Mr. Hooper presented Mayor Schaumburg with a letter from Councillor Jim Daly, Mayor of Lewes, East Sussex, England.,

which Mayor Schaumburg read aloud. Pearly King addressed the Mayor and Council, on this 10th annual visit to Clinton, and expressed his sentiments of visiting the Town and the school children of Clinton Public. (a copy of the letter is attached to these minutes) Mr. Hooper said the idea of having a "Town Crier" came from England 10 years ago when Mr. Shephard first began coming to the parade, hence, Gene De Cleene, the Town Crier of Clinton!! Also Gene De Cleene was the first North Hunterdon Quarter Back!!!!!!!!!!!!!!

PERMIT REFUND

John Leonard, Construction Official / Zoning Officer, is requesting a refund of permit fees to Harmony Contracting. The homeowner has cancelled the work after the contractor paid \$75.00 for the permit. After deducting a 15% processing, the refund is in the amount of \$64.00. A motion was made by Mr. Harrison, seconded by Mrs. Insel, to grant the request.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Schaumburg

Vote all ayes
Motion carried

WATER REFUND

The Water Collector is requesting a water refund be issued in the amount of \$65.66. Clinton Building Associates sold the Mews at Annandale complex to Morgan Properties and overpaid the final billing for the sprinklers. A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to grant the refund as requested.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Schaumburg

Vote all ayes
Motion carried

CHANGE ORDER – DE MOTT POND

Mr. Cutter explained the extra was bid as an alternate to construct that portion of the sidewalk that was included in the New Jersey DOT permit. A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to approve the Change Order as submitted.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Schaumburg

Vote all ayes
Motion carried

BANNER REQUEST – TREASURERS OF THE SOUTH BRANCH

Council is in receipt of a banner request from the South Branch Watershed Association to display a banner for an event at the Red Mill Museum on June 14, 2008. A motion was made by Mr. Harrison, seconded by Mrs. Insel, to grant the request as submitted.

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #07-15 – NO LEFT TURNS OFF UNION ROAD

A motion was made by Mr. Harrison, seconded by Mrs. Insel, to open the public hearing on Ordinance #07-15:

ORDINANCE #07-15

ORDINANCE AMENDING CHAPTER 135-35 OF THE CODE OF THE TOWN OF CLINTON, HUNTERDON COUNTY, VEHICLES AND TRAFFIC, TO PROHIBIT LEFT TURNS FROM UNION ROAD AT CERTAIN HOURS

Vote all ayes
Motion carried

Rosemary Pendergast, 20 Spruce Run Road, asked if the no turns off Union Road would affect regular visitors from accessing her road in the morning, thereby looking for alternate routes? Mayor Schaumburg assured Ms. Pendergast that anyone with legitimate reasons would be allowed to make the turns.

There being no further questions, a motion was made by Mr. Ragozine, seconded by Mr. De Cleene, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mrs. Insel, seconded by Mr. De Cleene, to adopt Ordinance #07-15 on second reading.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #07-16 – SIGN ORDINANCE

Mayor Schaumburg read letters aloud that she received this evening from Mr. Tranquilli. Letters were from merchants that were unable to attend this meeting but wished to express their feelings about neon signs not be allowed on Main Street. Copies of all letters are attached.

A motion was made by Mr. Pender, seconded by Mr. De Cleene, to open the public hearing of Ordinance #07-16:

ORDINANCE #07-16

AN ORDINANCE OF THE TOWN OF CLINTON
AMENDING THE LAND USE CODE OF THE TOWN OF CLINTON
SECTION 88-64 SIGNS

Vote all ayes
Motion carried

Ron Williams, 4 Chalfonte Drive and operator of Balic of Clinton, had several concerns and stated that the ordinance is “flawed”, particularly subsection N, Temporary Signs; the section on standing signs and the fees associated with obtaining a permit.

Mayor Schaumburg stated she also had a concern over the steep fees. Beth McManus explained that there were no fees for temporary signs but there is a one time fee of \$50.00 to obtain a permanent sign. This is to cover the administration cost.

Lou Tranquilli, Chairman of the Sign Committee, addressed his concerns over neon lights. He referred to concessions made in the ordinance regarding sandwich signs, increased number of signs and lower fees for permits.

Many people from the audience made statements during the public hearing. Sean Rogan, Harrison Street, stated he was opposed to neon signs in the Historic district.

Patrick McGuire, Center Street, and Vice Chairman of the Planning Board stated the board's opposition to neon signs.

Linda Johnson, Extraordinary Beads, said she has a small neon sign and because of the location of her store at 2 East Main Street, said she has to have something that people will see from Main Street.

John Connors, Old River House, the location of his restaurant also requires a neon sign.

Other comments were made by Peter Sandrian, Sandrian Camera, Old Highway 22, Peter Joseph 49-51 Main Street, and John Palladino, JJ Scoops.

James DeGroff, Center Street, said he does not mind neon signs, but has a problem with them not being turned off after hours.

Mayor Schaumburg said she was aware there was a lack of enforcement being addressed but that will no longer be a problem, the Town of Clinton has hired an Enforcement Officer, John Barczyk.

Carol Beder, Heartstrings, Main Street, commented on the size of the sign of 1.5 sq. ft. that Mr. Shea displayed. Referring to the sign Councilman Shea presented a sample sign that he had computed to be 1.5 sq. ft. Ms. Beder said it is too big and that she would never have voted on anything that size.

Mr. Ragozine said the perception of the sign is different but 1.5 was always discussed. However, the sample was measured again and not found to be the incorrect size. Mr. Cutter drew the accurate sign size on the blackboard.

Mayor Schaumburg said the sign may be too big for some merchants but they could use it if they wish because it will be in the ordinance. Jack Harrison felt that no one on Main Street would want to use it. Mr. De Cleene asked the merchants if they would prefer flags, the response was no. Jack Tomaro, Dominick's Pizza said he has had the same sign for years and could not think of changing it. If the sign was up with a permit, it would be grandfathered and can remain. Other comments were made by John Baka, Anna Schwartz, Frank Rupa and Ray Bahto.

In closing, Lou Tranquilli said the letters received from the merchants that were unable to attend concerned him. He stated that we should think beyond today and what this ordinance will be permitting. He said neon is a "wreck for future planning". Mr. Tranquilli continued and explained that people be guided to the Board of Adjustment for a variance when necessary. He agreed that \$1,000 is too much for an application and said he discussed this with Attorney Caldwell at some point for a reduction in escrow. Mr. Cushing suggested a meeting be scheduled with Mr. Tranquilli and Mr. Caldwell to try to make a change in the fee and see if a sign requires the same level of review as a "D" variance. Once again, Mr. Tranquilli stated that he does not think neon is a good idea, "look at Frenchtown, flags are everywhere"! Mr. De Cleene exclaimed, "we are not Frenchtown, we're better than Frenchtown, Frenchtown does not come close to Clinton"!!

Mr. De Cleene thanked Mr. Tranquilli for his work on this ordinance but said he had to disagree with him about the neon signs.

Arthur Schwartz, Portraits by Anna, stated he was confused, he mentioned the size of the sign and where they are allowed. He was not aware it was so large and that it could be displayed in all districts, including the Historic District. Mr. Schwartz was a member of the merchants that met with the Sign Committee to work on this ordinance.

Mayor Schaumburg asked if there was anyone else from the public that did not have a chance to speak.

Mayor Schaumburg asked for a motion to close the public hearing and accept comments from council members. A motion was made by Mr. Harrison, seconded by Mr. Ragozine, to close the public hearing on Ordinance #07-16.

Vote all ayes
Motion carried

A motion was made by Mr. Harrison, seconded by Mr. De Cleene, to adopt Ordinance #07-16 on second reading as submitted, allowing the size of the sign as designated in the ordinance and to be allowed in all districts.

Councilman Shea began that the original ordinance was looked at and was not acceptable. A group was designed including a number of merchants to work with the Sign Committee with a goal to streamline sign regulations, reduce poor signage and assist businesses to remain viable. That goal was achieved and a popular vote was to include a 1 ½ sq. ft. sign. On that basis, since they decided that and felt that it is viable for their businesses, and that all the years without sign enforcement did not encourage them to run out and buy neon signs, Mr. Shea felt the ordinance was something the Council should go ahead with. Mr. Shea was going to suggest smaller signs but once the sign was measured and the size was accurately achieved, Mr. Shea was then satisfied.

Mr. Harrison stated that upon driving home at night, he travels through Town looking for neon signs that are left on, and fortunately, has not encountered them. Mr. Harrison did mention the River House and saw a sign on and expressed his feelings that if there was no light on, no one would know the business was there and open. Mr. Harrison is in favor of the ordinance as written.

Mr. Ragozine does not agree with the ordinance as written. We can not make the assumption of how people will interpret the ordinance and that they will not use neon throughout the Town. It is not with the character of this Town. The River House is an example of a business that needs some level of attention and the process of appearing before the Board of Adjustment to resolve a non-conforming sign is the process to follow. Mr. Ragozine stated once again that he does not accept the broad acceptance of neon through out the Town but is pleased with everything else, well done.

Mr. Pender was concerned with merchants not knowing the size of the sign and where neon was permitted. He asked how it can be limited, and is aware that spot zoning is not possible. It was explained to him that as long as it is consistent by zones, that can be stipulated. The Historic District can be banned.

Mrs. Insel stated that the merchants received concessions to the sign ordinance but remains concerned with neon signs in the Historic District, especially on East Main Street where uses are mixed. Mrs. Insel does believe the commercial area does need neon.

Mr. De Cleene had no further comments and said he was ready to vote.

Mayor Schaumburg thanked the committee, the merchants and Mr. Ragozine for beginning this undertaking several years ago. Mayor Schaumburg then stated her concerns. She said she was concerned that the neon signs were too large; the letters from merchants about the signs on Main Street being detrimental; concerned about the \$50.00 fee and felt that fee was over taxing and not necessary; she was concerned that people that participated in months of discussions did not realize that neon would be permitted in all areas, including historic, and that they did not know the size of the sign that was proposed. The Mayor stated that if this ordinance is not adopted as presented this evening, it must be adjusted and reintroduced next year.

Mr. Ragozine suggested Council submit their ideas to Beth McManus and asked her to prepare a matrix, or a menu of options, to be reviewed at the next Council meeting or possibly a meeting in January.

ROLL CALL VOTE: Ayes: De Cleene, Harrison, Shea
Nays: Insel, Pender, Ragozine, Mayor Schaumburg

Vote
Ayes: 3
Nays: 4
Ordinance Failed

Council members were encouraged to contact Beth McManus, Planner, by email with their suggestions and concerns. Ms. McManus will prepare a matrix for a future meeting.

RESOLUTION #118-07 – SCENIC BIWAY DESIGNATION

Town Planner, Elizabeth McManus, explained the purpose of seeking County wide designation through scenic corridors of highways. Once the highways are designated, billboards will not be permitted. Also, designation provides access to grants and federal funding. This resolution is being presented to all municipalities along the corridor. A motion was made by Mrs. Insel, seconded by Mr. Ragozine, to adopt Resolution #118-07 as presented.

Vote all ayes
Motion carried

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

(Ms. McManus was then allowed to leave the meeting 9:00 PM)

PUBLIC HEARING OF ORDINANCE #07-17 – BOARD OF RECREATION COMMISSIONERS

A motion was made by Mr. De Cleene, seconded by Mrs. Insel, to open the public hearing on Ordinance #07-17:

ORDINANCE #07-17
AN ORDINANCE ABOLISHING PARKS AND PLAYGROUNDS
COMMISSION AND PROVIDING FOR THE APPOINTMENT OF A BOARD OF
RECREATION COMMISSIONERS

Vote all ayes
Motion carried

Mayor Schaumburg thanked Chairwoman Pendergast, the Commission members and Councilman Ragozine for their commitment to this new ordinance. Ms. Pendergast, in turn, thanked the Mayor and Council on a job well done and commented that the commission is very happy with the results.

There being no further comments, a motion was made by Mr. Harrison, seconded by Mrs. Insel to close the public comment period.

Vote all ayes
Motion carried

A motion was made by Mr. Harrison, seconded by Mr. De Cleene to adopt Ordinance #07-17 on second reading.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #07-18 – CAPITAL ORDINANCE

A motion was made by Mr. De Cleene, seconded by Mrs. Insel, to open the public hearing on Ordinance #07-18:

ORDINANCE #07-18

CAPITAL ORDINANCE OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON AND APPROPRIATING THEREFOR THE SUM OF \$350,000 FROM THE CAPITAL IMPROVEMENT FUND RESERVES FOR ROAD CONSTRUCTION

Vote all ayes
Motion carried

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

Vote all ayes
Motion carried

A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to adopt Ordinance #07-18 on second reading.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #07-19 – CREATION OF MUNICIPAL COURT

A motion was made by Mr. Ragozine, seconded by Mrs. Insel, to open the public hearing on Ordinance #07-19:

ORDINANCE #07-19

AN ORDINANCE CREATING THE MUNICIPAL COURT OF NORTH HUNTERDON COMPOSED OF THE TOWN OF CLINTON, THE BOROUGH S OF GLEN GARDNER, HAMPTON, HIGH BRIDGE AND LEBANON AND THE TOWNSHIPS OF FRANKLIN, LEBANON AND TEWKSBURY EFFECTIVE 2008

Vote all ayes
Motion carried

Mr. Tranquilli, 11 Rupells Road, thanked the Mayor and Councilman Ragozine for negotiating on such an important matter as the court and continuing shared services with eight municipalities.

There being no further comments, a motion was made by Mr. Harrison, seconded by Mrs. Insel to close the public hearing.

Vote all ayes
Motion carried

Mayor Schaumburg stated that she is also very excited about the outcome and thanked Mr. Ragozine for his assistance in resolving the issue and to continue working with the eight other municipalities.

A motion was made Mr. Ragozine, seconded by Mr. Shea, to adopt Ordinance #07-19 on second reading.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

RESOLUTION #116-07 – INTERLOCAL SERVICES AGREEMENT FOR MUNICIPAL COURT

A motion was made by Mr. Harrison, seconded by Mr. Pender, to adopt Resolution #116-07, authorizing the Mayor and Clerk be authorized to execute the Agreement on behalf of the Town of Clinton.

Vote all ayes
Motion carried

RESOLUTION #117-07 – CANCELLATION OF LEIN

A motion was made by Mr. Ragozine, seconded by Mr. De Cleene, to adopt Resolution #117-07 authorizing the Tax Collector to cancel Lien #2006-9 on Block 11, Lot 19.

Vote all ayes
Motion carried

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #120-07 – CHAPTER 159

A motion was made by Mr. Harrison, seconded by Mrs. Insel, to adopt Resolution #120-07 approving the insertion of \$35,000.00 from the State of New Jersey, Water Management Plan Grant.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Schaumburg

Vote all ayes
Motion carried

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

RESOLUTION #121-07 – AWARD OF ROCK SALT

A motion was made by Mr. Harrison, seconded by Mr. Ragozine, to adopt Resolution #121-07 to enter into a contract with the Hunterdon County Board of Freeholders for the purchase of rock salt from Atlantic Salt, Inc. at a contract price of \$53.79 per ton.

Vote all ayes
Motion carried

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

RESOLUTION #122-07 – APPOINTMENT OF TAX ASSESSOR CONSULTANT

A motion was made by Mr. Ragozine, seconded by Mr. Harrison, to adopt Resolution #122-07, appointing Marcia Sudano Kerwin to serve as the Tax Assessor Consultant for the period from December 3, 2007 to January 10, 2008.

Vote all ayes
Motion carried

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

RESOLUTION #123-07 – APPOINTMENT OF TAX ASSESSOR

A motion was made by Mr. Pender, seconded by Mr. Harrison, to adopt Resolution #123-07 appointing Ann Marie Obiedzinski as Tax Assessor for the Town of Clinton effective December 3, 2007 with the terms of an Interlocal Agreement between the Town of Clinton and the Township of Tewksbury.

Vote all ayes
Motion carried

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

INTERLOCAL AGREEMENT FOR PUBLIC HEALTH SERVICES

A motion was made by Mr. Harrison, seconded by Mrs. Insel, to authorize the Mayor and Clerk to enter into the Interlocal Agreement for Public Health Services with the County of Hunterdon, Department of Health. There is no fee for this agreement, however, the services of the County Health Department are retained for the Town when certain instances may arise.

Vote all ayes
Motion carried

CORRESPONDENCE

1. A letter of resignation received from Margaret Hendrickson, a member of the Board of Adjustment for two decades. A motion was made by Mr. Ragozine, seconded by Mr. Pender, to accept the resignation of Mrs. Hendrickson with regrets.

Vote all ayes
Motion carried

2. A Citizen's Involvement Application was submitted by Whitney Wetherill interested in a position on the Board of Adjustment. A motion was made by Mr. Harrison, seconded by Mrs. Insel, to appoint Ms. Wetherill as Alternate #2 on the Board of Adjustment.

Vote all ayes
Motion carried

3. The Red Mill Museum Village sent a thank you to Council for their use of the Council Room for a recent Board of Directors meeting.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Mayor Schaumburg

1. Mr. Cutter has received his COAH certification from the State of New Jersey.
2. Mayor Schaumburg also announced that Mr. Cutter received the New Jersey Clean Water award for Local Public Education. Mr. Cutter's plan is a model used in the State of New Jersey, a high honor. The plan was done completely in house by Mr. Cutter, possibly saving the Town upwards of \$38,000.00. The cost some towns have paid consultants that much to do the job. Congratulations to Mr. Cutter and thank you to Nancy Burgess. Nancy prepared all the literature using Publisher and did a fine job.

Councilman De Cleene

1. Rescue Squad – reported 116 calls for the month of October. A Hunterdon County drill is scheduled for December 2 at 7pm.

Councilwoman Insel

1. Historic Commission – next meeting is Wednesday night, November 28, 2007 at 7pm.

Clerk Covino

With Christmas Day falling on the next regular scheduled Council meeting, the Clerk asked Council what were their wishes. Council decided to cancel the December 25th council meeting and would arrange for a special morning meeting if necessary.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Harrison, seconded by Mrs. Insel, to approve the standby and overtime pay as submitted for October 19, 2007 through November 15, 2007.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

RESOLUTION #119-07 – TRANSFER OF FUNDS

A motion was made by Mr. Harrison, seconded by Mr. Ragozine, to adopt Resolution #119-07, the Transfer of Funds. Mrs. Olsen corrected the Resolution that should have read transfer from Board of Adjustment, not Planning Board. Clerk will be given a corrected copy for the file.

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

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

PAYMENT OF BILLS

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

ROLL CALL: Ayes: De Cleene, Harrison, Insel, Pender, Ragozine, Shea, Mayor Schaumburg

Vote all ayes
Motion carried

RESOLUTION #124-07 – EXECUTIVE SESSION

A motion was made by Mr. Harrison, seconded by Mr. Ragozine, to adopt Resolution #124-07 allowing Council to enter into Executive Session to discuss Litigation, Contract Negotiations and Personnel at 9:45 p.m.

Vote all ayes
Motion carried

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

A motion was made by Mrs. Insel, seconded by Mr. Harrison, to come out of Executive Session and return to the regular Council meeting at 10:13 p.m.

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mr. De Cleene seconded by Mrs. Insel, to adjourn the meeting at 10:15 p.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC
Town Clerk

APPROVED BY MAYOR & COUNCIL

Christine Schaumburg, Mayor