

**MINUTES OF THE  
BOROUGH OF CLEMENTON  
APRIL 3, 2018  
COUNCIL MEETING  
OF THE MAYOR AND COUNCIL**

**OPENING:** Mayor Thomas Weaver called the meeting to order at 7:05PM.

**OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:** Mayor Weaver read the following statement, "This meeting has been properly advertised and posted pursuant to N.J.S.A. 10:4-6, the Open Public Meetings Act."

**ROLL CALL:** Jenai Johnson, Municipal Clerk/Administrator, called the roll which resulted in the following members present: Mayor Thomas Weaver; Councilman Mark Armbruster; Councilman Jonathan Fisher; Councilwoman Meghan Milano; Council President Christine Nucera; Councilman Thomas Shaw. Absent: Councilwoman Holly Strobl

**SALUTE TO THE FLAG:** Mayor Weaver led in the salute to the flag.

**PRIVILEGE OF THE FLOOR FOR A TOTAL TIME NOT TO EXCEED 10 MINUTES FOR ITEMS APPEARING ON THE AGENDA ONLY:** Mayor Weaver opened the floor to the public. There were no comments from the public related to matters appearing on the agenda. The floor was closed.

**APPROVAL OF MINUTES:**

MINUTES OF THE JANUARY 16, 2018 COUNCIL MEETING- Councilwoman Nucera motioned to approve the minutes as presented, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

MINUTES OF THE FEBRUARY 6, 2018 CAUCUS MEETING- Councilman Armbruster motioned to approve the minutes as presented, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

MINUTES OF THE JANUARY 6, 2018 REORGANIZATION MEETING- Councilman Armbruster motioned to approve the minutes as presented, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

**APPROVAL OF THE BILL LIST:** Councilman Armbruster motioned to approve the bill list upon proper review and certification, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

**ORDINANCES AND RESOLUTIONS:**

*INTRODUCTION/FIRST READING*

ORDINANCE 2018-06 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO NJSA 40A:45.14. Mayor Weaver read by title. Councilwoman Nucera motioned to approve on first reading, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl. It was noted that second reading and public hearing would be scheduled for May 1, 2018.

RESOLUTION R18-62 AUTHORIZING REFUND OF CERTAIN FIRE SAFETY FEES. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-63 AUTHORIZING ADJUSTMENT OF WATER BILLING FOR BLOCK 98, LOT 11, OTHERWISE KNOWN AS 14 SMITH TERRACE. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-64 TO AUTHORIZE APPROPRIATION RESERVE TRANSFERS RETROACTIVE TO MARCH 20, 2018 REGULARLY SCHEDULED MEETING. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-65 INTRODUCTION OF 2018 MUNICIPAL BUDGET. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Fisher; Milano; Nucera; Shaw. Nays: Armbruster. Absent: Strobl.

RESOLUTION R18-66 AUTHORIZING THE BOROUGH ENGINEER TO MAKE APPLICATION AND THE MAYOR TO EXECUTE A CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR PROGRAM YEAR 2018. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-67 AUTHORIZING APPLICATION TO BE FILED WITH THE CAMDEN COUNTY OPEN SPACE/FARMLAND PRESERVATION DIVISION. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-68 ACKNOWLEDGING COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964". Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

**UNFINISHED BUSINESS:**

**ALBERTSON AVENUE PLAYGROUND EQUIPMENT PURCHASE-** Councilwoman Nucera stated that she had met with Burke regarding the installation of playground equipment at Albertson Avenue Park. Councilwoman Nucera stated that the land had been cleared and she was requesting approval of expenditure of \$90,000 in Open Space Trust Funds for acquisition of the equipment. Councilwoman Nucera noted that \$15,000-\$25,000 would be reimbursed into the trust account with Open Space Grant Funding awarded by Camden County. Councilman Armbruster motioned to approve the expenditure of Open Space Trust Funds in the amount not to exceed

\$90,000.00 for acquisition and installation of playground equipment at the Albertson Avenue Playground, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent; Strobl.

***(MEMORIALIZED BY RESOLUTION R18-69)***

Councilman Armbruster stated that the Borough needed to inquire with the Camden County Joint Insurance Fund to ascertain if installation of a fence surrounding the playground would be necessary.

**NEW BUSINESS:**

**DISCUSSION REGARDING CREATION OF PUBLIC WORKS CLERK POSITION-**

Councilman Armbruster stated that he had taken part in discussions with the former Public Works Director last fall regarding the need for a Public Works Clerk at the Public Works Facility. Councilman Armbruster stated that the clerk would alleviate some of the administrative strain placed on the supervisory public works staff. Councilman Armbruster noted that if the position were created, the Clerk would assume responsibility of resident complaints related to trash collection, complete state mandated reports and ensure consistent communication with the residents. After brief discussion, it was determined that the personnel and public works committee representatives would meet prior to the April 17<sup>th</sup> meeting and return with further recommendation.

**DANIEL DOUGHERTY SPORTS COMPLEX-** Councilwoman Nucera reported that hazardous branches were currently located over the street, fields and signage at Daniel Dougherty Sports Complex. Councilwoman Nucera stated that she had spoken to Robert Freiling of the Public Works Department related to the issue, who advised that a "Cherry Picker" could be rented for a 2 week period at a cost of \$1,750. Mr. Freiling noted that during the two week period, other limbs could be addressed around town that posed hazards. Mr. Freiling noted that his crew was currently finishing chipping, and anticipated available manpower toward the end of the month. Councilwoman Nucera motioned to approve the expenditure of open space funds for the 2 week rental of equipment to trim limbs at Daniel Dougherty Sports Complex as well as other Borough owned parks and playgrounds, not to exceed \$2,500.00. Motion was seconded by Councilman Shaw and carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl. ***(MEMORIALIZED BY RESOLUTION R18-70)***.

**PRIVILEGE OF THE FLOOR:**

**Dana Yost, 39 Cherry Lane-** Ms. Yost stated that her house was situated below street level and they were experiencing drainage problems with water runoff from Davis and Evanson in both directions. Ms. Yost stated that a retaining wall existed in the front of her property, which was deteriorating. Ms. Yost stated that she has tried to repair the wall with no success. Solicitor Botcheos inquired as to the ownership of the property on which the retaining wall lies. Wayne Roorda, of Bach Associates, stated that he had been at the site and there was uncertainty as to who actually owned the property on which the retaining wall was situated. Mr. Roorda noted that he was looking into the ownership, and would report back on whether it belonged to the homeowner or was in the right of way. Mr. Roorda was directed to ascertain ownership and property lines, and develop possible solutions.

**John Hunter, 27 Lincoln Avenue-** Mr. Hunter reported that he had been involved in a motorcycle accident and his property taxes were in tax sale, and the borough owned a lien on the property. Mr. Hunter stated that he owned the commercial property, and the total amount required to bring current his taxes was in the ballpark of \$18,000.00. Mr. Hunter stated that he was requesting that the Mayor and Council approve a payment plan due to his hardship, and requested waiver of the

interest. Solicitor Botcheos noted that the interest could not be waived. Mr. Hunter proposed that he pay two quarters of 2018 taxes and include the remainder in a payment plan for all past due. Mr. Hunter was directed to meet with the tax collector, Jo Ann Watson, to develop a feasible payment plan for a three year period, which could be considered by the Governing Body at a future meeting.

*Frank Naurath, 252 White Horse Avenue-* Mr. Naurath stated that he had concerns with the Hidaway Tavern located near his residence. Mr. Naurath stated that several of his neighbors in surrounding homes also had concerns. Councilman Armbruster stated that he was aware of other criminal activity on the property. It was determined that the Public Safety Committee would meet with the Chief of Police to discuss possible issues occurring on the property, as well as solutions to same.

*Gary Saunders, 17 Elm Avenue-* Mr. Saunders stated that it was his belief that additional hiring was not necessary in the public works department, noting that Pine Hill had one employee for four hours on Thursday and four hours on Friday for administrative assistance. Mr. Saunders stated that he wanted to obtain confirmation that there would not be a hire for the Public Works Clerk position at the current meeting.

Mr. Saunders was advised by Mayor Weaver that there would not be a hire or creation of the Public Works Clerical position, and that it had been referred to the committee for further discussion.

#### **EXECUTIVE SESSION:**

Councilwoman Nucera motioned to enter executive session at 8:11pm for the following matters:

HIRE OF CODE ENFORCEMENT TRAINEE

HIRE OF CLERK/DEPUTY MUNICIPAL CLERK

PENDING LITIGATION-CLEMENTON V. DILKS

It was noted that the anticipated length of closed session was twenty minutes, and formal action may be taken. Councilwoman Milano seconded the motion, and hearing none opposed, motion was carried.

Councilwoman Nucera motioned to re-enter open session at 8:50PM, seconded by Councilman Shaw and hearing none opposed, motion was carried.

#### **ACTION AS A RESULT OF EXECUTIVE SESSION:**

RESOLUTION 2018-71 AUTHORIZING HIRE OF MILES DUMBLETON TO THE FULL TIME POSITION OF CODE ENFORCEMENT TRAINEE FOR THE BOROUGH OF CLEMENTON. Councilwoman Nucera motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION 2018-72 AUTHORIZING HIRE OF KIMBERLY MORRELL TO THE POSITION OF FULL TIME CLERK/DEPUTY MUNICIPAL CLERK IN THE BOROUGH OF CLEMENTON. Councilwoman Nucera motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

INTRODUCTION/FIRST READING

ORDINANCE 2018-07 AMENDING SALARIES AND WAGES OF EMPLOYEES AND OFFICIALS OF THE BOROUGH OF CLEMENTON RETROACTIVE TO JANUARY 1, 2018.

Councilwoman Nucera motioned to approve on first reading, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

Councilman Fisher stated that he had one item for consideration prior to adjournment. It was requested by the Fire Chief, John Busch, that council approve the transfer of the Chevy Tahoe, no longer in use by Clementon Fire Rescue, to Laurel Springs. It was noted that Jenai Johnson would consult with Solicitor Botcheos related to the required procedure.

**ADJOURNMENT:** Councilman Fisher motioned to adjourn at 8:55PM, seconded by Councilman Shaw and hearing none opposed, motion was carried.

RESPECTFULLY SUBMITTED,



Jehai L. Johnson,

Municipal Clerk/Administrator