

**MINUTES OF THE BOROUGH OF CLEMENTON
DECEMBER 17, 2019
COUNCIL MEETING
OF THE MAYOR AND COUNCIL**

OPENING: Mayor Thomas J. 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 J. Weaver; Councilman Melvin Applegate; Councilman Mark Armbruster; Councilman Jonathan Fisher; Councilwoman Meghan Milano; Councilman Thomas Shaw; Councilwoman Holly Strobl.

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

ENGINEER REPORT: Mark Basehore of Bach Associates was in attendance and submitted a written engineering report which has been filed in the appropriate manner and verbally reported on the following items:

NJDOT FY2020 Applications- Mr. Basehore reported that the NJDOT had announced that Fy2020 Municipal Aid applications were announced and were due July 19th. Mr. Basehore stated that his office had submitted an application requesting \$736,432.40 for FY 2020 Municipal Aid funding for Atlantic Avenue, Lake Avenue, Carver Avenue and Naylor Avenue, and had been awarded \$275,000 for the project, which would require a reduced scope.

Municipal Building Underground Storage Tank- Mr. Basehore reported that Council had accepted Pennoni Associates proposal to provide LSRP services in the amount of \$14,750 which was inclusive of tasks immediately necessary to move the Site forward with achieving compliance with NJDEP regulations.

Camden County Bridge Replacement Project- Mr. Basehore reported that the project was substantially complete and that he had met with the construction manager to review the condition of the Borough owned properties following the project, specifically potential damage to the senior center.

Barry Place Improvements- Mr. Basehore stated that the improvements were substantially complete and that payment and change order #1 were being recommended for approval, with a slight reduction in the original contract award.

Cherry Lane Improvements- Mr. Basehore stated that Council had approved Change Order #2 and Final Payment for the project and noted that Bach Associated would be coordinating with CDBG to ensure grant reimbursements were received.

NJDOT FY2018, 2019 & CDBG FY2018- Mr. Basehore stated that Landberg Construction had submitted payment application #2 and Bach Associates was currently reviewing the payment application.

Ohio Avenue Phase II NJDOT FY2016- Mr. Basehore stated that his office had submitted closeout documents to NJDOT in October and was awaiting reimbursement.

Rehab Well No. 9 NJEIT- Mr. Basehore stated that his office had been working with the Clementon Water and Sewer Department regarding the preparation of a revised application package to submit to NJDEP and noted that they would need new signatures and issuance of a new check from the Borough for submission.

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 for those who wished to speak relating to matters appearing on the agenda. Hearing and seeing no interested participants, Mayor Weaver closed the floor to the public.

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: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

APPROVAL OF MINUTES:

MINUTES OF THE OCTOBER 15, 2019 COUNCIL MEETING-Councilman Fisher motioned to approve the October 15, 2019 Minutes, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Shaw; Strobl. Abstain: Milano.

MINUTES OF THE NOVEMBER 12, 2019 CAUCUS/COUNCIL MEETING- Councilman Armbruster motioned to approve the minutes as presented, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

ORDINANCES AND RESOLUTIONS:

SECOND READING/PUBLIC HEARING

ORDINANCE 2019-11 AMENDING AND SUPPLEMENTING CHAPTER 222 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "SALES, SPECIAL". Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Milano. Mayor Weaver opened the public hearing. Hearing no comments, Mayor Weaver closed the public hearing and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-167 APPROVING CERTAIN APPLICATIONS FOR LEGALIZED GAMES OF CHANCE. Councilwoman Milano motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-168 AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AGREEMENT WITH HOMEWARD BOUND PET ADOPTION CENTER, INC FOR 2020 SHELTERING SERVICES. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilman Applegate and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-169 TO AUTHORIZE APPROPRIATION TRANSFERS. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-170 AUTHORIZING ADJUSTMENT OF CERTAIN WATER ACCOUNTS. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-171 AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT FOR BLOCK 139, LOT 5, OTHERWISE KNOWN AS 41 CEDAR LANE. Mayor Weaver read by title. Councilman Applegate motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-172 TO CONFIRM TRANSFER OF PROPERTY TAX OVERPAYMENTS. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-173 TO CONFIRM INTEREST NOT CHARGED. Mayor Weaver read by title. Councilman Armbruster motioned to approve. Motion was seconded by Councilwoman Strobl and carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-174 APPROVING PAYMENT #2(FINAL) TO R. MOSLOWSKI EXCAVATING, INC FOR THE CHERRY LANE DRAINAGE IMPROVEMENTS PROJECT IN THE AMOUNT OF \$2,774.60. Mayor Weaver read by title. Councilman Applegate motioned to approve with a second from Councilman Armbruster and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-175 AUTHORIZING APPROVAL OF 2020 TOWING COMPANIES FOR THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilman Applegate motioned to approve, with a second from Councilwoman Milano and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-176 AUTHORIZING PAYMENT #2 TO LANDBERG CONSTRUCTION IN THE AMOUNT OF \$231,072.05 FOR THE 2018 ROAD PROGRAM, DELAWARE, LAKE AND CARVER AVENUES. Mayor Weaver read by title. Councilman Applegate motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-177 APPROVING FORM OF APPLICATION FOR REQUESTS FOR TREE CUTTING. Mayor Weaver read by title and noted that it was determined that this matter would be tabled until such time that the Committee had a chance to review and determine the application and fee status and recommend changes.

RESOLUTION R19-178 AUTHORIZING ISSUANCE OF MERCANTILE LICENSE FOR DEPIPSON MOTORS LLC, LOCATED AT 342 WHITE HORSE PIKE, CLEMENTON. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilman Applegate and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Milano; Shaw; Strobl. Abstain: Fisher.

RESOLUTION R19-179 AUTHORIZING PAYMENT #1 FOR BARRY PLACE DRAINAGE IMPROVEMENTS TO R. MOSLOWSKI EXCAVATION INC. IN THE AMOUNT OF \$32,667.75. Mayor Weaver read by title. Councilman Applegate motioned to approve, seconded by Councilman Applegate and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-180 APPOINTING DESIGNATED EMPLOYER REPRESENTATIVES FOR DRUG TESTING CDL DRIVERS. Mayor Weaver read by title. Councilman Applegate motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

UNFINISHED BUSINESS:

DISCUSSION REGARDING BRAND AVENUE LIGHTING PROPOSALS: Discussion occurred on the installation and improved lighting for the Brand Avenue, due to resident complaints. It was determined that Option 2 would be selected, which would include the following specifications:

Estimated Street and Private Lighting (SPL) charge for 100-watt LED cobra fixture, with a monthly cost of \$126.16. The fixture installations would remain the property of Atlantic City Electric. Monthly Averaged rate was estimated to be \$13.06. The rate provides ordinary maintenance and replacement of lamps and automatic controls.

Councilman Shaw motioned to approve the Public Works Director to proceed with Option 2 of lighting installation at Brand Avenue with Atlantic City Electric. Motion was seconded by Councilman Fisher and carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

(MEMORIALIZED BY RESOLUTION R19-181).

NEW BUSINESS:

Jenai Johnson reported that Mark Basehore of Bach Engineering had submitted a change order for Barry Place, and requested consideration for approval at the current meeting.

Councilman Armbruster motioned to approve change order for Barry Place, with a second from Councilman Applegate and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl. (Memorialized by Resolution R19-182)

Councilman Armbruster inquired if a publication had to be done and determination made for the Annual Reorganization Meeting Date. Jenai Johnson reported that the meeting date had been determined at a prior Council Meeting and the publication had been completed and posted on the Borough website.

Councilman Armbruster inquired if the Mayor had spoken to Michael Fink related to Leewood Villages, as the property taxes were delinquent in excess of \$16,000. Councilman Armbruster stated that he would not be receptive to any modifications proposed without the issue being addressed.

Councilman Armbruster stated that he was not content with the County response related to the responsibility of the traffic lights in intersections within the Borough. It was determined that Councilman Applegate would provide Solicitor George Botcheos with the four intersections in town that are County Roads, of which the governing body believed that they did not own responsibility of maintaining. George Botcheos was directed to respond to the county letter as the bulbs needed to be replaced and were creating liability.

Councilman Fisher stated that Kevin Garretson, the Fire Marshall, was leaving at the end of the year and had requested the approval to purchase an inspection vehicle in the amount of \$52,000 from the Fire Safety Trust Fund. It was noted that the proposed cost included all of the necessary upgrades. Councilman Armbruster stated that the Borough had just approved the State to conduct the Borough investigations. Councilman Applegate noted that it was his belief that the vehicle cost had decreased to \$32,000. Further discussion determined that the Code Enforcement Officer was in need of a vehicle, and the former Fire Safety Investigation Vehicle could be transferred to the Code Enforcement Office.

Councilman Armbruster stated that he had spoken to Todd Saler, who advised that hires could be made in the Water/Sewer Department, which would not affect that CAP. It was noted that further discussion was warranted on that matter.

Councilman Armbruster stated that the construction fees needed to be increased and feedback would be needed from the inspectors.

Councilman Fisher motioned to approve the purchase of the Fire Safety Vehicle via State Contract #88728, with a second from Councilman Applegate and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

(Memorialized by Resolution R19-183)

PRIVILEGE OF THE FLOOR:

Mayor Weaver opened the floor to the public for anyone wishing to speak.

Joseph Feldman, 20 Point Breeze- Mr. Feldman reported that he was concerned with the future of the Clementon Memorial Library. Mr. Feldman noted that the funding from the annuity was reportedly almost depleted and asked Council to commit to maintaining the operation of the library. Councilwoman Strobl stated that she desired to allow the library to remain open also, and noted that she had advised them to configure ways to raise their own funds. Councilman Armbruster stated that the Library was a separate entity and the Borough was unable to just provide them money.

Seeing no other individuals wishing to speak, Mayor Weaver closed the floor to the public.

EXECUTIVE SESSION:

Councilwoman Strobl motioned to enter executive session at 8:12PM for an anticipated duration of approximately 10 minutes for a discussion regarding the possible acquisition of Mt. Carmel Property, Motion was seconded by Councilman Fisher and hearing none opposed, motion was carried.

Councilman Armbruster motioned to re-enter open session at 8:17PM, with a second from Councilman Fisher and hearing none opposed, motion was carried.

There was no action taken as a result of executive session.

ADJOURNMENT:

Councilman Fisher motioned to adjourn the meeting at 8:18PM. Motion was seconded by Councilwoman Strobl and hearing none opposed, the meeting was adjourned.

Respectfully Submitted,

Jenai L. Johnson,
Municipal Clerk/Administrator