

**BOROUGH OF CLEMENTON
JUNE 20, 2017
CAUCUS/COUNCIL MEETING
OF THE MAYOR AND COUNCIL**

OPENING: Mayor Weaver called the meeting to order at 7:08PM.

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; Councilwoman Holly Strobl. Absent: Councilman Thomas Shaw. Also present were Solicitor George Botcheos and Wayne Roorda of Bach Associates.

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 related to items appearing on the agenda. Hearing no comments from the public, the floor was closed.

ENGINEER REPORT: Wayne Roorda of Bach Associates prepared a written report which has been filed in the appropriate manner and verbally reported on the following matters:

Camden County Open Space Soccer Improvements/Daniel Dougherty Sports Complex- Mr. Roorda reported that his office had not yet received any response from the County related to the necessary encroachment of County property for the soccer field plans. He noted that he would reach out again and attempt to get a response.

Brand Avenue/NJDOT FY 2017 Funding – Mr. Roorda stated that the Borough had been awarded grant funding for the project in the amount of \$200,000.00 and his office would be preparing a proposal for engineering services, which could be funded by the year 39 CDBG funding.

Ohio Avenue Phase II/NJDOT FY 2016 Funding- Mr. Roorda stated that his office had to review and revise plans originally submitted for the culvert/embankment and was attempting to keep the costs minimal. Councilman Armbruster inquired if it were possible to combine the bid for Brand Avenue and Ohio Avenue Phase II to obtain better pricing. Mr. Roorda stated that there was no harm in making that attempt and that he would need to research and determine if the two projects must be bid separately or would be able to be consolidated. There were no objections and Mr. Roorda was directed to move forth with preparing the bid specs.

Well #9- Councilman Armbruster asked of the status of the project. Mr. Roorda stated that his office was preparing administrative items that were due back to the state on the project, and noted that Stephen Bach was working on the well permit.

Bottoms Lake Dam- Councilman Armbruster asked if a determination had been made by the State as to what repairs would be required at the Dam. Mr. Roorda stated that he had proposed pumping in concrete material and was continuing to attempt to rectify the issue and meet state

regulations while attempting to stay within the budget, which he believed to be approximately \$75,000.00

Councilman Armbruster indicated that he wished for the engineer to provide a status report on Bottoms Lake Dam by the next meeting. Councilman Armbruster stated that he wished for the Governing Body to be aware that there were many larger projects forthcoming that would utilize much of the Borough's bonding ability. Councilman Armbruster noted that Bottoms Lake Dam, the Well replacement and environmental factors at the Municipal Building were all large scale projects that had to be completed.

Mayor Weaver asked if the Borough was waiting on funding for the Well #9 project. Mr. Roorda stated that the funding was now fluid, with interim funding available until the scheduled bond sales.

Hearing no further questions for the Municipal Engineer, Mr. Roorda was excused from the meeting.

ADMINISTRATOR/COUNCIL REPORTS:

Jenai Johnson, Municipal Clerk/Administrator, reported that the CFO position was listed on the League of Municipalities website and the search for replacement of Nicholas Tocco at year end was underway. Ms. Johnson noted that once resumes were received, further information would be provided to the personnel committee.

Ms. Johnson reported that the library roof project had been advertised and bids would be accepted on July 18th at 10:00am at Borough Hall.

Ms. Johnson stated that a request had been submitted by a resident for a tax payment plan on 27 Lincoln Avenue and noted that the request had been distributed to the members of the governing body. It was determined after brief discussion by the Council that they did not wish to consider the request, as it was vague and required additional information to substantiate the extenuating circumstances and need of such. Jenai Johnson was directed to contact the requestor and advise them that more detailed information would be required for the type of request being made.

Councilwoman Meghan Milano reported that the Senior Luncheon was being held at the Community Center on Thursday and Movie Night was being held on Friday night at 7PM. Councilwoman Milano noted that there would be a magic show immediately prior to the movie "Sing". Councilwoman Milano reported that the library would be hosting a Saturday morning program every other Saturday over the summer beginning June 24th at 12pm. Councilman Armbruster stated that as a follow up to prior conversation related to the computers at the library, he had acquired a computer from Public Works that was no longer in use, and would clean it out and provide to the library. He noted that he would install software that would prohibit modifications to the system.

Councilwoman Christine Nucera stated that the Special Events Committee had held a meeting on June 6th and had a good turnout. Councilwoman Nucera stated that they were attempting to schedule one event per month. Councilwoman Nucera stated that the next event was scheduled for June 27th, which would be a bonfire with Smores at Daniel Dougherty Sports Complex. Councilwoman Nucera stated that Special Events would also be assisting with National Night Out. Councilwoman Nucera reported that her committee was also planning several events including a dance for grades 5-8, Trunk or Treat and a Holiday Parade.

Councilman Mark Armbruster reported that issues were being experienced at Barry Place. Councilman Armbruster stated that the Public Works Director would be visiting the site with the engineer to determine the course of action necessary. Councilman Armbruster stated that the Borough would be attempting to initiate a temporary fix with patching. Councilman Armbruster stated that the Borough would need to bond the funds for the project, as it would likely not

qualify for NJDOT funding. Councilman Armbruster concluded by emphasizing that the Borough needed to continue to work on the repair of various roads throughout town that were in desperate need of repair.

Councilman Jonathan Fisher stated that three applications had been received for the vacant position of Police Officer in the Borough, with one applicant being a lateral transfer applicant. Councilman Fisher stated that it was his desire to create a committee to conduct interview and narrow down the applicant pool prior to performing psychological evaluations. Councilman Fisher stated that the body cameras were on the verge of being operational. Councilman Fisher inquired with Solicitor George Botcheos if the Borough had taken ownership of the Smith property. Solicitor Botcheos reported that settlement was scheduled for Friday. Mayor Weaver asked for an estimated time frame of when the actual hire of a police officer would occur. Acting Chief Grover reported that he estimated the Borough would be able to hire in September. Mayor Weaver noted that he had sent flowers on behalf of the governing body to the Family of Eva Busch, a former councilwoman, upon the death of her father.

Mayor Thomas Weaver stated that he and Councilman Shaw had been looking at the cost and equipment necessary for installation of lighting at Carver Field. They had received an estimate of \$70,000 to \$140,000 dependent upon the style chosen. Councilman Armbruster stated that the price could likely be reduced to \$60,000, but Mayor Weaver noted that the projected cost would likely be increased if a warranty was purchased. Mayor Weaver stated that the Borough would not begin to research any lighting at Daniel Dougherty Sports Complex until the full layout was established, inclusive of the soccer fields.

Mayor Weaver reported that he was attempting to establish a literacy committee and wished for the approval of council to utilize the library facility for literacy training for ESL students. Mayor Weaver stated that Councilwoman Strobl and Councilwoman Milano were assisting him in this quest and were attempting to gain funding from Camden County.

Councilman Armbruster stated that Princeton Avenue Park was closed due to ongoing issues with the equipment recognized during an inspection performed by the Joint Insurance Fund. Councilman Armbruster noted that the Public Works Department was currently attempting to acquire replacement parts and repair the playground equipment. Councilman Fisher asked for clarification on who performed the routine playground inspections. Robert Freiling, Public Works Supervisor, reported that Al Sexton had performed the monthly inspections until his recent retirement. Mr. Freiling noted that a replacement employee was being sent to complete the training necessary for future inspections. Councilman Armbruster stated that it was his belief that much of the need for repair was caused by vandalism. Councilman Armbruster directed Mr. Freiling to remove the damaged slide and barricade off the remaining areas that were in need of repair.

APPROVAL OF MINUTES:

Councilwoman Strobl motioned to approve the minutes of the May 16, 2017 Council Meeting, and the May 16, 2017 Executive Session. Motion was seconded by Councilman Fisher and carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Strobl. Absent: Shaw.

APPROVAL OF THE BILL LIST:

Councilman Armbruster motioned to approve the bill list as presented, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Strobl. Absent: Shaw.

ORDINANCES AND RESOLUTIONS:

RESOLUTION R17-98 AUTHORIZING ISSUANCE OF MERCANTILE LICENSE TO VADYM BOYKOV FOR TRUNKNETS INC LOCATED AT 114 W. ATLANTIC AVENUE IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Strobl. Absent: Shaw.

RESOLUTION R17-99 AUTHORIZING EXPOSURE TO SALE OF MUNICIPAL OWNED LAND, BLOCK 127, LOT 39. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Strobl. Absent: Shaw.

RESOLUTION R17-100 ACCEPTING THE 2016 MUNICIPAL AUDIT. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Strobl. Absent: Shaw.

RESOLUTION R17-101 APPROVING CERTAIN LIQUOR LICENSES IN THE BOROUGH OF CLEMENTON FOR THE 2017-2018 TERM. 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; Strobl. Absent: Shaw.

RESOLUTION R17-102 AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AGREEMENT BY AND BETWEEN THE BOROUGH OF CLEMENTON AND FCR CAMDEN, LLC UNDER CAMDEN COUNTY COOPERATIVE PRICING SYSTEM FOR MARKETING SERVICES OF SINGLE STREAM RECYCLABLE MATERIALS. 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; Strobl. Absent: Shaw.

RESOLUTION R17-103 AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE 0411-33-005-003 FOR THE 2016-2017 LICENSE TERM IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Strobl. Absent: Shaw.

NEW BUSINESS:

DISCUSSION REGARDING REQUEST FOR USE OF COMMUNITY CENTER FOR CES SUMMER THEATRE PROGRAM- Councilwoman Nucera stated that she had been asked to present a request to the governing body for the use of the community center for the CES Summer Theatre Program on the following dates:

June 19-22 10AM-1PM

June 26-29 10AM-1PM

July 3,5, 6 10AM-1PM

July 10 10AM-1PM and 7PM for Shows

July 11 7PM for Show

Councilwoman Nucera stated that the governing body had previously been in agreement to allow the use but a decision was still necessary related to the fee that would be imposed. Councilwoman Nucera stated that she had been informed that the use of the community center would only be necessary for the third week stated in the original request above, as work was completed on the school roof during that time. Councilwoman Nucera noted that she was the liaison to Clementon

Elementary School. Councilman Armbruster stated that he believed that a conflict existed and that Councilwoman Nucera should not vote or discuss the matter, as she would directly benefit as her child attends the program. Councilman Armbruster noted that the Borough had overpaid the school in tax funds due to the outcome of the Clementon Lake Park tax appeal, and had refused to refund the Borough the excess funds. Councilman Armbruster suggested that the use be allowed, but a fee be imposed to recoup the costs for the custodial work and excess electricity, at a rate of \$150 per week. Councilwoman Nucera asked Councilman Armbruster if the Housing Authority reimbursed the Borough for the grass cutting performed on their property by the Public Works Department. Councilwoman Nucera motioned to waive the fee for the usage of the Community Center by the Clementon Elementary Summer Theatre Program, and authorize usage on July 3, 5, 6, 10 and 11 for practice and shows. Councilman Fisher seconded the motion and motion was carried upon the call of roll. Ayes: Fisher; Milano; Nucera. Nays: Armbruster; Strobl. Absent: Shaw. (MEMORIALIZED BY RESOLUTION R17-104)

SMORES EVENT- Councilman Fisher stated that he was working with the Municipal Alliance and planning an event for a bon fire with s'mores at Daniel Dougherty Sports Complex. Councilman Fisher noted that he would be applying for the appropriate permits to hold a bon fire. The event was slated for July 27, 2017 at 7:00PM.

There were no objections to the scheduling of this community event.

GPS BOROUGH VEHICLES- Councilman Fisher stated that discussion had previously occurred related to the purchase and installation of GPS units in Borough owned vehicles. Councilman Fisher stated that the Acting Chief of Police had obtained a quote in the amount of approximately \$10,000.00 for 13 vehicles, with a monthly continued charge of \$29.95 per vehicle. It was noted that further discussion would occur when funding options were explored for this purchase.

PRIVILEGE OF THE FLOOR:

Keith Cybulski, Clementon Borough-Mr. Cybulski inquired if the Borough employed a code enforcement official. Mr. Cybulski stated that he had attended a ceremony at Hero's Park and found the former post office property disgraceful. Mr. Cybulski reported that there was broken glass, disposed air conditioners, weeds and overgrowth. Mr. Cybulski also noted that the rear of the Clementon Plaza was an atrocity and that the Borough needed to address the curb appeal of the town. Mr. Cybulski stated that he had significant concerns related to the productivity of the Code Enforcement department.

Mr. Cybulski concluded by stating that he understood that many council members had children in the school district, but noted that the theatre program previously discussed should have to pay to cover the costs for the use of the building. Mr. Cybulski stated that he believed that Councilwoman Nucera's family was obtaining gains by waiving the fee for the usage, both politically and publicly.

Carma Rettinger, 2 Dover Court- Ms. Rettinger stated that she had voiced her concerns at a previous meeting related to the trash disposal services being provided in town. Since that date, she reported that she had submitted multiple reports to Public Works Director Melvin Applegate, in addition to photos of her concerns. Ms. Rettinger stated that her most recent negative experience occurred in May and that the dumpster had not been picked up. Ms. Rettinger stated that she believed that the Borough should hold the contractor accountable.

Discussion occurred regarding the possible exploration of a shared service or municipal pickup at a future date, based upon the cost to convert. Solicitor Botcheos suggested that an informal meeting with the contractor be scheduled to discuss the issues.

Mayor and Council determined that a special meeting would be held on July 11, 2017 to allow the residents the opportunity to voice their complaints.

Tom Sommers, 20 Meehan Blvd- Mr. Sommers stated that he had submitted an application for the purchase of Borough owned ground. Mr. Sommers stated that he wished to gain insight into what the next step in the procedure would be. Solicitor Botcheos stated that adjacent property owners would need to be notified of the exposure to sale for \$10,000.00. Solicitor Botcheos notified Mr. Sommers that the value of the land could not be negotiated because the property was not less than 1/8 of the size of a buildable lot.

Jason Nassaur, 53 Oak Lane- Mr. Nassaur stated that he wished to request the paving of his road, adjacent to Hillside Lane. Mr. Nassaur stated that it was currently stone and stated that there were a few homes on the road. Councilman Armbruster stated that the Borough could obtain a quote on the cost to have the road paved, or overlay placed on the stone similar to what the Borough was able to do on a similar road. Councilman Armbruster stated that he would request that the engineer look into the possible cost of the project.

Mr. Nassaur stated that he also wished to weigh in on the previous discussion related to the use of the Community Center by the Summer CES Theatre Program. Mr. Nassaur stated that it was his belief that the tax payers should not bear the cost of children, as the residents already contributed a large portion of the taxes to schools.

EXECUTIVE SESSION:

Councilman Fisher motioned to enter executive session at 8:29PM for approximately fifteen minutes, to discuss matters regarding contract negotiations with the Acting Chief of Police, Charles Grover. Motion was seconded by Councilman Armbruster and carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Strobl. Absent: Shaw.

It was noted that a discussion regarding personnel matters/employment terms for the Tax Assessor had been posted for discussion in executive. Charles Warrington was provided a RICE notice and opted to hold the personnel discussion during open session, to follow executive session.

Councilwoman Milano motioned to reenter open session at 8:52PM, seconded by Councilman Armbruster and hearing none opposed, motion was carried.

ACTION AS A RESULT OF EXECUTIVE SESSION:

There was no action as a result of executive session.

DISCUSSION RELATED TO PERSONNEL MATTERS/EMPLOYMENT TERMS OF TAX ASSESSOR- This matter was discussed during the open portion of the meeting at the written request of Charles Warrington, Tax Assessor.

Mayor Weaver stated that this discussion had been listed for executive session to determine if there was a need to monitor the office hours of the Tax Assessor to ensure that the Borough was properly being represented in the tax appeal process and that residents had proper access to the office of the assessor.

Charles Warrington stated that he has worked in the past the assigned hours of 5pm-7pm on Wednesday evenings as directed by the Borough. Mr. Warrington stated that these office hours were useless and he normally had nothing to accomplish during those hours.

Mr. Warrington stated that he is available on an as needed basis, and put in as many hours as necessary in the position.

Councilman Armbruster asked Mr. Warrington to estimate the number of hours he spent performing the duties of the tax assessor on a weekly basis. Mr. Warrington stated that he averaged approximately 3-4 hours per week, but that the figure could increase depending on volume. Mr. Warrington stated that setting arbitrary working hours would not accomplish

anything and that he would sit there doing nothing. Mr. Warrington stated that he normally spent time in his office on Fridays when he was able to be uninterrupted.

Mayor Weaver stated that it was his belief that there were numerous feats to be accomplished in the office that would benefit and represent the Borough, specifically related to tax appeals, and appropriate research of such. Mayor Weaver noted that his additional concern was that residents and other department heads/officials were unable to anticipate when they were able to communicate with the assessor when he was not scheduled for routine reoccurring office hours.

It was suggested that Mr. Warrington be required to submit biweekly time sheets in order to account for his time spent performing the duties of the tax assessor. Mr. Warrington stated that he would not comply with the requirement unless all other part time employees were required to do so as well. Jenai Johnson noted that other part time employees did submit time sheets routinely on a bi-weekly basis.

Councilman Armbruster motioned to require all part time employees without routine recurring weekly office hours to submit biweekly time sheets. Motion was seconded by Councilwoman Strobl and carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Strobl. Absent: Shaw. **(Memorialized by Resolution R17-105)**

Chuck Warrington, Mr. Warrington's son, stated that he believed that these actions would produce an unfavorable outcome to the Borough, and that the actions were punitive. Councilman Armbruster stated that he disagreed with Mr. Warrington and had supported his father in the position of assessor for a number of years.

Councilman Armbruster motioned to authorize expenditure of not to exceed \$1,000.00 of Open Space Trust Funds to purchase signage to display the regulations on quad usage in public areas designated as Open Space. Councilman Fisher seconded the motion and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Strobl. Absent: Shaw.

(Memorialized by Resolution R17-106)

ADJOURNMENT:

Councilwoman Nucera motioned to adjourn at 9:17PM, seconded by Councilman Fisher and hearing none opposed, motion was carried.

Respectfully Submitted,



Jenai L. Johnson,
Municipal Clerk/Administrator