

**MINUTES OF THE
BOROUGH OF CLEMENTON
NOVEMBER 12, 2019
COUNCIL MEETING
OF THE MAYOR AND COUNCIL**

OPENING: Mayor Weaver called the meeting to order at 7:02 p.m.

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 called the roll, which resulted in the following members present: Mayor Thomas J. Weaver; Councilman Melvin Applegate; Councilman Armbruster; Councilman Jonathan Fisher; Councilwoman Meghan Milano; Councilman Thomas Shaw; Councilwoman Strobl. Also present was Solicitor George J. Botcheos.

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

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

BOROUGH GARAGE – Pennoni Associates submitted a proposal to provide Licensed Site Remediation Professional (LSRP) Services in the amount of \$11,200, which will include the immediate tasks to move the site forward to achieving compliance with NJDEP regulations. Bach Associates forwarded this proposal to the Borough in the October 2019 Engineer's Report. No decision has been made to date regarding moving forward with Pennoni as the LSRP. Penonni would need funding in December for LSRP services, and the governing body noted that they hoped that funds would be available for transfer for said purpose.

CHERRY LANE IMPROVEMENTS – Mr. Basehore stated that the project was substantially complete. Bach Associates submitted a letter to the Borough on November 7, 2019 recommending Payment #1 in the amount of \$135,955.40 and also recommending acceptance of Change Order #2 (FINAL). It was noted that \$2,774.60 was being held in retainage pending resolution of punch list items and submittal of closeout documents from the Contractor. The Change Order would adjust the contract value based on as-built quantities of items installed on the project and represents a \$57.00 reduction from previously approved change Order #1. Councilman Fisher noted that he had some concerns as to the sidewalk condition. Mark Basehore reported that he would investigate the matter.

NJDOT FY2016 – OHIO AVENUE PHASE 2 – Mr. Basehore reported that Bach Associates submitted closeout documents to NJDOT on October 14, 2019, including the final payment voucher requesting reimbursement of \$78,171.08.

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 matters which appeared on the agenda only.

Brenda Franks, Clementon Borough- Mrs. Franks asked what "LSRP" represented? Councilman Armbruster answered "Licensed Site Remediation Professional." Mrs. Franks asked if it was still out to bid. Mark Basehore of Bach Associates responded that it was.

APPROVAL OF THE BILL LIST: Councilman Armbruster motioned to approve the minutes seconded by Councilman Applegate. Motion was carried upon the call of roll. Ayes: Councilman Armbruster; Councilman Applegate; Councilman Fisher; Councilwoman Milano; Councilman Shaw; Councilwoman Strobl.

ORDINANCES AND RESOLUTIONS:

INTRODUCTION/FIRST READING

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 and the motion was carried upon the call of roll. Ayes: Armbruster, Applegate, Fisher, Milano, Shaw and Strobl.

RESOLUTION R19-159 AUTHORIZING ADJUSTMENT OF CERTAIN WATER AND SEWER ACCOUNTS IN THE BOROUGH OF CLEMENTON- Mayor Weaver read by title, Councilman Armbruster motioned to approve, seconded by Councilman Fisher and the motion was carried upon the call of roll. Ayes: Armbruster, Applegate, Fisher, Milano, Shaw and Strobl.

RESOLUTION R19-160 - ALLOWING EMPLOYEES TO WAIVE HEALTH COVERAGE PURSUANT TO P.L. 1995, CHAPTER 259- Mayor Weaver read by title, Councilwoman Strobl motioned to approve, seconded by Councilwoman Milano and the motion was carried upon the call of roll. Ayes: Applegate, Fisher, Milano, Strobl and Shaw.

RESOLUTION R19-161 - AUTHORIZING APPROVAL OF CHANGE ORDER #2 (FINAL) FOR CHERRY LANE DRAINAGE IMPROVEMENT PROJECT- Mayor Weaver read by title, Councilman Applegate motioned to approve, seconded by Councilwoman Milano and the motion was carried upon the call of roll. Ayes: Armbruster, Applegate, Fisher, Milano, Strobl and Shaw.

RESOLUTION R19-163 - AUTHORIZING PAYMENT #1 TO LANDBERG CONSTRUCTION, LLC IN THE AMOUNT OF \$45,456.12 FOR THE RECONSTRUCTION OF LAKE, CARVER AND DELAWARE AVENUE PROJECT - Mayor Weaver read by title, Councilman Applegate motioned to approve, seconded by Councilwoman Strobl and the motion was carried upon the call of roll. Ayes: Armbruster, Applegate, Fisher, Milano, Strobl and Shaw.

RESOLUTION R19-162 - AUTHORIZING PAYMENT #1 TO R. MOSLOWSKI EXAVACTION, INC. IN THE AMOUNT OF \$135,955.40 FOR THE CHERRY LANE DRAINAGE IMPROVEMENT PROJECT- Mayor Weaver read by title, Councilman Applegate motioned to approve, seconded by Councilwoman Milano and the motion was carried upon the call of roll. Ayes: Armbruster, Applegate, Fisher, Milano, Strobl and Shaw.

RESOLUTION R19-164 - AUTHORIZING AWARD OF CONTRACT FOR BARRY PLACE DRAINAGE IMPROVEMENTS BASED UPON THE RECOMMENDATION OF THE MUNICIPAL ENGINEER - Mayor Weaver read by title, Councilman Applegate motioned to approve, seconded by Councilman Shaw and the motion was carried upon the call of roll. Ayes: Applegate, Fisher, Milano, Strobl and Shaw.

RESOLUTION R19-165 – AUTHORIZING BOROUGH TO ENTER INTO SETTLEMENT AGREEMENT FOR CLAIM AS TO J.C. vs. CLEMENTON BOROUGH – Mayor Weaver read by title, Councilman Fisher motioned to approve, seconded by Councilman Shaw and the motion was carried upon the call of roll. Ayes: Applegate, Fisher, Milano, Strobl. Nays: Armbruster and Shaw.

RESOLUTION R19-166 - AUTHORIZING PENONNI TO REPRESENT BOROUGH OF CLEMENTON AS LICENSED SITE REMEDIATION PROFESSIONAL FOR BOROUGH GARAGE AND MUNICIPAL BUILDING UNDERGROUND STORAGE TANK SITE REMEDIATION – Mayor Weaver read by title, Councilman Applegate motioned to approve, seconded by Councilwoman Strobl and the motion was carried upon the call of roll. Ayes: Armbruster, Applegate, Fisher, Milano, Shaw and Strobl. (MEMORIALIZED AT MEETING BY TITLE).

UNFINISHED BUSINESS:

Councilman Armbruster questioned Solicitor George Botcheos as to whether he received a response to the letter to the Freeholder Board Attorney, as to clarification on maintenance of traffic lights at county owned intersections. Solicitor Botcheos stated that the Borough would have to go to the Freeholder Director next.

Councilwoman Strobl stated that Safe Routes to Schools program had dropped a map to the Borough hall, to allow labeling of areas of concern, such as lack of sidewalks, heavy traffic etc. Councilwoman Strobl noted that the school had already provided their input, which had been incorporated on the map.

NEW BUSINESS:

A discussion occurred regarding establishment of a Reorganization date for the meeting of the Mayor and Council of the Borough of Clementon to be held on Saturday, January 4, 2019 at 11 AM.

Preston Shover was appointed by the Mayor to the Joint Land Use Board of the Borough of Clementon as a Class IV Member with a term expiration of December 31, 2020.

PRIVILEGE OF THE FLOOR:

Mayor Weaver opened the floor to the public.

Christopher McKelvey – 230 Gibbsboro Road – Mr. McKelvey stated that the Safe Routes to Schools representative had done a walk around. Concerns had been expressed with the intersection, due to the PED lights being out of commission, along with missing signs on Erial Road. Guardrails on Erial Road do not need to be there. Could ask to lower speed limit on Erial Road. A report with be forthcoming with recommendations. On left side of Erial Road going up is half a sign.

Brenda Franks – Erie Avenue – Incident in her yard. Deer was shot and found dead. Concerned with where shooting happened. Councilman Armbruster and Ms. Franks have conversation about their love for deer.

George Boyle – 46 California Avenue – Is waiting for painting of curbing and signage and the line of site tree at White Horse. Mayor Weaver spoke to Joseph Feldman and will need to meet. Planning and Zoning meeting is upcoming. Mayor Weaver advised that it will be discussed then. Mr. Boyle states his concern about making left onto White Horse Pike. Chief Grover states have to check with State because encroaches on highway (State). He is also concerned about traffic from restaurant.

EXECUTIVE SESSION: None.

ADJOURNMENT: Councilman Fisher motioned to adjourn at 7:39 p.m., seconded by Councilwoman Milano and hearing none opposed, motion was carried.

Respectfully Submitted,



Jenai L. Johnson
Municipal Clerk