

**MINUTES OF THE
BOROUGH OF CLEMENTON
JULY 13, 2021
CAUCUS/COUNCIL MEETING
OF THE MAYOR AND COUNCIL**

OPENING: Council President Thomas Shaw called the meeting to order at 7:01PM.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT: Jenai Johnson, Municipal Clerk/Administrator, 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. Notice has been posted on the Municipal Website of the change to the remote meeting format pursuant to the executive orders of the Governor of the State of New Jersey."

ROLL CALL: Jenai Johnson called the roll, which resulted in the following members present: Council President Thomas Shaw; Councilman Mark Armbruster; Councilwoman Brenda Franks; Councilman Christopher Hammond; Councilman Thomas Shaw; Councilwoman Holly Strobl. Absent were Mayor Thomas Weaver and Councilman Robert Dorsey. Also present were Solicitor George Botcheos and Municipal Engineer, Mark Basehore of Bach Associates.

SALUTE TO THE FLAG: Jenai Johnson 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: Municipal Clerk Johnson opened the floor to the public for matters appearing on the agenda only, for a total time not to exceed 10 minutes at 7:04PM.

Jenai Johnson stated that she had received written communication from Christopher Taylor, who requested the following statement be read on his behalf at the meeting- *Christopher Taylor, Clementon Borough-* Requested Ordinance 2021-04 be read in full or a summary statement provided during the public comment period. Ms. Johnson stated that the Ordinance prohibits the sale, distribution or delivery of cannabis in the Borough of Clementon with the exception of the delivery of cannabis items and supplies by a licensed cannabis delivery service located outside of the Borough of Clementon.

CJ Oedisie, Clementon Borough- Mr. Oedisie stated that he was a relatively new member of the community, but wished to express his opposition to the banning of cannabis licenses in the Borough of Clementon. Mr. Oedisie stated that it would provide potential revenue to the municipality, and provided statistics and comparisons of the sales of alcohol in the community. Mr. Oedisie provided examples of other states, specifically Colorado, and the use of the funds. Mr. Oedisie also noted his concern with the verbiage in the ordinance which stated that the sales of cannabis in the municipality was not in the interest of public safety. Councilman Mark Armbruster stated that he wished to note that he, and a majority of the body, were not opposed to the sales of cannabis, but rather that the council had concern with the limitations currently set by the state for the taxable revenue. Councilman Armbruster stated that if the municipality did not opt out at this time, that it would be locked in with the current regulations for a period of five years with a lower revenue. Councilwoman Franks noted her disagreement and stated that she had personal experience with relatives and friends and continued to contend that marijuana was a gateway drug to more serious drug usage. Councilwoman Franks noted that she had professional experience as an inner-city RN and has witnessed the effects. Councilman Hammond noted that he wished to remind the body that they were representing the interest of the constituents and decisions should be based upon their desires.

Susan Sciarretto, 18 Lincoln Avenue- Ms. Sciarretto stated that cannabis use was already voted upon and is now at the forefront, and it was not possible to keep the availability of cannabis out of the town. Ms. Sciarretto contended that she did agree that any licensed facilities should be kept away from schools, playgrounds and other like amenities. Ms. Sciarretto expressed concern with individuals interested in obtaining licenses and starting businesses would be forced to look elsewhere, and that the Borough of Clementon would lose the possibility of revenue from these businesses, as well as employment for the residents of the municipality. Ms. Sciarretto urged the governing body to reconsider opting out of the licensure and sales, and noted her disappointment that she would not have the opportunity to explore potential business within the Borough.

Nicholas Stankowski, Clementon Borough- Mr. Stankowski stated that allowing the cannabis licensing and operations in the Borough of Clementon was an opportunity for much needed revenue in the town that the Borough could not afford to pass upon. Mr. Stankowski stated that he understood that there was currently a lack of legislation and rules, but noted that the State had announced a committee was to be formed to create policies going forward. Mr. Stankowski informed the governing body of his dismay that they had not engaged the public, noting that cannabis was not a public safety issue, and that this claim had no proof. Mr. Stankowski noted that cannabis was not addictive and that he utilized the substance for numerous years for terminal medical conditions that limited the duration of his remaining life expectancy. Mr. Stankowski urged the Mayor and Council to research the success in Bellmawr prior to enacting the opt out legislation. Mr. Stankowski criticized the governing body for the language utilized within Ordinance 2021-04, and urged the governing body to consider the desires of the community.

Rebecca Holloway, Clementon Borough- Ms. Holloway stated that Councilman Armbruster reported that recommendation had been provided by other entities to opt out, and she wished to be informed of the sources of this recommendation. Councilman Hammond stated that the reports and information utilized for the decision to opt out was fueled mainly by information provided by the National Cannabis Research Institute, whom recommended that municipalities opt out until the tax structure changes to further benefit the local economy. It was emphasized that the ordinance under consideration for adoption was opting out of the licenses, and not permanently banning the sale and use of cannabis. Councilman Armbruster reported that the Borough had recently approved the Masterplan Review by the Joint Land Use Board, and that this matter would be considered and potentially recommended for inclusion in the updated Master Plan for the municipality.

Jenai Johnson noted that there were two additional members of the public who expressed their desire to speak on the matter. Ms. Johnson noted that the ten minute maximum for the initial public comment had been exceeded significantly, and stated that all remaining members of the public would have their opportunity to present their comments on Ordinance 2021-04 during the public hearing prior to final adoption. The floor was closed to the public for further comment

ENGINEER REPORT: Mark Basehore of Bach Associates was in attendance and presented a written report, which has been filed in the appropriate manner in the Office of the Municipal Clerk. Mr. Basehore verbally reported on the following items:

FY2021 ROAD PROGRAM- Mr. Basehore stated that the base plans were being compiled cooperatively with his office and the Department of Public Works. Mr. Basehore stated that he anticipated the project going to bid in early 2022.

FY2022 SAGE NJDOT APPLICATION- Mr. Basehore reported that his office had submitted the application and that he would inform the body once a determination notification was received.

EMERGENCY ROOF REPAIRS- Mr. Basehore stated that emergency roof repair quotes for the Municipal Building were being compiled and he was working cooperatively with Public Works on the project.

MASTER PLAN/OPEN SPACE PLAN- Mr. Basehore stated that his office was working on the Masterplan and Open Space Plan and would report further on the matters at a successive meeting.

JIM SMITH PARK TRAIL- Mr. Basehore stated that Dimiglio Construction had been issued a letter to proceed with the project.

INTERSECTION OF GIBBSBORO RD AND BLACKWOOD CLEMENTON ROAD- Mr. Basehore stated that he had a scheduled meeting with the County Engineer related to the condition of the intersection, which had been cancelled by the County. Mr. Basehore noted that he would follow up and reschedule the meeting and report further on the outcome of the meeting at a future date.

APPROVAL OF MINUTES:

MINUTES OF THE FEBRUARY 16, 2021 COUNCIL MEETING

MINUTES OF THE MAY 4, 2021 CAUCUS MEETING

MINUTES OF THE MAY 18, 2021 COUNCIL MEETING

MINUTES OF THE JUNE 15, 2021 CAUCUS/COUNCIL MEETING

MINUTES OF THE JUNE 21, 2021 SPECIAL MEETING

Councilwoman Franks noted that she had notated some typographical inconsistencies in the minutes as presented for review. Jenai Johnson suggested the minutes be withdrawn from the meeting for consideration so that she was able to review the content of the minutes prepared by her office and correct any errors. There was no objection from the governing body and the minutes were held for consideration until the August Caucus/Council Meeting.

APPROVAL OF THE BILL LIST: Jenai Johnson stated that the bill list had been distributed to the members of the governing body for review and approval.

Councilwoman Franks motioned to approve, with a second from Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.

ORDINANCES AND RESOLUTIONS:

SECOND READING/PUBLIC HEARING

ORDINANCE 2021-04 AMENDING AND SUPPLEMENTING CHAPTER 298 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED "ZONING". Jenai Johnson read by title. Councilman Armbruster motioned to adopt on second reading, with a second by Councilman Shaw. Municipal Clerk Johnson opened the floor to the public hearing for anyone wishing to speak on Ordinance 2021-04.

Wednesday Mayer, Clementon Borough- Ms. Mayer stated that she worked at a cannabis facility in Philadelphia and that Clementon should reconsider the opt out resolution due to the revenue that could be generated in the Borough by the industry. Ms. Mayer urged the governing body to reconsider and allow further exploration of the matter. She noted that people would be utilizing cannabis regardless of whether the Borough allowed licenses within the municipality. Ms. Mayer advised all of the members of the governing body that she had distributed a presentation to members of the body to further educate them on the benefits.

Roxanne Sitaki- Ms. Sitaki stated that she was glad to be given the opportunity to weigh in and support cannabis and opposed the ordinance being considered. Ms. Sitaki noted that the residents of Clementon were 76% in favor of legalization at the polls, and that this should be a consideration during the current deliberation. Ms. Sitaki also stated that cannabis had a stigma solely based on racial stereotypes.

Hughe Giordano, United Food and Commercial Growers- Mr. Giordano stated that he was the president of the union and cannabis was a shovel to sale union industry, creating living wage jobs for a large amount of individuals. Mr. Giordano suggested that the members of Council look at the City of Bayonne ordinance. Mr. Giordano also stated that he was willing to offer a tour of a facility so that the governing body could become more familiar with the process prior to any decisions.

Judy Werner, Garfield Avenue- Ms. Werner stated that she was aware of a home on Garfield Avenue that had been selling marijuana regardless of the newly enacted legislation and opportunity for licensure and facilities.

Hearing no further members of the public wishing to comment, the public hearing was closed for Ordinance 2021-04.

Motion to adopt on second reading was carried upon the call of roll. Ayes: Armbruster; Franks; Shaw; Strobl. Nays: Hammond. Absent: Dorsey.

Councilman Armbruster noted during the roll call vote that his vote was based upon the fact that the governing body would be revisiting the matter, and have potential revisions to the ordinance by the end of the year. Councilman Shaw also noted during the vote that it was his intention to revisit the matter at a later date after more information became available.

INTRODUCTION/FIRST READING

ORDINANCE 2021-05 BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS AND THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE WATER UTILITY IN THE BOROUGH OF CLEMENTON, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$565,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF CLEMENTON; COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$536,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING. Municipal Clerk Johnson read by title. Councilman Armbruster motioned to approve on first reading, with a second by Councilwoman Franks. Motion was carried upon the call of roll: Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.

Second Reading and Public Hearing was scheduled for August 17, 2021.

INTRODUCTION/FIRST READING

ORDINANCE 2021-06 BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE BOROUGH OF CLEMENTON, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$839,500 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF CLEMENTON, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$797,525; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING. Municipal Clerk

Johnson read by title. Councilman Armbruster motioned to approve on first reading. Motion was seconded by Councilman Hammond. Motion was carried upon the call of roll: Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.
Second Reading and Public Hearing was scheduled for August 17, 2021.

INTRODUCTION/FIRST READING

ORDINANCE 2021-07 BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS SEWER UTILITY IMPROVEMENTS AND THE ACQUISITION OF EQUIPMENT IN AND FOR THE BOROUGH OF CLEMENTON, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$178,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF CLEMENTON COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$169,100; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING. Municipal Clerk Johnson read by title. Councilman Armbruster motioned to approve on first reading, with a second by Councilwoman Franks. Motion was carried upon the call of roll. Ayes: Armbruster; Franks; Dorsey; Shaw; Strobl. Absent: Dorsey.
Second Reading and Public Hearing was scheduled for August 17, 2021.

INTRODUCTION/FIRST READING

ORDINANCE 2021-08 OF THE CODE OF THE BOROUGH OF CLEMENTON CREATING A NEW CHAPTER 220A ENTITLED "SHORT TERM RENTALS. Municipal Clerk Johnson read by title. Councilman Armbruster motioned to approve with a second by Councilman Hammond. Motion was carried upon the call of roll. Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.
Second Reading and Public Hearing was scheduled for August 17, 2021.

INTRODUCTION/FIRST READING

ORDINANCE 2021-09 AMENDING AND SUPPLEMENTING CHAPTER 51 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "POLICE DEPARTMENT". Municipal Clerk Johnson read by title. Councilman Shaw motioned to approve on first reading with a second by Councilman Armbruster. Motion was carried upon the call of roll. Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.
Second Reading and Public Haring was scheduled for August 17, 2021.

RESOLUTION R21-107 AUTHORIZING REFUND OF PROPERTY TAX OVERTPAYMENT FOR BLOCK 48, LOT 2, OTHERWISE KNOWN AS 114 WHITE HORSE PIKE. Municipal Clerk Johnson read by title. Councilwoman Franks motioned to approve with a second from Councilman Shaw. Motion was carried upon the call of roll. Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.

RESOLUTION R21-108 AUTHORIZING CONTRACT WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO NJSA 40A:11-12A FOR ACQUISITION OF TELECOMMUNICATION SYSTEM FROM RFP SOLUTIONS. Municipal Clerk Johnson read by title. Councilman Hammond motioned to approve with a second by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.

RESOLUTION R21-109 APPOINTMENT OF MARK ARMBRUSTER TO THE OFFICE OF COMMISSIONER OF THE CLEMENTON HOUSING AUTHORITY WITH A TERM EXPIRATION OF JUNE 20, 2026. Municipal Clerk Johnson read by title. Councilwoman Franks motioned to approve with a second by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.

RESOLUTION R21-110 AUTHORIZING AWARD OF CONTRACT FOR RECONSTRUCTION OF NAYLOR AVENUE AND ATLANTIC AVENUE FY 2019 AND FY 2020 NJ TRUST FUND PROJECT. Municipal Clerk Johnson read by title. Councilwoman Strobl motioned to approve with a second by Councilwoman Franks and motion was carried upon the call of roll. Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.

UNFINISHED BUSINESS:

RABIES CLINIC- Councilwoman Franks stated that the Rabies Clinic in June had resulted in 78 animals vaccinated, with 148 total animals vaccinated in 2021. Councilwoman Franks stated that she wished to provide a token of appreciation to Doctor Jack Gruber, who had graciously volunteered to provide vaccination services for many years. It was also noted that "Doc Gruber" had assisted with the planting and maintenance of the Butterfly Garden for several years. It was determined that a proclamation and plaque be presented to him at a future meeting to express gratitude on behalf of the Borough of Clementon.

NATIONAL NIGHT OUT- Councilwoman Franks stated that she had been assisting with the coordination of the event and wished to obtain approval for waiver of vendor fees for organizations and companies attending. Councilwoman Franks reported that a Bounce House had been rented, along with ponies and food vendors. Councilwoman Franks motioned to waive vendor permit fees for National Night Out (with the exception of Fire Safety Permit Fees and Inspections). Motion was seconded by Councilman Armbruster and carried upon the call of roll. Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.

ELECTRONIC SIGN PURCHASE- Councilwoman Franks inquired about the status of the purchase and installation of a new electronic sign. Jenai Johnson reported that the funding was included in the ordinances that were introduced at the present meeting, and would be available following the public hearing and estoppel period.

NEW BUSINESS:

REQUEST FOR USE OF COMMUNITY CENTER/WAIVER OF FEES FOR NIKKI WILLIAMS MEMORIAL BLOOD DRIVE, SEPTEMBER 20, 2021- Jenai Johnson reported that she had been contacted by Lynn Lofland, who was requesting the use of the Community Center and waiver of the rental fees to host a blood drive in conjunction with the American Red Cross in memory of Nikki Williams. Ms. Johnson noted that the proposed date for the blood drive was Monday, September 20th from 3pm-8pm. Councilman Armbruster motioned to approve the use and waive the rental fees, with a second from Councilwoman Franks and motion was carried upon the call of roll. Ayes: Armbruster; Franks; Hammond; Shaw; Strobl. Absent: Dorsey.

MAYORAL APPOINTMENT OF JOHN SCHMIDT TO CLEMENTON HOUSING AUTHORITY FOR A TERM OF FIVE YEARS TO EXPIRE JUNE 20, 2026. Jenai Johnson read the letter drafted and signed by Mayor Thomas Weaver. Ms. Johnson noted that the mayor had requested that she bring forth the letter to Council and include the appointment in the official meeting minutes. The appointment was accepted without any objection.

COMMERCIAL AND POLITICAL SIGNS- Discussion occurred in which Councilwoman Franks inquired if there were any way to regulate and enforce placement of both commercial and political temporary signs that were being placed throughout the town, many of which on public owned properties. Councilwoman Franks noted that the signs are often left for extended durations. Councilwoman Franks suggested that a new ordinance be drafted which would impose penalties for violation of sign regulations. It was noted that the municipal solicitor would research options available to the body and provide further information for consideration.

Councilwoman Franks stated that the Borough had lost both Ozzie Brewin and Eva Busch, both extensive contributors to the Borough of Clementon. She noted that she wished to organize some type of recognition for the two individuals, inclusive of a proclamation and potentially a plaque. There was no objection from the governing body to this proposal.

Councilwoman Franks stated that she had seen faded walks at several locations, as well as vehicles ignoring crossing pedestrians. Councilwoman Franks inquired if this could be addressed. After brief discussion it was determined that the Borough would request that the County address the paint at the intersection of Atlantic Avenue and Berlin Road, as well as the intersection of White Horse Avenue and Park. It was also noted that the governing body wished for the public safety committee to request that the police actively enforce the boxes at the intersections.

FENCE VARIANCES- Councilman Armbruster stated that discussion had been occurring among members of the Joint Land Use Board related to amending the language of the Municipal Ordinance which required a variance for six foot fencing on private properties. Councilman Armbruster noted that the required variance was a financial burden for residents wishing to install privacy fencing on their properties. It was Councilman Armbruster's recommendation that six foot fencing be allowed from the front of the house to the rear of the property with no variance. There were several questions posed by the engineer on how the municipality would address corner properties, or unusual properties. Councilman Armbruster stated that set backs could be imposed in those circumstances. There was no objection to Councilman Armbruster further researching the matter and bringing further recommendation to the body for consideration.

PRIVILEGE OF THE FLOOR:

Jenai Johnson opened the floor to the public for any persons wishing to comment.

Nicholas Stankowski, Clementon Borough- Mr. Stankowski stated that a bird virus was posing a huge problem and requested that anyone finding a dead bird, report it to the State Wildlife Commission and bag the bird.

Judy Werner, Clementon Borough- Ms. Werner stated that beavers were causing damage and taking down trees that could potentially flood her home. Councilman Armbruster stated that it was his belief that the property was not Borough owned and noted that the property was owned by the small house on the point of Lincoln Avenue. Ms. Werner also inquired if individuals were allowed to place signs on Borough owned property, as a car detailing company had done so in front of her property.

Rebecca Holloway, Clementon Borough- Ms. Holloway inquired if she were able to see copies of the ordinances that were on the agenda for introduction that were not provided in the agenda packet, specifically the second ordinance for introduction which was not listed on the agenda.

Jenai Johnson advised that the ordinance amending the Police Department section of the Code was added approximately one half hour prior to the meeting, and would be made available to anyone wishing to view it prior to adoption. Agreement was made to provide Ms. Holloway a full copy of the ordinance via email.

Hearing no further individuals wishing to comment, the floor was closed to the public.

ADJOURNMENT: Councilwoman Franks motioned to adjourn at 8:38PM, with a second by Councilwoman Strobl and hearing none opposed, the meeting was adjourned.

Respectfully Submitted,



Jenai L. Johnson,
Municipal Clerk/Administrator