

**MINUTES OF THE
BOROUGH OF CLEMENTON
DECEMBER 16, 2014
CAUCUS/COUNCIL MEETING
OF THE MAYOR AND COUNCIL**

OPENING: Mayor Jack Nicholson called the meeting to order at 7:03PM.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT: Mayor Nicholson 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 John "Jack" Nicholson, Jr.; Councilman Mark Armbruster; Councilman Thomas Avellino; Councilman Jonathan Fisher; Councilwoman Christine Nucera; Councilman Thomas Weaver; Councilman Thomas Williams.

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

APPROVAL OF MINUTES:

MINUTES OF THE NOVEMBER 17, 2014 CAUCUS/COUNCIL MEETING- Councilman Williams motioned to approve, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

MINUTES OF THE DECEMBER 2, 2014 CAUCUS MEETING- Councilwoman Nucera motioned to approve the minutes, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Williams. Abstain: Weaver.

MINUTES OF THE DECEMBER 2, 2014 EXECUTIVE SESSION- Councilman Armbruster motioned to approve, seconded by Councilman Williams and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Williams. Abstain: Weaver.

APPROVAL OF THE BILL LIST: Councilman Weaver motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

ORDINANCES AND RESOLUTIONS:

RESOLUTION R14-171 AUTHORIZING TRANSFER OF CERTAIN 2014 BUDGET APPROPRIATIONS. Mayor Nicholson read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

RESOLUTION R14-172 AUTHORIZING 27TH PAY PERIOD FOR 2014 AND AUTHORIZING PAY TO BE ISSUED DECEMBER 31, 2014. Mayor Nicholson read by title. Councilman Weaver motioned to approve, seconded by Councilman Williams. Councilman Fisher inquired if this motion was only related to hourly employees. Jenai Johnson advised Councilman Fisher that this included all salaried employees as well. Hearing no further comments from the public, motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

RESOLUTION R14-173 AUTHORIZING CANCELLATION OF PROPERTY TAXES FOR BLOCK 161, LOT 25, OTHERWISE KNOWN AS CEDAR LANE. Mayor Nicholson read by title. Councilman Williams motioned to approve, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

RESOLUTION R14-174 CONFIRMING CANCELLATION OF TAX SALE CERTIFICATES. Mayor Nicholson read by title. Councilman Armbruster motioned to approve, seconded by Councilman Williams and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

RESOLUTION R14-175 CONFIRMING TRANSFER OF PROPERTY TAX OVERPAYMENTS. Mayor Nicholson read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

RESOLUTION R14-177 AUTHORIZING ISSUANCE OF MERCANTILE LICENSE TO BARIS ALKOC FOR 66 GAS STATION LOCATED AT 12 WHITE HORSE PIKE IN THE BOROUGH OF CLEMENTON. Mayor Nicholson read by title. Councilman Williams motioned to approve, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

RESOLUTION R14-178 AUTHORIZING APPOINTMENT OF WILLIAM DOUGHERTY TO THE CLEMENTON HOUSING AUTHORITY FOR AN UNEXPIRED TERM WITH AN EXPIRATION OF JUNE 30, 2016. Mayor Nicholson read by title. Councilman Weaver motioned to approve, seconded by Councilman Avellino and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

PRIVILEGE OF THE FLOOR:

Joseph Feldman, 20 Point Breeze Avenue- Mr. Feldman, Chairman of the Planning and Zoning Board, stated that there was a 12.3 acre property with the Borough, on which a development had been previously approved by the Planning and Zoning Board. Mr. Feldman stated that the approval had been for age restricted housing, which was no longer being considered. Mr. Feldman stated that the attorney and owner for the property had come back to the board and requested the variances to continue, without the age restriction element, which would possibly allow high density housing on that site. Mr. Feldman stated that it was his belief that the best option for both the developer and community was for the Borough to purchase the property for open space. Mr. Feldman stated that the property was currently assessed at approximately \$600,000. Mr. Feldman stated that Mr. Dimedio, the developer of the property, had sent his appraiser out to the site and returned with a figure of \$1.5 million. Councilman Armbruster stated that he believed the purchase to be a favorable option to the Borough, and believed that an appraisal of the property by the Borough would be required. Councilman Armbruster suggested that the purchase could be bonded, and open space trust funds used to pay down the debt. It was noted that it would still be possible in the future for the Borough to sell the property if a developer were to come back with an agreeable plan, and replenish the open space trust funds in the amount not to exceed \$3,000 for the appraisal of the property known as Block 59, Lot and Block 60, a portion of Lot 13, and authorizing the Solicitor to make contact with the developer. Motion was seconded by Councilman Williams. Councilman Avellino inquired regarding the intended use for the property and benefit to the Borough. Councilman Avellino stated that he wanted to ensure that the purchase would not be a burden to the taxpayers. Councilman Armbruster assured Councilman Avellino that the Open Space Trust Funds would be utilized, and not burden the tax payers. Councilman Fisher noted that this option would significantly tie up the Open Space Trust Fund for likely a period of thirty years, which the Borough had been utilizing for improvements to parks and playgrounds. Hearing no further comments, motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams. **(MEMORIALIZED BY RESOLUTION R14-179A)**

Keith Cybulski, Clementon Borough- Mr. Cybulski stated that he wished everyone a happy holiday. Mr. Cybulski stated that he wished to be informed of how the Christmas Tree at Hero's Park was purchased, and noted that he had concerns about the transparency of the purchase. Mr. Cybulski stated that the tree had appeared, and he had not been witness to any discussion regarding the matter at prior meetings of the governing body. Councilman Armbruster stated that the governing body had been made aware of the purchase and that the correct procedure had been followed. Mr. Cybulski stated that he did not agree with the "secret" manner in which the purchase was accomplished. Councilman Armbruster stated the he understood the concern, and noted that it was not the intent of the governing body. Councilman Armbruster motioned to authorize expenditure of open space funds for purchase of holiday tree at Hero's Park in an amount not to exceed \$5,000 or the purchase price of the tree, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams. **(MEMORIALIZED BY RESOLUTION R14-179B)**

Councilwoman Nucera stated that she wished to clarify that she receives a budget for special events during the course of the year, and was not required to get individual approval for each expenditure throughout the year. Councilwoman Nucera stated that the department budget granted and approved during the adoption of the municipal budget allows her to make purchases for the events and items necessary throughout the year. Mr. Cybulski stated that he only had a problem with the transparency of all purchases.

EXECUTIVE SESSION:

RESOLUTION R14- 176 AUTHORIZING EXECUTIVE SESSION RELATING TO THE FOLLOWING MATTERS:

DISCUSSION REGARDING CPA CONTRACT NEGOTIATIONS

Mayor Nicholson read by title. Councilman Weaver motioned to enter executive session at 7:38PM, seconded by Councilman Williams, for an approximate time period of twenty minutes and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

Councilman Armbruster motioned to reenter open session at 8:31PM, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

ACTION AS A RESULT OF EXECUTIVE SESSION:

RESOLUTION R14-180 AUTHORIZING TERMS OF PROPOSAL FOR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOROUGH OF CLEMENTON AND CLEMENTON POLICE ASSOCIATION, AND AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO ENTER INTO SUCH AGREEMENT UPON ACCEPTANCE BY BOTH PARTIES. Councilman Armbruster motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

Councilman Armbruster stated that he wished to thank the two members of Council, for whom this would be the final meeting in office. Councilman Armbruster stated that he enjoyed working with Councilman Williams, and Councilman Avellino, and thanked them for their service to the Borough. Councilman Avellino stated that he had enjoyed serving and individually thanked each member for their specific strength on Council. Councilman Avellino requested that Councilman Armbruster continue to pursue getting the Senior Center a stove.

Councilman Williams stated that he wished to announce the passing of a former Councilman and County Freeholder, Len Smith.

ADJOURNMENT: Councilwoman Nucera motioned to adjourn at 8:37pm, seconded by Councilman Williams and hearing none opposed, motion was carried.

Respectfully Submitted,



Jenai L. Johnson,
Municipal Clerk/Administrator