

**MINUTES OF THE  
BOROUGH OF CLEMENTON  
MARCH 18, 2014  
COUNCIL MEETING  
OF THE MAYOR AND COUNCIL**

**OPENING:** Mayor John J. Nicholson, Jr. called the meeting to order at 7:04pm.

**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, Municipal Clerk/Administrator, called the roll which resulted in the following members present: Mayor John J. Nicholson, Jr.; Councilman Mark Armbruster; Councilman Thomas Avellino; Councilman Jonathan Fisher; Councilwoman Christine Nucera; Council President Thomas Weaver; Councilman Thomas Williams. Also present were Solicitor George J. Botcheos and Municipal Engineer Wayne Roorda.

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

**ENGINEER REPORT:** Wayne Roorda of Bach Associates provided a written report, which has been filed in the appropriate manner, and verbally reviewed the status of the following items:

**NJDOT FY2014 OHIO AVENUE PHASE II-** Mr. Roorda reported that there was no change in status of this project since the last report, and noted that he would be scheduling a meeting with the engineering committee to discuss a concept plan for straightening the curve along Ohio Avenue.

**LEEWOOD VILLAGES AT ROWAND POND, PHASE I-** Mr. Roorda reported that an ordinance had been prepared for water and sewer connection permit applications. Mr. Roorda noted that the ordinance had been introduced on March 4, 2014.

**SANITARY SEWER REPAIRS AT RAILROAD CROSSINGS-** Mr. Roorda reported that his office had coordinated with the Gloucester Township Municipal Utility Authority engineer regarding a sewer rehabilitation project that they were bidding. Mr. Roorda had discussed adding this project to their scope. Mr. Roorda was awaiting the bid results in order to work out an interlocal service agreement with the contractor.

**WELL PUMP VFDs-** Mr. Roorda reported that he would need to touch base with the director of public works to ascertain the status of the project, including if the equipment had been delivered.

Mr. Roorda stated that he would report further on this matter at the following month's Council Meeting.

**PRINCETON AVENUE OPEN SPACE PROJECT-** Councilman Fisher requested a status update on the Princeton Avenue Park Project. Mr. Roorda stated that he had spoken to Joe Ciano of Bellmawr, who was slated to fax over the revised pricing to determine if concrete or asphalt would fit within the Borough's budget.

Mr. Roorda was excused from the meeting upon the conclusion of his report at 7:11PM.



**PRIVILEGE OF THE FLOOR FOR A TOTAL TIME NOT TO EXCEED 10 MINUTES FOR ITEMS APPEARING ON THE AGENDA ONLY:**

There were no comments from the public related to matters appearing on the agenda.

**APPROVAL OF BILL LIST:** Councilman Armbruster motioned to approve the bill list as presented upon proper review and certification of the same. Motion was seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

**ORDINANCES AND RESOLUTIONS:**

**SECOND READING/PUBLIC HEARING**

ORDINANCE 2014-03 CREATING CHAPTER 291 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "WATER AND SEWER CONNECTION". Mayor Nicholson read by title and opened the public hearing. Hearing no comments from the public, the public hearing was closed. Councilman Weaver motioned to adopt on second reading, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

RESOLUTION R14-54 AUTHORIZING TEMPORARY CAPITAL BUDGET. Mayor Nicholson read by title. Councilman Armbruster motioned to approve, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

**INTRODUCTION/FIRST READING**

ORDINANCE 2014-06 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO NJSA 40A:4-45.14. Mayor Nicholson read by title. Councilman Armbruster motioned to approve on first reading, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

**INTRODUCTION/FIRST READING**

ORDINANCE 2014-05 BOND ORDINANCE AUTHORIZING COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF EQUIPMENT IN AND FOR THE BOROUGH OF CLEMENTON, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$157,150 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 \$149,292; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING . Mayor Nicholson read by title. Councilman Weaver motioned to approve on first reading, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.



RESOLUTION R14-55 CONFIRMING CANCELLATION OF SPECIAL REFERENDUM TO EXCEED THE MUNICIPAL LEVY CAP. Mayor Nicholson read by title. Councilman Armbruster motioned to approve, seconded by Councilman Weaver. Councilman Fisher noted that he had requested that the Chief of Police, Randall Freiling, be in attendance at the meeting to answer some questions related to the cancellation of the referendum. Councilman Fisher stated that he had been at meetings of the governing body over the past year, and had continuously heard that the police department was in desperate need of additional police officers. Councilman Fisher inquired why the department and chief were suddenly not in support of the referendum. Chief Freiling stated that the officers were concerned about the timing of the referendum, that they would not be able to promote the idea to the public in time for the actual vote.

Councilman Armbruster stated that he had attended a portion of the CPA meeting, after the Chief had already met with the officers, and believed that they were incorrect in their assertions, and were possibly provided with false information. Councilman Armbruster stated that the officers indicated that they feared the residents would be unhappy with the department, and that they believed that the revenue from the Levin Property Redevelopment next year would possibly relieve the tax burden that the referendum would place upon the town. Councilman Armbruster stated that the Levin Property redevelopment would not relieve any burden within the next year, as the Borough had entered into a recapture and PILOT agreement, which would lead to no immediate anticipated revenue. Councilman Armbruster stated that he was disappointed that the referendum would not be presented to the voters to decide, but that he felt that it may not be passed without the support of the police department. Councilman Armbruster again emphasized that he did not feel that the information provided to the officers had been accurate.

Chief Freiling stated that the department was not opposed to the referendum, but simply the time frame given to gain support. Councilman Armbruster noted that the referendum had been discussed since December of 2013, and he felt that was sufficient time. Councilman Armbruster also stated that the 2% CAP had caused officers to not be funded, and the only option for properly staffing the department would be to present the issue to the voters by way of referendum. Councilman Armbruster noted that it was his belief that the police department had become reactive, as opposed to proactive. Councilman Armbruster stated that tickets were down significantly, which would serve as an alternate method to fund officer positions. Chief Freiling stated that the court collection rate was also way down.

Councilman Fisher noted that Officer Neil Clark was in the audience and requested that he provide his opinion on the referendum. Officer Clark stated that he was 100% in support of the referendum. Councilman Fisher also acknowledged that Officer Bradley Redrow was in the audience, and requested that he state his opinion on the referendum. Officer Redrow stated that he did not support the referendum for the hiring of two additional police officers due to the financial strain and increased domestic disturbance calls being experienced. Officer Redrow pointed out that he did not believe it was fair to ask the residents of the town to bear the financial burden of hiring the additional officers. Councilman Fisher asked Chief Freiling for confirmation that cancelling the referendum would not place residents at risk due to understaffing in the police department. Chief Freiling stated that the residents were not at risk with their current staffing levels, and he



was able to maintain status quo with the current number of officers. Chief Freiling also stated that the crime rates are currently down in the Borough, with property crime rates up slightly. Chief Freiling stated that upon replacement of Officer Schaeffer, the department was theoretically only down one officer.

Councilman Armbruster questioned whether the crime statistics were down due to the fact that the officers were not pursuing drug arrests and the like. Chief Freiling stated that he utilized property crime rates, which would not include drug arrests. Councilman Avellino stated that his recollection was that the Governing Body had passed a resolution to hold the referendum, which would require the municipality to spend approximately \$15,000.00. Councilman Avellino inquired if these funds had already been spent. Jenai Johnson reported that approximately \$1,500.00 had been spent to date in the process. Councilman Armbruster stated that he did not understand the sudden change of opinion by the police department, when he had been speaking to the officers for over a year, and the Chief for over two years, regarding the referendum to hire additional officers.

Councilman Armbruster stated that it was his understanding that there was an applicant, laid off from Camden, who had extremely positive recommendations and a satisfactory background check. Councilman Armbruster asked the Chief to provide the status of hiring this individual, and noted that the funds are already in place for this officer. Chief Freiling stated that the individual did not appear on the RICE LIST, but that he would contact the applicant to ascertain his status on the statewide eligible list.

Hearing no further comments, motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

#### RESOLUTION R14-56 INTRODUCING 2014 MUNICIPAL BUDGET

PUBLIC HEARING WILL BE HELD ON TUESDAY, APRIL 15, 2014 AT 7:00PM AT 101 GIBBSBORO ROAD, CLEMENTON. 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. Mayor Nicholson announced that the public hearing of the 2014 Municipal Budget was scheduled for Tuesday, April 15, 2014 at 7:00 PM at 101 Gibbsboro Road, Clementon.

RESOLUTION R14- 57 AUTHORIZING PROJECT SUBMISSION FOR YEAR 36 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING. 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 R14-58 AUTHORIZING ADJUSTMENT OF WATER ACCOUNT FOR BLOCK 61, LOT 13.01. Mayor Nicholson read by title. Councilman Weaver motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.



**UNFINISHED BUSINESS:**

*APPROVAL OF EXPENDITURE OF FUNDS IN THE AMOUNT OF \$2500.00 TO LEE ROHM FOR APPRAISAL OF CERTAIN VACANT LAND-* Councilman Armbruster stated that there had been an inquiry from the Governing Body regarding the proposed cost for the appraisal of this property. Solicitor Botcheos reported that he had spoken to Lee Rohm regarding the proposed cost and was informed that the initial appraisal was done several years ago and Mr. Rohm was still obligated to do comparable sales, which would be difficult due to the size and wetlands included within the property. Councilman Avellino stated that he wished to be advised as to why the Borough would benefit from the purchase of this property. Mayor Nicholson stated that the Borough has Open Space and Green Acre funding available to purchase the property, and noted that the Borough already had purchased the Signal Hill property adjacent. Mayor Nicholson also noted that the land had been rezoned to R5, which would make it almost impossible to develop. Councilman Armbruster stated that this would equate to an additional +/- 30 acres, contiguous to the 40 acres that is already owned by the Borough. Councilman Armbruster stated that there were existing foundations on small areas that may be buildable, which would allow a builder to possibly develop the property. Hearing no further discussion, Councilman Armbruster motioned to authorize the expenditure of funds in the amount of \$2,500.00 to Lee Rohm for the appraisal of certain vacant land in the Borough of Clementon, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

**(MEMORIALIZED BY RESOLUTION R14-59)**

*HIRE OF CROSSING GUARD-* Jenai Johnson reported that she had received a request from Officer Neil Clark for the authorization to hire Diane Seifring to the position of Crossing Guard in the Borough of Clementon. Councilman Fisher motioned to approve the hire, seconded by Councilman Williams and motion was carried upon the call of roll.

Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver; Williams.

**(MEMORIALIZED BY RESOLUTION R14-60)**

*CLEMENTON PARK TAX APPEAL-* Solicitor George Botcheos stated that he had met with Jenai Johnson, Chick Warrington, Lee Rohm and the owners and attorneys for Clementon Park relating to the ongoing tax appeals. Solicitor Botchoes stated that the meeting had lasted approximately 2 hours and concluded with the understanding that Clementon Park was going to provide additional information to the Borough as requested, with a future scheduled session in the future. Solicitor Botcheos stated that the current projected trial date for the matter was February of 2015. Councilman Armbruster stated that Clementon Park was not a large tax revenue when compared to the acreage that was consumed. Councilman Armbruster also noted that during the operating season, Clementon Park strains the understaffed police department with additional calls, traffic etc. Councilman Armbruster asked that Solicitor Botcheos look into the possibility of Clementon collecting an excise tax on tickets into Clementon Park, as is done by many shore towns in New Jersey.

**NEW BUSINESS:**

Councilman Fisher stated that he had a powerpoint presentation to present to the Governing Body, evidencing the need for both the Code Enforcement and Public Works Department to address many existing issues within the town. Councilman Fisher noted concerns relating to the painting of certain railings, replacement of antiquated and dilapidated signage within the Borough and other obvious eyesores within the town. Councilman Fisher stated that discussions had occurred regarding the replacement of signage during the budget meetings, and noted that funding had been put into place to correct those issues. Councilman Fisher also noted that there had been progress within the Borough as a result of the Quality of Life Meetings, but noted that further action was necessary to beautify the municipality. Councilman Fisher stated that it was the responsibility of the Public Works and Code Enforcement Departments to locate and rectify issues around the Borough, as they are the employees that are on the road. It was noted that many problem areas fall under the jurisdiction of Camden County, but that the Borough was responsible for following up with the County until a solution is provided. Councilman Fisher stated that he would be continuing to attempt to improve the overall image of the Borough of Clementon during his term in office.

**PRIVILEGE OF THE FLOOR:** There were no comments from the public.

**EXECUTIVE SESSION:** There were no matters for discussion in executive session.

**ADJOURNMENT:** Councilwoman Nucera motioned to adjourn at 8:11pm, seconded by Councilman Weaver and hearing none opposed, motion was carried.

Respectfully Submitted,

Jenai L. Johnson,  
Municipal Clerk/Administrator