

**MINUTES OF THE  
BOROUGH OF CLEMENTON  
DECEMBER 18, 2018  
COUNCIL MEETING  
OF THE MAYOR AND COUNCIL**

**OPENING:** Mayor Thomas Weaver called the meeting to order at 7:02PM.

**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; Councilman Thomas Shaw; Councilwoman Holly Strobl.

**SALUTE TO THE FLAG:** Mayor Weaver 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 reported on the following items:

*BOTTOMS LAKE DAM REPAIRS-* Mr. Roorda reported that his office had received review comments from the NJDEP on the July 26, 2018 revised permit application materials, and their response was due to NJDEP by December 31, 2018. Mr. Roorda noted that his office was preparing a revised plan with supporting calculations for submission.

*IMPROVEMENTS AT BARRY PLACE-* Mr. Roorda reported that he had been in contact with Kevin Beccica, the County Engineer, and she had indicated that the county would be agreeable to the municipality tying the drainage into the existing county structures. Mr. Roorda stated that he would submit plans for her approval.

*CHERRY LANE IMPROVEMENTS-CC CDBG FY2018-* Mr. Roorda reported that his office had met with Borough representatives at Cherry Lane and discussed the proposal for curb, driveway, and storm water improvements. His office would be preparing easement documentation for the proposed improvements, and bid documents would be finalized upon execution of the easement documentation and confirmation of the final scope of work. Mr. Roorda noted that the project would encompass the elimination of retaining walls and stabilization of the embankment, with a storm sewer pipe running between the two properties. With the current proposed improvements, the estimate for construction was 180,000.00, and Mr. Roorda stated that he would attempt to reduce costs where possible.

*OHIO AVENUE PHASE II NJDOT FISCAL YEAR 2016-* Mr. Roorda stated that his office was seeking confirmation regarding the use of remaining funding for speed humps or additional fencing along the replaced cut off walls. Mr. Roorda stated that the fencing appeared feasible, and the speed hump was planned. It was requested that Councilman Fisher meet Mr. Roorda at the proposed location to review the plans.

**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 comment on items appearing on the agenda. Hearing no comments from the public, the floor was closed.

**APPROVAL OF THE BILL LIST:** Council President Nucera motioned to approve the bill list upon proper review and certification. Councilman Shaw seconded the motion and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

**APPROVAL OF MINUTES:**

MINUTES OF THE NOVEMBER 20, 2018 CAUCUS/COUNCIL MEETING- Council President Nucera motioned to approve the minutes as presented, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

**ORDINANCES AND RESOLUTIONS:**

*SECOND READING/PUBLIC HEARING*

ORDINANCE 2018-13 AMENDING ORDINANCE 97-14 ESTABLISHING HEARING PROCEDURES ON DISCIPLINARY ACTIONS OF THE POLICE DEPARTMENT.

Mayor Weaver read by title. Councilman Armbruster motioned to adopt on second reading, seconded by Councilwoman Nucera. Mayor Weaver opened the floor to the public for comment. Hearing no comments, Mayor Weaver closed the public hearing and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

*SECOND READING/PUBLIC HEARING*

ORDINANCE 2018-15 AMENDING AND SUPPLEMENTING CHAPTER 30 OF THE CODE OF THE BOROUGH ENTITLED, "HEALTH, BOARD OF".

Mayor Weaver read by title.

Council President Nucera motioned to adopt on second reading, seconded by Councilwoman Milano. Mayor Weaver opened the public hearing. Brenda Franks, Erie Avenue- Mrs. Franks inquired as to the intent of this ordinance. Solicitor Botcheos stated that ordinance was being implemented to assure that the Borough code reflected the Public Nuisance Code of New Jersey. Hearing no further comments, the public hearing was closed and motion to adopt was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

*SECOND READING/PUBLIC HEARING*

ORDINANCE 2018-16 AMENDING AND SUPPLEMENTING CHAPTER 214 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "PROPERTY MAINTENANCE".

Mayor Weaver read by title.

Councilman Armbruster motioned to adopt on second reading, seconded by Council President Nucera. Mayor Weaver opened the public hearing. Hearing no comments from the public, Mayor Weaver closed the hearing and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

*SECOND READING/PUBLIC HEARING*

ORDINANCE 2018-17 AMENDING AND SUPPLEMENTING CHAPTER 198 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "PEACE AND GOOD ORDER". Mayor Weaver read by title.

Councilman Armbruster motioned to adopt on second reading, seconded by Councilwoman Nucera. Mayor Weaver opened the hearing to the public. Hearing no comments, the Public Hearing was closed and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

Councilman Armbruster noted that the ordinance had corrected the Code of the Borough of Clementon to reflect the legal drinking age of 21, as opposed to the antiquated age of 18 that was buried within the chapter.

RESOLUTION R18-158 AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AGREEMENT BETWEEN THE BOROUGH OF CLEMENTON AND HOMEWARD BOUND PET ADOPTION CENTER, INC. FOR SHELTERING SERVICES FOR YEAR 2019. Mayor Weaver read by title. Council President Nucera motioned to approve, seconded by Councilwoman Strobl. Councilman Armbruster asked if this was a new sheltering service, as the name did not appear consistent with the firm utilized the previous year. Jenai Johnson reported that the sheltering services would be provided by the same organization, and that the name had been changed to Homeward Bound Pet Adoption Center, Inc.

Hearing no further comments, the motion to approve was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-159 PROVIDING FOR CANCELLATION OF PAYMENT PLAN FOR BLOCK 32, LOT 6, OTHERWISE KNOWN AS 27 LINCOLN AVENUE IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Council President Nucera motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-160 CONFIRMING TRANSFER OF PROPERTY TAX OVERPAYMENTS. Mayor Weaver read by title. Council President Nucera motioned to approve, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-161 AUTHORIZING APPROVAL OF 2019 TOWING COMPANIES FOR THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Council President Nucera motioned to approve, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-162 AUTHORIZING APPROPRIATION TRANSFERS. Mayor Weaver read by title. Council President Nucera motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-163 APPROVING CANCELLATION OF OUTSTANDING CHECKS. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-164 AUTHORIZING EXPENDITURE OF OPEN SPACE TRUST FUNDS FOR ACQUISITION OF EQUIPMENT FOR CERTAIN PLAYGROUNDS IN THE BOROUGH OF CLEMENTON IN AN AMOUNT NOT TO EXCEED \$3,500.00. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Council President Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-165 AUTHORIZING ISSUANCE OF MERCANTILE LICENSE FOR HALO BLU ANGEL LLC LOCATED AT 38 BERLIN ROAD IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Council President Nucera motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-166 AUTHORIZING ISSUANCE OF MERCANTILE LICENSE FOR LOST SOULS RECOVERY LLC LOCATED AT 130 WHITE HORSE PIKE IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

#### **NEW BUSINESS:**

Jenai Johnson reported that a request had been received from Mary Pate, Founder of A Joseph Project, requesting use of the meeting room below the library on Tuesday Evenings for the operation of “healing rooms” from 7pm-9pm. Mrs. Pate was in attendance and noted that she wished to reach the entire community and wished to build a ministry for prayer and healing. Councilman Fisher motioned to approve the use for year 2019 as requested, with the condition that the room was available on that date and time. Motion was seconded by Councilman Armbruster and hearing none opposed, motion was carried. **(MEMORIALIZED BY RESOLUTION R18-167)**

Mrs. Pate thanked the governing body for their approval of her request.

Councilman Fisher announced that this would be the last meeting for outgoing Council President Christine Nucera and thanked her for the last six years of service.

Mr. Fisher also noted that the Public Safety Committee had been discussing ideas on ways to decrease spending within the public safety departments. It was the recommendation of the committee that the Borough cease allowing officers to utilize police cars for transportation to and from their homes, which would result in lessened gas expenses and maintenance on the vehicles. Councilman Fisher proposed that this change would go into effect on January 1, 2019, with cars only being taken to officer's residences with the express consent of the Chief of Police.. Councilwoman Nucera motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

**(MEMORIALIZED BY RESOLUTION R19-168)**

**PRIVILEGE OF THE FLOOR:**

*Brenda Franks, 46 Erie Avenue-* Mrs. Franks asked if there were meetings held with the Clementon Fire Rescue that were in violation of the Sunshine Law. Mrs. Franks also inquired by the proposed shared service agreement for fire services was being discussed in executive, when it was her opinion that the matter should be a public discussion. Solicitor Botcheos responded that the matter was being discussed in the closed session because it was a contractual negotiation, for which the appropriate discussion forum was executive session. Mrs. Franks stated that she wanted to keep the fire department open, and that the people of the town should be involved in the decision. Mrs. Franks asked the mayor to host a town meeting at which the residents would be able to voice their opinions. Mayor Weaver stated that a Town Meeting could be held.

*Mike Tavoni, 45 Trout Avenue-* Mr. Tavoni asked what the cost to educate each student was. The Mayor advised that the Governing Body did not have that information and his questions seemed better addressed at a meeting of the school board. In attendance in the audience were members of the Clementon School Board, including Christopher McKelvey and Danielle Aubrey. They advised Mr. Tavoni that he was welcome to attend one of their meetings, but the cost to educate each student was approximately \$15,500.00. Mr. Tavoni stated that his children had attended catholic school. Mr. Tavoni also noted that he was friends with the mayor in Stratford and Berlin, and they boasted a tax rate lower than that of Clementon. Mr. Tavoni wished to be advised how they were able to have a lower tax rate and provide significant services. Councilman Armbruster stated that the municipalities to which he was comparing Clementon both held a large ratable base, to spread the tax burden across. Mr. Tavoni reiterated that he could not understand why he was provided with less than surrounding towns.

*Christopher Hammond, 22 Higgins Avenue-* Mr. Hammond stated that he wished to obtain a progress report on the speeding issue on Higgins Avenue. Councilman Armbruster stated that the Police Chief had increased patrols in the area. Councilman Armbruster also noted that he had emailed and texted someone from the Camden County Roads Department, and his contact had not been returned. Mr. Hammond stated that he had spoken to the County and they had informed him that they were waiting to hear from Councilman Armbruster about taking ownership of Higgins Avenue to allow the Borough to address the speeding concerns. Councilman Armbruster advised Mr. Hammond that the Borough was not in fact interested in taking ownership of the road, but would be interested in getting permission from the County for the installation of speed humps or stop signs. Mr. Hammond noted that he would provide his point of contact at the County to Councilman Armbruster for follow up on the matter.

**EXECUTIVE SESSION:**

**RESOLUTION R18-169 AUTHORIZING EXECUTIVE SESSION FOR THE FOLLOWING MATTER: DISCUSSION REGARDING NEGOTIATIONS OF PROPOSED SHARED SERVICE AGREEMENT WITH LAUREL LAKE ALLIANCE FOR FIRE SERVICES.** Councilman Fisher motioned to enter executive session at 8:16PM for discussion of the above noted discussion, for an anticipated time of one half hour, seconded by Councilman Shaw and hearing none opposed, motion was carried.

Mayor Weaver announced that formal action could be taken following the executive session.

Councilman Armbruster motioned to re-enter open session at 8:48PM, seconded by Councilman Shaw and hearing none opposed, motion was carried.

**ACTION AS A RESULT OF EXECUTIVE SESSION:**

RESOLUTION 2018-170 AUTHORIZING ENTRANCE INTO A TEMPORARY SHARED SERVICE AGREEMENT WITH LAUREL LAKE ALLIANCE FOR FIRE SERVICES FROM JANUARY 1, 2019 THROUGH JUNE 30, 2019.

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

**ADJOURNMENT:**

Councilman Fisher motioned to adjourn at 8:51PM, seconded by Councilman Armbruster and hearing none opposed, motion was carried.

RESPECTFULLY SUBMITTED,

Jenai L. Johnson,  
Municipal Clerk/Administrator