

**MINUTES OF THE  
BOROUGH OF CLEMENTON  
DECEMBER 2, 2014  
CAUCUS MEETING  
OF THE MAYOR AND COUNCIL**

**OPENING:** Mayor 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 Williams. Absent: Councilman Thomas Weaver. Also in attendance were Solicitor George J. Botcheos; Municipal Clerk/Administrator Jenai Johnson; and Public Works Director Melvin Applegate.

**SALUTE TO THE FLAG:** Mayor Nicholson 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:** There were no comments from the public.

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

**ADMINISTRATOR/COUNCIL REPORTS:**

*Jenai Johnson, Municipal Clerk/Administrator-* Ms. Johnson reported that all matters that she desired to present were listed on the agenda for discussion during the open and executive portions of the agenda.

*Thomas Avellino, Councilman-* Councilman Avellino reviewed the written construction report, which has been filed in the appropriate manner.

*Jonathan Fisher, Councilman-* Councilman Fisher stated that he would be providing further information regarding the proposed playground equipment at the Schaeffer Memorial Park following a forthcoming meeting with the playground equipment vendor.

*Mark Armbruster, Councilman-* Councilman Armbruster stated that he was pleased to announce that leaf collection appeared to be up to date due to the efforts of the public works department. Councilman Armbruster noted that he wished to recognize the individuals in the department of public works who have accepted compensatory time for working the special events, as opposed to the overtime pay. Councilman Armbruster stated that he also wished to recognize Councilman Fisher and Councilwoman Nucera for their efforts in making the Holiday Parade and tree lighting ceremony a huge success.

*Christine Nucera, Councilwoman-* Councilwoman Nucera stated that the tree lighting ceremony went well and thanked the participants.

*Thomas Williams, Councilman-* Councilman Williams stated that he only wished to discuss matters that were listed upon the agenda, specifically the Clementon Police Association Contract Negotiations during executive session.



Jenai Johnson stated that she did wish to present one matter for consideration by the Governing Body. Ms. Johnson stated that she had emailed a proposed council/caucus meeting schedule to the governing body for review and approval. Ms. Johnson stated that a concrete date, time and place needed to be chosen for the annual reorganization meeting for publication purposes. Ms. Johnson stated that the Annual Reorganization Meeting was tentatively scheduled for Saturday, January 3, 2015 at 11:00AM in the court room. There were no objections to the proposed meeting. Ms. Johnson stated that she would confirm with Councilwoman Elect Carol Andrews and Councilwoman Elect Meghan Milano. Councilman Armbruster suggested that consideration be given to changing the evening hours at Borough Hall to Tuesday evenings, to coincide with the meeting schedule for Council. Councilman Armbruster stated that this option would allow for employees working the evening hours to be available to Council during the meeting during their normally scheduled hours of employment. After brief discussion, it was determined that further information was necessary regarding the availability of the employees on Tuesday evenings. After brief discussion, Jenai Johnson advised the members of Council that she would continue to gather responses from the employees who would be affected and provide the information to the Governing Body as soon as it became available.

#### **ORDINANCES AND RESOLUTIONS:**

RESOLUTION R14-167 AUTHORIZING CHECKS FOR VARIOUS CLOSED BENEFICIAL BANK ACCOUNTS TO BE SHREDDED. Mayor Nicholson read by title. Councilman Armbruster questioned if the Borough had any legal obligation to hold onto the checks. Jenai Johnson advised Councilman Armbruster that the checks presented were issued for an account no longer open, and that documentation would be on file noting the checks that were destroyed. Councilman Williams motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Williams. Absent: Weaver.

RESOLUTION R14-168 APPROVING ISSUANCE OF MERCANTILE LICENSE TO DOROTHY ROSENBERG FOR LAUNDRY ROOM LAUNDROMAT LOCATED AT 328 WHITE HORSE PIKE, UNIT G & H. 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; Williams. Absent: Weaver.

RESOLUTION R14-169 APPROVING PAYMENT #1 FOR RAILROAD PARK REHABILITATION PERFORMED BY PENNYGREEN IN THE AMOUNT OF \$23,341.50. Mayor Nicholson read by title. Councilman Fisher inquired whether an inspection had been done by the engineer to ensure that the project was properly completed. Jenai Johnson stated that the recommendation for payment had been prepared by the engineer, which indicates that the work had been inspected and recommended for payment. A question was posed regarding the health of the tree that was planted at that location. Melvin Applegate noted that there was retainage remaining after the payment, which would cover the cost of the replacement of the tree if that became necessary. Councilman Armbruster motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Williams. Absent: Weaver.

RESOLUTION R14-170 AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AGREEMENT BETWEEN THE BOROUGH OF CLEMENTON AND ANIMAL WELFARE SOCIETY OF CAMDEN COUNTY FOR SHELTERING SERVICES FOR YEAR 2015. Mayor Nicholson read by title. Councilman Avellino stated that he did not believe that the municipality should be responsible for such costs associated with animals within the town. Councilman Armbruster stated that he had spoken to Councilman Weaver regarding the possibility of a shared service for animal services with the Borough of Berlin, who employs an animal control officer within their town. Jenai Johnson stated that the Borough would likely continue to have a need for sheltering services even if an agreement were reached for shared animal control services. Councilman Armbruster stated that some municipalities were utilizing Atlantic County Animal Sheltering Services, which may present a cost savings. Hearing no further discussion on the matter, Councilwoman Nucera motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Nucera; Williams. Nays: Avellino. Absent: Weaver.



#### **UNFINISHED BUSINESS:**

There was no discussion related to unfinished business.

#### **NEW BUSINESS:**

**DISCUSSION REGARDING TRASH COLLECTION BID RESULTS:** Jenai Johnson reported that bids had been received for trash and recycling collection services within the Borough, Commencing on February 1, 2015. Ms. Johnson stated that Central Jersey Waste appeared to be the lowest bidder, with a difference of approximately \$110,000 to the next lowest bidder for a three year contract term. Ms. Johnson also stated that all complaints regarding said company had been logged, and were available for review. Ms. Johnson stated that she had spoken to Solicitor Botcheos, and it was their opinion that the complaints were not egregious enough in nature, nor was the volume of complaints high enough to disqualify the apparent lowest responsible bidder. Councilman Armbruster stated that the residents had ceased complaining due to the impending expiration of the contract, and had begun directly contacting the trash company with service complaints. Melvin Applegate stated that the service had indeed improved, and noted that the company was responsive to any complaints almost immediately when advised of such issues by Borough staff. Discussion occurred regarding employing a shared service agreement with a surrounding municipality for trash collection. Melvin Applegate noted that the Borough would need sufficient time to enter an agreement and purchase the required cans. It was the consensus of the Governing Body that this matter be tabled and further discussed into the new year, with consideration that the new contract would not commence until February of 2015.

**REQUEST FROM CLEMENTON FIRE RESCUE FOR USE OF COMMUNITY CENTER ON DECEMBER 12<sup>th</sup> TO HOST HOLIDAY GATHERING :** Jenai Johnson stated that she had received a request from the Chief of the Fire Department, Randall Freiling, for use of the community center on December 12<sup>th</sup> for a holiday gathering. Ms. Johnson noted that the request indicated that the event would consist of light refreshments and gift exchanging. Councilman Armbruster noted that it was his belief that the organization would be subject to the same fees and conditions as any other non-profit organization would be, for use of the center. Jenai Johnson stated that the request was made by Clementon Fire Rescue, an organization of the Borough. Councilman Armbruster suggested that the request for use be approved with the condition the event be open to only Fire/Rescue Members and their immediate family, with a roster of attendees submitted to the Borough Council following the event. Mayor Nicholson stated that he did not have any objection to the use, as the members were composed of volunteers for the benefit of the Borough. Councilman Williams motioned to approve the use of the community center by the Clementon Fire Rescue Department, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Williams. Absent: Weaver.

**SOCIAL MEDIA PARADE COMPLAINTS:** Councilman Fisher stated that he wished to comment on a recurring issue with social media complaints on FaceBook. Councilman Fisher stated that the wife of the Chief of Police, Sheila Freiling, had made inaccurate and inappropriate comments on a page created relating to Clementon Borough. Councilman Armbruster noted that the page on facebook was not an official Borough page, and not run by the Borough of Clementon. Councilman Fisher stated that the Parade and Tree lighting events had been hugely successful due to the efforts of Councilwoman Nucera, Councilman Armbruster and himself. Councilman Fisher stated that he, along with Councilman Armbruster and Councilwoman Nucera, give more time to the Borough than any other individual. Councilman Fisher noted that he had been greatly disappointed in the Fire Department, as the Borough Trucks and front façade of the Fire House had not been decorated with any lights. Councilman Fisher noted that the parade had historically been a "Fireman's Event". Councilman Fisher asked Melvin Applegate if the Public Works Department normally decorated the front of the fire house with lights. Mr. Applegate responded that they had not done so, as the membership of the fire department had done so in the past years. Councilman Fisher stated that he, along with Councilman Nucera, decorated the stage and entire facility for the parade event. He further noted that he had chosen to amend the parade route due to safety concerns at the prior location. Councilman Fisher stated that it was his opinion that the lack of participation and preparation on behalf of the Fire Department was an indication of bad leadership. Mayor Nicholson stated that he was unaware of the events and comments that transpire on social media sites. Councilman Williams agreed that he also did not participate in social media discussions. Mayor Nicholson stated that anyone posting complaints on the social media sites should be directed to address their complaints at Borough Hall with the appropriate



departments. Councilman Armbruster stated that the Borough should develop an official facebook account for distribution of material. Councilwoman Nucera stated that she had received emails and seen posts on Facebook critical of the parade event that she had worked so diligently upon. Councilwoman Nucera stated that she held Special Event Committee Meetings every 3<sup>rd</sup> Monday of the month, to which three people normally attend. Councilwoman Nucera stated that those that regularly attended her Special Event Meeting were Councilman Fisher and Councilman Armbruster.

Councilman Armbruster noted that he had spoken to Mrs. Connie Venuti, who had been paid the reimbursement requested for Christmas decorations purchased for Borough Property. Councilman Armbruster noted that the correct procedure, with approval prior to making purchases, was discussed with Mrs. Venuti. Councilman Armbruster noted the appreciation for the residents who contribute their time to assist in beautifying the town.

**PRIVILEGE OF THE FLOOR:**

There were no members of the public who wished to speak during the privilege of the floor.

**EXECUTIVE SESSION:**

Councilman Armbruster motioned to enter executive session at 7:51PM relating to the following matters:

DISCUSSION REGARDING CONTRACTUAL NEGOTIATIONS WITH AFSCME LOCAL 3303G  
PERSONNEL MATTERS REGARDING THE CHIEF FINANCE OFFICER

DISCUSSION REGARDING CONTRACTUAL NEGOTIATIONS WITH CLEMENTON POLICE  
ASSOCIATION

DISCUSSION REGARDING SHARED SERVICE AGREEMENT WITH BORO OF STRATFORD

Motion was seconded by Councilman Fisher and carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Williams. Absent: Weaver.

It was announced that the approximate duration of executive session was expected to be 1 hour.

THERE WAS NO ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION.

Councilwoman Nucera motioned to reenter open session at 8:58PM, seconded by Councilman Fisher and hearing none opposed, motion was carried.

**ADJOURNMENT:** Councilwoman Nucera motioned to adjourn at 8:59PM, seconded by Councilman Fisher and hearing none opposed, motion was carried.

