

MINUTES OF THE BOROUGH OF CLEMENTON

APRIL 21, 2015

MEETING OF THE MAYOR AND COUNCIL

**OPENING:** Mayor John J. Nicholson Jr. called the meeting to order at 7:02PM.

**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 "Jack" Nicholson, Jr.; Councilwoman Carol Andrews; Councilman Mark Armbruster; Councilman Jonathan Fisher; Councilwoman Meghan Milano; Councilwoman Christine Nucera; Council President Thomas Weaver. Also present were Solicitor George J. Botcheos and Wayne Roorda of Bach Associates.

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

**PRIVILEGE OF THE FLOOR FOR TOTAL TIME NOT TO EXCEED 10 MINUTES FOR ITEMS APPEARING ON THE AGENDA ONLY:** There were no comments from the public.

**ENGINEER REPORT:** Wayne Roorda of Bach Associates presented a written report to the Governing Body, which has been filed in the appropriate manner and verbally reported on the following items: Fire Hall Emergency Generator Project- Mr. Roorda reported that a letter had been issued by the engineer and presented to Council for review and approval of the final payment on the project due to completion. It was noted that the item appeared on the agenda for consideration under the Resolutions.

Trout Avenue Roadway/Drainage Improvements- Mr. Roorda reported that he had met at the site location with Councilman Armbruster and discussed the desires of the Governing Body for improvements to Trout Avenue, which had been included as the Year 37 Project Submission to Community Development Block Grant Program. Mr. Roorda provided a brief description of improvements being considered and noted that he would be working on a preliminary project description and cost estimate for the improvements. Mr. Roorda stated that it may be beneficial to apply for discretionary aid for the project. Jenai Johnson noted that there were funds included in the general capital bond ordinance on the agenda for introduction toward the Trout Avenue project. Mr. Roorda stated that he would provide further information as it became available.

Daniel Dougherty Sports Complex Soccer Field Project- Councilman Fisher inquired regarding the status of the soccer field project at the Daniel Dougherty Sports Complex, which was being funded partially by Camden County Open Space Funds. Mr. Roorda stated that the Borough needed to approach the County regarding the infringement upon County property depending on the layout of the fields. Councilman Armbruster requested that Jenai Johnson contact Jack Sworaski to attempt to schedule a meeting at the location, also known as Lake Worth Park.

**MINUTES OF THE BOROUGH OF CLEMENTON**  
**APRIL 21, 2015**  
**MEETING OF THE MAYOR AND COUNCIL**

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

**APPROVAL OF MINUTES:**

**MINUTES OF THE FEBRUARY 3, 2015 CAUCUS MEETING-** Councilwoman 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; Weaver. Abstain: Andrews.

**MINUTES OF THE APRIL 7, 2015 CAUCUS MEETING -**Councilwoman Nucera motioned to approve the minutes as presented, seconded by Councilwoman Andrews and motion was carried upon the call of roll. Ayes: Andrews; Fisher; Milano. Abstain: Armbruster; Nucera; Weaver.

**ORDINANCES AND RESOLUTIONS:**

***CONTINUATION OF PUBLIC HEARING/FINAL PASSAGE***

**ORDINANCE 2015-03** TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK PURSUANT TO NJSA 40A:4-45.14. Mayor Nicholson reopened the floor to the public for the continuation of the public hearing. Hearing no comments from the public, the hearing was closed. Councilman Armbruster motioned to adopt on second reading, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

**RESOLUTION R15-84** AUTHORIZING BUDGET TO BE READ BY TITLE ONLY. Mayor Nicholson read by title. Councilman Armbruster motioned to approve, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

**PUBLIC HEARING 2015 MUNICIPAL BUDGET-**

**RESOLUTION R15-85** ADOPTING 2015 MUNICIPAL BUDGET FOR THE BOROUGH OF CLEMENTON. Mayor Nicholson opened the public hearing for the 2015 Municipal Budget. Hearing no comments from the public, the floor was closed. Councilwoman Nucera motioned to adopt, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

**RESOLUTION R15-86** TO AMEND 2015 CAPITAL BUDGET. Mayor Nicholson read by title. Councilman Weaver motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

MINUTES OF THE BOROUGH OF CLEMENTON

APRIL 21, 2015

MEETING OF THE MAYOR AND COUNCIL

***INTRODUCTION/FIRST READING***

**ORDINANCE 2015-04** BOND ORDINANCE AUTHORIZING VARIOUS WATER UTILITY IMPROVEMENTS IN THE BOROUGH OF CLEMENTON, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$1,580,000 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 \$1,580,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING. Mayor Nicholson read by title. Councilwoman Andrews motioned to approve on first reading, seconded by Councilwoman Milano and motion was carried upon the call of roll. A yes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.  
Public Hearing scheduled for Tuesday, May 19, 2015 at 7:00PM.

***INTRODUCTION/FIRST READING***

**ORDINANCE 2015-05** BOND ORDINANCE AUTHORIZING THE 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 \$209,505 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 \$199,030; 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 Councilman Armbruster and motion was carried upon the call of roll. A yes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.  
Public Hearing scheduled for Tuesday, May 19, 2015 at 7:00PM.

Mayor Nicholson read the following resolutions by title:

**RESOLUTION R15-80** TO REFUND PROPERTY TAX OVERPAYMENT FOR BLOCK 133, LOT 10, OTHERWISE KNOWN AS 17 ELM AVENUE

**RESOLUTION R15-81** TO ADJUST CERTAIN WATER ACCOUNTS IN THE BOROUGH OF CLEMENTON

**RESOLUTION R15-82** AUTHORIZING APPROVAL OF CHANGE ORDER #1 TO FIRE HALL EMERGENCY GENERATOR CONTRACT WITH MAGUIRE ELECTRICAL CONSTRUCTION LLC. WITH A REDUCTION IN THE AMOUNT OF \$11,676.61

**RESOLUTION R15-83** AUTHORIZING APPROVAL OF PAYMENT #5 (FINAL) FOR THE FIRE HALL EMERGENCY GENERATOR PROJECT IN THE AMOUNT OF \$14,724.89 TO MAGUIRE ELECTRICAL CONSTRUCTION LLC.

Councilwoman Andrews motioned to approve Resolutions R15-80, thru and including Resolution R15-83 and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

MINUTES OF THE BOROUGH OF CLEMENTON

APRIL 21, 2015

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**UNFINISHED BUSINESS:**

**ROMAN OIL LLC GAS STATION MERCANTILE LICENSE-** Councilman Armbruster stated that he had been provided with documentation regarding an application for approval of a mercantile license for Roman Oil LLC, a gas station, located at 100 Chewslanding Road in the Borough of Clementon. Councilman Armbruster stated that this had been provided to the Clerk's Office after the deadline for distribution of the agenda, due to the timing of the approval by Planning/Zoning. Councilman Armbruster recommended that the Governing Body approve the issuance of the license. Councilman Armbruster motioned to approve issuance of mercantile license to Roman Oil LLC, to operate a gas station located at 100 Chewslanding Road. Motion was seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver. (*Memorialized by RESOLUTION R15-87*)

**THERESA SCHAEFFER PLAYGROUND IMPROVEMENTS-** Councilman Fisher reported that the installation of the playground equipment at Theresa Schaeffer Park was scheduled for April 28, with an anticipated May 1, 2015 date of completion.

**NEW BUSINESS:**

**PLANNING/ZONING APPOINTMENT-** Mayor Nicholson announced the following mayorial appointment to the Joint Planning and Zoning Board:

**APPOINTMENT OF CHRISTOPHER MCKELVEY TO THE POSITION OF ALTERNATE #2 FOR PLANNING AND ZONING BOARD WITH A TERM EXPIRATION OF DECEMBER 31, 2016**

**MT CARMEL/BRAND AVENUE PROPERTY-** Solicitor Botcheos stated that the Borough had previously indicated an interest in acquiring the Mt. Carmel/Brand Avenue Property, and determined that the Borough wished to have Mr. Lee Romm prepare an appraisal of the property. Mr. Botcheos stated that the appraisal had been completed and had come in at \$1,170,000.00. Councilman Armbruster stated that an email had been sent by Mr. Demedio, the current developer of the property, advising the Borough that he would be attempting to ascertain if low income housing was still an option for the property. It was determined after brief discussion that a committee would meet expeditiously to gain a better understanding of where the Borough stood following the recent COAH court ruling. Jenai Johnson was directed to contact Leah Furey of Bach Associates to schedule said meeting. Brief discussion also occurred regarding the possibility of utilizing the Brand Avenue property for senior living.

**PUBLIC WORKS EQUIPMENT FOR FERTILIZATION AND MAINTENANCE OF GROUNDS-** Councilman Fisher reported that he had spoken to the Director of Public Works, who indicated that there was a need to purchase various equipment and products for the fertilization and maintenance of Borough owned grounds. Councilman Fisher stated that the estimated cost of the fertilizer product needed was in the \$4,000.00 to \$5,000.00 range. Councilman Armbruster motioned to approve the expenditure of Open Space Trust Funds in an amount not to exceed \$10,000.00 for the purchase of various products and light equipment necessary to maintain and fertilize the parks and playgrounds within the Borough.

MINUTES OF THE BOROUGH OF CLEMENTON  
APRIL 21, 2015  
MEETING OF THE MAYOR AND COUNCIL

Councilwoman Nucera seconded the motion and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver. (MEMORIALIZED BY RESOLUTION R15-88).

Councilman Fisher further stated that the Public Works Department would be maintaining the Borough owned playgrounds in house due to one of the Public Works employees possessing a fertilization license required for said maintenance. Councilman Fisher stated that the old tractor was being refurbished for this purpose, noting that he was optimistic about bringing these services back in house.

SPECIAL EVENTS UPDATES- Councilwoman Nucera stated that she wished to thank the Police, Public Works and Fire Department for attending the opening day ceremonies for the CYAA. Councilwoman Nucera also noted that the Special Events Committee would be meeting on May 4<sup>th</sup> at 4:30PM. Councilwoman Nucera stated that the Clementon Youth Athletic Association would be holding the camp out event and noted that she would provide the appropriate insurance coverage documents to the Borough. Jenai Johnson stated that she would ensure that the proper safety inspection was completed on the property prior to the event, as was suggested by the JIF the prior year. Councilwoman Nucera also requested that approval be given to utilize the Clementon Community Center on May 7<sup>th</sup> for CYAA picture day in the event of inclement weather. There were no objections to the request. Councilwoman Nucera stated that the Borough had been speaking to Clementon Park regarding the possibility of moving the Clementon Day Event on May 30<sup>th</sup> back into Clementon Park. Councilwoman Nucera stated that she would provide further details as they became available.

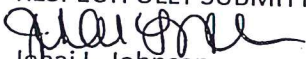
**PRIVILEGE OF THE FLOOR:**

*Keith Cybulski, Clementon-* Mr. Cybulski stated that he wished to know the increase in the cost of liability insurance to the Borough if the Governing Body were to move forward with the acquisition of the Brand Avenue Property. It was noted that the Governing Body, nor the administrator were able to provide that information at the current time as this would be calculated by the Insurer. Mr. Cybulski inquired as to the start date of the Leewood Project. Councilman Weaver stated that when he had last spoken to Mr. Fink, it was the hope of all involved that the project would commence early summer. Solicitor Botcheos noted that he had just completed reviewing drafts of the bonds for the project and that Mr. Fink would be providing the official performance and maintenance bonds in the very near future.

Hearing no further comments, the floor was closed to the public.

**ADJOURNMENT:** Councilman Weaver motioned to adjourn at 7:58PM, seconded by Councilman Armbruster and hearing none opposed, motion was carried.

RESPECTFULLY SUBMITTED,

  
Jenai L. Johnson,

Municipal Clerk/Administrator