

**MINUTES OF THE
BOROUGH OF CLEMENTON
MAY 19, 2015
COUNCILMEETING
OF THE MAYOR AND COUNCIL**

OPENING: Mayor John "Jack" Nicholson called the meeting to order at 7:01PM.

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.; Councilman Mark Armbruster; Councilman Jonathan Fisher; Councilwoman Meghan Milano; Councilwoman Christine Nucera; Council President Thomas Weaver. Absent: Councilwoman Carol Andrews. Also present were Solicitor George Botcheos and Wayne Roorda of Bach Associates.

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

ENGINEER REPORT: Wayne Roorda of Bach Associates presented a written report, which has been filed in the appropriate manner, and verbally reported on the following items:

NJEIT WELL #9 AND GIBBSBORO ROAD WATER MAIN- Mr. Roorda reported that the Borough had received 2 review letters from the NJDEP, containing environmental items, as well as technical/administrative inquiries. Mr. Roorda reported that he was drafting responses to both letters at present and would be submitting the correspondence to NJEIT.

CAMDEN COUNTY OPEN SPACE SOCCER FIELD PROJECT- Mr. Roorda reported that he, the Director of Public Works and Councilman Fisher met with representatives of Camden County regarding the "Lake Worth" property owned by the County, adjacent to the Daniel Dougherty Complex. The meeting was related to the possible encroachment of soccer fields onto the County owned property. Mr. Roorda stated that another meeting was needed, at which he wished Councilman Fisher, Councilman Weaver and Councilman Armbruster to attend. Mr. Roorda stated that he would contact those indicated to schedule the meeting.

CDBG YEAR 37 PLAN SUBMISSION- Mr. Roorda reported that he was scheduled to meet with Beth Pugh of CDBG regarding the outstanding CDBG issues for several towns that he represents, inclusive of Clementon Borough. Mr. Roorda noted that he would be submitting final plans for Trout Avenue improvements, and noted that a discretionary aid application could be submitted for the project as well.

Following the engineer report, Mr. Roorda was excused from the meeting.

DISCUSSION REGARDING CLEMENTON PARK & SPLASH WORLD- Councilman Armbruster announced that representatives of Clementon Park & Splash World were in attendance to discuss a private event held at the Park on May 16, 2015, at which inappropriate behavior was displayed by patrons of the event. Councilman Armbruster stated that many graphic videos and photographs had been posted on social media, which caused many complaints by residents of the Borough. It was noted that the inappropriate behavior evidenced in the videos and photos appeared to have taken place at the wave pool and in the main parking lot. Councilman Armbruster stated that he believed several illegal acts were committed, inclusive of lewd behavior, assaults, profanity by the DJ, all within close proximity to where residents were able to see and hear. Councilman Armbruster stated that it was his belief that the park was 100% liable for the incident, additionally noting that this was not the first incident at the facility. Concern was expressed that properties are vandalized, patrons parking outside the park continually disrupt the ability of residents to park in their neighborhoods, all of which inconvenience Borough residents.

Mr. Robert Lobanowski introduced himself as an attorney representing the interests of Clementon Park & Splash World. Mr. Lobanowski stated that Mr. Dan Jankovich had taken the position of park manager this season, and both representatives of the park expressed that they were ashamed of the events that transpired at the event held on May 16, 2015, additionally stating that all measures possible would be enacted to prevent this type of circumstance from arising again. Mr. Lobanowski stated that he wished to give Mr. Jankovich the opportunity to explain the chain of events that occurred, the staffing that was in place, and measures taken in advance to prevent any unwanted issues.

Discussion occurred regarding the chain of events that had taken place, and the actions taken by the park to eliminate the problem, ultimately ending with the park closing earlier than planned, and multiple police departments responding to the parking lot to assist in clearing the patrons from the area.

Councilman Armbruster inquired regarding the training provided to security officers within the park and suggested that adequate training be provided to eliminate the need for officers to respond to the park for minor incidents. Both Mr. Lobanowski and Mr. Jankovich agreed to research available training for their security professionals, to alleviate the need for actual officers responding, as well as enhance the training of their own staff.

Councilman Fisher stated that he had passed the park on the date of the incident, and noted that he had not seen any additional security visible, and stated that the Borough had been working diligently to clean up the town and improve the perception of Clementon. Councilman Fisher stated that the town did not need the negative publicity resulting from this specific event.

Mayor Nicholson stated that he had received a few complaints from residents that lived in close proximity to the park, mostly dealing with the noise and language being used by the DJ. He had contacted Mr. Jankovich, who had immediately addressed the complaints and had the sound decreased.

Councilwoman Nucera stated that she had requested that Mr. Jankovich attend the Council Meeting to provide an explanation of the chain of events, and suggested that increased security measures could be discussed outside of a Council Meeting in a more private setting.

Solicitor Botcheos concluded the discussion by noting that the Mayor and Council had expressed their concerns, and would be diligently monitoring the facility during the season to ensure there were no repetitions of the events that transpired.

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

Keith Cybulski, Van Horn Ave- Mr. Cybulski questioned the \$2,500 expense for a refrigerator at the Community Center. Mr. Cybulski was informed that the equipment was industrial, and needed for the rental of the facility. Mr. Cybulski also inquired about the \$500 expense listed on the bill list for the purchase of a beer meister. Mr. Cybulski stated that he believed that this was a significant expense when this equipment could be purchased at a lesser amount. Councilman Armbruster advised that this was a commercial beer meister with the capacity to hold multiple kegs. This equipment was also purchased to better equip the facility for the increased rentals.

APPROVAL OF THE BILL LIST: Councilman Weaver motioned to approve the bill list as presented, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Absent: Andrews.

ORDINANCES AND RESOLUTIONS:

SECOND READING/PUBLIC HEARING

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

SECOND READING/PUBLIC HEARING

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 and opened the public hearing.

Keith Cybulski inquired about the actual items to be purchased by adoption of this Bond Ordinance. Jenai Johnson directed Mr. Cybulski to review the second page of the ordinance, included in the agenda packets distributed to the public, which specifically lists the intent of the funds being authorized by Ordinance 2015-05.

Sheila Freiling inquired if the Borough was able to budget the \$3,000 listed for roof repairs in the operating budget.

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

INTRODUCTION/FIRST READING

ORDINANCE 2015-07 AMENDING AND SUPPLEMENTING CHAPTER 70 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED "ALCOHOLIC BEVERAGES". Mayor Nicholson read by title. Councilwoman Nucera motioned to approve on first reading, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Absent: Andrews.

It was announced that the Second Reading and Public Hearing was scheduled for June 16, 2015.

INTRODUCTION/FIRST READING

ORDINANCE 2015-08 AMENDING AND SUPPLEMENTING CHAPTER 55 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED "PUBLIC WORKS DEPARTMENT". Mayor Nicholson read by title. Councilwoman Nucera motioned to approve on first reading, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Absent: Andrews.

It was announced that the Second Reading and Public Hearing was scheduled for June 16, 2015.

RESOLUTION R15-92 AUTHORIZING APPOINTMENT OF ALBERT HALLWORTH TO THE POSITION OF BUILDING SUBCODE OFFICIAL FOR THE BOROUGH OF CLEMENTON, EFFECTIVE JUNE 1, 2015. 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; Fisher; Milano; Nucera; Weaver. Absent: Andrews.

RESOLUTION R15-93 AUTHORIZING AMENDED SCHEDULED WORK WEEK FOR CERTAIN EMPLOYEES OF THE BOROUGH OF CLEMENTON AND WEEKLY HOURS OF OPERATION FOR BOROUGH HALL FACILITY. Mayor Nicholson read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Milano. Discussion then occurred regarding the specific changes incorporated within the Resolution, and a request was made to confirm that the resolution did not increase the salary, or number of weekly hours worked by any employees of the Borough. Jenai Johnson stated that the resolution presented included only a scheduling change, in which Borough Hall would be closed for business on Fridays, and the employees would amend their work day schedule to incorporate their existing hours into four days, as opposed to five working days. Councilman Armbruster stated that he had believed that this action was intended to increase all employees to 40 working hours, if they were not already 40 hour employees, in an attempt to make all employees uniform within the Borough. Councilman Armbruster asked Jenai Johnson what the cost would be to the Borough to approve such action. Ms. Johnson stated that she had previously electronically sent out a spreadsheet with this information to all members of the

Governing Body, but did not have it present at the current time. It was noted that the expense was in the ballpark of \$45,000, and the indication she had gotten from other members of the Governing Body was that they were not interested in taking this action, as they saw no need for increased hours. Councilman Armbruster suggested that he felt this was the appropriate time to make employees uniform in the amount of hours to be worked. Councilman Armbruster stated that he recommended the Personnel/Finance Committee take a look at hours kept to ensure that all employees are putting in the correct number of hours, because he had been told that some employees may not be doing so. Councilman Armbruster stated that the municipality had previously looked into time clock systems, and had not pursued this option due to the cost. Councilman Armbruster stated that employees time sheets should be reviewed. Jenai Johnson advised Councilman Armbruster that the current procedure requires employees to submit their time sheet/time off requests to their department head for approval. All department heads are required to submit their time to the administrator for documentation/approval. All time sheets and time off deductions are then provided to Peggy in the finance office to review and input into the payroll system. Ms. Johnson stated that Public Works and Police time sheets are signed only by their respective department head, as they are the only individuals with knowledge of the hours worked by their employees. Hearing no further comments, motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Absent: Andrews.

RESOLUTION R15-94 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO OPEN CERTAIN TRUST ACCOUNTS. Mayor Nicholson read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Absent: Andrews.

RESOLUTION R15-95 AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AGREEMENT WITH GENERAL CODE FOR ACQUISITION OF ECODE360 ONLINE CODE SERVICE. Mayor Nicholson read by title. Councilman Weaver motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Absent: Andrews.

UNFINISHED BUSINESS:

CLEMENTON DAY- Councilwoman Nucera stated that Clementon Day would be held at Clementon Park & Splash World on May 30th.

GIRL SCOUT LUNCH FOR SENIORS- Councilwoman Nucera also noted that she had received an unpleasant telephone call from one of the representatives from the Senior Center related to a lunch serving event that had been scheduled to be held at the senior center, sponsored by the Girl Scouts. Councilwoman Nucera stated that she had arranged for the Girl Scout Troop to prepare lunches for the senior citizens at the center, as well as those that reside in Wooster Towers. Margerie Huff, a member of the Senior Affairs Committee, had indicated that the Senior Committee was not pleased with the plans and did not wish to have minors in the facility. Councilwoman Nucera noted that the event had been held regardless, and was a huge success in feeding more than 40 senior citizens. Councilwoman Nucera requested approval from the Governing Body to hold such an event approximately every 3 months. There were no objections from the Mayor and Council.

POLICY AND PROCEDURE MANUAL- Councilman Armbruster motioned, at the request of the Administrator/Clerk, to amend the Policy and Procedure Manual of the Borough, to convert existing paid days off policies, inclusive of vacation, sick and personal, to hours due to the amended work week adopted earlier in the meeting. Motion was seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Absent: Andrews.

(MEMORIALIZED BY RESOLUTION R15-96)

Councilman Armbruster also noted that he had been made aware of some possibly antiquated items in the Policy and Procedure Manual, some specifically related to the dress code, and wished to gain approval of the Governing Body to form a committee to review the manual and report back to the entire body with recommended changes. Solicitor Botcheos stated that he did not need approval to do this. It was decided that Councilman Armbruster and Councilwoman Nucera would work as a subcommittee and review the manual and report their suggestions for changes. Jenai Johnson asked that she be included in the review, or

at minimum be provided with the suggestions prior to presenting to the whole governing body, to ensure that changes were not being presented that would conflict with the JIF required items. Solicitor Botcheos also stated that he would need to review any proposed changes prior to acting upon amending the manual.

NEW BUSINESS:

MEDRETURN BOX- Councilman Fisher stated that he had spoken to the Chief of Police and it was their recommendation that the Borough purchase a drug collection unit to allow residents to dispose of expired or unwanted medications. Councilman Fisher stated that a price had been obtained from MEDRETURN for the proposed box, with a cost of \$695.00. Councilman Fisher noted that the cost would be charged to the Municipal Alliance Grant. Councilwoman Nucera motioned to approve the acquisition of the MEDRETURN drug collection unit, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Absent: Andrews.
(MEMORIALIZED BY RESOLUTION R15-96A)

EMERGENCY MANAGEMENT COORDINATOR- Councilman Armbruster reported that Warren Richards had submitted his resignation letter for the title of Emergency Management Coordinator due to health concerns. Councilman Armbruster stated that he recommended the appointment of the current Deputy Coordinator, Sheila Freiling, to the position. Councilman Armbruster motioned to appoint Sheila Freiling to the position of Emergency Management Coordinator for the duration of the unexpired term caused by the resignation of Warren Richards, effective immediately, with an annual salary established by the Salary Ordinance of the Borough of Clementon, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Absent: Andrews.
(MEMORIALIZED BY RESOLUTION R15-97)

PRIVILEGE OF THE FLOOR:

There were no comments from the public.

EXECUTIVE SESSION:

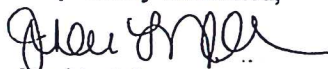
DISCUSSION REGARDING EMPLOYMENT CONTRACT WITH LIEUTENANT OF POLICE.
Councilman Weaver motioned to enter executive session at 8:19PM to discuss contract negotiations between the Lieutenant of Police and Borough of Clementon, seconded by Councilwoman Nucera and hearing none opposed, motion was carried. It was announced that executive session was estimated to take approximately 15 minutes.

Councilman Weaver motioned to re-enter open session at 9:08pm, seconded by Councilman Armbruster and hearing none opposed, motion was carried.

No action was taken as a result of executive session.

ADJOURNMENT: Councilman Weaver motioned to adjourn at 9:09pm, seconded by Councilman Armbruster and hearing none opposed, motion was carried.

Respectfully Submitted,



Jenai L. Johnson,
Municipal Clerk/Administrator