

**MINUTES OF THE
BOROUGH OF CLEMENTON
MAY 20, 2014
COUNCIL MEETING**

OPENING: Mayor Nicholson called the meeting to order at 7:03 p.m.

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: Peggy Giordano called the roll which resulted in the following members present: Mayor Jack Nicholson; ; Councilman Mark Armbruster; Councilman Thomas Avellino; Councilman John Fisher; Councilwoman Christine Nucera; Absent: Councilman Thomas Weaver; Councilman Thomas Williams

SALUTE TO THE FLAG: Mayor Nicholson lead in the salute to the Flag.

ENGINEER REPORT: Wayne Roorda, Municipal Engineer, who entered the meeting at 7:05 pm, provided a verbal Engineer Report on the following matters:

NJDOT FY2014-OHIO AVENUE PHASE 2- Mr. Roorda reported that the Borough did not receive a grant for this year's municipal aid funding, but noted that Bach would prepare and submit an application for Discretionary aid on behalf of the Borough for the project.

Municipal Building Underground Storage Tank – Mr. Roorda reported that he had spoken to Environmental Resolutions, Inc. (ERI) and they stated that they were unable to determine an exact dollar amount for the remediation of this issue. Although it was acknowledged that the issue existed, it was not suspected to be the worst case scenario, and the Borough would be allowed a ten year window to remediate the property. Mr. Roorda stated that ERI was currently completing an assessment report to be submitted to NJDEP. Once submitted, Mr. Roorda suspected that the Borough would have a clearer idea of what remedial actions would be required. Mr. Roorda stated that once DEP was able to review the assessment report from ERI, the Borough would have a more clear picture of actions needed. Mr. Roorda did state that it appeared to be possible soil remediation at this time. Councilman Armbruster questioned if the source was still in the ground under the building. Mr. Roorda answered that this questions was one that they were in the process of trying to uncover. As part of the assessment of the issue, ERI had asked to interview people that were around at the time the building was constructed.

Railroad Park – Mr. Roorda stated that he anticipated having this project out to bid and ideally awarded at the June meeting.

Dan Dougherty Sports Complex – Mr. Roorda reported that he would need to consult with Solicitor Botcheos regarding what needed to be accomplished for the easements for the playground and adjacent area. Mr. Roorda stated that the fence installation was in fact completed.

Leewood Villages at Rowand Pond – Mr. Roorda reported that application for the sewer permits were endorsed and ready for Mr. Fink to take to the state. Mr. Roorda noted that his office was still waiting for the Leewood engineers to provide a response relating to the water application. Mr. Roorda stated that upon submission of the approved water application, Mr. Fink would be set to submit to the State for approval.

Safe Routes to School – Mr. Roorda reported that the application deadline for Safe Routes to School Grant was June 30, 2014, and noted that he would be attempting to schedule a meeting with the Chief of Police, Mayor and appropriate councilpersons to devise a possible plan for submission.

Fire Hall Emergency Generator – Mr. Roorda reported that he had a modified concrete spec on his desk and anticipated being able to put out to bid early during the week of May 26th, for a June award.

Princeton Ave – Mr. Roorda reported that the pricing for the path had been held and there was a tentative schedule to start the project. Mr. Roorda needed to confirm with Al Sexton as to whether he received any updated paper work regarding the shared service agreement with Bellmawr.

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

APPROVAL OF MINUTES:

MINUTES OF APRIL 1, 2014 CAUCUS MEETING-Councilwoman Nucera motioned to approve the minutes as presented, seconded by Councilman Fisher and motion was carried upon the call of the roll. Ayes: Armbruster (arrived at the meeting at 7:07pm), Nucera, Fisher, Avellino. Absent: Councilmen Weaver and Williams

MINUTES OF APRIL 15, 2014 COUNCIL MEETING - Councilwoman Nucera motioned to approve the minutes as presented, seconded by Councilman Fisher and motion was carried upon the call of the roll. Ayes: Armbruster Nucera, Fisher, Avellino. Absent: Councilmen Weaver and Williams

ORDINANCES AND RESOLUTIONS:

SECOND READING/PUBLIC HEARING

ORDINANCE 2014-07 AMENDING AND SUPPLEMENTING CHAPTER 74 OF THE CODE OF THE BOROUGH OF CLEMENTON, ENTITLED "AMUSEMENTS" Mayor Nicholson read by title and opened the hearing to the public. Hearing no comments from the public, Councilwoman Nucera motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera. Absent: Councilmen Weaver and Williams

INTRODUCTION/FIRST READING

ORDINANCE 2014-09 AMENDING AND SUPPLEMENTING CHAPTER 78 OF THE CODE OF THE BOROUGH OF CLEMENTON, ENTITLED "ANIMALS" AND CHAPTER 298 ENTITLED "ZONING" * PUBLIC HEARING SCHEDULED FOR TUESDAY, JUNE 17, 2014 AT 7:00 P.M. 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. Absent: Councilmen Weaver and Williams

INTRODUCTION/FIRST READING

ORDINANCE 2014-10 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 \$644,400 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTE OF THE BOROUGH OF CLEMENTON, COUNTY OF CAMDEN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$612,180; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.

*PUBLIC HEARING SCHEDULED FOR TUESDAY, JUNE 17, 2014 AT 7:00PM

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. Absent: Councilmen Weaver and Williams

RESOLUTION R14-83 AUTHORIZING PRECISE SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF CLEMENTON RETROACTIVE TO JANUARY 1, 2014 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. Absent: Councilmen Weaver and Williams

RESOLUTION R14- 85 AUTHORIZING ADJUSTMENT OF WATER ACCOUNT FOR BLOCK 142, LOT 37, OTHERWISE KNOWN AS 556 SCOTT AVENUE, IN THE AMOUNT OF \$85.80. Mayor Nicholson read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera. Absent: Councilmen Weaver and Williams

RESOLUTION R14-86 AUTHORIZING ACCEPTANCE OF THE 2013 MUNICIPAL AUDIT AND CERTIFYING COMPLIANCE WITH NJAC 5:30-6.5 Mayor Nicholson read by title. Councilman Armbruster motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera. Absent: Councilmen Weaver and Williams

RESOLUTION R14-87 AUTHORIZING THE MAYOR AND MUNICIPAL ADMINISTRATOR TO EXECUTE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FORMS TWA-1 AND WQM-003 RELATING TO ANY APPLICATION FOR APPROVAL OF A COMPREHENSIVE SEWERAGE COLLECTION SYSTEM AND/OR WATER DISTRIBUTION SYSTEM WHICH HAS BEEN GRANTED FINAL APPROVAL BY THE MAYOR AND COUNCIL. Mayor Nicholson read by title. Councilman Armbruster motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera. Absent: Councilmen Weaver and Williams

RESOLUTION R14-88 AUTHORIZING USE OF USA PAYROLL FOR PAYROLL PROCESSING AND THIRD PARTY DISBURSEMENT SERVICES AND AUTHORIZING MAYOR AND MUNICIPAL CLERK TO EXECUTE AGREEMENT Mayor Nicholson read by title. Solicitor Botcheos stated he was drawing up an agreement with USA Payroll. Councilwoman Nucera motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera. Absent: Councilmen Weaver and Williams

RESOLUTION R14-89 GRANTING APPROVAL OF FIREWORKS PERMIT TTO CLEMENTON LAKE PARK FOR JULY 3, 2014 DISPLAY 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. Absent: Councilmen Weaver and Williams

UNFINISHED BUSINESS:

Councilman Avellino made the governing body aware of yet another automobile accident at the intersection of Gibbsboro Road and the White Horse Pike. Councilman Armbruster stated that it is an issue with the State because it is a County Road. Councilman Armbruster stated that he had been unable to attend meetings in Trenton regarding this issue and was hoping to reschedule.

Councilman Fisher stated that he would like the Fire Department to set a time frame for the Borough donated vehicles to be used in the Department's drills. It was noted that this would have to be coordinated with the Public Works Department to make sure that the gas tanks were removed.

NEW BUSINESS:

APPROVAL OF USE OF THE MUNICIPAL FACILITY BY CLEMENTON BOARD OF EDUCATION FOR 8TH GRADE DANCE TO BE HELD ON JUNE 14TH FROM 6PM-9PM AND AUTHORIZING WAIVER OF RENTAL FEES. Discussion by the council was held and concerns were expressed with the BOE not having to give a security deposit. Councilman Avellino motioned to charge the Clementon Board of Education a \$250.00 refundable security deposit, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Avellino; Fisher; Nucera. Opposed: Armbruster. Absent: Weaver, Williams. Councilman Armbruster stated that he would like the Ordinance created in 2013 for the rental of the community center to be revisited and changes made to clarify the issues that have arisen regarding non-profit groups renting the facility.

Councilman Fisher asked the governing body if they had any issue with the CYAA using the Daniel Dougherty Ball field for a National Overnight Campout on June 28th. Solicitor Botcheos advised that Municipal Clerk would need to check with JIF as to any insurance requirements. Councilman Fisher made a motion to allow the CYAA to utilize the Daniel Dougherty Field on June 28th for a campout, seconded by Councilman Avellino and motion was carried upon the call of roll. Ayes: Armbruster, Avellino; Fisher; Nucera. Absent: Weaver, Williams.

Councilman Armbruster Stated that he recently meet with a few members of the Shade Tree Committee to discuss beautifying the area between the Library and the Community Center. Councilman Armbruster said that he would like to use Open Space money for the project. Councilman Armbruster stated that plans and specifications would need to be created by the Borough Engineers as the project would involve landscaping, hard scaping and an irrigation system. Councilman Fisher questioned if the area would qualify for use of Open Space trust fund monies. Clarification was requested relating to the appropriate uses of Open Space funds and it was requested that Jenai Johnson provide clear information dictating acceptable uses. Councilman Armbruster also stated the Butterfly Garden behind Borough Hall was in need of improvements.

The Mayor and a few members of Council expressed concern as to why Quality Landscaping, contracted to provide lawn service at various Borough owned properties, had not begun providing services as expected by May 19th. Peggy Giordano was directed to inquire with Jenai Johnson regarding the delay.

PRIVILEGE OF THE FLOOR: *Andrew Cruz, Watson Blvd.* Mr. Cruz stated that he wished to bring attention to his concerns regarding the Police Department Firearm Application.

Mr. Cruz stated that the application process is not consistent with state law and only certain forms were allowed to be used. Solicitor Botcheos asked Mr. Cruz if he discussed his concerns with Police Chief Freiling. Mr. Cruz stated that he did not. Solicitor Botcheos directed Mr. Cruz to contact Chief Freiling and present him with his findings and noted that he would also contact the Police Chief regarding this issue.

EXECUTIVE SESSION: Councilwoman Nucera made a motion to enter Executive Session at 8:10 pm for matters related to personnel, seconded by Councilman and motion was carried upon the call of roll. Ayes: Armbruster, Avellino; Fisher; Nucera. Absent: Weaver, Williams.

A motion was made by Councilman Armbruster at 8:17 pm to return to open session with a second from Councilman Fisher. All were in favor, and motion was carried.

No Action was taken as a result of Executive Session.

ADJOURNMENT: Councilman Armbruster motioned to adjourn 8:19pm, seconded by Councilman Fisher, and hearing none opposed, meeting was adjourned.

Respectfully Submitted,



Jenai L. Johnson,
Municipal Clerk/Administrator