

**MINUTES OF THE
BOROUGH OF CLEMENTON
JUNE 16, 2015
CAUCUS/COUNCIL MEETING
OF THE MAYOR AND COUNCIL**

OPENING: Council President Thomas Weaver called the meeting to order at 7:01PM.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT: Council President 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: Council President Thomas Weaver; Councilwoman Carol Andrews; Councilman Mark Armbruster; Councilman Jonathan Fisher; Councilwoman Meghan Milano; Councilwoman Christine Nucera. Absent: Mayor John "Jack" Nicholson. Also present were Solicitor Botcheos and Municipal Engineer Wayne Roorda.

SALUTE TO THE FLAG: Council President Thomas Weaver led in the salute to the flag.

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

Rehabilitation of Well No. 9 and Rehabilitation of Gibbsboro Rd. Water Main (NJEIT)- Mr. Roorda stated that his office had gotten letters from NJDEP regarding the two projects, dated April 29, 2015 and May 12, 2015, regarding the project and prepared response letters subsequently submitted to NJDEP.

Repairs at Bottom's Lake Dam- Mr. Roorda stated that his office was in receipt of correspondence from NJDEP regarding their latest review and inspection of the plans submitted for repairs to the dam. Mr. Roorda stated that they had not approved the plans initially, but noted that they had been in communication and had come to a compromise. Mr. Roorda stated that Bach would be submitting revised plans to the State by the end of the month.

Well Pump VFD's- Mr. Roorda reported that his office had submitted a letter recommending the award of payment Application No. 3 in the amount of \$9,991.00, which appeared on the agenda currently for approval by the Mayor and Council. Mr. Roorda noted that the retainage remained.

Daniel Dougherty Sports Complex/Soccer Field Project- Mr. Roorda stated that he had attempted to contact Frank Moran to schedule a meeting at the Lake Worth/Daniel Dougherty Sports Complex location. It was noted that the Borough planned to install soccer fields at this location with Camden County Open Space Grant funding, but required a slight encroachment onto County property, creating the need for a meeting with County representatives. Mr. Roorda stated that he would continue to follow up with the scheduling of the meeting and would advise the appropriate council representatives when a meeting was scheduled. Mr. Roorda was excused from the meeting following his report.

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 MINUTES:

MINUTES OF THE MAY 5, 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: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

MINUTES OF THE MAY 19, 2015 COUNCIL MEETING- Councilman Armbruster motioned to approve the minutes as presented, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Weaver. Abstain: Andrews.

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

ORDINANCES AND RESOLUTIONS:

SECOND READING/PUBLIC HEARING

ORDINANCE 2015-06 AMENDING SALARIES AND WAGES OF EMPLOYEES AND OTHER OFFICIALS RETROACTIVE TO JANUARY 1, 2015. Council President Weaver read by title. Councilman Armbruster motioned to adopt on second reading, seconded by Councilwoman Andrews. Council President Weaver opened the floor to the public. Hearing no comment from the public, motion was carried upon the call of roll. Ayes: Andrew; Fisher; Milano; Nucera; Weaver. Abstain: Armbruster.

SECOND READING/PUBLIC HEARING

ORDINANCE 2015-07 AMENDING AND SUPPLEMENTING CHAPTER 70 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED "ALCOHOLIC BEVERAGES". Council President Weaver read by title. Councilman Armbruster motioned to adopt on second reading, seconded by Councilwoman Andrews. Council President Weaver opened the public hearing. Public Hearing: Keith Cybulski, Clementon Borough- Mr. Cybulski stated that the increase of various licenses in the Borough had previously been discussed. Mr. Cybulski inquired how the new renewal license fee compared to surrounding towns. Ms. Johnson stated that the license renewal fee was statutorily allowed to increase only 20% per year, and that the fee would be increased annually until the maximum renewal fee was realized. Mr. Cybulski stated that he wished to see increases in licensing fees continue.

Hearing no further comment from the public, the public hearing was closed and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

SECOND READING/PUBLIC HEARING

ORDINANCE 2015-08 AMENDING AND SUPPLEMENTING CHAPTER 55 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED "PUBLIC WORKS DEPARTMENT". Council President Weaver read by title. Councilwoman Nucera motioned to adopt on second reading, seconded by Councilwoman Andrews. Council President Weaver opened the hearing to the public. Hearing no comments, the floor was closed and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

RESOLUTION R15-98 AUTHORIZING TAX COLLECTOR TO ASSESS PROPERTY MAINTENANCE CHARGES FOR VARIOUS PROPERTIES LOCATED IN THE BOROUGH OF CLEMENTON. Council President Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

RESOLUTION R15-99 AUTHORIZING APPOINTMENT OF LIA CATER TO THE CLEMENTON HOUSING AUTHORITY FOR AN UNEXPIRED TERM ENDING JUNE 30, 2018. Council President Weaver read by title. Councilwoman Andrews motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

RESOLUTION R15-100 AUTHORIZING PRECISE SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF CLEMENTON RETROACTIVE TO JANUARY 1, 2015. Council President Weaver read by title. Councilwoman Andrews motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Andrews; Fisher; Milano; Nucera; Weaver. Abstain: Armbruster.

RESOLUTION R15-101 AUTHORIZING PERMANENT FULL TIME HIRE OF JAMES BRIGGS TO THE POSITION OF MAINTENANCE WORKER 1/GROUNDS/MAINTENANCE REPAIRER. Council President Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

RESOLUTION R15-102 AUTHORIZING PERMANENT PART TIME HIRE OF JAMES MCCARTHY TO THE POSITION OF LABORER IN THE DEPARTMENT OF PUBLIC WORKS. Council President Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

RESOLUTION R15-103 AUTHORIZING PERMANENT PART TIME HIRE OF BRETT ABRAHAM TO THE POSITION OF LABORER IN THE DEPARTMENT OF PUBLIC WORKS. Council President Thomas Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

RESOLUTION R15-104 CONFIRMING THE MUNICIPAL CLERK'S APPOINTMENT OF RANDALL FREILING, CHIEF OF POLICE, AS THE DEPUTY CUSTODIAN OF RECORDS FOR THE CLEMENTON POLICE DEPARTMENT. Council President Weaver read by title. Councilwoman Andrews motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

RESOLUTION R15-105 APPROVING PAYMENT #3 TO WILLIER ELECTRIC FOR THE WELL PUMP VFD INSTALLATION, WELLS 9,10 &11, IN THE AMOUNT OF \$9,991.10. Council President Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

RESOLUTION R15-107 AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$2,355,000 OF GENERAL OBLIGATION BONDS, SERIES 2015, OF THE BOROUGH OF CLEMENTON, MAKING CERTAIN COVENANTS TO MAINTAIN EXEMPTION OF THE INTEREST ON SAID BONDS FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE BONDS. Council President Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Andrews. Councilman Armbruster requested confirmation that the resolution was allowing for permanent financing for the debt already previously authorized. Nicholas Tocco, CFO, stated that this was the case. Hearing no further comments, motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.

NEW BUSINESS:

REQUEST FOR USE OF COMMUNITY CENTER/CYAA- Councilwoman Nucera stated that the Clementon Youth Athletic Association wished to request permission to utilize the Community Center/Fire Hall on July 1, 2015 in the event of inclement weather, to host the baseball banquet. It was noted that approximately seventy five children from Clementon participated in the league this season. Councilwoman Andrews motioned to waive the rental fee for the requested use of the Community Center by the CYAA, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver.
(MEMORIALIZED BY RESOLUTION R15-108)

HOUSING AUTHORITY VACANCY- Jenai Johnson stated that she had been in receipt of correspondence from the Director of the Clementon Housing Authority, William Harris, which indicated a vacancy existed for the office of Commissioner with a term expiration of June 30, 2016. Ms. Johnson stated that Mr. Harris requested that this seat be filled, but provided no names for consideration. Councilman Armbruster stated that he and Councilwoman Nucera had developed an interest in the Housing Authority, and had recently visited with Mr. Harris to tour the facility, as well as discuss the current status of the entity. Councilman Armbruster stated that he had interest in filling the vacancy, but was unable to be appointed to the office due to a fellow member of the governing body holding office on the commission. Councilman Armbruster stated that he wished to nominate Lance Armbruster to fill the vacancy. Councilwoman Andrews motioned to appoint Lance Armbruster to the Housing Authority to fill the unexpired term created by the resignation of William Dougherty, with an expiration of June 30, 2016. Motion was seconded by Councilwoman Milano and carried upon the call of roll. Ayes: Andrews; Fisher; Milano; Nucera; Weaver. Abstain: Armbruster. **(MEMORIALIZED BY RESOLUTION R15-109)**

GENERAL CODE ONLINE (ECode360)- Ms. Johnson reported that the online code program was complete and noted that she had added a link to the website to allow public access.

RFP SOLUTIONS MAINTENANCE CONTRACT TELEPHONES- Ms. Johnson stated that the current one year warranty was set to expire on August 31, 2015. Ms. Johnson noted that it was her recommendation to continue with the maintenance contract being offered to avoid excessive costs for maintenance and repair in the future. Ms. Johnson stated that if there were no objections, a resolution would appear on the next agenda to authorize the maintenance contract.

2015 NJLOM CONVENTION- Ms. Johnson stated that the League Convention would be held Nov. 17th thru Nov. 19th in 2015, and stated that if there were no objections, she would begin the registration and accommodation process. It was noted that officers and employees of the Borough would be allowed room accommodations for the convention to allow them to obtain continuing education credits for their respective professional licenses.

FOURTH OF JULY HOLIDAY- Ms. Johnson stated that the governing body needed to determine how to handle the upcoming Fourth of July Holiday, which would fall on a Saturday. Ms. Johnson stated that the current language in both the Personnel Policy and Procedure Manual, and the AFSCME Collective Bargaining Agreement, granted a paid holiday to certain covered employees. Both policies state that a holiday falling on a Saturday would be celebrated the preceding Friday. However, due to the newly implemented four day work week, consideration was needed relating to how the Borough would handle this holiday. Ms. Johnson stated that she had consulted with the Municipal Solicitor, who was in agreement that the employees were still entitled to the paid holiday. Ms. Johnson recommended that employees effected be granted a "floating holiday" to be celebrated on a date of their choice to avoid extended closure of the municipal offices. After brief discussion, it was determined that employees would be granted one paid day off, to be considered a "floating holiday". It was further determined that the paid floating holiday would be required to be used by December 31, 2015, and failure to utilize would result in forfeiture. It was also noted that the use of the "floating holiday" would not be allowed on any given date if it resulted in the closure of any department. It was also determined that the holiday was not able to be combined with any other paid holiday. Councilman Weaver inquired regarding how the paid holiday would affect payroll. Jenai Johnson stated that the holiday would be documented outside the payroll system, as the payroll program did not track holidays.

AFSCME UNIFORM ALLOWANCE- Ms. Johnson stated that the most recent Collective Bargaining Agreement between the Borough and AFSCME Local 3303G, which expired December 31, 2013, entitled Public Works Department Personnel to an annual uniform/clothing allowance check in the amount of \$500. It was noted that the allowance had not been paid to employees in January, as indicated in the agreement, due to concern that the provision could be negotiated out of the contract or the amount reduced in the current negotiations. Ms. Johnson stated that she had received several inquiries from employees of the Public Works Department and the matter was being presented to Council for a determination regarding how they wished to proceed. Councilman Armbruster stated that he believed that the Borough should issue the checks to allow them to purchase uniforms and any other required apparel to maintain an acceptable appearance in their positions. Councilman Armbruster motioned to issue the clothing/uniform allowance checks in the amount of \$500.00 to the eligible employees within the Public Works Department, seconded by Councilwoman Andrews and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Milano; Nucera; Weaver. **(MEMORIALIZED BY RESOLUTION R15-110)**

TREE REMOVAL- Councilman Armbruster stated that Doreen Closs, a resident of the Borough of Clementon, was in attendance regarding the previously discussed removal of a hazardous tree located in front of her property located at 243 Berlin Road. Councilman Armbruster stated that the tree in question had been inspected by representatives of the Shade Tree Commission, and they had indicated their approval for the removal of the tree. Councilman Armbruster stated that the Director of Public Works, Melvin Applegate, was in attendance and requested that he provide a status update on the removal. Mr. Applegate stated that the chipper had been non-operational and was being repaired, which required the initial scheduled removal by the outside vendor to be rescheduled. Mr. Applegate stated that he had contacted the contractor to reschedule and was

awaiting a response. Councilman Armbruster stated that there had continuously been question regarding the responsibility of the homeowner vs. the Borough when trees were in the easement between the street and sidewalk. Solicitor Botcheos stated that the sidewalks, inclusive of damage done by trees and roots, were the responsibility of the homeowner. After brief discussion, it was determined that public works would obtain a new date from the outside contractor for the removal of the tree in question. Public Works was also directed to grind the stump to allow the resident to replace the damaged slab of concrete. Brief discussion occurred and Chief Freiling was directed to inquire with the Safe Streets To Schools program to ascertain whether the replacement of damaged sidewalks would be an acceptable use for future funds.

PRIVILEGE OF THE FLOOR:

Council President Weaver opened the floor to the public.

Doreen Closs, 243 Berlin Road- Mrs. Closs questioned whether the Borough intended to install park benches at Theresa Schaeffer Park. Councilman Fisher stated that benches would in fact be installed. Mrs. Closs also stated that she was not completely satisfied with the conclusion of the removal of the tree in front of her property, if she were required to pay for the new sidewalk.

Lance Dickey, 241 Gibbsboro Road- Mr. Dickey stated that he liked to see improvement throughout the town and wished to get involved. Mr. Dickey stated that he was relatively new to the area and recognized potential on Gibbsboro Road. Hearing no further comments, the floor was closed to the public.

EXECUTIVE SESSION:

RESOLUTION R15-106 AUTHORIZING EXECUTIVE SESSION FOR DISCUSSION OF CONTRACT NEGOTIATION BETWEEN THE BOROUGH OF CLEMENTON AND POLICE LIEUTENANT. Council President Weaver read by title. Councilwoman Nucera motioned to enter executive session at 7:56PM related to the matter noted, for a duration of approximately 15 minutes, seconded by Councilwoman Andrews and hearing none opposed, motion was carried.

Councilwoman Nucera motioned to re-enter open session at 8:54PM, seconded by Councilwoman Andrews and hearing none opposed, motion was carried.

There was no action taken as a result of executive session.

ADJOURNMENT: Councilwoman Nucera motioned to adjourn at 8:54PM, seconded by Councilwoman Andrews and hearing none opposed, motion was carried.

Respectfully Submitted,



Jenai L. Johnson,
Administrator/Municipal Clerk