

**MINUTES OF THE  
BOROUGH OF CLEMENTON  
AUGUST 19, 2014  
COUNCIL MEETING**

**OPENING:** Mayor Nicholson called the meeting to order at 7:02 p.m.

**OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:** "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 Thomas Avellino; Councilman John Fisher; Councilwoman Christine Nucera; Councilman Thomas Weaver; Councilman Thomas Williams. Absent: Councilman Mark Armbruster.

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

**SWEARING IN OF MATTHEW BYCHHOFFER TO THE POSITION OF POLICE OFFICER IN THE BOROUGH OF CLEMENTON:** Mayor Nicholson introduced then swore in Matthew Buchhofer to the position of Police Officer in the Borough of Clementon. Mayor Nicholson then asked for a 5 minute recess to offer Officer Buchhofer congratulations.

**ENGINEERS REPORT:**

**Ohio Ave** – Mr. Roorda reported that the project is substantially complete. All punch list work is complete and just getting with the contractor to submit the final payout. Mr. Roorda is negotiating a change order for millings and pavement numbering and will try to get something in for the next meeting

**Railroad Park** – Has been awarded to the apparent low bidder Pennygreen. Looking to get that project started. Bid came in at \$26,335.00 which was very close to the grant amount. Once resolution is approved at this meeting, the process would be to sign the contract, confirm insurances and obtain a bond. Mayor asked for confirmation that there was an add-on to this bid for a Douglas Fir Tree; Mr. Roorda confirmed that it was.

**Leewood Villages at Rowand Pond** – Slight hiccup with water application sent to the State, it had to be corrected and resent. Without any unforeseen issues, project should be able to move forward shortly.

**Fire Hall Emergency Generator** - Pre-construction meeting to be held on August 20, 2014. Mr. Roorda anticipates project will be underway with in a week or two. The actual generator has a lead time not to exceed 180 days.

**Princeton Ave** – Anticipated that project would start 3<sup>rd</sup> or 4<sup>th</sup> week of August, due to issue in Bellmawr, project pushed back to 2<sup>nd</sup> week in September.

**Well Pump VFD's** – Well No. 11 is up and running, Mr. Roorda will have application for payment at next Caucus Meeting to get project closed out.

**Daniel Dougherty Sports Complex** – A survey needs to be done to determine where the actual field will be placed, and for different options, i.e., bathroom facility, where mains are located. Ballpark figure for cost of survey will be approximately \$6,000.00. Mayor asked if Open Space Grant funds could be utilized for survey costs, Mr. Roorda said he would have to look into as the Camden County Open Space funds were for the field only, he said the Green Acres funds may be used for the survey but he would have to look into that.

Mayor Nicholson excused Mr. Roorda at 7:16pm

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

**Keith Cybulski** – Asked about R14-155, Employment of Deputy Clerk. Mr. Cybulski asked who was awarded the position; Solicitor Botcheos stated that the decision would be discussed at the Executive Session later in the evening.

**APPROVAL OF BILL LIST:** Councilman Weaver motioned to approve the bill list as presented upon proper review and certification, seconded by Councilwoman Nucera, Councilman Avellino questioned the Shared Services invoices

for Animal Control and would like the Borough to look into a cost saving method. Mayor Nicholson suggested looking into the program the Borough of Berlin has. Motion was carried upon the call of roll. Ayes Avellino; Fisher; Nucera; Weaver & Williams. Absent: Armbruster.

**APPROVAL OF MINUTES:**

**MINUTES OF JULY 15, 2014 CAUCUS/COUNCIL MEETING-** Mayor Nicholson stated that minutes needed to be corrected to show that Councilman Armbruster was not present at that meeting. Councilwoman Nucera motioned to approve the minutes with correction, seconded by Councilman Weaver and motion was carried upon the call of the roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent; Armbruster.

**MINUTES OF JULY 15, 2014 EXECUTIVE 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: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

**ORDINANCES AND RESOLUTIONS:**

*SECOND READING/PUBLIC HEARING*

ORDINANCE 2014-11 TO ESTABLISH A GOVERNMENT-PRIVATE ENERGY AGGREGATION PROGRAM IN THE BOROUGH OF CLEMENTON IN ORDER TO PROVIDE ELECTRIC GENERATION SERVICE FOR RESIDENTIAL AND NON-RESIDENTIAL CUSTOMERS PURSUANT TO THE GOVERNMENT ENERGY AGGREGATION ACT OF 2003 (p.l. 2003, C.24) Mayor Nicholson read by title and opened the hearing to the public. Hearing no comments from the public, Councilman Williams motioned to approve, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

*SECOND READING/PUBLIC HEARING*

ORDINANCE 2014-12 GRANTING RENEWED CONSENT AND PERMISSION TO SOUTH JERSEY GAS COMPANY TO USE THE PUBLIC STREETS TO FURNISH GAS FOR LIGHT, HEAT AND POWER IN THE BOROUGH OF CLEMENTON. Mayor Nicholson read by title and opened the hearing to the public. Carol Andrews asked what this was for and Solicitor Botcheos stated it was an extension of existing consent. Councilman Williams motioned to approve, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

*SECOND READING/PUBLIC HEARING*

ORDINANCE 2014-05 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 \$157,100 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 \$149,292; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING. Mayor Nicholson read by title and opened to the public. Hearing no comments from the public. It was clarified that this Ordinance was being presented again due to an advertising issue. Councilman Fisher motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

*INTRODUCTION/FIRST READING*

ORDINANCE 2014-13 AMENDING AND SUPPLEMENTING CHAPTER 222 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "SALES, SPECIAL" Mayor Nicholson read by title. Councilman Fisher asked for clarification of this, and was told it was to increase the fee for a Yard Sale Permit to \$10.00. Councilman Weaver motioned to approve, seconded by Councilman Williams and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

RESOLUTION R14-108 APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY. Mayor Nicholson read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Williams and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

RESOLUTION R14-109 AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE 0411-33-008-006 TO PARK AVENUE INVESTMENTS LLC, PURSUANT TO NJSA 33:1-12:39 FOR THE 2014-2015 LICENSE TERM

IN THE BOROUGH OF CLEMENTON. Mayor Nicholson read by title. Councilman Weaver motioned to approve, seconded by Councilman Williams and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

RESOLUTION R14-110 AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO ENTER AND EXECUTE A SHARED SERVICE AGREEMENT WITH THE CLEMENTON BOARD OF EDUCATION FOR INFORMATION TECHNOLOGY SERVICES (IT SERVICES). Mayor Nicholson read by title. Councilman Avellino motioned to approve, seconded by Councilman Williams and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

RESOLUTION R14-111 NAMING OFFICIAL DEPOSITORIES FOR YEAR 2014 Mayor Nicholson read by title. Councilman Weaver motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

RESOLUTION R14-112 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO COMBINE AND CONSOLIDATE TRUST ACCOUNTS Mayor Nicholson read by title. Councilman Weaver motioned to approve, seconded by Councilman Fisher and motion was carried Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

RESOLUTION R14-113 AUTHORIZING THE BOROUGH OF CLEMENTON TO PROCESS AN INVOLUNTARY DISABILITY RETIREMENT APPLICATION. Mayor Nicholson read by title. Solicitor Botcheos made two minor changes to Resolution. Councilman Weaver motioned to approve, seconded by Councilman Williams and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

RESOLUTION R14-114 AUTHORIZING AWARD OF CONTRACT TO PENNYGREEN FOR REHABILITATION OF RAILROAD PARK PROJECT IN THE AMOUNT OF \$26,335.00. Mayor Nicholson read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Weaver and motion was carried upon Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

#### **UNFINISHED BUSINESS:**

*Mayor Nicholson* – regarding special events, in particular recent National Night Out Event, with the efforts of Council and others in the community, the events keep getting bigger and bigger with greater attendance. The Mayor also commented how well attended the event was by the Borough's Police Officers. The Mayor offered his thanks to everyone.

#### **NEW BUSINESS:**

REQUEST FROM FIRE SAFETY COORDINATOR TO HOST 2014 FIRE SAFETY DAY ACTIVITIES ON OCTOBER 4<sup>TH</sup> AT CES FROM 10AM-1PM. Councilman Fisher asked if there was a cost involved and the Mayor responded that he wasn't aware of any. Councilwoman Nucera asked if this was supposed to be at the Community Center, with no clear answers to the two questions posed, the Mayor suggested to table the request. Councilman Fisher motioned to table, seconded by Councilman Weaver and motion was carried upon Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster.

REQUEST FROM CLEMENTON HOUSING AUTHORITY FOR REIMBURSEMENT FOR COSTS ASSOCIATED WITH WATER LINE WORK ON JULY 20, 2014 The Mayor explained that there was an emergency repair on a valve on Gibbsboro Road done by the Public Works Department around midnight on July 20, 2014. When the line was pressurized some sediment backed up into a few of the toilets in Wooster Towers and caused some overflow issues. The labor and supplies to fix the issue totaled over \$1,900.00 that the Housing Authority would like reimbursed. The Mayor asked Solicitor Botcheos if the Borough was responsible for this due to the fact that it was an emergency situation. Solicitor Botcheos stated that when this issue arose previously the Borough was not held responsible and also stated that there should have been backflow valves to prevent this issue. Mel Applegate, Director of Public Works, apologized to the Housing Authority and let them know it was an emergency situation and nothing they could do at that time. Mr. Applegate informed them that there is a valve to the building in front of their building in the street and if the issue ever arose again the Public Works Department would turn it off to try and avoid this. Mayor Nicholson asked for any comments from Council after hearing the responses from the Solicitor and the Public Works Director. The Mayor said he was prepared to tell the Executive Director of the Housing Authority, Bill Harris, at a meeting to be held on August 20, 2014, that the Borough was not going to reimburse the Housing Authority for the incident. Council was in agreement.

*Councilwoman Nucera* – Wanted to secure a date for the Fall Clean Communities. Mel Applegate stated that they would like to coordinate with the County Clean Community event and will as make sure the weekend chosen that wouldn't interfere with a Community Center Rental. Councilman Fisher asked if the location could be switched to the

Daniel Dougherty Field and Mr. Applegate stated that as long as the area could be secured it shouldn't be an issue. Councilwoman Nucera asked if the County date was know, Mr. Applegate was not sure be stated he would check into it. A tentative date was set for October 11<sup>th</sup> & 12<sup>th</sup>.

**PRIVILEGE OF THE FLOOR:**

*Keith Cybulski – Van Horn Ave.* – In respect to what was just discussed regarding the Clean Communities event, Mr. Cybulski wanted to know if Council gave any thought to having a Borough truck go around the community during the event to help the residents remove items that they might not be able to move. Councilwoman Nucera questioned Solicitor Botcheos if the Borough would be adding an extra liability to the Borough. The response was no, a Borough owned vehicle would be utilized. Mr. Applegate stated that the Borough does offer that service year around at the request of residents. The Mayor asked for any other comments. Councilman Fisher complimented Mel Applegate and his staff for the work done at Hero's Park, the area looks very good.

Hearing no further comments form the public, Mayor Nicholson closed the public portion of the meeting.

**EXECUTIVE SESSION:**

RESOLUTION R14-115 AUTHORIZING EXECUTIVE SESSION FOR MATTERS RELATING TO PERSONNEL: DISCUSSION REGARDING EMPLOYEE PERSONNEL MATTER. Mayor Nicholson read by title. Solicitor Botcheos added that contract issues would also be discussed. Councilwoman Nucera motioned to approve and enter executive session at 7:36pm seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

Councilman Weaver motioned to reenter open session at 8:01pm, seconded by Councilwoman Nucera and hearing none opposed, motion was carried.

**ACTION AS A RESULT OF EXECUTIVE SESSION:**

RESOLUTION R14-115 Councilwoman Nucera motioned to table until September 2, 2014 meeting, seconded by Councilman Weaver. Motion was carried upon the call of roll. Ayes: Nucera, Fisher, Avellino, Weaver and Williams. Absent: Armbruster

**ADJOURNMENT:** Councilwoman Nucera motioned to adjourn 8:05pm, seconded by Councilman Weaver, and hearing none opposed, meeting was adjourned.

Respectfully Submitted,



Margaret Giordano