

**MINUTES OF THE
BOROUGH OF CLEMENTON
JUNE 21, 2016
CAUCUS/COUNCIL MEETING
OF THE MAYOR AND COUNCIL**

OPENING: Mayor Weaver called the meeting to order at 7:01PM.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT: Mayor 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 called the roll, which resulted in the following members present: Mayor Thomas Weaver; Councilwoman Carol Andrews; Councilman Mark Armbruster; Councilman Jonathan Fisher; Councilwoman Christine Nucera.

Absent: Councilwoman Meghan Milano. Councilman Schaeffer arrived at 7:05PM, immediately following the roll call.

Also present were Solicitor George Botcheos and Steven Bach, Municipal Engineer.

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

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 related to matters appearing on the agenda.

ENGINEER REPORT: Steven Bach was present and noted that he had submitted a written engineering report, which has been filed in the appropriate manner. Mr. Bach stated that he had a matter related to the Affordable Housing Obligation of the Borough and pending litigation, which needed to be discussed in executive session.

EXECUTIVE SESSION:

Councilwoman Andrews motioned to enter executive session at 7:04PM relating to pending litigation and personnel matters, seconded by Councilman Armbruster and hearing none opposed, motion was carried.

Councilwoman Andrews motioned to reenter open session at 7:41PM, seconded by Councilman Schaeffer and hearing none opposed, motion was carried.

ADMINISTRATOR/COUNCIL REPORTS:

Jenai Johnson, Administrator/Municipal Clerk, reported that she had been in communication with Councilman Armbruster and the Director of Public Works to ascertain which capital projects would be undertaken in 2016. Ms. Johnson stated that she would be contacting bond counsel with the finalized list and presenting a bond ordinance for general obligation bonds at a future meeting. Ms. Johnson also noted that she had previously relayed a request to the Governing Body from the Fire Marshal, Troy Bishop, relating to the establishment of a fire lane on Audubon Avenue. Ms. Johnson stated that Mr. Bishop had requested that the fire lane be established from Laurel Rd., 160 feet west to the opposite side of Clementon Elementary Driveway. Mr. Bishop was requesting that markings be installed as well, if the fire lane was established. Councilman Armbruster suggested that an egress concern existed due to the extreme traffic created during school hours. Councilman Armbruster deferred to the Chief of Police for further confirmation that the establishment of the fire lane would further inhibit the traffic concerns at that location.

Chief Randall Freiling confirmed that concerns existed at that location. After brief discussion it was determined that further details and justification would be requested of the fire marshal for institution of a marked fire lane, with a request for a meeting at the location from the mayor.

Councilwoman Christine Nucera stated that she had nothing at present to report.

Councilman Mark Armbruster stated that he wished to move forward with the general capital projects, specifically sidewalk improvements, prior to the start of the new academic year. He noted that there were several locations where there were large lips in the sidewalk due to uprooted trees during the storms the previous year. Councilman Armbruster also noted that he wished to include GPS tracking systems in all Borough vehicles.

Councilwoman Carol Andrews reported that she had been in communication with the Tax Collector, and wished to get the approval of Council to institute an online tax and utility payment system offered by Edmunds. Councilwoman Andrews noted that if the action was approved, notification of the upcoming service could be included in the July tax bills sent to residents. Councilwoman Andrews stated that the cost of such program could be divided between the tax, water and sewer budgets. Discussion occurred related to concern that a percentage would be charged to the Borough for any payments made, and ultimately effect the revenue to the Borough. It was determined that Councilwoman Andrews would further investigate the costs to the Borough associated with this service. Councilwoman Andrews also noted that she wished to investigate the installation of credit card payment machines for the convenience of residents.

Councilman Jonathan Fisher reported that the public works director had removed the Indian Springs signage and obtained a price for replacement. Councilman Fisher reported that the cost for new signage was in the ballpark of \$1000.00.

Councilman Fisher further stated that Clementon Fire Rescue had contacted Clementon Fire Social Organization to request that they fund landscaping improvements at the Fire Hall Facility. Councilman Fisher stated that they had denied the request and claimed that they had previously completed improvements that were not maintained by the Public Works Department.

Councilman Gordon Schaeffer reported that the Office of Emergency Management was making continuous progress. Councilman Schaeffer stated that communication test texts had been sent out with increased response, and noted that more improvements were necessary and continued efforts would be made to increase the functionality of the department.

Councilman Schaeffer noted that appointments were being made this evening to establish the Local Emergency Planning Committee.

Solicitor George Botcheos stated that he wished to update the body on the prior discussions related to performing a tax reassessment in the municipality. Solicitor Botcheos stated that a request had been submitted by the assessor to the County, who had in turn submitted the request to the State of New Jersey for approval. Solicitor Botcheos noted that the anticipated cost was approximately \$100,000, and would need to be put out to bid. Councilman Armbruster stated that the Borough wished to proceed with this matter and directed the necessary actions to be taken to move forth with the reassessment.

APPROVAL OF MINUTES:

MINUTES OF THE MAY 3, 2016 CAUCUS MEETING

MINUTES OF THE MAY 17, 2016 COUNCIL MEETING

MINUTES OF THE MAY 17, 2016 EXECUTIVE SESSION

Councilwoman Andrews motioned to approve the minutes as presented and listed, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

APPROVAL OF THE BILL LIST:

Councilman Armbruster motioned to approve the bill list upon proper review and certification, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

ORDINANCES AND RESOLUTIONS:

INTRODUCTION/FIRST READING

ORDINANCE 2016-09 AMENDING SALARIES AND WAGES OF EMPLOYEES AND OTHER OFFICIALS RETROACTIVE TO JANUARY 1, 2016. Councilwoman Andrews motioned to approve on first reading, seconded by Councilman Schaeffer and motion was carried upon the call of roll. Ayes: Andrews; Fisher; Nucera; Schaeffer. Absent: Milano. Abstain: Armbruster.

Second Reading was scheduled for July 12, 2016.

RESOLUTION R16-94 AUTHORIZING FULL TIME PERMANENT LABORER POSITION FOR BRETT ABRAHAM AT AN HOURLY RATE OF \$14.00 PER HOUR. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-95 RESCINDING RESOLUTION R16-93 AUTHORIZING TRANSFER OF LIQUOR LICENSE 0411-33-005-002. Mayor 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; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-96 AUTHORIZING APPOINTMENT OF MARK ARMBRUSTER TO THE OFFICE OF COMMISSIONER OF THE CLEMENTON HOUSING AUTHORITY, FOR A TERM OF FIVE YEARS, EXPIRING JUNE 31, 2021. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-97 AUTHORIZING THE CREATION OF A LOCAL EMERGENCY PLANNING COMMITTEE AND CERTAIN APPOINTMENTS TO SAME. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Andrews and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16- 98 ACCEPTING THE 2015 MUNICIPAL AUDIT. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-99 AUTHORIZING CANCELLATION BY TAX COLLECTOR OF MUNICIPAL FEES AND CHARGES UNDER \$10.00. Mayor Weaver read by title. Councilwoman Andrews motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-100 APPROVING VARIOUS LIQUOR LICENSES IN THE BOROUGH OF CLEMENTON FOR THE 2016-2017 TERM. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Andrews and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-101 AUTHORIZING FULL TIME PERMANENT PUBLIC WORKS LABORER POSITION RATE OF \$18.00 PER HOUR FOR JAMES MCCARTHY. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-102 AUTHORIZING FIREWORKS PERMIT TO CLEMENTON LAKE AMUSEMENT PARK/SPLASH WORLD FOR JULY 3, 2016 DISPLAY. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Schaeffer and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-103 AUTHORIZING EMERGENCY APPROPRIATION FOR LEGAL EXPENSE IN THE AMOUNT OF \$50,000 PURSUANT TO NJSA 40A:4-46. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilwoman Andrews and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-104 AUTHORIZING ISSUANCE OF MERCANTILE LICENSE TO MIN KUN DONG AND BIN CHEN FOR BIN ASIAN DINER LOCATED AT 18 BERLIN ROAD. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilman Schaeffer and motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera; Schaeffer. Absent: Milano.

RESOLUTION R16-105 AUTHORIZING THE SALE OF DUTY WEAPON ISSUED TO OFFICER NEIL CLARK, IN THE AMOUNT OF \$300.00. Mayor Weaver read by title. Councilman Schaeffer motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Andrews; Fisher; Nucera; Schaeffer. Nays: Armbruster. Absent: Milano.

UNFINISHED BUSINESS:

There were no matters for discussion related to unfinished business.

NEW BUSINESS:

MAYOR APPOINTMENT CLEMENTON HOUSING AUTHORITY, WITH A TERM EXPIRATION OF JUNE 31, 2021. Mayor Weaver announced that John Schmidt was hereby appointed to the office of Mayor's appointment for a term of five years, expiring June 31, 2021.

REQUEST FROM OFFICER TO PURCHASE DUTY WEAPON UPON RETIREMENT EFFECTIVE JULY 1, 2016. This matter was discussed and acted upon during the Ordinance and Resolution portion of the meeting, and approved by Resolution R16-105. No further discussion occurred related to the request.

BOROUGH VEHICLE USAGE- Councilman Fisher stated that discussion had occurred within the public safety committee related to removal of vehicles for personal use for certain members of the police department, who were previously entitled to such in their employment contracts. Councilman Fisher stated that Borough owned vehicles would no longer be authorized for personal use for the Chief of Police and Lieutenant. Councilman Armbruster noted that the committee had discussed potential financial savings, and stated that the governing body would need to spell out an exact directive related to the use of Borough vehicles. Councilman Fisher reported that discussion had already occurred and the Borough planned to install GPS devices in all Borough vehicles. Chief Freiling noted that he had concern with the police vehicles being equipped with GPS tracking devices due to the possibility of a pattern being established. It was noted and agreed by the Mayor and Council that the data compiled by the GPS vehicle devices would only be accessible by a small few, including the chief and administrator of the Borough. Councilman Armbruster suggested that a committee be formed to review and create a GPS policy for the proposed equipment. Chief Freiling stated that he felt that the removal of allowed personal usage of the Borough vehicle was discipline. Councilman Armbruster stated that it was not, and that he has continuously had concerns with public vehicles being utilized for personal use, due to the cost for providing such.

Councilman Armbruster motioned to prohibit personal use of any Borough owned vehicles, and recall the Dodge Durango issued to the Lieutenant. Councilwoman Andrews seconded the motion and the motion was carried upon the call of roll. Ayes: Andrews; Armbruster; Fisher; Nucera. Nays: Schaeffer. Absent: Milano.

It was noted that the Lieutenant would be subject to the same vehicle policies as the other officers within the department, which would allow the use of a duty car for transportation during the assigned shifts.

PRIVILEGE OF THE FLOOR:

Dr. Mary Margaret Dalton, 53 Woodland Ave.- Dr. Dalton stated that she resided in the next to the last home at the end of the street, which provided many years of enjoyment on the walking paths with her dogs. She stated that she wished to have a street light installed directly in front of her property. She noted that she had spoken previously to Robert Freiling of the Department of Public Works, but had never received a determination on the matter. Dr. Dalton noted that she had concerns for her safety due to poor lighting in the area. It was suggested that additional lighting be installed on her property for improved visibility. Mayor Weaver stated that he would obtain her information and visit her property to explore and discuss some lighting solutions.

James Briggs, Clementon Borough- Mr. Briggs noted that he was an employee of the Borough of Clementon Public Works Department and wished for Council to amend the recently implemented black/blue long pants requirement, which was required all year, inclusive of the summer months. Council requested the opinion of the Public Works Director, who was also in attendance. Melvin Applegate stated that he understood that the uniform was difficult sometimes in the heat, but believed that it would prevent certain injuries to employees, such as poison ivy transmission. After brief discussion, the governing body determined that they would allow employees performing landscaping operations only, to wear uniform shorts for a trial period inclusive of July, August and September. It was noted that an evaluation would be performed at that time to determine if there had been an increase in workers comp claims associated with the uniform amendment.

Christopher McKelvey, 28 Harwood Lane- Mr. McKelvey asked for a brief explanation as to the purpose of the reassessment previously discussed during the meeting. Solicitor Botcheos stated that the purpose of a reassessment would be to equalize all values of properties within the town.

Sheila Freiling, Clementon Borough- Mrs. Freiling stated that she had been working diligently on improvements to the functionality of the Office of Emergency Management. She noted that she had not been satisfied with the response to the text drills that had gone out, and that several key individuals had not responded. Councilwoman Freiling stated that the fastest response time was provided by the Administrator, Jenai Johnson, with a response time of one hour. Mrs. Freiling emphasized that responses were necessary and that further drills would be forthcoming. Mrs. Freiling continued by noting that there were several appointments that needed to be made by the Mayor to the LEPC (Local Emergency Planning Committee). Brief further discussion occurred between Mrs. Freiling and the Council Liaison to OEM, Gordon Schaeffer, relating to organization improvements that were completed, and those that were still required.

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

ADJOURNMENT:

Councilwoman Nucera motioned to adjourn at 8:43PM, seconded by Councilman Schaeffer and hearing none opposed, motion was carried.

Respectfully Submitted,



Jenai L. Johnson,

Administrator/Municipal Clerk