

**MINUTES OF THE
BOROUGH OF CLEMENTON
JUNE 19, 2018
CAUCUS/COUNCIL MEETING
OF THE MAYOR AND COUNCIL**

OPENING: Mayor Weaver called the meeting to order at 7:02PM.

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, Municipal Clerk/Administrator, called the roll which resulted in the following members present: Mayor Thomas J. Weaver; Councilman Mark Armbruster; Councilman Jonathan Fisher; Councilwoman Meghan Milano; Council President Christine Nucera; Councilman Thomas Shaw; Councilwoman Holly Strobl. Also present were Wayne Roorda of Bach Associates and Solicitor George J. Botcheos.

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

ENGINEER REPORT: Wayne Roorda of Bach Associates, provided a written report which has been placed on file in the appropriate manner, and verbally reported on the following items: Ohio Avenue Phase II and Brand Avenue Projects were underway, with construction commencing.

Mr. Roorda stated that he would be reaching out to Atlantic City Electric to get a more accurate cost on the relocation of some utility poles for upcoming road improvements.

Mr. Roorda stated that he had not heard anything to date on the Albertson Avenue funding application.

Councilwoman Milano inquired if a plan had been devised for the upcoming application deadline for Safe Routes to Schools. Councilwoman Milano noted that the deadline was scheduled for August 23. Mr. Roorda stated that the Borough would be reapplying with the previously created application to avoid incurring additional costs to the Borough. Mr. Roorda stated that he would attempt to do supplemental reports to include with the application.

Councilwoman Milano stated that she had attended a meeting regarding biking trail grants and the coordinator of the Safe Routes to Schools had indicated that all that the Borough needed were resolutions of support from the Borough and the School. Mayor Weaver clarified that the Borough and School Board had both approved and submitted Resolutions supporting the grant application the previous year.

Councilman Armbruster asked Mr. Roorda if anyone was on site performing inspections at the Ohio Avenue project. Mr. Roorda stated that there were, and a few errors were corrected with the surveyor. Councilman Armbruster stated that the site was a mess when he had passed on occasion.

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

Mayor Weaver opened the floor to the public for matters appearing on the agenda only.

Keith Cybulski, Van Horn Avenue- Mr. Cybulski stated that the Ordinance 2018-09, listed for final adoption, was too vague, specifically in who the administrator was able to hire.

Brenda Franks, Erie Avenue- Mrs. Franks stated that bills had not been paid since May 1, 2018 and inquired how payments were authorized in the span between the meetings. Jenai Johnson advised that a bill list was prepared for approval only for the second meeting of the month, and all claims were approved for the preceding period at that time.

Hearing no further comment from the public, Mayor Weaver closed the public portion of the meeting.

APPROVAL OF MINUTES:

MINUTES OF THE MARCH 6, 2018 CAUCUS MEETING- Councilwoman Nucera motioned to approve the minutes as presented, seconded by Councilwoman Strobl and hearing none opposed, motion was carried.

MINUTES OF THE APRIL 3, 2018 CAUCUS MEETING- Councilwoman Nucera motioned to approve the minutes as presented, seconded by Councilwoman Strobl and hearing none opposed, motion was carried.

MINUTES OF THE APRIL 17, 2018 COUNCIL MEETING- Councilwoman Nucera motioned to approve the minutes as presented, seconded by Councilman Armbruster and hearing none opposed, motion was carried. Councilman Shaw noted that he was not present and abstained from the vote.

MINUTES OF THE APRIL 3, 2018 EXECUTIVE SESSION-Councilwoman Nucera motioned to approve the minutes as presented, seconded by Councilwoman Milano and hearing none opposed, motion was carried.

MINUTES OF THE MAY 1, 2018 CAUCUS MEETING-Councilwoman Nucera motioned to approve the minutes as presented, seconded by Councilwoman Holly Strobl and hearing none opposed, motion was carried.

APPROVAL OF THE BILL LIST: Councilman Shaw motioned to approve the payment of the bills upon proper review and certification. Motion was seconded by Councilwoman Strobl and carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

ORDINANCES AND RESOLUTIONS:

SECOND READING/PUBLIC HEARING

ORDINANCE 2018-09 AMENDING AND SUPPLEMENTING CHAPTER 43 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "OFFICERS AND EMPLOYEES" _

Mayor Weaver read by title. Councilman Shaw motioned to adopt on second reading, seconded by Councilwoman Strobl. Mayor Weaver opened the floor to the public.

Keith Cybulski, Clementon Borough- Mr. Cybulski stated that he had concern for the term "etc." being used in the description of entry level positions which the Administrator would have the authority to hire. Mr. Cybulski stated that the term would leave too much uncertainty within the provisions.

Brenda Franks, Clementon Borough- Mrs. Franks inquired if the Public Works Secretary position, if created, would fall within the term "entry level". It was noted that any clerical position would be considered entry level.

Hearing no further comment from the public, Mayor Weaver closed the public hearing. Motion was carried upon the call of roll. Ayes: Armbruster; Shaw; Strobl; Weaver. Nays: Fisher; Milano; Nucera.

SECOND READING/PUBLIC HEARING

ORDINANCE 2018-08 AMENDING AND SUPPLEMENTING CHAPTER 70 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED "ALCOHOLIC BEVERAGES". Mayor Weaver read by title. Councilwoman Nucera motioned to adopt on second reading, seconded by Councilman Armbruster. Mayor Weaver opened the public hearing. Hearing no comments from the public, Mayor Weaver closed the hearing. Motion to adopt was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18- 88 AUTHORIZING PAYMENT OF BILLS RETROACTIVE TO MAY 22, 2018. Mayor Weaver read by title. Councilwoman Strobl motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-89 AUTHORIZING ADJUSTMENT OF CERTAIN WATER ACCOUNTS IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes; Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-90 DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL GUN VIOLENCE AWARENESS DAY. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Fisher; Milano; Shaw; Strobl. Nays: Armbruster; Nucera.

RESOLUTION R18-91 APPROVING FIRE WORKS DISPLAY PERMIT FOR CLEMENTON PARK AND SPLASH WORLD TO BE HELD ON JULY 3, 2018. Mayor Weaver read by title. Councilman Shaw motioned to approve, seconded by Councilwoman Nucera. Councilman Armbruster inquired if there would be any additional cost to the Borough for services such as the police. Chief Grover stated that Clementon Park would be responsible for paying the cost of the officers for the event. Hearing no further comments, motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-92 APPROVING AMUSEMENT GAME LICENSE FOR CLEMENTON LAKE HOLDINGS, LLC FOR 2018 SEASON. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-93 APPOINTING RICHARD GODIN TO THE TITLE OF INDOOR AIR QUALITY OFFICER IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-94 AUTHORIZING PRECISE SALARIES AND WAGES OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-95 AMENDING AND SUPPLEMENTING THE BOROUGH OF CLEMENTON PERSONNEL POLICIES AND PROCEDURES MANUAL DATED JULY 12, 2016. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by

Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-96 APPROVING MERCANTILE LICENSE TO NICHOLAS SIERKA FOR OPERATION OF CHERRYWOOD CAR SERVICE, LLC LOCATED AT 100 CHEWS LANDING ROAD. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-97 REFUNDING OVERPAYMENT OF CERTAIN CONSTRUCTION FEES IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-98 TO TRANSFER PREMIUMS FROM TAX TITLE LIEN TO CURRENT FUND. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-99 AUTHORIZING MAYOR AND MUNICIPAL CLERK TO EXECUTE YEAR 39 (2017-2018) COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-100 AUTHORIZING MAYOR AND MUNICIPAL CLERK TO EXECUTE MUNICIPAL ALLIANCE 2018-2019 AGREEMENT WITH THE COUNTY OF CAMDEN IN CONJUNCTION WITH THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-101 AUTHORIZING CANCELLATION OF CHECKS OVER SIX MONTHS OLD. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-102 AUTHORIZING THE TIME PAYMENT OF MUNICIPAL LIEN FOR BLOCK 32, LOT 6 OTHERWISE KNOWN AS 27 LINCOLN AVENUE. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-103 AUTHORIZING RENEWAL OF CERTAIN LIQUOR LICENSES FOR THE 2018-2019 LICENSE TERM. Mayor Weaver motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Fisher; Milano; Nucera; Shaw; Strobl. Abstain: Armbruster.

RESOLUTION R18-104 AUTHORIZING HIRE OF TWO PART TIME SEASONAL LABORERS IN THE DEPARTMENT OF PUBLIC WORKS TO BE FUNDED BY THE OPEN SPACE TRUST FUND. Mayor Weaver read by title. Councilwoman Milano motioned to

approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-105 AUTHORIZING HIRE OF CERTAIN PUBLIC WORKS POSITIONS IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-106 AUTHORIZING USE OF COMMUNITY CENTER BY THE AMERICAN RED CROSS ON SEPTEMBER 24, 2018 AND AUTHORIZING WAIVER OF MUNICIPAL FACILITY RENTAL FEES. Mayor Weaver read by title. Councilwoman Strobl motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

RESOLUTION R18-107 AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilwoman Nucera. Councilwoman Strobl asked how this policy would effect a relative of the governing body if they were the best candidate for an open position. Councilwoman Nucera stated that many municipalities had this type of policy in place. Councilman Armbruster stated that the policy would be blocking a resident from an opportunity at a job position and excluding possible candidates from running from office. Councilman Shaw stated that the policy seemed to be a form of discrimination. Councilman Armbruster stated that a policy was already in place which prohibited a relative from working directly under a supervisor.

Motion was DEFEATED upon the call of roll: Ayes: Fisher; Milano; Nucera. Nays: Armbruster; Shaw; Strobl; Weaver.

Mayor Weaver noted that while he did agree with a nepotism policy, he believed that the committee should meet and discuss the matter.

RESOLUTION R18-108 AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE, CCC PROGRESSIVE, FOR THE 2018-2019 LICENSE TERM PURSUANT TO NJSA 33:1-12.39. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Fisher; Milano; Nucera; Shaw; Strobl. Nays: Armbruster.

RESOLUTION R18-109 AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE, 1000 PARK AVENUE INVESTMENTS LLC, FOR THE 2018-2019 LICENSE TERM PURSUANT TO NJSA 33:1-12.39. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Fisher; Milano; Nucera; Shaw; Strobl. Nays: Armbruster.

UNFINISHED BUSINESS:

Clementonian- Councilwoman Milano stated that she would be coordinating with Dina Massey and the Newspaper Committee to develop the resident newsletter.

Daniel Dougherty Sports Complex Soccer Fields- Councilman Armbruster stated that he had spoken to a contact at the Camden County Parks Division regarding acquisition of a small piece of ground needed for installation of soccer fields at the Daniel Dougherty Sports Complex. The County indicated that they would be willing to swap land, and that the Borough land would need to be land not currently on the ROSI. Councilman Armbruster stated that he would keep Council

informed and was looking into the possibility of utilizing Albertson Avenue Park, the newly acquired land, for this purpose.

Snapper Turtle Sighting- Councilman Armbruster stated that video had been posted on FaceBook of what was originally thought to be an alligator at one of the lakes in the Borough. After investigation, it was found to be a large snapping turtle. Brief discussion occurred about the possible future erection of signage deterring residents from feeding the wildlife. Miles Dumbleton, Code Enforcement Officer, stated that the Borough ordinance already prohibited feeding of wildlife.

Curry Leaf Indian Cuisine Temporary Mercantile- Jenai Johnson reported that Curry Leaf Indian Cuisine had been approved by the Planning and Zoning Board, but had not been provided to Council for review until last minute. Ms. Johnson requested that Council approve the Mercantile for a temporary period of 30 days to allow the governing body time to review prior to formal approval. Councilman Fisher motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

MEMORIALIZED BY RESOLUTION R18-110

NEW BUSINESS:

SCISSOR LIFT PURCHASE- Councilman Armbruster stated that Robert Freiling, Supervisor of Public Works, had requested authorization to purchase a Scissor Lift. The expected purchase price was \$1,700. It was determined that additional information was needed, including when it was last certified, prior to a formal decision being reached.

Councilman Fisher stated that he wished to thank Charles Grover and the Pine Hill Police Department for assisting with the recent funeral of Nikki Williams, the wife of a former councilmember. Councilman Fisher stated that they should be praised for dedicating their time to ensure pedestrian and vehicle safety.

PRIVILEGE OF THE FLOOR:

Robert Powell, Clementon Borough- Mr. Powell stated that there had been issues with cars double parked on Forest and Carver Avenue, where there had previously been “ No Parking” signage. Mr. Powell stated that someone had removed the signage and requested that the signs be replaced. Councilwoman Nucera stated that she had been informed by the Chief of Police that the regulations had not been enforced during baseball season, unless there were complaints. Councilman Armbruster stated that the Borough should look at resurfacing of Carver Avenue with future DOT funding. Mr. Powell stated that there would be ample room for parking if debris were removed , such as the remnants of a batting cage.

Dana Yost, Cherry Lane- Ms. Yost stated that she had previously relayed concern for drainage issues on her street, and was in attendance for follow up and an update. Ms. Yost stated that there was concern for the retaining wall located adjacent to her home. Mayor Weaver stated that he would check with the engineer and see if a solution was available, and noted that the Borough would also need to look in to the sources of funding.

Brenda Franks, 46 Erie Avenue- Mrs. Franks stated that she wished to thank the Mayor for an awesome Memorial Day Service. Mrs. Franks stated that there were many community complaints and asked that emails be provided for the residents. Mrs. Franks asked Mayor Weaver if he had the opportunity to look at the asphalt hill on the Leewood Property. Mayor Weaver stated that he had, and noted that he had a meeting scheduled with Mr. Fink, at which he would discuss the

property. Mrs. Franks stated that she felt that nepotism was not a good policy for the Borough and suggested that a policy be developed to prevent it.

Lynn Lofland, 18 Fulton Avenue- Ms. Lofland stated that she wished to organize a blood drive in memory of Nikki Williams, and had begun to gather information on planning same. Ms. Lofland stated that she would need 85 volunteers to preregister to host the event. There were no objections to hosting the event at the Clementon Community Center, and Ms. Lofland stated that she would provide more information to Jenai Johnson as it became available.

Dina Massey, Clementon Borough- Mrs. Massey stated that She had noticed that names were missing from the Veteran's Memorial Wall, including that of her father. Mayor Weaver stated that this could be looked into by the Veteran's Committee, which was now a part of the organization in Pine Hill.

Robert Powell, Clementon Borough- Mr. Powell wished to obtain clarification as to whether the signs for "No Parking" would be reinstated as requested. Councilman Armbruster directed Robert Freiling, Supervisor of Public Works, to ascertain if any were available to be placed in the designated location.

Keith Cybulski, Clementon Borough- Mr. Cybulski stated that he had not seen a bill list on the table. Jenai Johnson provided same and encouraged Mr. Cybulski to request the document if he were not able to locate it at a future meeting. Mr. Cybulski stated that there was an illegal church being held on the Drinkwater Property, including signage advertising the facility. Mr. Cybulski stated that it was not a legal use at that location. It was noted that the Code Enforcement Officer would be directed to investigate the matter.

Mr. Cybulski stated that he believed that nepotism was a perception to the public and it was not right to practice. Mr. Cybulski stated that there were several governing body spouses either employed, or previously employed by the Borough. Mr. Cybulski chided the practice and suggested that family not be hired and that the Borough operation be treated as a business. Hearing no further comment from the public, Mayor Weaver closed the floor to the public.

EXECUTIVE SESSION:

DISCUSSION REGARDING PENDING LITIGATION- R. FREILING – Councilwoman Milano motioned to enter executive session at 8:41pm related to pending litigation with Randall Freiling, seconded by Councilman Shaw and hearing none opposed, motion was carried.

It was noted that the anticipated duration of the closed session was 10 minutes.

Councilwoman Nucera motioned to re-enter open session at 9:01PM, seconded by Councilwoman Strobl and motion was carried.

ACTION AS A RESULT OF EXECUTIVE SESSION:

RESOLUTION R18-111 AUTHORIZING MAYOR AND MUNICIPAL CLERK TO EXECUTE SETTLEMENT AGREEMENT BETWEEN THE BOROUGH OF CLEMENTON AND RANDALL FREILING. Councilman Armbruster motioned to approve, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw; Strobl.

ADJOURNMENT:

Councilman Armbruster motioned to adjourn at 9:04PM, seconded by Councilman Shaw and hearing none opposed, motion was carried.

Respectfully Submitted,

**Jenai L. Johnson
Municipal Clerk/Administrator**