

**MINUTES OF THE
BOROUGH OF CLEMENTON
NOVEMBER 20, 2018
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, Municipal Clerk/Administrator, called the roll which resulted in the following members present: Mayor Thomas Weaver; Councilman Mark Armbruster; Councilman Jonathan Fisher; Councilwoman Meghan Milano; Council President Christine Nucera; Councilman Thomas Shaw. Absent: Councilwoman Holly Strobl. Also present were Solicitor George Botcheos and Wayne Roorda of Bach Associates.

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

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

REPAIRS AT BOTTOM'S LAKE DAM- Mr. Bach reported that he had met with the engineering committee and discussion occurred regarding the possibility of utilizing concrete for the required repair, and noted that he would be obtaining pricing and providing a submission back to the NJDEP. Mr. Roorda stated that there was approximately \$50,000.00 available for the repairs and noted that he would attempt to fit the project within that amount.

CHERRY LANE IMPROVEMENTS- Mr. Roorda stated that his office would prepare cost estimates for improvements once a concept was selected. Mr. Roorda stated that the likely course of action would include concrete curbing, restabilization of the ground and eliminating of the retaining walls. Mr. Roorda stated that the project would be funded by CDBG funds.

OHIO AVENUE PHASE II- Mr. Roorda stated that it was determined at the engineering committee meeting that the remaining additional funds from NJDOT would be utilized for additional fencing and one speed hump. Councilman Fisher asked if a decision had been made on the implementation of the 4-way stop signs on Ohio Avenue. Mayor Weaver stated that the ordinance was on the agenda for second reading and adoption. Brief discussion occurred and it was determined that the Borough would attempt to put out a public alert to make residents aware of the new signage prior to enforcement.

REHABILITATION OF WELL #9- Mr. Roorda stated that their office was preparing a revised application package for submission to NJDEP for permitting. Mr. Roorda stated that he would be revising the plans to include a chlorine room improvement. It was noted that the water rates would need to be increased to cover the financing of the project.

Councilman Armbruster asked if it had been determined where the drainage on Cherry Lane would be aimed. Mr. Roorda stated that it would run between the two properties on the southern side, and noted that the neighbor had already agreed to an easement.

BARRY PLACE- Mr. Roorda stated that his office was still working upon the plans for Barry Place, and noted that the County would need to be involved if the storm drain was run to the county road.

WEST ATLANTIC AVENUE/SITLEY AVENUE- Councilman Armbruster stated that there was a new problem at the location, and the remedy would need to be a joint venture between the Borough and Pine Hill. Councilman Armbruster asked Mr. Roorda to place the matter on his radar for 2019.

DANIEL DOUGHERTY SPORTS COMPLEX OPEN SPACE FUNDING- Councilwoman Nucera inquired if the County had agreed to a land swap to enable the construction of the soccer field. Councilman Armbruster stated that he had found land, at the end of Audubon purchased from David Beach, that was not in the ROSI and would be eligible for the swap. Councilman Armbruster stated that the property was wetlands.

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 comment on matters appearing on the agenda. Hearing no comments, Mayor Weaver closed the privilege of the floor.

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

APPROVAL OF MINUTES:

MINUTES OF THE SEPTEMBER 4, 2018 CAUCUS MEETING- Councilwoman Milano motioned to approve the minutes as presented, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera. Absent: Strobl. Abstain: Shaw.

MINUTES OF THE SEPTEMBER 18, 2018 COUNCIL MEETING

MINUTES OF THE SEPTEMBER 18, 2018 EXECUTIVE SESSION- Councilman Armbruster motioned to approve the minutes for the council meeting and executive session. Motion was seconded by Councilman Shaw and carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Shaw. Absent: Strobl. Abstain: Nucera.

ORDINANCES AND RESOLUTIONS:

INTRODUCTION/FIRST READING

ORDINANCE 2018-13 AMENDING ORDINANCE 97-14 ESTABLISHING HEARING PROCEDURES ON DISCIPLINARY ACTIONS OF THE POLICE DEPARTMENT. Mayor Weaver read by title. Councilman Armbruster motioned to approve on first reading, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

INTRODUCTION/FIRST READING

ORDINANCE 2018-15 AMENDING AND SUPPLEMENTING CHAPTER 30 OF THE CODE OF THE BOROUGH ENTITLED, "HEALTH, BOARD OF". Mayor Weaver read by title. Councilwoman Nucera motioned to approve on first reading, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

INTRODUCTION/FIRST READING

ORDINANCE 2018-16 AMENDING AND SUPPLEMENTING CHAPTER 214 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "PROPERTY MAINTENANCE". Mayor Weaver read by title. Councilman Armbruster motioned to approve on first reading, seconded by Councilman Shaw and motion as carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

INTRODUCTION/FIRST READING

ORDINANCE 2018-17 AMENDING AND SUPPLEMENTING CHAPTER 198 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "PEACE AND GOOD ORDER". Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

SECOND READING/PUBLIC HEARING

ORDINANCE 2018-12 AMENDING AND SUPPLEMENTING CHAPTER 281 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED VEHICLES. Mayor Weaver read by title. Mayor Weaver opened the floor to the public for comment. Hearing o comments from the public, Mayor Weaver closed the hearing. Councilman Armbruster motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

SECOND READING/PUBLIC HEARING

ORDINANCE 2018-14 ESTABLISHING A RESTRICTED PARKING ZONE AT 53 WOODLAND AVENUE IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title and opened the public hearing for public comment. Hearing no comments from the public, Mayor Weaver closed the public hearing. Councilwoman Nucera motioned to adopt on second reading, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-147 AUTHORIZING APPROPRIATION TRANSFERS PURSUANT TO NJSA 40A:4-58. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-148 CERTIFYING GOVERNING BODY ACKNOWLEDGEMENT AND REVIEW OF BEST PRACTICES INVENTORY SUBMISSION. 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. Absent: Strobl.

RESOLUTION R18-149 AUTHORIZING ADJUSTMENT TO CERTAIN WATER AND SEWER ACCOUNTS IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-150 AUTHORIZING HIRE OF MARIE BURKE TO THE POSITION OF SEASONAL CROSSING GUARD IN THE BOROUGH OF CLEMENTON RETROACTIVE TO NOVEMBER 12, 2018. 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. Absent: Strobl.

RESOLUTION R18-151 AUTHORIZING ADJUSTMENT OF WATER ACCOUNT FOR BLOCK 132, LOT 1, OTHERWISE KNOWN AS 32 BLACKWOOD ROAD. 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. Absent: Strobl.

RESOLUTION R18-152 AUTHORIZING ADJUSTMENT TO CERTAIN WATER ACCOUNTS IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-153 CONFIRMING EXTENSION OF GRACE PERIOD FOR 4TH QUARTER 2018 TAX PAYMENTS. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-154 AUTHORIZING SUBMISSION AND PARTICIPATION IN THE MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2019. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-155 AUTHORIZING SICK BUY BACK. Mayor Weaver read by title. Councilwoman Nucera motioned to approve, seconded by Councilwoman Milano and motion was carried upon the call of roll. Ayes: Armbruster; Fisher; Milano; Nucera; Shaw. Absent: Strobl.

RESOLUTION R18-156 ALLOWING EMPLOYEES TO WAIVE HEALTH COVERAGE PURSUANT TO P.L. 1995, CHAPTER 259. 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. Absent: Strobl.

UNFINISHED BUSINESS:

Councilwoman Nucera reported that the Albertson Avenue Playground equipment was scheduled to be installed the following week. Councilman Armbruster inquired if consideration had been given to installation of fencing in the rear of the property abutting the creek. Councilwoman Nucera stated that it was her suggestion that consideration be given to the installation of a basketball court in the rear, as well as fencing. Councilwoman Nucera stated that further discussion could occur once the initial equipment was installed.

NEW BUSINESS:

ESTABLISHING REORGANIZATION DATE FOR THE MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CLEMENTON, JANUARY 5, 2018- Jenai Johnson asked for confirmation that there would be no changes to the reorganization meeting, normally scheduled for the first Saturday in January. It was confirmed that the meeting would be held on January 5, 2018 at 11AM.

REQUEST FROM SENIOR AFFAIRS COMMITTEE TO UTILIZE COMMUNITY CENTER FACILITY FOR WEEKLY SENIOR GAMES AT 9AM ON TUESDAYS- After Brief discussion it was determined that the meeting room under the library would be offered to the Senior Affairs Committee during the construction of the bridge on Blackwood Clementon Road.

*SKILLED LABORER HIRE-*Jenai Johnson reported that the Public Works Committee and she had conducted interviews immediately prior to the meeting and recommended the hire of Wilbert Broome at an hourly rate of \$15.00 for the skilled laborer position. It was noted that the committee had sought someone with mechanical knowledge and small motor repair skills. The proposed Resolution number was 2018-157. After brief discussion it was noted that the Administrator had the ability to hire entry level positions and there was not a need to vote on the matter. There was no objection noted to the hire. RESOLUTION R18-157 SKIPPED.

HOLIDAY PARADE- Councilwoman Milano announced that the holiday parade and tree lighting was being held on Sunday and invited all to attend.

MT. CARMEL DEVELOPMENT- Solicitor George J. Botcheos reported that he had been contacted by Rick Hoff, the attorney representing the owner of the parcel for the proposed Mt. Carmel redevelopment. Solicitor Botcheos stated that there was a new owner who wished to develop the property according to the original 2005 approved plans. The proposal was for age restricted rentals, and the new owner wished to ascertain if the governing body would be open to considering the proposal. Councilman Armbruster stated that he had concerns regarding the enforcement of the deed restriction. It was determined that the matter would be referred to the joint landuse board for approval and presentation. It was also noted that part of the original agreement for the development plans was the developer upgrade of the pumping station.

PRIVILEGE OF THE FLOOR: Mayor Weaver opened the floor the public for comment.

Gloria Taylor, 13 Leewood Village- Ms. Taylor stated that she had concerns with the safety of traffic exiting the development onto the White Horse Pike. She also noted that there was a significant wait until traffic would allow vehicles to enter the roadway, and inquired if it would be possible to install a light or signage to assist the residents in exiting the development. Councilman Armbruster stated that a street light was in the approved plan, but would not be completed until more units were built out. Ms. Taylor stated that she had concern that Mr. Fink had disappeared and she was unable to get problems addressed with him. She noted that she had experienced issues with lighting, overuse of sprinklers and the unkemptness of the property. Mayor Weaver stated that he would schedule a meeting with Mr. Fink to discuss the issues and possibly obtain some responsiveness for the property owners in the development.

Joyce Kates, 37 Leewood Village- Ms. Kates stated that her neighbor had a leak in her roof, which should be covered by the warranty, and it was not being addressed.

Kathleen Kelly, 5 Higgins Avenue- Ms. Kelly stated that there was a house on Higgins Avenue that was overgrown, had no mailbox and did not appear to be occupied. She stated that she had concerns with vagrants and animals living in there, and asked if the municipality was able to force the owner to rectify the issues. Councilman Armbruster stated that he was familiar with the Cook property and explained that the parents had passed away and the kids had let the property sit vacant. Councilman Armbruster noted that the Code Enforcement Department had been in contact with the property owners for years attempting to remedy the issues. It was determined that Miles Dumbleton would visit and inspect the property and take whatever actions possible to address the matter. Ms. Kelly stated that there seemed to be a lot of vacant and abandoned properties. Councilman Armbruster stated that the Borough employed a gentleman to work specifically with these properties. Councilman Armbruster also stated that the number of vacant properties had been consistently decreasing, with many being purchased by contractors. Ms. Kelly reported that there were a large number of stray cats, and noted that a resident of Ohio Avenue was feeding approximately 22 of them. Ms. Kelly also expressed her dismay with the layout of the Dunkin Donuts drive thru, noting that she believed that to be the cause of multiple accidents. Ms. Kelly concluded by stating that there were not enough street lights in town. A brief explanation of the costs associated with the installation and maintenance of lights was provided by Councilman Armbruster.

Brenda Franks, 46 Erie Avenue- Mrs. Franks stated that she believed that Mr. Fink should complete the road to Ohio and Silverlake. Mrs. Franks also inquired how the new lawsuit against the Borough affects the Town, including the cost of the deductible and specifically if the associated cost burden is placed upon the tax payers. George Botcheos stated that the claim is submitted to the joint insurance fund, and is assigned, noting that there was a deductible and a percentage of legal fees paid from the budget of the municipality. Jenai Johnson stated that the deductible for the Borough was \$20,000.00.

Hearing no further comments from the public, Mayor Weaver closed the floor to the public.

ADJOURNMENT: Councilwoman Nucera motioned to adjourn at 7:56, seconded by Councilman Armbruster and hearing none opposed, motion was carried.

RESPECTFULLY SUBMITTED,

Jenai L. Johnson,
Municipal Clerk/Administrator