

MINUTES OF THE BOROUGH OF CLEMENTON
MARCH 19, 2019
CAUCUS/COUNCIL MEETING
OF THE MAYOR AND COUNCIL

OPENING: Mayor Thomas 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 Weaver; Councilman Melvin Applegate; Councilman Mark Armbruster; Councilman Jonathan Fisher; Councilwoman Meghan Milano; Councilman Thomas Shaw; Councilwoman Holly Strobl.

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

ENGINEER REPORT: Mark Bashore of Bach Associates submitted a written report which has been placed on file in the appropriate manner in the Office of the Municipal Clerk, and verbally reported on the following items:

CDBG Application- Mr. Bashore reported that an application had been submitted to CDBG for Carver, Naylor and Lake Avenue, and would later report on the outcome of the applications when funding was announced.

Water Tank Inspections- Mr. Bashore reported that water tank inspections were scheduled for the following Tuesday, and Bach had been coordinating with Adam Norcross to schedule the inspections.

Camden County Open Space Funding- Mr. Bashore stated that the Camden County Open Space Applications were due on April 1st, and the Borough would be submitting for a walking path at Albertson Avenue. Mr. Bashore noted that a water main installation was scheduled for the same area, and installation would be complete prior to the construction of the walking path.

Cherry Lane Improvements- Mr. Bashore stated that the award of contract was on the agenda for Cherry Lane Improvements. Mayor Weaver inquired how far the road improvements would span and it was noted that about half of the roadway would be improved.

Well Pump VFD's- Mr. Bashore stated that that he was working with Robert Freiling in an attempt to obtain as built drawings to close out the project, but noted to date that retainage was being held.

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 related to items on the agenda only. *Brenda Franks, 46 Erie Avenue*- Mrs. Franks inquired what the figures within the COLA ordinance represented. Debra DiMattia, CFO, explained that the ordinance allows the municipality to exceed the 2.5% CAP, and increase to 3.5%. Brenda Franks requested to be provided with last year's figures for the ordinance. It was noted that the ordinance did not require the municipality to exceed the CAP, but provided the ability to bank the additional funds for future increases.

APPROVAL OF MINUTES:

MINUTES OF JANUARY 5, 2019 REORGANIZATION MEETING- Councilman Armbruster motioned to approve the minutes as presented, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

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

ORDINANCES AND RESOLUTIONS:

SECOND READING/PUBLIC HEARING

ORDINANCE 2019-02 AMENDING SALARIES AND WAGES OF EMPLOYEES AND OTHER OFFICIALS RETROACTIVE TO JANUARY 1, 2019. Mayor Weaver read by title and opened the floor to the public. Hearing no comments from the public, Mayor Weaver closed the public hearing. Councilman Fisher motioned to approve on second reading, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

SECOND READING/PUBLIC HEARING

ORDINANCE 2019-03 CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO NJSA 40A:4-45.14. Mayor Weaver read by title and opened the floor to the public for comment. Hearing no comments from the public, Mayor Weaver closed the public hearing. Councilman Fisher motioned to adopt on second reading, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

SECOND READING/PUBLIC HEARING

ORDINANCE 2019-04 AMENDING AND SUPPLEMENTING CHAPTER 26 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED "FIRE RESCUE". Mayor Weaver read by title and opened the floor for the public hearing on Ordinance 2019-04. Hearing no comments from the public, Mayor Weaver closed the hearing. Councilman Fisher motioned to approve, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-56 AWARDING CONTRACT TO R. MOSLOWSKI EXCAVATING, INC. FOR CHERRY LANE DRAINAGE IMPROVEMENTS, FY 2018 CAMDEN COUNTY COMMUNITY DEVELOPMENT PROGRAM. Mayor Weaver read by title. Councilman Applegate motioned to approve, seconded by Councilman Armbruster and carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-57 AUTHORIZING REMOVAL OF SEWER CHARGE FOR BLOCK 125, LOT 1, OTHERWISE KNOWN AS 8 ROOSEVELT AVENUE. Mayor Weaver read by title. Councilman Armbruster motioned to approve, seconded by Councilman Applegate and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-58 AUTHORIZING REMOVAL OF WATER CHARGES FOR VARIOUS PROPERTIES IN THE BOROUGH OF CLEMENTON. Mayor Weaver read by title. Councilman Applegate motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-59 AUTHORIZING REFUND OF WATER PAYMENT FOR BLOCK 23, LOT 15, OTHERWISE KNOWN AS 6 DUNWOODY LANE. Mayor Weaver read by title. Councilman Applegate motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-60 TO AUTHORIZE APPROPRIATION RESERVE TRANSFERS. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilman Shaw and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-61 CERTIFYING COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964. Mayor Weaver read by title. Councilman Fisher motioned to approve, seconded by Councilman Applegate and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-62 INTRODUCTION OF THE MUNICIPAL BUDGET

ADOPTION AND PUBLIC HEARING TO BE HELD ON APRIL 16, 2019. Mayor Weaver read by title and announced that the public hearing would be held on the date and time listed. Councilman Applegate motioned to approve, seconded by Councilwoman Milano and motion to introduce was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl. Councilman Armbruster noted that although he had voted yes to the introduction, he anticipated that he would vote "no" at the time of adoption because he believed that the budget should be "chopped" in order to reduce taxes.

RESOLUTION R19-63 APPROVING ISSUANCE OF MERCANTILE APPLICATION TO ANGEL PEREZ FOR OPERATION OF TIAXCALA MEX LLC LOCATED AT 328 WHITE HORSE PIKE, UNIT A, B, C. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

RESOLUTION R19-64 AUTHORIZING APPLICATION FOR 2019 CAMDEN COUNTY OPEN SPACE AND FARMLAND PRESERVATION FUNDING FOR WALKING PATH AT ALBERTSON AVENUE PLAYGROUND. Mayor Weaver read by title. Councilwoman Milano motioned to approve, seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

UNFINISHED BUSINESS: There were no discussions related to unfinished business.

NEW BUSINESS:

Councilwoman Strobl stated that Clementon Board of Education was requesting use of the community center on June 7th for the dance, and had requested waiver of fees. Councilwoman Strobl noted that the school would be funding the payment of an officer and provide a certificate of insurance. The dance would be staffed by volunteer attendants of the Borough. Councilwoman Strobl motioned to approve the waiver of fees for the use of the community center on June 7th by Clementon Board of Education for the dance. Motion was seconded by Councilman Shaw and carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

(Memorialized by Resolution R19-65)

Councilman Shaw reported that there was a transition in leadership with the Clementon Youth Athletic Association (CYAA), and the Borough would need to seek accountability for access to the clubhouses and facilities. Councilman Shaw requested that the Borough cover the cost of changing the locks and access to the facilities for Carver Avenue. Councilman Armbruster stated that he would not object to the Boro performing the lock change, but noted that the Borough would have custody of keys given out, and ensure that all keys were returned to the Borough when there was a change in staffing/leadership for the organization. Councilman Armbruster also suggested that padlocks possibly be used to secure the facility. Councilman Shaw motioned to have the Borough change the locks at the Carver Avenue Clubhouse Property, with no keys being distributed until such time that a president was sworn into the CYAA, and the Municipal Administrator would retain all copies of said keys. Motion was seconded by Councilwoman Strobl and carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

(Memorialized by Resolution R19-66)

Councilman Fisher stated that the Borough had received a deposit from a team outside of the community and inquired if the security deposit had been carried over to the following year. It was noted that the Borough did not intend to have Carver Avenue Ballfield revamped for the season, as it appeared it would not be used. Councilman Fisher stated that regular maintenance, such as grass cutting, would continue, but extreme improvements would not be made. Councilman Fisher stated that if any teams were contemplating the use, an application would need to be submitted and consideration given as to whether approval would be given, and any fees associated would be waived.

Councilman Fisher stated that Kimberly Ott had completed the Class I Special Law Enforcement Officer training program, and would be sworn in at the next successive meeting. Councilman Fisher stated that it was the recommendation of the Public Safety Committee that her hourly rate be increased at that time to \$13.00 per hour. Chief Charles Grover noted that at present, Officer Ott would only be assigned to directing traffic. Councilman Fisher motioned to approve the hourly increase to \$13.50, seconded by Councilwoman Strobl and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl. **(Memorialized by Resolution R19-67)**

Councilman Armbruster noted that a mercantile had been presented to Planning and Zoning for the old Sandberg Property, which had been denied because the board felt the application was substantially enough different than the approved use to deny.

Councilman Armbruster stated that the proposed plans were more industrial, inclusive of bulk mulch, stone, and larger types of trees for planting. Councilman Armbruster stated that the board had encouraged the applicant to return for a variance. The applicant responded that the asking price for Sandberg property was too high to increase the cost of approval of a variance. Councilman Armbruster stated that this type of situation needs to be addressed as part of the Master Plan Review, to allow additional uses such as the one proposed. Councilman Armbruster noted that the Mayor and Council were responsible for budgeting for the Master Plan Review, and noted that he would be returning to the governing body with information from the Joint Land Use Board regarding the Master Plan Review.

Councilman Armbruster stated that the school board would be increasing taxes, per the School Board President Christopher McKelvey. Councilman Armbruster stated that tax changes hit New Jersey hard this year and noted that the brunt of the expenses to the municipality were incurred by the Police Department. Councilman Armbruster stated that police salaries alone cost the Borough 1.6 million dollars in compensation. Councilman Armbruster also noted that the costs to provide health insurance to the group was significant. Councilman Armbruster noted that it was his recommendation that the Borough consider freezing certain salaries in the future to control the outlandish costs. Councilman Armbruster stated that there should not be \$25 per hour and above clerical staff, caused by the annual 2% increase, regardless of performance.

Mayor Weaver stated that Randall Freiling would be appointed as Fire Chief at the next regularly scheduled meeting, and sworn in on the same date. Mayor Weaver noted that the term for Chief Freiling would be valid through 12/31/19. Mayor Weaver also reported that Matt Shernoff, of Harper's Pub, was hosting an outside event on May 4th and had requested the use of Laurel Springs Stage. Mayor Weaver asked if there were any objections to issuing a letter of support, which had been requested by Laurel Springs, for the stage usage. Hearing no objections, it was determined that the Borough would offer Mr. Shernoff the requested letter of support to Laurel Springs.

Councilman Armbruster stated that the Path for Albertson Avenue Playground application was submitted, and noted that Councilman Fisher was actively obtaining ideas and quotes for signage for the dedication of the Nicole "Nikki" Williams Memorial Park. Councilman Armbruster stated that the park dedication was planned for the anniversary date of her passing tentatively. Mayor Weaver stated that the family was actively involved in the application for funding, and working in conjunction with the municipal engineer.

PRIVILEGE OF THE FLOOR:

Mayor Weaver opened the floor to all public who wished to comment:

Christopher McKelvey, 28 Harwood Lane- Mr. McKelvey inquired if there was a plan for a Memorial Day Ceremony at Hero's Park. Mayor Weaver stated that the ceremony was likely going to be relocated due to the construction in the vicinity of the park.

Mr. McKelvey also reported that Clean Communities was scheduled for April 13th and April 14th.

Brenda Franks, Erie Avenue- Mrs. Franks stated that she had concerns with nightmare traffic gridlock this year with the combination of the park patrons and construction. Chief Grover stated that the Park was planning to advertise alternate routes to alleviate the congestion with the ongoing construction.

Sandy (Last name Undisclosed), Chesilhurst- It was reported that she had negative experience in which her car had been towed to a facility and was not being released due to charges. It was immediately noted that this matter was not under the auspice of the Mayor and Council, and would need to be addressed with the Police Department.

Saquica Darby, 411 Lincoln Avenue- Ms. Darby reported that the Borough had retained \$200 of her security deposit due to damages, which she did not believe to have been caused by her event. Ms. Darby stated that her party had not served alcohol, and the damages note that liquor containers were strewn about. Ms. Darby stated that her event may have been confused with the event immediately prior to her event. Mayor Weaver stated that he would obtain her rental information and ask those involved to investigate the matter and provide the information to the Public Works Committee for further consideration.

EXECUTIVE SESSION:

Councilwoman Strobl motioned to enter executive session at 8:16PM for the following matters:

DISCUSSION REGARDING CHIEF OF POLICE CONTRACT

DISCUSSION REGARDING PERSONNEL ISSUES REGARDING PUBLIC WORKS DIRECTOR AND SUPERVISORS

DISCUSSION REGARDING CONDITIONAL EMPLOYMENT K. GARRETSON JR.

It was noted that the executive session was anticipated to last 1 to 1.5 hours. Motion was seconded by Councilman Fisher and hearing none opposed, motion was carried.

Councilman Shaw motioned to reenter open session at 9:34PM, seconded by Councilman Fisher and hearing none opposed, motion was carried.

ACTION AS A RESULT OF CLOSED SESSION:

Councilman Armbruster motioned to authorize the Mayor and Municipal Clerk to execute an employment agreement between the Chief of Police and the Borough of Clementon, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Applegate; Armbruster; Fisher; Milano; Shaw; Strobl.

(Memorialized by Resolution R19-68)

Councilman Armbruster stated that he had forgotten to report that he wished to buy trash cans compliant with the one armed collection vehicles, with an estimated cost of \$178,000 for the entire municipality. Councilman Armbruster stated that there were \$48,000 in tonnage grant funds that could be used toward the purchase. Councilman Armbruster stated that he would discuss this matter further with the Public Works Committee and report back to the Council at a later date.

ADJOURNMENT:

Councilwoman Strobl motioned to adjourn at 9:40Pm, seconded by Councilman Shaw and hearing none opposed, motion was carried.

Respectfully Submitted,



Jenai L. Johnson,
Municipal Clerk/Administrator