

**TOWNSHIP OF PEMBERTON  
REORGANIZATION & REGULAR  
MEETING MINUTES**

**January 6, 2021  
6:00 P.M.**

Township Clerk's greeting to the public.

Notice of this meeting was given in accordance with the Open Public Meetings Act.

Pledge of Allegiance.

Invocation by Reverend Dr. Ernest Trueblood, DD.

**CALL TO ORDER**

Mrs. Cosnoski called the meeting to order at approximately 6:00 p.m.

**ROLL CALL**

**PRESENT**

Jason Allen (Teleconference)

Gaye Burton

Paul Detrick

Donovan Gardner (Teleconference)

Elisabeth McCartney (Teleconference)

**ABSENT**

Also, present: Mayor David Patriarca, Business Administrator Daniel Hornickel, Solicitor Andrew Bayer and Township Clerk, Amy P. Cosnoski.

Mrs. Cosnoski advised that the newly elected Council Members had taken their oaths of office, at the municipal building on January 1, 2021 and their oaths were administered by Mayor Patriarca.

Congratulated Councilman Gardner and Councilwoman McCartney for their return and welcomed Councilman Detrick aboard.

Nominations for President of Council submitted to Clerk, followed by a poll of the Council on the names of those nominated.

Councilman Detrick nominated Councilwoman Burton. No other nominations were made.

Motion by McCartney and Detrick to close the nominations. McCartney, yes; Detrick, yes; Allen, yes; Gardner, yes; Burton, yes. Motion carried.

Motion by Allen and Gardner to appoint Councilwoman Gaye Burton as Council President for the year 2021. Allen, yes; Gardner, yes; McCartney, yes; Detrick, yes; Burton, yes. Motion carried.

Mr. Bayer administered the Oath of Office to Council President Burton.

**PUBLIC COMMENTS**

Council President Burton opened the meeting up to general public comments.

**Rhea Mayer – 1.** Mrs. Cosnoski advised Ms. Mayer that the questions she sent prior to the meeting would be answered at the end of public comments. Ms. Mayer stated that those were her only questions and had no other comments at this time.

**Michelle Forman, Browns Mills – 1.** Asked about the barking dogs and if Council President Burton had found anything out. Councilwoman Burton advised that this would be answered later in the meeting. Mr. Bayer advised that this time was for comments to be made and questions asked but is not a question-and-answer period. Ms. Forman asked when we will get more ACO officers working for the town and why only one ticket was issued by the ACO officer. Noted that there is a dog she has an issue with, and it broke through the fence.

**James Boland, Browns Mills – 1.** Question Resolution 22-2021 through 37-2021 and the people being appointed and if it could be announced if these are new people. Mrs. Cosnoski advised that these are not consent agenda items and the names are announced at the time of

adoption. **2.** Asked if anyone feels that a difference has been made as far as code enforcement. **3.** Asked for all to check out the May 21, 2008 meeting minutes and pages 20 and 21. Noted that in these pages were the same questions about cameras and safety that he is still asking today.

**Doug Melegari, Pine Barrens Tribune – 1.** Wished all a Happy New Year and asked that the new Councilman introduce himself and advise on some of his goals for the town.

**Pastor Clarence Smith –** Had no comments.

**Ms. Olsen –** Had no comments.

**Susan Wright, Pemberton – 1.** Stated that her back alley has large potholes and asked if there is anything the Township could do. Mayor Patriarca explained later in the meeting what the Township was in the process of doing regarding that situation.

Mr. Bayer read questions that were sent to Mrs. Cosnoski via email.

**Questions submitted via email by Ms. Mayer:**

**Potholes in the easement of Lake Valley Acres – 1.** Questioned why the Township has stopped filling the potholes after caring for them for over 50 years and why weren't the home owners informed. **2.** Why would the fixing of the potholes not be grandfathered in. **3.** Are the pipes in the easement storm water or sewage. **4.** Who initially installed the pipes under the easement. **5.** Where is it stated in the master deed that the easement is owned by the homeowner. **6.** If the homeowner owns the easement why would they have to sign it over to the Township for repair.

Mayor Patriarca advised that the potholes were done by the Township for many years. Noted when he first came into office it was brought to his attention that the Township does not own this property. Advised that he reviewed the plans from when this area was constructed and that there was no dedication of these areas to the Township. Stated he believes an error occurred and he did not have the authority to correct it himself. Commented that he felt it did need to be corrected and that this has become an issue for the homeowners. Advised that to try and correct this, they looked at possible solutions and the best thing they could come up with is trying to get all of the property owners to agree to provide an access easement to the Township for their portion of the alleyways and the Township will take on the responsibility of maintaining them. Advised that this would allow the town to legally go in and repair those alleyways. Mr. Bayer added that the homeowner owns the property and that we are asking for an easement to go on your property and fix the potholes legally and not be considered to be trespassing. Mr. Hornickel advised that the pipes are sewer pipes and that the developer of the development was the responsible party for installing these pipes. Advised where this could be found in section D-6. Mayor Patriarca advised that at that time the sewer authority was the MUA and not the Township. Mr. Bayer added that if Ms. Mayer had any further questions, she could contact the office if she did not want to wait for the next meeting.

Seeing no other residents wishing to be heard, this portion of the meeting was closed to the public.

**Consent Agenda: All items listed with an asterisk (\*) are considered to be routine by the Township Council and will be enacted by one motion. Should a Council Member wish to discuss a consent agenda item separately, that item can be removed from the consent agenda and considered in its normal sequence on the regular agenda.**

Council President Burton asked to pull Resolution 16-2020. Councilman Gardner asked to pull Resolutions 13-2021 and 15-2021. Councilwoman McCartney asked to pull New Business item A1.

**CONSENT AGENDA**

**\*CONSENT AGENDA RESOLUTIONS**

**\*REORGANIZATION CONSENT RESOLUTIONS**

\*1-2021           Adopts Temporary Municipal Budget for 2021.

\*2-2021           Adopts Temporary Municipal Budget - Water Utility Fund for 2021.

\*3-2021           Adopts Temporary Municipal Budget - Sewer Utility Budget for 2021.

- \*4-2021 Appoints Amy P. Cosnoski as Municipal Improvement Search Officer.
- \*5-2021 Appoints Sunshine Dashiell as Deputy Township Clerk
- \*6-2021 Appoints Alison Varrelmann as Tax Search Officer.
- \*7-2021 Appoints Amy P. Cosnoski as Public Agency Compliance Officer per Affirmative Action Regulations.
- \*8-2021 Establishes Pemberton Township's Cash Management Plan.
- \*9-2021 Establishes Regular Council Meeting Dates.
- \*10-2021 Designates Township Holiday schedule.
- \*11-2021 Designates Official Newspapers for Township.
- \*12-2021 Establishes rate of interest for delinquent tax payments.
- \*13-2021 *Pulled from the Consent Agenda and considered later in the meeting.*
- \*14-2021 Authorizes cancellation of property tax overpayments or delinquent amounts of less than \$10.00.
- \*15-2021 *Pulled from the Consent Agenda and considered later in the meeting.*
- \*16-2021 *Pulled from the Consent Agenda and considered later in the meeting.*
- \*17-2021 Concurs in the Appointment of Daniel Hornickel as Commissioner to the Burlington County Joint Insurance Fund.
- \*18-2021 Concurs in the Appointment of Michele Brown as Alternate Commissioner to the Burlington County Joint Insurance Fund.
- \*19-2021 Concurs in the Appointment of Anna Shaker and Michele Brown as Safety Delegate Representatives to the Burlington County Joint Insurance Fund.
- \*20-2021 Concurs in the Appointment of Michele Brown as Township Claims Administrator to the Burlington County Joint Insurance Fund.
- \*21-2021 Concurs in the Appointment of Daniel Hornickel as the Township Contact Person for Employment Practices Attorney Consultation Services for the Burlington County Joint Insurance Fund.

Motion by Allen and Gardner to approve the Consent Agenda as amended. Allen, yes; Gardner, yes; McCartney, yes; Detrick, yes; Burton, yes. Motion carried.

### **REORGANIZATION RESOLUTIONS**

- \*13-2021 Authorizes imposition of service charge assessed to property owners for property placed on tax sale for delinquent taxes or municipal charges. *Pulled from the Consent Agenda.*

Councilman Gardner stated that he hopes residents understand that the first notice is no charge and that they should not ignore these notices. Stated he knows things are tough but asked that people try to pay what they can to avoid further charges. Mr. Hornickel stated that this resolution means that when we get past a year and people are still delinquent on their taxes, we have a right to charge them a fee and put them on notice that if they do not pay their tax liability will be sold at tax sale. Added that many people respond at that point and noted the fees that are required and the time given to fix the problem. Noted that this usually happens in the spring. Mayor Patriarca noted that it takes about a year to 18 months to get to a tax sale and that there is sufficient time to rectify the issue. Councilman Gardner noted that this is done yearly but that he wanted to bring this to light for the residents. Councilman Detrick questioned if it would just be the 2 notices. Mr. Hornickel advised that was correct and that the total fees would be \$50.00 for the notices.

Motion by Gardner and Allen to approve Resolution 13-2021. Gardner, yes; Allen, yes; McCartney, yes; Detrick, yes; Burton, yes. Motion carried.

- \*15-2021 Establishes disposition of tax overpayments. *Pulled from the Consent Agenda.*

Councilman Gardner noted that if you overpay your taxes by \$49.99 it is applied to your owed taxes and if it is over \$50.00 it is sent back to the homeowner. Asked if there was a way to just apply it regardless as it may be a burden for some. Mr. Hornickel advised that he had discussed this with Council President Burton also. Noted he went to the Tax Collector and she asked for a higher threshold of \$500.00 as a credit to your next tax payment. Stated that Council could change it if they choose to do so. Councilman Gardner agreed that was a

better amount. Discussion ensued on the current resolution and possible amendments. Councilman Allen asked if any complaints were made about this for Council to consider this change. Mrs. Cosnoski advised that Council does currently approve all refunds and this would stop the Tax Collector from having to come to Council for these refunds. Mr. Hornickel explained why this is done as part of the yearly reorganization. Mayor Patriarca stated that refunds are done often and that this would stop them from having to constantly do resolutions for council for refunds, as it can become cumbersome.

Motion by Gardner and Detrick to approve Resolution 15-2021 as amended. Gardner, yes; Detrick, yes; McCartney, yes; Allen, yes; Burton, yes. Motion carried.

\*16-2021 Authorizes Tax Assessor to execute Stipulations of Settlement, file Rollback Assessments on behalf of the Township and further authorizes Tax Assessor or Township Solicitor to file appeals as may be necessary. *Pulled from the Consent Agenda.*

Mr. Hornickel explained this resolution to Council and the process that occurs with the appeals.

Motion by Allen and Detrick to approve Resolution 16-2021. Allen, yes; Detrick, yes; McCartney, yes; Gardner, yes; Burton, yes. Motion carried.

#### OTHER REORGANIZATION RESOLUTIONS

22-2021 Appoints Class III Member to Planning Board (Member of Council).

Motion by Allen and McCartney to approve Resolution 22-2021 and appointing Councilman Gardner. Allen, yes; Detrick, yes; McCartney, yes; Gardner, yes; Burton, yes. Motion carried.

23-2021 Appoints Auditor.

Motion by Allen and McCartney to approve Resolution 23-2021. Allen, yes; McCartney, yes; Detrick, yes; Gardner, yes; Burton, yes. Motion carried.

24-2021 Appoints Risk Management.

Motion by McCartney and Detrick to approve Resolution 24-2021. McCartney, yes; Detrick, yes; Allen, yes; Gardner, yes; Burton, yes. Motion carried.

25-2021 Appoints Insurance Broker of Record.

Motion by Gardner and Detrick to approve Resolution 25-2021. Gardner, yes; Detrick, yes; McCartney, yes; Allen, yes; Burton, yes. Motion carried.

26-2021 Consent of Council to Solicitor appointment.

Motion by McCartney and Gardner to approve Resolution 26-2021. McCartney, yes; Gardner, yes; Allen, yes; Detrick, yes; Burton, yes. Motion carried.

27-2021 Consent of Council to appointment of Special Counsel Pool of Attorneys to provide various special legal services.

Motion by Detrick and Gardner to approve Resolution 27-2021. Detrick, yes; Gardner, yes; McCartney, yes; Allen, yes; Burton, yes. Motion carried.

28-2021 Consent of Council to Engineer's appointment.

Motion by McCartney and Allen to approve Resolution 28-2021. McCartney, yes; Allen, yes; Detrick, yes; Gardner, yes; Burton, yes. Motion carried.

29-2021 Consent of Council to appointment of Professional Engineers for CY2021 for Engineering Projects, As Needed.

Motion by Gardner and Allen to approve Resolution 29-2021. Gardner, yes; Allen, yes; Detrick, yes; McCartney, yes; Burton, yes. Motion carried.

30-2021 Consent of Council to appointment of Professional Planners for CY2021 for Planning Projects, As Needed.

Motion by McCartney and Allen to approve Resolution 30-2021. McCartney, yes; Allen, yes; Gardner, yes; Detrick, yes; Burton, yes. Motion carried.

31-2021 Consent of Council to appointment of Architect.

Motion by Allen and McCartney to approve Resolution 31-2021. Allen, yes; McCartney, yes; Gardner, yes; Detrick, yes; Burton, yes. Motion carried.

32-2021 Consent of Council to appointment of Conflicts Municipal Court Judge.

Motion by Gardner and Detrick to approve Resolution 32-2021. Gardner, yes; Detrick, yes; Allen, yes; McCartney, yes; Burton, yes. Motion carried.

33-2021 Consent of Council to Public Defender's appointment.

Motion by McCartney and Allen to approve Resolution 33-2021. McCartney, yes; Allen, yes; Detrick, yes; Gardner, yes; Burton, yes. Motion carried.

34-2021 Consent of Council to Prosecutor appointment.

Motion by Allen and Gardner to approve Resolution 34-2021. Allen, yes; Gardner, yes; McCartney, yes; Detrick, yes; Burton, abstain. Motion carried.

35-2021 Consent of Council to Financial Consultant appointment.

Mr. Hornickel explained that with all of the projects they are planning it was beneficial to have a financial consultant.

Motion by Gardner and Detrick to approve Resolution 35-2021. Gardner, yes; Detrick, yes; Allen, yes; McCartney, yes; Burton, yes. Motion carried.

36-2021 Appoints Members to the Township Alliance Group.

Motion by McCartney and Detrick to approve Resolution 36-2021. McCartney, yes; Gardner, yes; Detrick, yes; Allen, yes; Burton, yes. Motion carried.

37-2021 Consents to the Mayor's Zoning Board appointments.

Mayor Patriarca advised on his appointments for the Zoning Board including Timothy Haines, Thomas Besselman and Lise Mainor.

Motion by McCartney and Detrick to approve Resolution 37-2021. McCartney, yes; Detrick, yes; Allen, yes; Gardner, yes; Burton, yes. Motion carried.

## REGULAR BUSINESS RESOLUTIONS

38-2021 Appoints Amy P. Cosnoski as Registrar of Vital Statistics for Pemberton Township.

Motion by Gardner and Detrick to approve Resolution 38-2021. Gardner, yes; Detrick, yes; Allen, yes; McCartney, yes; Burton, yes. Motion carried.

39-2021 Consents to the Appointment of Alison Varrelmann, CTC as Pemberton Township Tax Collector.

Motion by Detrick and McCartney to approve Resolution 39-2021. Detrick, yes; McCartney, yes; Allen, yes; Gardner, yes; Burton, yes. Motion carried.

40-2021 Consents to the Appointment of Jacqueline Gleason, CMCA, as Pemberton Township Municipal Court Administrator.

Mr. Hornickel advised that our previous Court Administrator and Deputy Court Administrator had both retired this year and that Ms. Gleason was a very experienced Court Administrator with a background in accounting. Noted that there had been 8 candidates total with only one being a Township resident. Advised on the scoring system that was used during the interview process and why the resident was not chosen.

Motion by Gardner and Allen to approve Resolution 40-2021. Gardner, yes; Allen, yes; McCartney, yes; Detrick, yes; Burton, yes. Motion carried.

41-2021 Appoints the new Municipal Court Administrator as an Authorized Governmental Agent for Municipal Court Bank Accounts.

Motion by Detrick and Allen to approve Resolution 41-2020. Detrick, yes; Allen, yes; McCartney, yes; Gardner, yes; Burton, yes. Motion carried.

## NEW BUSINESS

### a. Purchases over \$6,000

1. Recreation & Senior Services – Bus Services for 9 Senior Council Trips from Sheppard Bus in the total amount of \$12,050.00.

Councilwoman McCartney questioned how this would work with the pandemic. Mr. Hornickel advised on what had happened in 2019 and 2020. Noted that when the pandemic hit, they had to cancel some trips and then resumed them, but when the second wave hit, they were cancelled again. Noted that the funds were budgeted in for in the 2020 budget and since they were not used, they will lap to surplus at the end of 2021. Councilman Allen thanked the Township for always working to find activities for our kids and seniors.

Motion by Detrick and Gardner to approve New Business item A1. Detrick, yes; Gardner, yes; Allen, yes; McCartney, abstain; Burton, yes. Motion carried.

### **SOLICITOR'S REPORT:**

**Mr. Bayer reported:** Thanked the Mayor and Council for their continued support of him. Stated he enjoys working with the Township and doing what he does here. Asked for all to have a happy and healthy year and best of luck for the year.

### **MAYOR'S AND/OR BUSINESS ADMINISTRATOR'S REPORT:**

**Mayor Patriarca reported:** Wished everyone a Happy and Healthy New Year. Thanked Council for their continued service and for stepping up and joining the team. Stated he has had much success with this Council and others and they have gotten a lot done. Thanked the professionals for coming onboard and being there to represent us and making us a success. Noted that this year will be very busy for us with several projects we are working on including the West End Park which is before Pinelands for approval. Noted that the Recreation Director has submitted a plan to Administration that is very good and they hope to present it to Council in person. Advised that the Township takes a lot of pride in its parks. Thanked Mary Pat, of Burlington County, for supporting us on our projects and making sure we get our funding. Noted that they hope to bring the Police building addition into our area. Advised on the old building being repurposed down to Public Works. Stated that they are working with a developer to develop the area for the Police to have a nice new area for themselves. Noted they do a good job over there and they deserve our support. Advised that they are being aggressive with projects in the Sewer Division that have been neglected for years. Added that they are also investing in the Water system and the wells they have brought online over the years. Noted that Public Works is putting in water mains continuously. Advised on the infrastructure projects including the aggressive road program and addressing the storm water systems. Stated that we hear from the residents and are responding to their concerns. Welcomed the new tree crew that they brought onboard this year. Advised that they can do other work, but they specialize in trees. Thanked Council for the support of the new Court Administrator. Stated that she is doing very well and fortunately she followed a very good Court Administrator making her transition smooth. Advised that they have made conditional offers to new police recruits as we are looking to bring our numbers up in the Police Department. Added that there are also 5 already in the academy that will be graduating soon. Noted that the redevelopment areas in the Township are still being looked into, but admit that it has been challenging with the pandemic. Stated they are still talking with developers and have had positive discussions. Commented that there is a lot of movement in the town but under these circumstances it has not been quick.

**Business Administrator Hornickel:** Noted that they would like to make a presentation on the park's improvement plan to Council. Hoping that when things settle down maybe a meeting could be held in person. Wanted to also bring a former resident, John Moyer, to Council to honor him. Noted that he had grown up in Sunbury and was made Brigadier General and also graduated Pemberton Township High School. Stated that if any of Council, is interested in any of these projects they are on the board in his office. Advised that he sent several departments reports to Mrs. Cosnoski for Council to review. Noted that most of these reports will be posted on the Township website as well.

### **COMMENTS BY COUNCIL MEMBERS:**

**Council President Burton** – Thanked those that were present and all those that called in. Welcomed Councilman Detrick. Thanked Mr. Bayer and our other professionals. Thanked

Mrs. Cosnoski and congratulated Ms. Dashiell for passing her RMC exam. Mrs. Cosnoski advised that it is not an easy test and that Ms. Dashiell is now a Registered Municipal Clerk. Council President Burton noted that any time they ask questions, they never have to wait long for answers. Thanked Mr. Hornickel for getting them several of the answers. Thanked all of the first responders for all that they are doing to keep us safe. Asked for all to pray for this nation because we need it badly. Stated she is happy to start the new year and knows it will be wonderful. Wished all a Happy New Year.

**Councilman Allen** – Noted that on January 13<sup>th</sup>, 2021 from 10:00 am to 11:30 am the County Library System will be holding a Zoom Program entitled ‘The Journey Ahead’ and will be hosted by Jacqueline Agostini, PhD, to explore the lives of Diverse American Women and their Contributions to Equal Rights. Stated that he had recently been provided information about a program called ‘Soldier On’. Explained that this program was a Veterans Outreach program to assist Veterans and their families who may potentially be at risk for becoming homeless. Stated if anyone knows of a Veteran struggling with housing, healthcare or substance abuse issues, you can call 1-866-406-8449 for additional information or you can send an email to vsoldieron.org. Commented that for anyone who may remember the rare two headed snake that was found in the Pine Barrens in 2019 and was being cared for in Pemberton, he is sad to report that the snake did not make it and passed last year of natural causes. Advised that last year the Township had some good projects and this year they are continuing on with the streetscapes project which are coming along nicely. Stated he looks forward to the final product. Stated that at one of the meetings last year he asked about funding for facemasks for residents and said if possible, we could look into grants for residents to have at home COVID-19 test kits. Commented that it is good to be back in a new year and wished all a Happy and Healthy New Year and he is looking forward to working with everyone including the residents.

**Councilman Gardner** – Wished everyone a Happy New Year. Welcomed Councilman Detrick to Council and knows he is a hard-working person. Commented on the streetscape program and a friend of his who asked why we keep doing sidewalks and the same friend today apologized and said how nice it looks. Congratulated Ms. Mayer for being the first person to submit questions through the new format. Stated it is a good format for people who cannot make it to the meetings or who do not like public speaking. Wishes for everything to calm down in Washington D.C. and for all to act as they should. Thanked all for calling in.

**Councilwoman McCartney** – Thanked Reverend Trueblood for his prayer. Stated she is honored to be a part of the Town Council and she is looking forward to working together. Noted she is happy about the many projects being worked on that are going to help improve our community. Welcomed Councilman Detrick to the Council. Noted the proposal they had received from Mr. Hornickel about the traffic study done in Sunbury and thanked Administration for bringing that to Council and stated she feels this will encourage safety as well as support our Police Department. Mr. Hornickel advised that more information would be coming. Noted some changes that she has seen in town since they moved here in 1987. Commented that there are always things that can be improved, but noted that things take time and there have been multiple improvements in our town. Commented that there were department reports but that she did not see minutes for the Planning and Zoning Board. Mr. Hornickel advised that the agenda is in the calendar for review. Councilwoman McCartney stated that she would come in to review the white board full of projects. Commented on the Engineers report usually being in the agenda packet and asked why they have not received one recently. Mr. Hornickel stated he would speak with ARH to get those coming again. Commented on the website and the information about COVID-19. Advised that Governor Murphy had noted that 1 out of 20 NJ residents are positive with Coronavirus and asked if more information could be put on there to be proactive in supporting the choice of getting the vaccination. Mr. Hornickel stated that they would look to see what information was available. Councilwoman McCartney noted that there is a registration process on line to get signed up for the vaccine.

**Councilman Detrick** – Noted that he registered both his parents and himself on his iPhone today for the vaccine. Thanked all of Council for their help and knows he will be leaning on all of them through these years. Stated he is glad to hear about the parks and is looking forward to the presentation. Stated he is happy to hear from the public with all of their complaints, comments and compliments. Wished all a Happy New Year and agreed that we all need to pray for our nation tonight.

Mayor Patriarca advised that he had gone to Mr. Leroy Delancey’s funeral today. Stated that Mr. Delancey was a Lake Valley resident and was very active in the Lake Valley Civic

Association and was very instrumental in several projects. Stated he raised his family here and was very successful as well as his children being successful. Noted that his granddaughter works as a violations clerk here at the Township. Noted he will be sorely missed and his family is in our prayers.

Benediction by Pastor Clarence Smith

The meeting was adjourned at approximately 8:22 p.m.

Respectfully submitted by,

Amy P. Cosnoski, RMC, Township Clerk