

TOWNSHIP OF PEMBERTON
REGULAR MEETING
January 20, 2021
6:00 P.M.

FLAG SALUTE

Council President Burton led the assembly in the Pledge of Allegiance, announced that notice of the meeting was given in accordance with the Open Public Meetings Act, and followed by roll call.

ROLL CALL

PRESENT

Donovan Gardner (Teleconference)
Elisabeth McCartney (Teleconference)
Jason Allen (Teleconference)
Paul Detrick
Gaye Burton

ABSENT

Also, present: Mayor David Patriarca, Business Administrator Daniel Hornickel, Solicitor Andrew Bayer and Deputy Township Clerk, Sunshine Dashiell.

CALL TO ORDER

Council President Burton called the meeting to order at approximately 6:00 p.m.

CLOSED SESSION

42-2021 Authorizes Council to go into Closed Session – Not Adopted

PUBLIC COMMENTS

Council President Burton opened this portion of the meeting for public comments.

George Petronis, Browns Mills – 1. Questioned if the El Sombrero Motel was used by the County to place people. Mayor Patriarca stated that he is not sure if the County uses this location and believes it is a rent by night location.

James Boland, Browns Mills – 1. Advised he had sent the questions to the Township Clerk. Ms. Dashiell advised that any questions need to be sent to the Clerk by 10:00 am the morning of the meeting. 2. Commented on contaminated water in wells in town and asked about public wells that are not being tested for this contaminate. 3. Stated that rental inspections have not been up to date for decades and asked what is being done to rectify this issue that is affecting our quality of life. 4. Asked why the El Sombrero License is being renewed and the Red Carpet is not. 5. Commented on the speeding and litter he brought up at the last meeting. Asked if any progress has been made in the last decade on speeding or litter. 6. Commented on the low number of summons issued through Animal Control and what is being done. Stated that local animal officials are upset at the Mayors refusal to participate in TNR. 7. Questioned why this governing body continues to shrug off cameras. 8. Questioned what the additional services were in Resolution 44-2021. Mr. Hornickel advised on the water testing and actions the Township had taken to monitor the wells. Stated that for rental inspections, staff has been increased with 2 trainees allowing for more time to be dedicated to rental inspections. Commented that the NJ Animal Control company did not have issue ticket books. Noted that the Police Chief looked into this and confirmed that the Court had issued these books to them and they are now able to write tickets. Lastly advised that in regard to cameras a single camera to be installed with the lens and hardware needed to see would cost about \$10,000.00 a camera. The camera needed would require a camera strong enough to read license plates. Stated that he often goes on the state website to look for available grants and has yet to find one for cameras. Mayor Patriarca advised that the Red-Carpet Inn has received a considerable amount of attention from the Township as well as the State Fire Marshalls office. Noted that they are currently in litigation and that we have brought them up on numerous charges and we continue to work through this. Stated that in regard to litter, we cannot control people throwing things out the window as they drive down the road. Advised he had sent Public Works down to Catesville Road for this reason. Stated we are actively pursuing this the best we can. Added that for Code Enforcement they are handing out record numbers of violations. Commented that he had spoken to one of the newly appointed staff members about working on a way to put the violations on the website monthly so you can see what is going on. Advised that he had been approached about TNR and that we did look into it because it is a problem, but not all residents are on board with the way the TNR program is run. Stated he thinks this program has good intentions but does not meet our ordinances and fit our community. Councilwoman McCartney thanked Mr. Boland for his questions. Noted

that she had responded to his questions about litter in her comments at the last meeting. Stated that there is nothing stopping our residents from starting an action to clean up an area. Advised that speeding is being evaluated and assessed. Council President Burton noted that she had offered to put together a group for cleanup of litter but COVID came about and that fell by the way side. Mayor Patriarca advised on the additional services under Resolution 44-2021 for two cases and those services are not covered under her current contract. Councilman Gardner asked if we could get the Police Chief to come to one of the meetings. Mayor Patriarca advised that they could invite him to come out. Councilman Gardner advised on trash being picked up and then it is right back out there. Commented on the cameras and the extreme cost to buy, maintain and then monitor them would be a lot of money to concentrate on for just one thing for the Township.

James Gray, Browns Mills – 1. Advised that he is happy that the ordinance was passed to stop the use of generators, but the ordinance is not strong enough as the resident continues to use it and the Police, at times, have made this an uphill challenge. Asked for more assistance from Administration and to allow Code Enforcement, the Fire Chief and the Electrical inspector, to inspect these things that are running day and night. Noted that this same home has been used as a boarding house and he is asking that Code Enforcement get involved with this as well.

Michelle Forman, Browns Mills – 1. Stated that the Police are very busy and that is why the tickets are so low. Thanked Patrolman Jett who helped her with the dog issue she was having. Stated that Code Enforcement has been working in the neighborhood she lives in. Stated she is disappointed in the Council for ignoring her issue with the dog that chased her son down the street. Noted that when she unmuted her phone to ask the Council she was muted again and not answered. Stated that when she talked to Mrs. Cosnoski, she was told that she was going to be kicked out of the meeting if she continued to unmute herself. Noted her disappointment and that she never heard of anyone being kicked out of a meeting for asking a question. Council President Burton noted that they did not ignore her and advised her that they would answer her this week, which was done. Noted that Council will answer questions in the way they feel comfortable and that is not always right when your questions are asked. Mr. Bayer noted that Public Comments is for the public to make comments or ask questions but is not a question-and-answer period and that Council has the right not to answer questions.

Steve Goen, Giordano - 1. Had no comments.

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

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.

Councilman Allen asked to pull Resolutions 47-2021 and 49-2021. Councilwoman McCartney asked to pull Resolution 51-2021.

***CONSENT AGENDA**

***MEETING MINUTES**

Regular Meeting Minutes of December 2, 2020 and December 16, 2020.

***CONSENT AGENDA RESOLUTIONS**

- | | |
|---------|--|
| 43-2021 | Authorizes renewal of Plenary Retail Consumption Licenses. |
| 44-2021 | Amends contract with Alison B. Weinroth, Esq., Pemberton Township Municipal Court Prosecutor for additional services. |
| 45-2021 | Authorizes waiving of residency requirement for Pemberton Township Deputy Municipal Court Administrator. |
| 46-2021 | Authorizes Change Order #1 and final payment under the contract awarded to R.D. Zeuli, Inc., for drainage repairs to Oak Pines Blvd. |
| 47-2021 | <i>Pulled from the Consent Agenda and considered later in the meeting.</i> |
| 48-2021 | Authorizes a contract with Adams, Rehmann & Heggan for dam inspection in an amount not to exceed \$25,500.00. |
| 49-2021 | <i>Pulled from the Consent Agenda and considered later in the meeting.</i> |

- 50-2021 Appoints new Deputy Court Administrator as an authorized Government Agent for Municipal Court Bank Accounts.
- 51-2021 *Pulled from the Consent Agenda and considered later in the meeting.*
- 52-2021 Authorizes various routine refunds.
- 53-2021 Authorizes transfer of funds in 2020 Budget.

***NEW BUSINESS**

- 1. Purchases over \$6,000
 - a. Public Works – Pump parts for sewer plant from Wastecorp Pumps LLC, in the total amount of \$9,841.00.
- 2. Yearly License Renewals
 - a. Tattooine Body Art – Body Art Establishment
 - b. Pine View Terrace LLC – Mobile Home Park
 - c. Belaire Estates – Mobile Home Park
 - d. Lakeshore Village – Mobile Home Park
 - e. El Sombrero Motel – Motel

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

Later in the meeting Council President Burton advised that she had accidentally voted yes to Resolution 44-2021, under the Consent Agenda, and then recused herself from only that Resolution. This is also noted below when the recusal took place.

RESOLUTIONS

- 47-2021 Authorizes purchase of floating dock from Commercial Recreation Specialists in the amount of \$37,933.34 for Reflections Park. *Pulled from the Consent Agenda.*

Councilman Allen asked what the process was for dock inspections, if it was similar to dam inspections and how often it occurs. Mayor Patriarca advised that at this time there are no state regulations for dock inspections but there are on the dam inspections which we do meet with. Advised that we currently have two docks on Bayberry and the one at Reflections Park which is scheduled to be replaced. Councilman Allen stated that a draft idea would be good for Council to review and stated we should have something in place. Councilman Gardner confirmed that the money being used to replace the dock was coming from leftover money from a grant we received. Stated it would be nice to have some place to sit by Reflections Park. Mayor Patriarca advised on a resident that was willing to make a donation.

Motion by Allen and Gardner to approve Resolution 47-2021. Allen, yes; Gardner, yes; McCartney, yes; Detrick, yes; Burton, yes. Motion carried.

- 49-2021 Accepts a grant from the U.S. Department of Agriculture, Bureau of Rural Development for Streetscape Improvements to Pemberton-Browns Mills Road in the amount of \$234,000.00. *Pulled from the Consent Agenda.*

Councilman Allen asked what remaining or additional work was being planned for this area. Mayor Patriarca advised on the continuing streetscape project. Advised that they had spoken to a developer today about one of the properties in this area. Councilman Detrick asked if this work had already been done. Mayor Patriarca advised that this work is planned to be done and that this has a matching component to it. Mr. Hornickel advised that we will have to budget for the rest.

Motion by Allen and McCartney to approve Resolution 49-2021. Allen, yes; McCartney, yes; Gardner, yes; Detrick, yes; Burton, yes. Motion carried.

- 51-2021 Authorizes the purchase of one (1) T770T4 Bobcat Compact Track Loader with a 60” Forestry Cutter and a 24” planer from Garden State Bobcat in the amount of \$129,024.56 for the Department of Public Works. *Pulled from the Consent Agenda.*

Councilwoman McCartney commented on the list that was given to Council about the current vehicles. Asked if there was software that was purchased to help organize the vehicle list. Mr. Hornickel advised that was correct and that the software would help with work orders and reporting activities throughout the Township. Explained the training that is needed and the conversion of the database that is pending. Noted that it will be about April before this is up and running. Councilwoman McCartney asked if this would give them a better list of vehicles. Mr. Hornickel confirmed that it would.

Motion by McCartney and Detrick to approve Resolution 51-2021. McCartney, yes; Detrick, yes; Allen, yes; Gardner, yes; Burton, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 1-2021

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPROVING REDEVELOPMENT OF THE SOUTH PEMBERTON RD REDEVELOPMENT AREA, CONSISTING OF BLOCK 790, LOT 1; BLOCK 791.01, LOT 1; BLOCK 791.02, LOT 1; BLOCK 792, LOT 1; BLOCK 793, LOTS 2.01, 3, 4.01, 4.02, 5, 6, 7, 8, 9, & 10.17; AND BLOCK 1999 LOT 2.

Mr. Bayer advised that this had previously been referred to the Planning Board to determine if this was an area in need of redevelopment. Explained where we are in the process. Introduced Chris Dochney from CME Associates and advised on his part in the process. Mr. Bayer advised that the Planning Board had made recommendations and noted what the changes were. Introduced Steve Goen who is the attorney for the developer interested in this area. Mr. Dochney and Mr. Goen joined the meeting via teleconference. Mr. Dochney explained the Redevelopment Plan and advised on the area that is in question. Noted the recommendations that were suggested by the Planning Board and the ideas for the development of this area. Noted that homes that are currently there will not be disturbed and explained how they will be protected. Discussion ensued on the placement of any structures and the setbacks that would be put in place. Mr. Goen advised on the original plan for this area and explained some of the new ideas that the developer is working on. Advised that the developer would work with the town to come to an agreement on a plan that fits within these parameters. Discussion ensued on the height of any structures, vegetative buffers and the length of the setbacks. It was noted that the sidewalks would be 6 feet with the approval to do less if wanted to match what the County had done.

Motion by Detrick and Allen to Introduce Ordinance 1-2021 with recommended changes to building height, setbacks and sidewalks, with a Public Hearing to be held on February 3, 2021. Detrick, yes; Allen, yes; Gardner, yes; McCartney, yes; Burton, yes. Motion carried.

ORDINANCE NO. 2-2021

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON REPEALING ORDINANCE 25-2020 BY AMENDING CHAPTER 182 SECTION 31 OF THE TOWNSHIP CODE ENTITLED VEHICLES AND TRAFFIC SCHEDULE A: NO PARKING TO PROHIBIT PARKING ON THE SOUTH SIDE OF THOMAS STREET.

Mr. Bayer advised that this was to cleanup a previously adopted ordinance. Mr. Hornickel explained the confusion in the original ordinance with the blocks and lots.

Motion by McCartney and Gardner to Introduce Ordinance 2-2021 with a Public Hearing to be held on February 3, 2021. McCartney, yes; Gardner, yes; Allen, yes; Detrick, yes; Burton, yes. Motion carried.

REPORTS & COMMUNICATIONS

- a. Engineer's Report – 1/15/2021 – Had no comments.

BILL LIST

Approval by Council required for payment of vouchers on Bill List dated 1/15/2021.

Motion by Gardner and Detrick to approve the Bill List. Gardner, yes; Detrick, yes; Allen, yes with the exception of any and all grants and bills pertaining to the NJ State Police or the Attorney General's office including page 30 G02-41-881-000-002; McCartney, yes; Burton, yes. Motion carried.

Council President Burton advised that she had accidentally voted yes to Resolution 44-2021, under the Consent Agenda, and then recused herself from only that resolution.

SOLICITOR'S REPORT:

Mr. Bayer reported: Nothing to report.

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

Mayor David Patriarca: Noted we are starting a new stormwater project on Cherokee Drive. Advised that we had recently installed Bipolar Ionization units in the buildings to clean the air that is being filtered throughout the building. Stated this will help to keep our employees and residents safer when coming into the building. Stated the online auction was being finished up. Noted a fire hose we could no longer use that is being repurposed to another state. Advised on a park project that will be starting in Country Lakes in the area located at the end of Spring Lake Boulevard. Explained that many people call this the beach but it actually is not a beach but is Township property. Advised on the creation of a park and protecting the interest of the Township at the same time. Added that this is used by very few as a beach but since it is not an actual public beach, there is no lifeguard and this can cause a liability to the town and people are using this area in a way they should not be. Explained how they will be putting in a pocket park and that rocks have been placed in the area to deter swimming. Noted that this work was all being done in house through Public Works. Stated that a playground would be located there with a dock, fishing piers, a walk trail and some benches and asked that Council and residents have some patience. Noted the various projects that have been done in house by Public Works already and how nice they have come out. Advised on the wastewater treatment plant and the various projects that continue including the installation of a 120-foot field drain. Noted the employees are seeing the changes and wants others to know that we are doing what we said we would and providing the residents a quality product.

Daniel Hornickel reported: Advised that he and the Mayor were trying to convince NJ American Water to meet with them to discuss swapping water development rights with the Sunbury Development for the one on Route 206 but they are refusing to let the one by Sunbury go. Advised that the Counties COVID-19 site is now up and running and is a Mega Site at the Moorestown Mall and noted the ways to sign up through Virtua or the Burlington County website.

COMMENTS BY COUNCIL MEMBERS:

Councilman Gardner – Asked the Mayor to advise on the discussion they had earlier. Mayor Patriarca noted that they had talked about the beautiful views that we have in town that you cannot see because of the brush along the lake. Noted a machine that will clear the brush and that our new tree crew and go out and start this work raising the canopies for people to see the lakes including along Lakeshore Drive. Councilman Gardner thanked all for calling in and to keep calling in and to have a good night.

Councilwoman McCartney – Thanked Administration for keep Council up to date in what is going on as well as sending them the reports. Noted that the vaccination information is on our website under the COVID News updates. Stated that there have been a lot of improvements throughout the community. Advised that when she worked with the Mayor on the triangle project, she stated it was important to him that it be pristine. Noted it is a team effort that includes the community. Stated that cleaning up the litter is a community project. Thanked all for calling in and stated it is a good day.

Councilman Allen – Advised that Burlington County families that cannot afford laptops can get them through a PILOT program. Stated that for more information you can email computersmiles@gmail.org. Stated that mold, mildew and algae happen overtime to the water towers and asked if the exterior could be cleaned and what the estimated cost would be. Mr. Hornickel advised that there is a schedule for all of the water towers. Noted that the cleaning would cost approximately \$25,000.00 to \$50,000.00 and we do not usually schedule cleaning until other work is needed. Noted that they have talked to the Engineer about the cost to replace the tanks. Advised that to clean and update would be roughly \$400,000.00 to a tank that is approximately 60 years old and \$600,000.00 for a new tank. Commented that they have asked the Engineer to provide us with estimates for both options. Councilman Allen had mentioned a possible suggestion box for residents that could be checked weekly. Advised that he is mentioning again as he thinks it is a good idea and a good way to get resident input.

Noted that in regard to the litter issue, the Township has trash receptacles strategically placed throughout the town and has always been proactive with litter, but it also starts at home and we cannot completely control this. Commented that Councilwoman McCartney practices what she preaches because he has personally driven by on a weekend and saw her and her husband out there cleaning up. Thanked all for calling in and looking forward to the next meeting.

Councilman Detrick – Questioned the placement of street lamps. Advised that at the intersection of Mt. Misery and Four Mile Road it is very dark. Mayor Patriarca advised that on the website there is a location to report this to JCP&L or PSE&G. Added that residents can call the office to report also. Noted that the Police often advise of lights that are out as well. Councilman Detrick asked about requests for lights. Mayor Patriarca stated that we do accept requests and that Public Works will get sent out to evaluate when requests are made. Councilman Detrick thanked all for calling in.

Council President Burton – Thanked all for calling in with their comments and concerns. Thanked her colleagues and agreed that today is a good day. Stated she is glad about the project in Country Lakes. Thanked all for calling in.

The meeting was adjourned at approximately 8:43 p.m.

Respectfully submitted by,

Sunshine Dashiell, Deputy Township Clerk