

TOWNSHIP OF PEMBERTON
REGULAR MEETING
November 4, 2020
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

Elisabeth McCartney
Jason Allen
Donovan Gardner
Norma Trueblood
Gaye Burton

ABSENT

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

CALL TO ORDER

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

CLOSED SESSION

251-2020 Authorizes Council to go into Closed Session – Not Adopted

PUBLIC COMMENTS

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

America Phillips, Presidential Lakes – 1. Commented on the ordinance pertaining to generators and noted she does not feel it is right because when residents lose power, they need to use a generator. Councilman Gardner explained that this was to prevent people from using a generator during non-emergency times as their primary source of power.

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.

Council President Burton asked for Resolution 268-2020 to be added to the consent agenda.

Motion by Allen and Gardner to add Resolution 268-2020 to the Consent Agenda. Allen, yes; Gardner, yes; Trueblood, yes; McCartney, yes; Burton, yes. Motion carried.

Councilman Allen asked to pull Resolutions 257-2020 and 260-2020. Councilwoman McCartney asked to pull Resolutions 254-2020, 259-2020, 266-2020 and 267-2020.

Business Administrator Hornickel asked to table Resolution 258-2020 until the next meeting.

Motion by McCartney and Trueblood to table Resolution 258-2020 to the December 2nd, 2020 meeting. McCartney, yes; Trueblood, yes; Gardner, yes; Allen, yes; Burton, yes. Motion carried.

***CONSENT AGENDA**

***CONSENT AGENDA RESOLUTIONS**

254-2020	<i>Pulled from the Consent Agenda and considered later in the meeting.</i>
255-2020	Authorizes renewal of Club License for the sale of alcohol for the term 2020-2021.
256-2019	Group Affidavit attesting Council's review of 2019 Audit Sections.
257-2020	<i>Pulled from the Consent Agenda and considered later in the meeting.</i>

- 258-2020
TABLED Authorizes the purchase of enterprise wide software from Spatial Data Logic for various departments in an amount not to exceed \$65,700.00.
- 259-2020 *Pulled from the Consent Agenda and considered later in the meeting.*
- 260-2020 *Pulled from the Consent Agenda and considered later in the meeting.*
- 261-2020 Authorizes a contract with Adams, Rehmann & Heggan for Construction Management Services for the Sewer Treatment Plant UV Disinfection System Replacement.
- 262-2020 Authorizes amendment #1 to the award of a contract for the provision of Emergency Vehicle Equipment Repair to Fire Apparatus Repair, Inc.
- 263-2020 Authorizes various routine refunds.
- 264-2020 Authorizes the purchase of Hot Mix Asphalt (Bituminous Concrete) from American Asphalt Company, Inc. in an amount not to exceed \$120,000.00, under Burlington County Cooperative Contract No. 4-BUCCP-19005.
- 265-2020 Appoints Linda Vadon as Fire Police Officer for the Pemberton Township Volunteer Fire Company.
- 266-2020 *Pulled from the Consent Agenda and considered later in the meeting.*
- 267-2020 *Pulled from the Consent Agenda and considered later in the meeting.*
- 268-2020
ADDED Authorizes purchases from Johnson & Towers Inc., for heavy duty truck engine repairs up to the statutory maximum of \$44,000.00 for the Township of Pemberton.

NEW BUSINESS

- *a. Purchases over \$6,000
1. Public Works – 2 Used 10' Dump Bodies from A&A Truck Parts, Inc. in the total amount of \$9,000.00.
 2. Police – Police uniforms from Gall's in the total amount of \$8,029.41

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

RESOLUTIONS

- 254-2020 Authorizes transfer of funds in the Current Fund for FY2020 Budget.
Pulled from the Consent Agenda.

Councilwoman McCartney asked about the budget line for Solid Waste Disposal transfer. Mr. Hornickel explained that this was for garbage disposal fees. Advised that due to the stay at home order and people being home, our tipping fee increases significantly and we are going to ask for reimbursement.

Motion by McCartney and Allen to approve Resolution 254-2020. McCartney, yes; Allen, yes; Gardner, yes, Trueblood, yes; Burton, yes. Motion carried.

- 257-2020 Authorizes a contract with New Jersey State Contract Vendor Municibid to conduct an online Public Auction of personal property owned by the Township not needed for public use. *Pulled from the Consent Agenda.*

Councilman Allen asked why there was no cost to the township and why the company was not charging a fee for its services. Also asked what properties the Township was looking to sell. Mr. Hornickel explained how the company makes money and that he would provide a list of properties to Council at the December 2nd meeting. It was also noted that this was not for actual property, rather items no longer needed by the Township.

Motion by Allen and Gardner to approve Resolution 257-2020. Allen, yes; Gardner, yes; Trueblood, yes; McCartney, yes; Burton, yes. Motion carried.

- 259-2020 Consents to transfer of ownership of 200 South Pemberton Urban Renewal, LLC, from Seldat Real Estate Holding Company, LLC, to DD1 Real Estate Holding LLC and rescission of Resolution No.

Councilwoman McCartney asked what property this was related to. Mr. Hornickel advised it was the property at the corner of S. Pemberton and Birmingham Road under redevelopment and the owner was changing from a Pennsylvania based company to a Delaware based company that he has now formed.

Motion by Gardner and McCartney to approve Resolution 259-2020. Gardner, yes; McCartney, yes; Allen, yes; Trueblood, yes; Burton, yes. Motion carried.

260-2020 Accepts funds from the NJ Department of Law and Public Safety in the amount of \$6,000 from the State FY2021 Drunk Driving Enforcement Fund. *Pulled from the Consent Agenda.*

Councilman Allen advised that he would need to abstain from this Resolution as the funds would be coming from his employer.

Motion by Gardner and McCartney to approve Resolution 260-2020. Gardner, yes; McCartney, yes; Allen, abstain; Trueblood, yes; Burton, yes. Motion carried.

266-2020 Authorizes the Township to apply for Cares Act Funding through the Local Government Emergency Fund. *Pulled from the Consent Agenda.*

Councilwoman McCartney asked about the Cares Act funding. Mr. Hornickel explained the funding and what we were looking to get reimbursed for. Councilwoman McCartney asked about the expense to care for the homeless population. Mr. Hornickel noted that the County is the primary agency that deals with the homeless. Discussion ensued on the homeless population and how they are taken care of. Councilman Gardner asked for an explanation of the tipping fees. Mr. Hornickel advised that the Township contracts with a solid waste company and when they collect the trash, they take it to the landfill and weigh it and we pay what is known as a tipping fee for the tonnage amount.

Motion by McCartney and Gardner to approve Resolution 266-2020. McCartney, yes; Gardner, yes; Trueblood, yes; Allen, yes; Burton, yes. Motion carried.

267-2020 Amends Resolution 220-2020 Authorizing the rental of two trash trucks from Big Truck Rental in the amount of \$26,719.20 for the Public Works Department. *Pulled from the Consent Agenda.*

Councilwoman McCartney asked Mr. Hornickel to clarify the needs for these vehicles. Mr. Hornickel advised that these had already been approved a couple of meetings ago, but that there had to be an adjustment to the cost for the delivery of the trucks.

Motion by McCartney and Trueblood to approve Resolution 267-2020. McCartney, yes; Trueblood, yes; Gardner, yes; Allen, yes; Burton, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE 24-2020

BOND ORDINANCE PROVIDING FOR NEW LISBON WATER SYSTEM IMPROVEMENTS THROUGH THE PINELANDS INFRASTRUCTURE TRUST FUND, BY THE WATER UTILITY OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY; APPROPRIATING \$2,929,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$1,171,600) AND AUTHORIZING THE ISSUANCE OF \$1,757,400 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Motion by McCartney and Allen to introduce Ordinance 24-2020 with a public hearing to be held at the December 2, 2020 meeting. McCartney, yes; Allen, yes; Gardner, yes; Trueblood, yes; Burton, yes. Motion carried.

ORDINANCE 25-2020

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON 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

Councilman Allen asked how this parking restriction came about and where this street is located. Mr. Hornickel explained that there have been complaints received regarding the

property at the corner of Thomas and Vincentown Roads. Advised that the Engineer went out to observe the situation. Noted that their findings were shared with Pemberton Borough who was also affected by this property and stated that they also would be approving a like ordinance. Councilwoman McCartney asked if the properties in question have driveways. Mr. Hornickel noted that they do. Mr. Bayer reminded Council of the complainants that had come to the meeting.

Motion by McCartney and Trueblood to introduce Ordinance 25-2020 with a public hearing to be held at the December 2, 2020 meeting. McCartney, yes; Trueblood, yes; Gardner, yes; Allen, yes; Burton, yes. Motion carried.

ORDINANCE 26-2020

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 132 ENTITLED 'NOISE'; ARTICLE III ENTITLED PLAINLY AUDIBLE NOISE; SECTION 11 ENTITLED LOUD, DISTURBING AND UNNECESSARY NOISE TO PROHIBIT CERTAIN NOISE EMANATING FROM RESIDENTIAL USE OF ELECTRIC GENERATORS.

Councilman Allen asked if, due to some confusion, if the Solicitor could clarify some of the information for the public to have an understanding. Mr. Bayer explained that the goal was to eliminate generators being used 24-hours a day, as a primary source of power to a residential home. Added that the exception would be when power is interrupted beyond the control of the resident such as during a storm. Noted that he and the Mayor had also discussed looking into this from the zoning perspective. Commented that this only applies to residential zones.

Motion by Gardner and McCartney to introduce Ordinance 26-2020 with a public hearing to be held at the December 2, 2020 meeting. Gardner, yes; McCartney, yes; Allen, yes; Trueblood, yes; Burton, yes. Motion carried.

OTHER RESOLUTIONS

Ms. Cosnoski advised that hopefully at a future meeting when restrictions have been lifted, all of the retirees could be fully recognized with their families present.

Council President Burton read the following resolutions into the record.

252-2020 Recognition of Dedication of Public Service by Carlos Quinones.

Motion by Gardner and Trueblood to approve Resolution 252-2020. Gardner, yes; Trueblood, yes; McCartney, yes; Allen, yes; Burton, yes. Motion carried.

253-2020 Recognition of Dedication of Public Service by Nixon Flores.

Motion by Allen and Gardner to approve Resolution 253-2020. Allen, yes; Gardner, yes; Trueblood, yes; McCartney, yes; Burton, yes. Motion carried.

NEW BUSINESS

- b. Council's review of New Jersey Department of Community Affairs Best Practices Questionnaire.

Councilwoman McCartney asked what this does for the Township. Mr. Hornickel advised and noted that this is mandated by the State and is directly linked to State Aid. Councilman Allen asked about our overall score. Mr. Hornickel noted that the results are sent to the Department of Community Affairs and they do the scoring. Councilman Allen asked about question number 33 and if we had explored this. Mr. Hornickel stated that the Community Development office had made an application for this.

REPORTS & COMMUNICATIONS

- a. Engineer's Report – 10/30/2020

Councilman Gardner asked about page 2, item 3, and the Oak Pines Drainage project and if the only work remaining was the final milling and overlay and how long it would take. Mr. Hornickel explained how the process works and that it would need a few more weeks to cure.

BILL LIST

Approval by Council required for payment of vouchers on Bill List dated 10/30/2020.

Motion by Gardner and McCartney to approve the Bill List. Gardner, yes; McCartney, 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 especially page 2, letter G-02-41-881-00-002 Drunk Driving 2016-2017; Trueblood, yes; Burton, yes. Motion carried.

SOLICITOR'S REPORT:

Mr. Bayer reported: No comments.

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

Mayor David Patriarca: Advised that the streetscaping has begun downtown. Added that the Nesbit Trail Project has been completed with all of the work being done by Public Works. Commented on the road paving operations and that 20,880 linear feet which is just under 4 miles of roadway had been completed. Noted that on Rancocas Road there was a sewer main repair project. Advised on lowering the lakes and that we are waiting on the permits to come in. Asked for boat owners to get their boats out of the lakes. Noted that this is done to maintain vegetation control. Commented on the drive by Trunk or Treat collaboration between the Fire Department and the Recreation Center. Commended all of those that came together in these times to give the kids some kind of normalcy. Added that the Bianchini Playground has been completed on the Presidential Lakes Beach and that there would be an opening on November 9th, but it would be limited due to COVID. Stated that they would be trying to get some family members of Dominic Bianchini to attend as the park was named after him. Advised that we are working on some property clean ups throughout the town for properties that are being used by people that do not own them. Noted that they are currently working on the Lake Valley alleyways. Stated that when this project was approved it was done poorly and explained the issues. Commented that they are currently working on resolving these problems with a maintenance agreement. Commended those that won the Election. Council President Burton stated that she was happy to hear about the Lake Valley alleyways and thinks the residents there will be happy. Discussion ensued on the Lake Valley alleyways and the Townships responsibilities. Mr. Bayer explained further.

Daniel Hornickel reported: Noted that Room 9 has been completed and that furniture has been ordered. Added that the safety glass window project is almost completed. Stated that they are requesting quotes for fob access to various locations. Noted Governors Executive order no. 192 would go into effect tomorrow. Advised on the efforts being made to keep Coronavirus out of the workplace. Explained that all employees would have to be assessed each day until told otherwise. Added that some departments would be doing temperature checks when employees arrived while others would fill out a screening form. Advised that there would be a drive-up flu clinic at the Presidential Lakes firehouse from 9:00 am to 11:00 am.

COMMENTS BY COUNCIL MEMBERS:

Council President Burton – Thanked all those that came out. Congratulated those that won the Election. Commented on some of the TAG events and asked if some of the events could be put on the front page of the Township website.

Councilwoman McCartney – Stated that she is honored to work with everyone noted her appreciation for working together for the residents. Commented on brochures that TAG has with resource information on them. Asked if it would be possible to get a few copies put in Council's mailboxes to hand out. Asked if they could get a road program and a fleet maintenance update. Questioned if there were any updates on the Census information so she could thank the Superintendent for his assistance. Advised that she had some residents who noted they were hesitant to come to the meetings because of COVID. Questioned if Council could discuss options for future meetings as to going back to calling in or doing both. Mrs. Cosnoski advised why both could not be done at the same time due to the limitations of the older sound and recording system. Discussion ensued on how to go forward with the meetings. Mr. Bayer advised that some rules have changed and if they go remote, everyone has to be remote. Councilman Gardner suggested a Facebook Live or YouTube video to show residents they are working for them. Discussion ensued on the situation and everyone's level of security. Mrs. Cosnoski noted that by law we have to allow residents to participate in the meeting. Mr. Bayer stated he would look into the changes and get back to Mrs. Cosnoski

and the Mayor. Mrs. Cosnoski stated she would reach out to some of the other towns in Burlington County to see how they are handling their meetings.

Councilman Allen – Had no comments.

Councilwoman Trueblood – Thanked everyone for coming out. Wished all a Happy Thanksgiving. Commented on the more than 50 homes that participated in the Halloween Contest. Stated that she has noticed several of the residents coming together. Mayor Patriarca noted that Recreation is looking into doing a contest like this for Christmas as well as there will be many limitations for Christmas as well.

Councilman Gardner – Noted that he had an idea for a Spring project around Mirror Lake. Thanked everyone for coming out. Welcomed Ms. Phillips back.

The meeting was adjourned at approximately 7:24 p.m.

Respectfully submitted by,

Amy P. Cosnoski, RMC, Township Clerk