

**TOWNSHIP OF PEMBERTON
REGULAR MEETING**

**December 4, 2019
6:00 P.M.**

FLAG SALUTE

Council President Trueblood 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
Gaye Burton
Norma Trueblood

ABSENT

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

CALL TO ORDER

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

CLOSED SESSION

258-2019 Authorizes Council to go into Closed Session – Not Adopted

PRESENTATIONS

- a. Police Chief David Jantas presenting Body Worn Cameras

Police Chief Jantas presented the body worn cameras and explained the year long process the department had to go through. Noted that they still do not have and advised on what the hold up currently is. Advised that he is confident that they will be delivered in January. Commented on the training they are doing on redaction software and policies. Explained the score card that he had presented to Council and the need for their compliance with the all of the items on this sheet. Noted that they have complied with all areas and that the Federal evaluators complimented the Township on their Body Worn Camera policy. Councilman Gardner asked how the cameras will get turned on once they are in place. Chief Jantas advised that the system they purchased will turn the cameras on once lights and sirens are activated in the car. Noted that if an officer is approached to perform police duties while not in the car, they can just tap on the camera to activate it. Added that the entire policy, for the cameras, will be available to the public. Councilwoman Burton asked if the policy provided guidance on citizen request for non-recording. Chief Jantas advised that it did and explained. Councilman Gardner asked how long the video can be kept for. Chief Jantas advised that the system that they purchased allowed them to purchase a 60 terabytes server and that there will be an area for long term storage. Councilwoman Burton asked about the officers reviewing each other's video and why would they want to do that. Chief Jantas advised it may be done for training purposed and added that this was not for officers to go in and casually watch the videos. Noted that in the policy it stipulates that supervisors will monitor 2 hours of non-evidentiary video to see what the officers are doing out there. Discussion ensued on the watching of the videos with a supervisor. Councilwoman McCartney asked about the vendor and it was noted that it was Panasonic. Councilwoman McCartney asked how we got the Federal grant. Chief Jantas noted that the approval was received from Administration and Council and that he had written the grant under advice and consent of Council. Councilwoman McCartney thanked the Chief for writing the grant and for choosing the best for our officers and residents. Chief Jantas noted that when the cameras first came out officers were skeptical, but that all of the officers and rank and file guys are ready to get them and are very supportive of this program. Noted that they will be letting the public know when the cameras are being deployed. Council President Trueblood asked if the officers are all on board with the cameras. Chief Jantas stated they are and how useful they are. Councilwoman Burton asked if the policy addresses wearing the camera off duty. Chief Jantas advised that they would not be worn off duty. Councilman Allen asked if the Chief had any information about the County Forensic Center now being located here in the Township. Chief Jantas advised that he had not attended the opening of the facility but that the Mayor and Administrator had. Councilman Gardner asked about the turning on of the lights activating the cameras and what about calls where no lights or sirens are activated. Chief Jantas noted

they would have to physically activate them. Councilman Gardner asked about the date and time stamp on the camera and if they will have town and officer information. Chief Jantas noted it will. Mayor Patriarca asked if we are still utilizing microphones with the in the car dash camera and if this is going to take over the audio. Chief Jantas said that it may and explained. Discussion ensued on how the video and audio would work.

- b. New Jersey State Veterans Chamber of Commerce - Veteran Friendly Municipality Program.

Lt. Col. Pete Lupo explained his position and the purpose of this organization. Advised that they help working people while they are deployed and upon their return. Explained the three principles they focus on. Councilman Allen asked if, aside from the resolution, if the organization worked with the Township on any follow up. Lt. Col. Lupo explained that they send RFP's to members of the military that have experience in the various areas that are needed. Council President Trueblood asked about other municipalities that are working with them that have adopted a resolution. Lt. Col. Lupo advised on the other towns that have adopted an ordinance or resolution including Hackensack and Lacey Township. Stated that since he started in October there have been 13 municipalities that have adopted it but none in Burlington County. Mr. Bayer asked about the set aside for Veterans regarding bidding. Mr. Hornickel explained that we would announce our intention to set aside a particular bid for Veterans to bid upon and if we had 2 Veterans firms that respond to that bid and they are competitive then we can award it to one of the two companies. Lt. Col. Lupo added that another way to satisfy it is to also sub it out and explained. Mr. Bayer asked if he had a form ordinance or resolution. Mr. Hornickel advised it was on the agenda for tonight. Councilwoman McCartney asked about the Veterans celebration and reaching out to our Veterans Committee. Mr. Hornickel stated that would be part of our municipality.

PUBLIC COMMENTS

This portion of the meeting was opened for public comments.

George Petronis, Browns Mills – 1. Commented on the condition of Press Avenue and thanked Council and the Mayor for the work being done on the roadway. 2. Commented on the Body Worn cameras and noted that he is personally fine with talking to an officer on camera but it wondering if the video would be releasable under OPRA. Noted that his concern is with a conversation with an officer being available to anyone. Mr. Bayer stated he believes it would be releasable under OPRA but will look into it and noted that we would have to comply with State law. Mr. Hornickel stated that they are already recording so there is no difference other than audio to go with the video. Mr. Petronis stated that his concern is with a busy body neighbor just looking to see a tape. Discussion ensued on the recordings and being released under OPRA.

James Boland, Browns Mills – 1. Commented on the Body Worn cameras and OPRA and the cost to obtain the footage possibly deterring busy bodies. 2. Commented on the Veterans presentation and asked if this is something that has to be fully adopted and embraced because there were some good things and some bad, specifically in relation to hiring. Councilwoman McCartney commented on the 6% for hiring. Mayor Patriarca noted that we are a civil service town and that veterans already have preference and explained. 3. Commented on the RING doorbell and noted that he had sent an email to Councilman Gardner. 4. Mr. Boland commented on some Planning Board meetings and that things had gotten pretty hot due to the definition of an office. Commented on the situation at Solstice and how they applied versus the type of business they are actually running. Commented on amending the ordinance to clarify the definition of an office in a GCLI zone. Discussion ensued about the application to the Planning Board. 5. Asked about some money being put into the Nesbit Center and asked if it was going to be available to the public. Mayor Patriarca noted that it is available to the public and what he is thinking of is the BCAAP tot lot.

America Phillips, Presidential Lakes – 1. Asked for an update on the firehouse in Presidential Lakes. Mayor Patriarca noted that the contractor is in there now working on the punch list of small items that need to be addressed. Ms. Phillips asked how many trucks would be parked in the building. Mayor Patriarca advised that the equipment designation will come from the Fire Chief which they have not discussed yet. 2. Ms. Phillips asked about the benches on the dam on Lakehurst Road and if more could be put there. Mayor Patriarca noted that they could look into that. 3. Ms. Phillips commented on New York and West Virginia Roads and a house that has been empty for more than 10 years. 4. Thanked Administration for the bleachers that were brought to the park in Presidential Lakes.

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.

Councilman Allen asked to pull Resolution 267-2019 and New Business item a1 and a 2. Councilman Gardner asked to pull Resolutions 268-2019, 269-2019 and New Business item b. Councilwoman Burton asked to pull Resolution 274-2019.

***CONSENT AGENDA**

MEETING MINUTES

Regular Meeting Minutes of November 6, 2019

Motion by Gardner and Burton to approve the November 6, 2019 Meeting Minutes. Gardner, yes; Burton, yes; McCartney, abstain; Allen, abstain; Trueblood, yes. Motion carried.

***CONSENT AGENDA RESOLUTIONS**

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| 259-2019 | Authorizes various routine refunds in the total amount of \$263.00. |
| 260-2019 | Authorizes the cancellation of unexpended grant appropriations and open fund receivables for 2018 Sepulga Drive in the amount of \$30,430.37. |
| 261-2019 | Authorizes the use of Small Cities Community Block Grant Funds for Housing Rehabilitation Program for Moon in the amount of \$19,800.00. |
| 262-2019 | Authorizes the use of Small Cities Community Block Grant Funds for Housing Rehabilitation Program for Davis in the amount of \$20,000.00. |
| 263-2019 | Authorizes the use of Small Cities Community Block Grant Funds for Housing Rehabilitation Program for Palmer in the amount of \$15,350.00. |
| 264-2019 | Authorizes the use of Small Cities Community Block Grant Funds for Housing Rehabilitation Program for Hardin in the amount of \$19,800.00. |
| 265-2019 | Authorizes the use of Small Cities Community Block Grant Funds for Housing Rehabilitation Program for Russaw in the amount of \$18,150.00. |
| 266-2019 | Authorizes the transfer of funds in the amount of \$69,600.00. |
| 267-2019 | <i>Pulled from the Consent Agenda and considered later in the meeting.</i> |
| 268-2019 | <i>Pulled from the Consent Agenda and considered later in the meeting.</i> |
| 269-2019 | <i>Pulled from the Consent Agenda and considered later in the meeting.</i> |
| 270-2019 | Authorizes the execution of a consent for treatment works approval for 424 Trenton Road LLC. |
| 271-2019 | Authorizes the waiver of facility use fees for the Pemberton Township High School Girls Soccer Team. |
| 272-2019 | Authorizes the renewal of the Township's Volunteer Sports Accident Insurance Policy through QBE Insurance Corp. for CY2020. |
| 273-2019 | Authorizes an application to the Governor's Council on Alcoholism and Drug Abuse for the FY2021 Municipal Alliance Grant. |
| 274-2019 | <i>Pulled from the Consent Agenda and considered later in the meeting.</i> |
| 275-2019 | Authorizes the Township of Pemberton to grant consent to the Pemberton Township Volunteer Fire Company to apply for a loan to fund energy efficiency improvements. |

NEW BUSINESS

***a.** Purchases over \$3,000

1. Recreation - Two 20x30 shade structures for Nesbit and West End Parks from General Recreation, Inc., in the total amount of \$16,896.00. *Pulled from the Consent Agenda and considered later in the meeting.*
2. Recreation - Four adjustable basketball hoops for Nesbit and West End Parks from General Recreation, Inc., in the total amount of \$7,850.00. *Pulled from the Consent Agenda and considered later in the meeting.*
3. Recreation - Four 8 ft. long ADA approved picnic tables for Nesbit Park from MRC Gametime, in the total amount of \$6,707.31.

4. Police - 2020 Ford Utility Interceptor from Chas Winner Ford, in the total amount of \$31,234.00.

5. Public Works - Installation of 3 condensing units, refrigerant Lines and liquid line driers at Firehouse/Recreation Building from Arctic Heating & Cooling, in the total amount of \$3,500.00.

b. 2020 Annual License Renewals: *Pulled from the Consent Agenda and considered later in the meeting.*

Trailer Park Licenses: Pine View Terrace
Lakeshore Mobile Village
Belaire Estates

*contingent on payment of all municipal fees

c. Discussion of setting date for 2020 Reorganization Meeting.

Motion by McCartney and Burton to approve the Consent Agenda as amended.

McCartney, yes; Burton, yes; Gardner, yes; Allen, yes; Trueblood, yes. Motion carried.

RESOLUTIONS

267-2019 Authorizes amendment #1 to the award of a contract for the provision of Computer Networking and Information Technology Services to LookFirst Technology. *Pulled from the Consent Agenda.*

Councilman Allen asked for clarification on his ability to take part in matters involving the MUA. Mr. Bayer stated that he could take part as the two entities are now working together.

Motion by Allen and Gardner to approve Resolution 267-2019. Allen, yes; Gardner, yes; Burton, yes; McCartney, yes; Trueblood, yes. Motion carried.

268-2019 Authorizes the purchase of electricity supply services for public use through an online auction. *Pulled from the Consent Agenda.*

Councilman Gardner asked for Administration to clarify the Resolution. Mr. Hornickel provided an overview on the process and the cost savings.

Motion by Gardner and Burton to approve Resolution 268-2019. Gardner, yes; Burton, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

269-2019 Authorizes a contract for CY2020 for the Administration of the Pemberton Township Employee Medical Benefits Program with Stop Loss Coverage. *Pulled from the Consent Agenda.*

Motion by Gardner and Burton to approve Resolution 269-2019. Gardner, yes; Burton, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

274-2019 Establishes goals for contracting with Veteran Owned Business Enterprises, hiring Veterans in the municipal workforce and recognizing the military service of resident in the civic affairs of the Township. *Pulled from the Consent Agenda.*

Councilwoman Burton asked for clarification on this Resolution and what the need was to adopt this if we already give Veterans preference. Mr. Hornickel advised that this resolution established goals and advised what they were. Advised that if they could expand the pool of vendors by passing a resolution like this and working with the Veterans Chamber of Commerce, he thinks we will reap the benefits. Councilwoman McCartney noted that this answered her question with number 6 about the celebration. Mr. Hornickel stated that they could certainly use our Veterans Advisory Committee to help get the event launched. Mayor Patriarca asked that they keep in mind the goal is to make a good faith effort and does not mean that we are bound to numbers 1 through 6. Discussion ensued on the goals and efforts.

Motion by Burton and McCartney to approve Resolution 274-2019. Burton, yes; McCartney, yes; Allen, yes; Gardner, yes; Trueblood, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE 35-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 190 ENTITLED "ZONING", ARTICLE V ENTITLED "GENERAL REGULATIONS", SECTION 190-45 (G) ENTITLED "SITE PLAN WAIVERS"

Councilwoman Burton asked for an explanation. Mr. Bayer advised that this came as a recommendation from the Planning Board and is to make it easier for residents to get a site plan approval and explained the current provisions. Mr. Hornickel advised that this was making some technical changes to allow the waiving of the more formal process if proposed expansion or construction is minor.

Motion by Burton and Gardner to introduce Ordinance 35-2019 with a public hearing to be held at the December 18th meeting. Burton, yes; Gardner, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

ORDINANCE 36-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON ADOPTING THE RATES, RULES & REGULATIONS APPLICABLE TO SEWERAGE SERVICE OF THE PEMBERTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY TO APPLY TO THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF SEWER

Mr. Hornickel advised that based on the timing of events to get things done with the MUA, they are going to review the rules and regulations of the MUA and are asking that the current rules and regulations be adopted and then they will be reviewed in 2020. Mr. Bayer advised that this would allow for rules and regulations to be in existence on January 1st instead of January 10th. Noted that this is just a process to cover the gap.

Motion by McCartney and Gardner to introduce Ordinance 36-2019 with a public hearing to be held at the December 18th meeting. McCartney, yes; Gardner, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

NEW BUSINESS

***a.** Purchases over \$3,000

1. Recreation - Two 20x30 shade structures for Nesbit and West End Parks from General Recreation, Inc., in the total amount of \$16,896.00. *Pulled from the Consent Agenda.*

Councilman Allen asked if our Department of Public Works will be installing the structures. Mayor Patriarca noted that they would and that it would be Recreation as some of the people from public works have been moved into Recreation.

Motion by Allen and McCartney to approve New Business item a1. Allen, yes; McCartney, yes; Gardner, yes; Burton, yes; Trueblood, yes. Motion carried.

2. Recreation - Four adjustable basketball hoops or Nesbit and West End Parks from General Recreation, Inc., in the total amount of \$7,850.00. *Pulled from the Consent Agenda.*

Councilman Allen asked if there was any intent to resurface some our basketball courts. Mr. Hornickel said yes and that they would like to convert some unused tennis courts into junior basketball courts and are buying equipment to get this done. Mayor Patriarca advised that they are waiting on one more quote to do the conversions.

Motion by Allen and Burton to approve New Business item a2. Allen, yes; Burton, yes; Gardner, yes; McCartney, yes; Trueblood, yes. Motion carried.

***b.** 2020 Annual License Renewals*: *Pulled from the Consent Agenda.*

Trailer Park Licenses:	Pine View Terrace
	Lakeshore Mobile Village
	Belaire Estates

*contingent on payment of all municipal fees

Councilman Gardner commented that for Belaire Estates he saw a sign that says private property on Rancocas Road and asked if we maintain it or not. Mayor Patriarca advised that he was correct that this part of Rancocas Lane was deemed private owned and we attempted on numerous occasions to negotiate with the land owner who recently sold the property to someone else in the middle of us getting ready to close.

Motion by Gardner and Burton to approve New Business item b. Gardner, yes; Burton, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

c. Discussion of setting date for 2020 Reorganization Meeting.

It was the consensus of Council to hold the Reorganization Meeting on Thursday, January 2nd, 2020 at 6:00 p.m.

REPORTS & COMMUNICATIONS

a. Engineer's Report – 11/27/2019 - No Discussion.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 11/27/2019.

Motion by McCartney and Gardner to approve the Bill List. McCartney, yes; Gardner, yes; Burton, 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; Trueblood, yes. Motion carried.

SOLICITOR'S REPORT:

Mr. Bayer reported: Nothing to report.

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

Mayor Patriarca reported: Noted that the tree lighting would be Friday at Reflections Park at 6:00 p.m. and that the weather should be good. Stated he hopes to see as many out as can make it. Commented that on Saturday at 11:30am, Deborah would be doing their toy drive with the car club High Octane and noted the number of toys they have donated over the years. Advised on some projects going on with the DPW including the paving of Press Avenue and speed tables that are being put in the area. Advised on the ongoing collection of the leaves. Gave kudos to the DPW crew for paving over 27,693 feet this year and when they get done with Press Avenue, they will hit the 5-mile mark.

Daniel Hornickel reported: Reminded everyone about the Volunteer Fire Department Christmas party on Sunday. Noted that the MUA had a board meeting last night and approved their Chair to sign the documentation that is needed for the transition of properties. Advised that they are planning to have a close out meeting on December 17th where he would be asking them to sign a number of contracts from the MUA to the Council and at the Council's 18th meeting, asking Council to sign them as well to keep important goods and services coming into the new Sewer Division. Advised on some of the contracts that would be needed.

COMMENTS BY COUNCIL MEMBERS:

Councilman Gardner – Noted that he had a great idea for the leaf pickup and stated that the schedule is currently from November to December. Mayor noted it is hard to pick the leaves up when it snows as they get buried. Councilman Gardner asked if the timeframe could be moved to December to January. Mayor Patriarca noted that this would be pushing it into the colder season where there is potential for more snow. Councilman Gardner said true, but most people have oak leaves. Mayor Patriarca stated he gets that complaint all of the time and we cannot control nature. Discussion ensued on the leaf pickup. Councilman Gardner asked about Imagination kingdom surface and if it was ever resolved. Mayor Patriarca advised that they have put in for a grant to repair the surface. Councilman Gardner reminded everyone that at the Browns Mills Firehouse on Saturday at 10:00 am, there would be pictures with Santa.

Councilwoman Burton – Thanked Mr. Hornickel for his clarification on some of the resolutions. State she was thankful for Chief Jantas coming out and presenting the body cameras. Thanked all for coming out and expressing their questions and concerns.

Councilman Allen – Advised that in late August a rare 2 headed rattlesnake was found I the Pine Barrens and is now being taken care of at the Pemberton Township Herpetological Society Building on Magnolia Road. Noted that America Works New Jersey is sponsoring a young adult career initiative to prepare out of school young adult between the ages of 16 to 24 to make a transition to self-sufficiency and financial independence. For anyone interested you can contact 856-780-5541 or visit their office at 790 Woodlane Road in Westampton. Asked for an update on a loan offer that was rejected by the Rowan/Burlington County College. Advised that Burlington County Hope one which is a mobile unit offering critical support to families of those struggling with addiction. Asked about the pedestrian walkway by the library. Mayor Patriarca stated they are about 99% compete with some inspections needed.

Councilman Allen advised that the library has a Pemberton Pass Museum program allowing you to pick up free museum passes for museums throughout New Jersey, Philadelphia and New York. Suggested that we place plaques or some sort of signage in our historic or significant areas of town with the information to inform residents of their history or significance. Advised that the Pinelands Success Center was conducting a free mentoring program for teens and their parents and will run twice a month with different guest speakers and a wide range of topics. Noted that the kickoff meeting would be on January 23rd at 5:30pm if you are interested.

Councilwoman McCartney – Asked the Mayor how many speed tables we have and where they are. Asked if anything had been done near Sepulga Drive where the resident had been killed. Mayor Patriarca advised that Sepulga and Tensaw are different due to the amount of curves in the road but does not mean that we cannot put them in. Noted that they are looking at addressing this in the coming year. Noted that there are some in Sunbury Village and that the ones on Press Avenue will be replaced. Councilwoman McCartney asked about having a communication tool regarding the transition of the MUA for residents. Noted that on the Township website there is a spot for department reports and noted that there is nothing there for Community Development. Asked if there was a way to integrate things relevant to the Sewer Department under the Public Works section. Mayor Patriarca stated that he would suggest to Daniel that when he has his Department Head meetings that he gets them to be more diligent in getting these reports in. Asked all to keep in mind that we are in the process of getting a new web page hopefully going online soon and have not been putting that much on there because it is very cumbersome and only one computer can do it. Advised that if this computer goes down, we will not have a webpage until the other one is ready. Councilwoman McCartney noted that the reports are very useful.

Council President Trueblood – Thanked everyone for coming out and asked all not to forget the events coming up on both Friday and Saturday. Asked that all remember the work that goes into these events by Recreation and the Fire Department.

The meeting was adjourned at approximately 7:57 p.m.

Respectfully submitted by,

Amy P. Cosnoski, RMC, Township Clerk