

TOWNSHIP OF PEMBERTON
REGULAR MEETING
December 16, 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: Business Administrator Daniel Hornickel, Solicitor Andrew Bayer (Teleconference) 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

286-2020 Authorizes Council to go into Closed Session – Not Adopted

PUBLIC COMMENTS

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

Sandy Armstrong, Browns Mills – 1. Questioned Resolution 298-2020 and the designated lots and if there was anything on these lots. Mayor Patriarca advised that these lots are off of South Pemberton Road considered the pits. Noted that on the Township website you can view any block and lot. Mr. Bayer added that this recommendation after 2 meetings at the Planning Board where hearings occurred. Mayor Patriarca noted that these are all vacant properties. Mr. Hornickel noted that there are some habitable properties included but that the primary property is behind the old Country House as the Mayor mentioned.

James Boland, Browns Mills – 1. Questioned Resolution 291-2020 and why we are talking about spending tax payer dollars to study this land. Stated that if a developer wants to develop it then they should be paying for it. Mayor Patriarca stated that the developer is paying for this study and noted that we always have the developer pay for it. **2.** Questioned Resolution 298-2020 and what kind of redevelopment was expected for this area. Also asked who would be paying for the sewer. Mr. Bayer noted that this was the Gateway Property. Mr. Hornickel stated that a plan would be presented to Council in the New Year. Noted the Township would like this property to be a sewer service area. Stated that this plan was already presented to and reviewed by the Planning Board. Mr. Bayer noted that there was a hearing on this at the Planning Board and they also heard a proposed redevelopment plan that is not before Council tonight. Stated this is just to declare it an area in need of redevelopment. **3.** Commented that when the Browns Woods Apartments got the tax relief, he feels it should have been through an ordinance unless there is a reason it cannot be done that way. Stated he feels that having the presentation after the vote was not only backwards but suspicious and he will be looking out for that in the future and hopes it does not happen again, but will comment on it if it does. **4.** Stated he barks at Council a lot, but he is looking out for everyone in town including himself and wished all a Merry Christmas and Happy New Year. Councilman Gardner stated he does not consider it barking but being a resident with concerns.

George Petronis, Browns Mills – 1. Questioned Resolution 291-2020 and asked if this only designates this an area in need of redevelopment but does not designate a specific redevelopment. Mr. Bayer advised that he was correct and further explained how this was determined. Mr. Petronis asked if we were now looking for a redeveloper that would do something within the code for that area. Mr. Bayer advised on the next steps in the process in relation to the redevelopment plan. Mr. Petronis stated that this has been a very difficult year and knows that all have been dealing with particularly tough issues for the Township and thanked all for their service. Mayor Patriarca advised that the Planning Board did hear a presentation on a draft plan and what the recommendations from the board were and could

be given to public. Asked Mr. Petronis to call him for another business matter.

Paul Dietrich, Browns Mills – 1. No comments.

Doug Melegari, Pine Barrens Tribune – 1. Questioned Resolution 283-2020 and if the Judge had nullified this. Mr. Hornickel explained that the Judge had ruled in the Townships favor, but that there were some remaining matters left to deal with including the Townships own action against the developer and this would wrap all of that up allowing the 2 parties to end things amicably. Mr. Melegari asked if there was a plan for the homes. Mr. Hornickel advised that there was and that the property was currently being studied to be made an area in need of redevelopment. **2.** Wished Councilwoman Trueblood the best.

The last caller could not be heard on the call. After multiple attempts Mrs. Cosnoski advised that the caller could email here with any questions and could email her now while the meeting continued.

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 pulled Resolution 298-2020. Councilman Allen asked to pull Resolution 303-2020.

Mrs. Cosnoski asked if Council President Burton wanted to add Resolution 306-2020 to the agenda. Council President Burton agreed and read the title into record.

306-2020 Adopting procedures for public comment at remote public hearings.

Motion by Allen and Trueblood to add Resolution 306-2020 to the Consent Agenda. Allen, yes; Trueblood, yes; McCartney, yes; Gardner, yes; Burton, yes. Motion carried.

Mr. Bayer advised on corrections that had been made to this resolution. Discussion ensued on the changes that were made. Mr. Bayer advised that this was just to declare this an area in need of redevelopment and that the redevelopment plan would come later on through the ordinance.

***CONSENT AGENDA**

***CONSENT AGENDA RESOLUTIONS**

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| 283-2020 | Authorizes a settlement agreement in the matter captioned Danitom Development, Inc. v. the Township of Pemberton. <i>Tabled from 12/2/2020 Meeting.</i> |
| 290-2020 | Authorizes various routine refunds. |
| 291-2020 | Authorizes CME Associates to prepare a plan for Block 906, Lot 1.01 as an area in need of rehabilitation in accordance with N.J.S.A. 40:12A-5 and 40A:12A-14(a). |
| 292-2020 | Authorizes a contract with ARH Associates for engineering design and construction management services for the New Lisbon Water System Rehabilitation Project in an amount not to exceed \$340,000.00. |
| 293-2020 | Authorizes an agreement between the Township of Pemberton and Pemberton Township Volunteer Fire Company, Inc. for the provision of fire protection and emergency medical services. |
| 294-2020 | Authorizes and agreement with the Borough of Pemberton for the provision of fire protection services in the Township of Pemberton by the Good Will Fire Company. |
| 295-2020 | Authorizes the award of a contract to MBE Mark III Electric, Inc., in the amount of \$1,547,000.00 for rehabilitation and installation of pumping equipment in pump stations 2, 4, & 5 for the Pemberton Township Sewer Division. |
| 296-2020 | Authorizing cancellation and refund of property taxes on property owned by a qualifying Totally Disabled Veteran. |
| 297-2020 | Authorizes release of maintenance bond for New Jersey Clean Energy Ventures for work done on Block 786.01, lots 7-10, 12.01 & 12.04. |
| 298-2020 | <i>Pulled from the Consent Agenda and considered later in the meeting.</i> |

- 299-2020 Authorizes the Township of Pemberton to enter into the New Jersey Cooperative Purchasing Alliance Cooperative Pricing Agreement.
- 300-2020 Authorizes membership and participation in the Burlington County Purchasing Cooperative.
- 301-2020 Authorizes a contract with Adams, Rehmann & Heggan for construction management and contract administration services for Pump Station 2, 4 &5 in an amount not to exceed \$135,000.00.
- 302-2020 Authorizes the award of a contract to Integrated Construction & Utilities, NJ, for emergency repairs to a sewer main under Rancocas Lane in amount not to exceed \$95,000.00.
- 303-2020 *Pulled from the Consent Agenda and considered later in the meeting.*
- 304-2020 Authorizes transfers in the CY2020 Budget in the amount of \$500.00.
- 305-2020 Authorizes cancellation of unexpended appropriations in the amount of \$179,000.00.
- 306-2020 Adopting procedures for public comment at remote public hearings. *Added at Meeting.*

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

RESOLUTIONS

- 298-2020 Determines that designated lots within Block 790, 791.01, 791.02, 792, 793 and 1999 constitute a Non-Condensation Area in Need of Redevelopment under the Local Redevelopment and Housing Law. *Pulled from the Consent Agenda.*

Mr. Hornickel advised on this Resolution and that they are loosely calling this the Gateway Property. Noted that this was the area behind the homes on Birmingham Road and the old Country House. Noted that Council had approved this going to the Planning Board previously. Advised that Community Development recommended adding some properties along South Pemberton Road, that are contiguous to the larger property, which the Township had done. Stated that the CME Associates had conducted a study and prepared a report which they provided to the Planning Board. The Planning Board considered the study in September and then authorized CME to prepare a draft plan to redevelop the area which they did and presented to the Planning Board. Noted that the Planning Board did agree that this was determined to be an area in need of redevelopment. Stated that they are asking that Council adopt this and then in January an ordinance will be presented on how to develop this land through the redevelopment plan.

Motion by Trueblood and Gardner to approve Resolution 298-2020. Trueblood, yes; Gardner, yes; Allen, yes; McCartney, yes; Burton, yes. Motion carried.

- 303-2020 Authorizes the award of a contract to Rapid Pump through the North Jersey Purchasing Cooperative for the Water Division in an amount not to exceed \$189,500.00. *Pulled from the Consent Agenda.*

Councilman Allen asked how this purchase aligned with our current process and what will happen in the future. Mr. Hornickel advised that through the Capital Budget, Administration had presented a 4-year plan on updating our water system. Commented that in that plan they noted several water meters that are beyond their life cycle and also the need to take readings remotely. Noted a Bond Ordinance that Council had approved earlier in the year. Stated that this would allow the ability to reduce staffing costs as we would only need 1-meter reader.

Motion by Allen and McCartney to approve Resolution 303-2020. Allen, yes; McCartney, yes; Trueblood, yes; Gardner, yes; Burton, yes. Motion carried.

RESOLUTIONS

- 287-2020 Recognition of Dedication of Public Service by Louise Spigner.

Motion by Trueblood and Gardner to approve Resolution 287-2020. Trueblood, yes; Gardner, yes; McCartney, yes; Allen, yes; Burton, yes. Motion carried.

- 288-2020 *Removed from agenda.*

- 289-2020 Recognition of Dedication of Public Service by Robert Hood.

Motion by McCartney and Gardner to approve Resolution 289-2020. McCartney, yes; Gardner, yes; Trueblood, yes; Allen, yes; Burton, yes. Motion carried.

BILL LIST

Approval by Council required for payment of vouchers on Bill List dated 12/11/2020.

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

SOLICITOR'S REPORT:

Mr. Bayer reported: Stated it has been a very difficult time and wanted to congratulate The Township, Council and Administration and for the fortitude to work throughout this pandemic and accomplish several things. Congratulated Councilwoman Trueblood on her distinguished service to the Township and wishes her the best of luck.

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

Mayor David Patriarca: Commented on the Streetscape Project in Broadway is finishing up and will not be completed until the Spring. Stated that we are applying for the third phase which is the Juliustown Road section and hopes to take it to the Bank of America. Advised on his happiness that their application at the Pinelands Commission for the West End Park project was open for public comments and with none made, advised on next steps in the process to get this project approved after 5-years. Noted they are currently interviewing for new Police applicants and are trying to fill some empty spots. Mentioned the issues they face with civil service. Commented on how well, in these times, the Recreation Department has been keeping morale up for the employees. Noted that employees continue to come to work every day and serve the residents in their normal capacities with the COVID adjustments. Advised that the Recreation Department has come up with several different projects including a pumpkin decorating contest for Halloween, a Gingerbread House contest for Christmas, a House Decorating contest for residents, as well as a decorate your office contest for employees, with each office participating. Stated if you get the chance to come into the Municipal Building you can see the talent of the employees in the decorating they have done on their own time, after hours, which shows their commitment to all. Commented on Mr. P being everywhere throughout the town and to keep a look out for him. Noted that Mr. P is Mr. Pemberton not Mr. Patriarca. Added that there is a different book reading each night for people to see with the 12 days before Christmas. Encouraged all to go online and check it out. Stated that Public Works is out on the roads working through this storm. Commented that it seems we are at the tail end of it now. Commented that as elected official we become servants to the community and do this not only out of the goodness of our hearts but because of our character. Stated that he does not feel we are overlooked but does feel that credit is not generally given to the individuals. Commented that this goes for service members elected to the School Boards, people appointed to the zone you live in, Planning and Zoning Board Officials that are volunteers. Stated that this also goes to our Council that put in a lot of time and effort to serve our residents. Commented to Councilwoman Trueblood that he could not thank her enough for the last 8-years of her service. At this time, Mayor Patriarca read into record a Proclamation he had written for her dedication of service. Stated he cannot say enough about what a pleasure it has been to work with her over these through good and bad times. Noted that as a resident and colleague he thanks her from the bottom of his heart.

Councilwoman Trueblood stated she was overwhelmed and that this is the town that she lives in and loves so much and thanked him for the recognition and beyond.

Daniel Hornickel reported: Commented on his opportunity to witness Councilwoman Trueblood's poise, handling and graciousness in the dissolution of the MUA. Noted that even during times when attacks were personal, she always took the high road. Noted that there are 24 trucks on the road right now dealing with snow as well as 2 mechanics and 2 dispatchers. Noted it has been a difficult year with COVID enhancing the work load but employees are carrying on and making necessary adjustments. Noted at the last meeting he advised that we had some positive COVID cases with employees with those in close contact being tested. Advised that those that were tested fortunately, came back negative. Commented that he had sent out an email to the employees advising that we need to be more vigilant and all are responding. Noted that it is the end of the year so we are wrapping up finances. Commented that there will be a temporary budget for Councils approval at the January meeting. Mentioned that the preparation of the Budget has been pushed back due to COVID. Advised on meetings that will begin happening and that for 2021 we may be able to put some Capital Projects right into the budget. Reported that at the last meeting we indicated we had been

approved for \$410,000.00 in COVID Relief Funds. Added that on the 10th we submitted a request for \$439,000.00 worth of expenses for reimbursement. Noted that we had more expenses than that but some were not accepted. Stated that this money does not help us right away but this money has already been spent and some of the reimbursement will go into the Capital Budget. Stated these funds will be lapsed and considered surplus in future years. Wished all of Council, Mrs. Cosnoski, Mr. Bayer and Mayor Patriarca a Merry Christmas and a safe, happy and healthy New Year.

COMMENTS BY COUNCIL MEMBERS:

Council President Burton – Thanked her colleagues and Mrs. Cosnoski for the great job they do together. Noted that they got a lot of things done considering what they were up against. Thanked the first responders everywhere for all that they do so we can do what we do. Thanked the public for coming online and sharing their thoughts and concerns because that is what we are here for. Commented that she is so grateful to Recreation for all that they are doing to keep moral up throughout the township in such a harsh time. Stated they have done a wonderful job. Gave kudos to other programs throughout the Township including the Pinelands Success Center and the churches. Commented that she will still see Councilwoman Trueblood all of the time. Congratulated her for being a role model, a friend, her pastor and colleague. Stated that she has worked with the Township through some very trying times both before and during her time here and always walks with her head held high and with dignity and poise. Noted that Councilwoman Trueblood has done an amazing job and will be missed. Asked for all to continue to stay safe and to continue practice social distancing and wearing their masks. Commented that it is great that we have a vaccine but we are not over this yet. Wished Administration, Council, Mr. Bayer, Mrs. Cosnoski and all of the employees a safe, happy and joyous season.

Councilman Gardner – Commented that with the addition of Resolution 306-2020 he is excited to have new ways for residents to reach out to Council to voice their concerns. Stated that when he first ran for Council in 2016, she was his running mate and when he finally met her, she was and is the kindest and sweetest person he has ever met. Noted that she took him under her wing and when he had questions, she would always give her unbiased opinion. Stated that she would always end her conversations with, “you’ll be alright”. Commented that her strong Council President leadership reflected greatly on himself and the rest of Council as well as our residents. Expressed to Councilwoman Trueblood that she always kept her cool and for the record, that was not a woman’s voice. Asked that Councilwoman Trueblood enjoy her new free time and after 8-years of dedicated service to our community, her input would be missed. Wished for her that on every second Wednesday of the month, she does not get the urge to go on a trip. Thanked her for serving on the Council and he knows they will see each other soon. Wished a Merry Christmas to all and if you celebrate anything else, to please enjoy that also. Wished the Mayor, Mr. Hornickel, Council, Mrs. Cosnoski, Ms. Dashiell, Councilwoman Trueblood and Mr. Dietrich a Merry Christmas. Stated he is looking forward to 2021.

Councilman Allen – Questioned if there were any guidelines from the Township for residents on shoveling driveways or snow removal and if so, if it could be published on the website. Noted that Riccardo’s had won Best of NJ in the Burlington County Times. Stated that over the weekend he was thinking of words to describe Councilwoman Trueblood and it did not take him long to come up with some awesome words, but he thinks the best are spiritual, sincere and just an overall quality person. Noted that she wears many hats but has utilized and leaned on these same qualities while she has been on Council. Stated she has been a joy to work with and he continues to look forward to continuing to work with her as he is sure she will remain a pillar in the community and asked that God continue to bless her and her family. Wished everyone a very Merry Christmas and to stay safe and he will see all next year.

Councilwoman McCartney – Commented that it has been an honor to work with Councilwoman Trueblood on Council. Noted that she did not know what she was getting herself into and when she first met her you could feel her warmth and was so welcoming to her. Wished are all the best and happiness. Asked for everyone at the building to get home safely. Wished all that were on the line and their families a safe and healthy holiday.

Mrs. Cosnoski stated that it has been an absolute honor to serve as Councilwoman Trueblood’s Township Clerk for the last 7 years and as her Deputy before that. Commented that it was also an absolute pleasure to be by her side as she served as Council President for 2018 and 2019. Noted that she could not ask for a better Council Person.

Councilwoman Trueblood – Stated that she is just so honored and thankful for everything. Noted that all of the words said tonight have meant a multitude to her. Commented to Mr. Hornickel that he came on at just the right time for them to lean on. Stated to the Mayor that she remembered the first time she met him and she knew that the passion he had for this town was real. Commented that some may agree and some may not but that always try to do what is best to serve the residents. Stated to Mr. Bayer that they went through it together and knew they had done nothing wrong. Noted that she was so proud of when Councilman Gardner came on as well as Councilman Allen as a young man, not married and no children and now married with children. Mentioned her happiness over Council President Burton joining the Council. Commented to Mrs. Cosnoski that she is so thankful for her and no matter how many times she asked her for something she always guided her in the right direction. Noted her thanks for Ms. Dashiell and all of the ladies in the front office. Noted that she will be coming in to let everyone know what is going on. Noted it has been a tough time with this pandemic. Stated that she knows her health will improve one day because she is trusting in God for that. Commented that she loves the Mr. P for Pemberton. Thanked Mr. Melegari for his articles. Thanked the residents for voting her in for 2 terms. Thanked Councilwoman Stinney that went on to be with the Lord because she gave her the confidence, she needed at the time she needed it. Stated she is looking for to seeing all in the New Year. God Bless to all and to have a Merry Christmas and a Happy New Year.

The meeting was adjourned at approximately 7:22 p.m.

Respectfully submitted by,

Amy P. Cosnoski, RMC, Township Clerk