

**TOWNSHIP OF PEMBERTON
REGULAR MEETING**

**February 27, 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
Donovan Gardner
Gaye Burton
Jason Allen

ABSENT

Norma Trueblood

Also, present: Business Administrator Dennis Gonzalez, Solicitor Andrew Bayer and Township Clerk, Amy P. Cosnoski.

CALL TO ORDER

Councilman Allen sat as Council President in Councilwoman Trueblood's absence and called the meeting to order at approximately 6:00 p.m.

CLOSED SESSION

69-2019 Authorizes Council to go into Closed Session – Not Adopted

PUBLIC COMMENTS

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

Sandra Armstrong, Pemberton Twp. – 1. Questioned the status of the MUA process. Mr. Bayer advised on where the process currently was including the adoption of a Resolution and the introduction of an ordinance. Ms. Armstrong stated that she was just wondering what changes would come about if this were to take place. Mr. Bayer explained that a study had been done and it was found that substantial capital improvements are needed. Ms. Armstrong was concerned about the quality of the personnel that would be handling it. Councilman Allen noted that this was ongoing.

George Petronis, Browns Mills – 1. Asked if the ordinance that was passed regarding the MUA was the first step and that there would be a public hearing sometime in the future. Mr. Bayer advised that there would be no public hearing until the Local Finance Board makes a decision as to the appropriateness of the dissolution. Stated we could not do anything until that happens. Mr. Gonzalez advised that we would be publishing the date for the public hearing on the ordinance at some point and will announce it should the Local Finance Board say yes. Mr. Petronis confirmed that it had already been introduced. Mr. Bayer advised on the process. Mr. Petronis stated that a representative from the MUA was at the meeting and stated that they felt this report was inaccurate and should not take any action until Council met with the MUA. Mr. Bayer advised that the MUA wanted to sit down or do a presentation with Council and that Council had stated at the last meeting that they would be willing to do that. Councilman Allen advised there would be a presentation in April by the MUA. Mr. Petronis asked if council thought it was inappropriate to take any action until they had a chance to hear and evaluate their side of the story. Mr. Bayer stated that the reason this came up was because every year the Local Finance Board asks if these services can be provided more efficiently to the taxpayers, and has nothing to do with the work performance of the employees. Mr. Petronis asked if they were not premature in their action until having their meeting with the board. Councilman Allen stated he felt this was a matter of opinion and stated that after the Local Finance Board gets back to Council with their report, Council will have something to look at as well as the presentation from the MUA giving Council the information needed for them to make their vote after. It was clarified that the process could not be started until the ordinance was introduced.

Councilman Allen advised that due to him being the liaison of the Council to the MUA Board, he will have to recuse himself from any discussion and votes pertaining to the MUA and this matter.

America Phillips, Presidential Lakes – 1. Stated she feels that Administration has failed the residents. Talked about businesses submitting permits to Township and the paperwork not being followed up on. Stated that Administration needs to get involved. Stated that Administration should send every single resident a letter and have a meeting with them. Stated that Administration has to do better at protecting the resident and she feels they failed to do a full investigation. Commented on the Municipal Building being hooked up to the sewer and the old system being hooked up at the coming firehouse in Presidential Lakes and feels they deserve a new system.

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.

CONSENT AGENDA

***MEETING MINUTES**

Regular Meeting Minutes February 6, 2019.

***CONSENT AGENDA RESOLUTIONS**

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| 70-2019 | Authorizes deposit of premium lien funds bid as to 704 Vine Street at the tax sale held on September 30, 2015, to the Township Miscellaneous Revenue, Not Anticipated Account in the amount of \$5,200.00. |
| 71-2019 | Authorizes the award of a contract to South Jersey Sanitation Company for the provision of Solid Waste Collection Services from April 1, 2019 to March 31, 2024. |
| 72-2019 | Authorizes a contract with Safety Bus Service Inc., for bus services for the Pemberton Township Senior 2019 bus trips in an amount not to exceed \$12,000.00. |

NEW BUSINESS

- *a. NJ State Fireman's Association Membership Application for Samuel D. Hodnett with the Pemberton Township Volunteer Fire Co.

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

OTHER RESOLUTIONS

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| 73-2019 | Appoints Member to the Pemberton Township Municipal Utilities Authority Board. |
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Mr. Bayer stated that they needed to pick a name for the appointment. Councilman Allen recommended moving Donna Lefebvre up to a regular member and getting letters of interest to fill the alternate positions.

Motion by McCartney and Gardner to adopt with Donna Lefebvre as the regular member. McCartney, yes; Gardner, yes; Burton, yes; Allen, yes. Motion carried.

Councilman Allen noted that this vacancy occurred because the member moved out of the Township.

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| 74-2019 | Authorizes an award of a contract to South State, Inc., for the construction of the Ong's Run Pedestrian Walkway in a total amount not to exceed \$530,360.00. |
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Motion by Gardner and Burton to approve Resolution 74-2019. Gardner, yes; Burton, yes; McCartney, yes; Allen, yes. Motion carried.

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| 75-2019 | Authorizes a change order to the contract awarded to Steffen Drilling, LLC, for the construction and testing of a new water production well in an additional amount not to exceed \$36,000.00. |
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Motion by McCartney and Burton to approve Resolution 75-2019. McCartney, yes; Burton, yes; Gardner, abstain; Allen, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 8-2019

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF PEMBERTON, IN THE COUNT OF BURLINGTON, STATE OF NEW JERSEY; APPROPRIATING \$1,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,377,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF.

Motion by Burton and McCartney to introduce Ordinance 8-2019, with a public hearing to be held at the March 20th, 2019 meeting. Burton, yes; McCartney, yes; Gardner, yes; Allen, yes. Motion carried.

REPORTS & COMMUNICATIONS

a. Engineer's Report – 2/14/2019

Councilman Allen asked about West End Park and if we had the results from the testing of the test pits. Mr. Gonzalez stated he would find out if we have the results and this is an ongoing issue with Pinelands. Councilman Allen asked if he could also get Council an update on the cultural resource survey.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 2/14/2019.

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. Motion carried.

SOLICITOR'S REPORT:

Mr. Bayer reported: Nothing to report.

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

Mr. Gonzalez reported: Reminded that there would also be another Council meeting next Wednesday.

COMMENTS BY COUNCIL MEMBERS:

Councilman Gardner – Nothing to report. Thanked everyone for coming out.

Councilwoman Burton – Thanked all for coming out and sharing their comments. Asked all to get home safe and will see them soon.

Councilwoman McCartney – Stated that she had gone out to Birmingham on Saturday and saw the no parking signs. Commented that she did see where there had been fencing and tire tracks all along the grass. Mr. Bayer noted that Solstice had applied to the Planning Board to enhance their parking area. Stated that in the mean time he has file on behalf of the Township and Mr. Gonzalez, as the Business Administrator, a request to see if this is a permitted use under the Land Use Law. Stated that Mr. Benedetti found that it is a permitted use and moved the application to the Planning Board. Stated that if it was not a permitted use it would have had to go to the Zoning Board first for a variance. Stated that the Land Use Law allows interested parties to challenge these decisions and he has sent that to the Zoning Board to challenge Mr. Benedetti's decision. Advised that this was filed on February 20th and will go before the Zoning Board on March 13th. Stated that they are the entity that will make a determination as to whether or not this was an appropriate use. Councilwoman McCartney thanked Mr. Bayer for filing this application. Stated she knows we all have to follow the law and thanked him for taking his time in doing this.

Councilman Allen – No comments. Thanked all for coming out and will see them at the next meeting.

The meeting was adjourned at approximately 6:30 p.m.

Respectfully submitted by,

Amy P. Cosnoski

Amy P. Cosnoski, RMC, Township Clerk