

**TOWNSHIP OF PEMBERTON
REGULAR MEETING**

**April 3, 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
Gaye Burton *arrived at 6:04 p.m.*
Norma Trueblood

ABSENT

Donovan Gardner

Also, present: Mayor David Patriarca, Business Administrator Dennis Gonzalez, 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

93-2019 Authorizes Council to go into Closed Session – Not adopted

PUBLIC COMMENTS

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

James Boland, 226 Filbert St. – 1. Noted that Press Avenue is still in the same condition. **2.** Asked if the application for the MUA has been submitted to the Local Finance Board and what is involved with getting that finalized. Mr. Gonzalez explained it is in the process of being completed and will be submitted either this week or next. Mr. Boland asked what it would say about the financial situation of the MUA and the \$6 million dollars in reserve. Mr. Gonzalez advised that once it is completed it can be reviewed. Mr. Boland asked if there was any potential for funds from the MUA to be diverted to the general fund.

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

Council President Trueblood advised that there were 3 Resolutions that would need to be added to the Consent Agenda.

105-2019 Authorizing a contract of sale for the purchase of real property known as 1 Clubhouse Road, Block 406, Lot 26.01.

Motion by McCartney and Burton to add Resolution 105-2019 to the Consent Agenda. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

106-2019 Authorizing a contract of sale for the purchase of real property known as 24 Arbutus Street, Block 393, Lot 35.02.

Motion by McCartney and Burton to add Resolution 106-2019 to the Consent Agenda. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

107-2019 Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964"

Motion by McCartney and Burton to add Resolution 107-2019 to the Consent Agenda. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

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 97-2019 and New Business item A1.

***CONSENT AGENDA**

***CONSENT AGENDA RESOLUTIONS**

- 94-2019 Authorizes a contract with Schaefer Fireworks for the 2019 Water Carnival Fireworks display in the amount of \$9,000.00.
- 95-2019 Authorizes a contract for grass cutting services in 2019 at the Nesbit Field Complex and the Pemberton Baseball Field Complex with Affordable Site Management in the total amount of \$17,100.00.
- 96-2019 Authorizes an agreement with Fantasy Island Properties, LLC, for the 2019 Water Carnival Fireworks Display.
- 97-2019 *Pulled from the Consent Agenda and considered later in the meeting.*
- 98-2019 Authorizes the use of competitive contracting pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 et seq., for Housing Consultant Services for the CDBG and Home Investment Partnership Act Programs.
- 99-2019 Authorizes the use of competitive contracting pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 et seq., for Design and Engineering Services for the NJDCA Small Cities CDBG Program, Pemberton Browns Mills Road Improvements (Phase 2) Project.
- 100-2019 Authorizes participation in the "1033 Program" in CY2019 in order to be eligible to receive property from the US Department of Defense for use by the Pemberton Township Police Department.
- 101-2019 Authorizes a contract with Adams, Rehmann & Heggan for Engineering and Construction Management Services for the Cured-In-Place Storm Water Pipe Rehabilitation Program in an amount not to exceed \$44,300.00.
- 102-2019 Authorizes a contract for with Mid-Town Cleaners for Police Uniform Cleaning Services.
- 103-2019 Authorizes a contract with GovDeals, Inc. for the conduct of an Online Public Auction of personal property owned by the Township of Pemberton not needed for public use.
- 104-2019 Authorizes the use of Competitive Contracting pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 Et Seq, for Animal Control Services commencing on July 1, 2019.
- 105-2019
ADDED Authorizing a contract of sale for the purchase of real property known as 1 Clubhouse Road, Block 406, Lot 23.01.
- 106-2019
ADDED Authorizing a contract of sale for the purchase of real property known as 24 Arbutus Street, Block 393, Lot 35.02.
- 107-2019
ADDED Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964"

NEW BUSINESS

*a. Purchase over \$3,000

1. *Pulled from Consent Agenda and considered later in the meeting.*

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

RESOLUTIONS

- 97-2019 Authorizes a contract with Geese Chasers, LLC, for a Geese Management Program at Mirror Lake Beach, Presidential Lakes Beach and Reflections Park in the total amount of \$6,585.00. *Pulled from the Consent Agenda.*

Councilman Allen state that he asked to pull this as he realized that Country Lakes was not listed under the beaches to be done and was curious as to why. Mayor Patriarca advised that we do not do Country Lakes because they do not have a swim program at that beach and is only used for fishing and swimming. Councilwoman McCartney stated that Reflections Park is included and there is no swimming there. Mayor Patriarca stated that was correct

but that Mirror Lake does have swimming and Reflections Park is on Mirror Lake and is a place that the Geese like so they do it to keep them away from Mirror Lake in general. Councilman Allen asked if Country Lakes was accessible for people to swim. Mayor Patriarca advised that we do not run a swim program in that area and have no lifeguards there. Stated they did try to institute it years ago but no one was using it and it was not a popular area. Added that they do not advise people to swim there but it does happen. Councilwoman McCartney stated that last year they discussed obtaining a log from the contractor showing where he will be and when. Mayor Patriarca stated he will have the Director ask them to provide that to us. Advised on another program he saw in another town promoting its residents to register and walk their dogs to chase the geese. Discussion ensued on several options they have tried. Councilman Allen noted that he does support the Resolution and hopes to add Country Lakes at some point. Mayor Patriarca stated if they get resident requests, they could take it to the Home Owners Alliance and see if they can do a survey to the residents to see if they want the service out there.

Motion by Allen and McCartney to approve resolution 97-2019. Allen, yes; McCartney, yes; Burton, yes; Trueblood, yes. Motion carried.

ORDINANCES FOR SECOND READING AND/OR PUBLIC HEARING

ORDINANCE NO. 9-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 186 OF THE TOWNSHIP CODE, ENTITLED 'WATER'.

Council President Trueblood opened this portion of the meeting for public comment.

James Boland, 226 Filbert Ave. – 1. Asked what was being changed in the ordinance as tonight was the first time he was able to review it. Mrs. Cosnoski advised Mr. Boland that Ordinances are available in the Clerk's office the day after they are introduced at a meeting. Mr. Gonzalez explained that it is a long ordinance that has not been modified in 15 or 20 years and there is a great deal of language. Stated that language changes to ensure that the correct titles of responsible officials are in the ordinance and also provides for the fees for water which have not changed since 2006. Advised that in light of the many improvements we are making and are planning to make to the system the ordinance proposes a small increase in water fees from \$39.00 per quarter for 8,000 gallons to \$41.00 effective July 1st, 2019 and then \$42.00 effective January 21st, 2020. Advised on the changes for fees as well.

Seeing no other residents wishing to be heard this portion of the meeting was closed.

Motion by Burton and McCartney to adopt Ordinance 9-2019. Burton, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

ORDINANCE NO. 10-2019

AN ORDINANCE AMENDING ORDINANCE 2-2019 WHICH ESTABLISHED CY2019 SALARIES FOR CERTAIN EMPLOYEES AND ELECTED OFFICIALS OF THE TOWNSHIP OF PEMBERTON.

Council President Trueblood opened this portion of the meeting for public comment. Seeing no one wishing to be heard this portion of the meeting was closed.

Mayor Patriarca advised that the employee receiving the increase is at the top of his game and manages several large projects and has 60 people under him.

Motion by Allen and Burton to adopt Ordinance 10-2019. Allen, yes; Burton, yes; McCartney, yes; Trueblood, yes. Motion carried.

ORDINANCE NO. 11-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON REPEALING CHAPTER 75 OF THE CODE OF THE TOWNSHIP OF PEMBERTON, ENTITLED 'BRUSH, GRASS AND WEEDS'.

Council President Trueblood opened this portion of the meeting for public comment. Seeing no one wishing to be heard this portion of the meeting was closed.

Motion by Allen and McCartney to adopt Ordinance 11-2019. Allen, yes; McCartney, yes; Burton, yes; Trueblood, yes. Motion carried.

ORDINANCE NO. 12-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPROVING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN AS ROWAN COLLEGE AT BURLINGTON COUNTY, ALSO KNOWN AS BLOCK 843, LOT 1 AND LOT 10 AND BLOCK 834.01 LOT 1.01 WHICH WAS PREVIOUSLY APPROVED BY WAY OF ORDINANCE 23-2018 ADOPTED ON NOVEMBER 14, 2018.

Council President Trueblood opened this portion of the meeting for public comment. Seeing no one wishing to be heard this portion of the meeting was closed.

Motion by McCartney and Burton to adopt Ordinance 12-2019. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

ORDINANCE NO. 13-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPROVING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN AS THE FORMER BURLINGTON COUNTY MINIMUM SECURITY CORRECTIONS AND WORK RELEASE CENTER, ALSO KNOWN AS PART OF BLOCK 812, PART OF LOT 9.01, AND LOT 9.03 WHICH WAS PREVIOUSLY APPROVED BY WAY OF ORDINANCE 24-2018 ADOPTED ON NOVEMBER 14, 2018.

Council President Trueblood opened this portion of the meeting for public comment. Seeing no one wishing to be heard this portion of the meeting was closed.

Motion by Burton and McCartney to adopt Ordinance 13-2019. Burton, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

ORDINANCE NO. 14-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 41-14 OF THE CODE OF THE TOWNSHIP OF PEMBERTON, ENTITLED 'POLICE DEPARTMENT'.

Council President Trueblood opened this portion of the meeting for public comment. Seeing no one wishing to be heard this portion of the meeting was closed.

Motion by McCartney and Burton to adopt Ordinance 14-2019. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 15-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 145 ENTITLED 'PROPERTY MAINTENANCE' CREATING A NEW SECTION ENTITLED 'REMOVAL OF BRUSH AND HEDGES NEAR INTERSECTIONS'.

Councilman Allen noted that under A it states that the owners shall maintain brush, hedges, etc., within 10 feet of any roadway and within 25 feet of the intersection and must be at a height of not more than 2 ½ feet but it does not address trees. Mayor Patriarca explained. Mr. Bayer advised that this mimicked the State Law. Mr. Gonzalez advised it is a line of sight issue at the corners. Councilman Allen stated that there are times when trees obstruct vision and there is nothing in the ordinance regarding that. Mr. Gonzalez advised that we are limited in what we can do as it is a State Law. Discussion ensued on the trees and blocking the line of sight.

Motion by Burton and McCartney to introduce with a public hearing to be held on April 17th, 2019. Burton, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

Council President Trueblood advised that there were two ordinances that needed to be added to the agenda and read the titles.

ORDINANCE 16-2019 *Added at meeting*

Authorizing the purchase of the property known as 1 Clubhouse Road, Block 406, Lot 26.01, from 1 CBM LLC in the amount of \$200,000.00.

Motion by McCartney and Burton to add Ordinances 16-2019 and 17-2019 to the agenda. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

Motion by Allen and Burton to introduce Ordinance 16-2019 with a public hearing to be held on April 17th, 2019. Allen, yes; Burton, yes; McCartney, yes; Trueblood, yes. Motion carried.

ORDINANCE 17-2019 *Added at meeting*

Authorizing the purchase of the property known as 24 Arbutus Street, Block 393, Lot 35.03, from Philip Shapiro in the amount of \$75,000.00.

Motion by McCartney and Burton to introduce Ordinance 17-2019 with a public hearing to be held on April 17th, 2019. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

NEW BUSINESS

*a. Purchase over \$3,000

1. Public Works - Maximus 3.0 Diagnostic Scan Tool for the Fleet Division from Matco Tools in the total amount of \$4,814.95.

Councilman Allen asked who Mr. Peacock was. Mr. Gonzalez advised on Mr. Peacock's position and that he has been promoted to Supervisor of Public Works and took over for Tom McNaughton who was promoted to Director of Public Works upon Mr. Sager's retirement. Councilman Allen stated that of the 2 vendors we are going with the higher quote and Mr. Peacock provided a detailed explanation. Asked that Administration let Mr Peacock know Council appreciates the detailed explanation.

Motion by Allen and McCartney to approve New Business item A1. Allen, yes; McCartney, yes; Burton, yes; Trueblood, yes. Motion carried.

- b. Approval by Council of PTMUA's Professionals Appointments (as to fees only) for 2019. *Tabled from March 20, 2019 Meeting*

Mr. Bayer stated he reviewed the Resolutions and the contracts with the MUA and has spoken to the MUA Attoreny and he believes all are in proper legal form. Recommends that Council approves them.

Motion by McCartney and Burton to approve New Business Item B. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

- c. Discussion and possible introduction of 2019 Budget.

Council President Trueblood advised that the public hearing would be on May 1st at 6:30 p.m. and Budget review at 5:00 p.m. on April 17th.

Motion by Burton and McCartney to introduce the 2019 Budget with a Public hearing to be held on May 1st. Burton, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

Mr. Gonzalez advised that the Budget information would be on the Township website. Reminded Council that they may make amendments to the Budget on or after the Public Hearing on May 1st. Noted that the Budget as introduced would be delivered to the Division of Local Government Services and cannot be adopted by Council until after they have reviewed it. Further explained the process and what would be needed if amendments were made or suggested. Advised he would provide detail of expenses to Council and that they would be sharing a power point presentation as well.

REPORTS & COMMUNICATIONS

- a. Engineer's Report – 3/28/2019 – No comments.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 3/29/2019.

Motion by McCartney and Burton to approve the Bill List. McCartney, 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 firehouse in Presidential Lakes is moving along with the trusses up on the Recreation side. Stated it is really starting to take shape and is on schedule. Advised on the fire that is going on right now with multiple agencies and Ft. Dix all present. Commented that it is not under control but does not seem to be threatening any of our residents at this point. Asked all to keep the firefighters in their prayers.

COMMENTS BY COUNCIL MEMBERS:

Councilman Allen – Advised that there is a youth opportunity program in Westampton and provided information on the program. Stated that at the MUA meeting they asked for two things, a copy of the application once it is submitted and an alternate member. Commented on the BurLink route and that it is the same as it has always been. Noted that any issues should be brought to the Board of Chosen Freeholders. Mr. Bayer advised that the application would be sent to the MUA.

Councilwoman McCartney – Thanked Chief Jantas for bringing the information about the body cameras to the community. Stated she was thinking about the Fire Department and knows they are doing the best job they can and hopes they stay safe tonight. Commented on safety in the water at the Water Carnival. Stated that last year was the first time she was on the boat and it being very dark and hard to maneuver the boat. Commented that she feels creating a pathway for the floats for their vision or lighting as she thinks it is dangerous. Advised that she is excited about the Township taking the step to purchase 1 Clubhouse Road. Mayor Patriarca noted he has been talking to individuals to stay in compliance with the redevelopment plan. Stated he believes this is one of those opportunities they have to make happen. Councilwoman McCartney advised on some of the history of the site. Advised on the School Budget and that the information can be found on the School website. Gave kudos to Ellen Catalano for the Soroptimist luncheon and the money raised for scholarship opportunities.

Councilwoman Burton – Commented on her appreciation for Chief Jantas for being so transparent with the body camera program. Thanked all for coming out.

Council President Trueblood – Asked the Mayor to provide an update on Press Avenue. Mayor Patriarca stated he would look into it with Code Enforcement. Council President Trueblood commented on the great turn out for Chief Jantas presentation. Noted she had the honor and privilege of attending the Senior Center prom at St. Ann's Church this evening. Hoped that all would get home safely. Gave kudos to all of the High School students that participate in serving. Stated she is saying a prayer for the firefighters and EMS in attendance at the fire. Will see all in 2 weeks.

The meeting was adjourned at approximately 6:47 p.m.

Respectfully submitted by,

Amy P. Cosnoski, RMC, Township Clerk