

**TOWNSHIP OF PEMBERTON  
REGULAR MEETING**

**May 1, 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 Dennis Gonzalez, Solicitor Andrew Bayer and Deputy Township Clerk, Sunshine Dashiell.

**CALL TO ORDER**

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

**CLOSED SESSION**

120-2019 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.** Commented that at the last meeting it was noted that our town was being approved as a qualified Opportunity Zone and stated that the reason why is because they are considered to be economically distressed. Noted that this reminded him of the UEZ funds that this town received for being economically disadvantaged. Stated that as he looks around, he can see why we qualify. Commented that this is a town that relies on State grants. Noted that the more disadvantaged we are the more we will qualify and feels that this is a scary way to do things as it does not leave much of an incentive to go uphill and improve. Stated that he mentioned over a year ago that the issues on Press Avenue are keeping him down as he is unable to refinance. Asked how this benefits people like himself who want to make their homes and area better. **2.** Stated he feels like this town is buying up a lot of real estate, more than most towns and does not feel this is the direction we should be going. Commented that he does not feel we should be buying all of this with grants and bonds or money from the MUA. Stated that there is no telling what will happen with the money from the MUA if it gets put into the general fund. Noted that there was money in the Water Department that has not been spent on anything in the last few budgets. Commented that he feels that the town should be selling properties. Noted the Resolution on the agenda for this meeting to sell property and that he wants in and to be told when things like this are happening. Councilman Allen noted that this was not real estate but equipment being sold. Mr. Boland stated that he does not understand why a property bought a year ago is not up for sale. Stated that he feels that he and the residents should know before anyone else when anything is being sold in this town. Stated he does not want the Township spending money it does not have on real estate it does not need. Councilman Gardner asked about the auctions. Mr. Gonzalez explained that there is an auction coming up that Council approved at a meeting within the last month. Advised that all is published within accordance of applicable law so that all can hear about it at the same time. Councilman Gardner noted that it is published for the public to see. Mr. Boland stated that without knowing the law he would not know where to look for it. Asked if these things are on the township calendar. Mr. Gonzalez advised that it is on the agenda for the meeting to be authorized by Council. Mr. Boland asked if the date of the sale will be announced at a meeting. It was noted that it is published in the paper and that he can call the Clerk's office to ask. Mayor Patriarca advised that it would be a violation of the law to give a heads up to residents before anyone else.

**America Phillips, Presidential Lakes – 1.** Asked for an update on the firehouse in Presidential Lakes. Mayor Patriarca stated that when it is done, they will open it. Ms.

Phillips stated she heard it will not be open in time for the June Election. Mayor Patriarca advised that the Primary Election will be held at the church because they had to be sure for the Election at a certain time. **2.** Questioned several roads throughout the Town including Route 530, Four Mile and Magnolia Road and if they were County or Township. It was noted that they were all County. Ms. Phillips asked if Spring Lake Road was County or Township. It was noted it is a Township road. Ms. Phillips asked why there are not any no littering signs out there because people are littering back there. Advised on a man that cleans the road and asked that all keep it clean for him. **3.** Advised that she walked through the park in Presidential Lakes and the bleachers in the park are splintering badly. Asked if this was something the Township could fix for the children that will be playing ball there. **4.** Commented on the boulders in the ballfield that need to be replaced because kids are breaking bottles on them and there is glass everywhere. Asked if they could be removed. **5.** Stated she had driven around town and traveled to Ocean and Monmouth Counties and the accidents that happen in those areas of Route 70 and Route 530. Asked if the Township could do anything even though it is a County Road. **6.** Stated she walks a lot throughout the day and she does not appreciate that when she comes to the meetings, we do not bring the department heads to the meeting to answer questions like Code Enforcement and the Police Chief. Stated she was walking through Presidential Lakes and she saw an Officer who was inquiring about gun shots. Stated she drove over and asked the officer what is going on. Commented that she does not think it is right that as a taxpayer she does not know what is going on in her neighborhood. Advised that she called her neighbors to let them know because they have kids. Mayor Patriarca advised that Council does not have the ability to ask employees, including the Police, any questions without going through Administration. Noted that Ms. Phillips son is an officer on the Police force and asked if she had reached out to him to see what was going on. Ms. Phillips stated that she was a State worker and she takes care of her business and that as a taxpayer they should know what is going on. **7.** Stated that across the street from the firehouse going up in Presidential Lakes, there is a house with a stop sign and large shrubs and the it is a shame. Stated she asked if the town could clean up the yard. Mayor Patriarca advised that Council just passed an Ordinance to address this very issue on Tennessee. **8.** Stated that there is a yield sign near New Hampshire and Tennessee Road and people are flying at 50 miles an hour and she is worried about the children.

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 Gardner asked to pull Resolution 121-2019. Councilman Allen asked to pull Resolution 123-2019.

#### **\*CONSENT AGENDA**

#### **\*CONSENT AGENDA RESOLUTIONS**

121-2019 *Pulled from the Consent Agenda and considered later in the meeting.*

122-2019 Authorizes the purchase of Hot Mix Asphalt (Bituminous Concrete) from American Asphalt Company, Inc., in an amount not to exceed \$485,000.00 under Burlington County Cooperative Contract No. 4-BUCCP-17004.

123-2019 *Pulled from the Consent Agenda and considered later in the meeting.*

#### **NEW BUSINESS**

**\*1.** Purchase over \$3,000

- a. Public Works - Purchase, replacement and installation of new heater at Nesbit Center from Dazell Plumbing and HVAC Services, LLC in the amount of \$3,550.00.

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

## RESOLUTIONS

121-2019

Authorizes a Public Auction of Personal Property owned by the Township of Pemberton not needed for public use. *Pulled from the Consent Agenda.*

Councilman Gardner asked about the coming auction and item #2. Council President Trueblood read #2. Advised that there would be an inspection on June 6<sup>th</sup>. Mr. Gonzalez advised that this is an online auction and all items are photographed and put on online for viewing, but that on the 6<sup>th</sup> people can come view in person. Mayor Patriarca advised that they just want to be sure people have a chance to view items in person if they want to but that generally people are looking online. Mr. Gonzalez advised that this was a nationwide auction and that people are looking from all over the Country so most are not flying out to see the items for sale.

Motion by Gardner and Allen to approve Resolution 121-2019. Gardner, yes; Allen, yes; McCartney, yes; Burton, yes; Trueblood, yes. Motion carried.

123-2019

Authorizing Co-Sponsoring the St. Ann's 2019 Carnival and approving an Interlocal Services Agreement for the use of the adjacent County Property and the Township parking lots for the Church carnival. *Pulled from the Consent Agenda.*

Councilman Allen stated that the dates for the St. Ann's Carnival were off from the dates that the property will be used. Mr. Gonzalez explained that the additional time is for the set up and break down of the carnival.

Motion by Allen and McCartney to approve Resolution 123-2019. Allen, yes; McCartney, yes; Gardner, yes; Burton, yes; Trueblood, yes. Motion carried.

## OTHER RESOLUTIONS AND PUBLIC HEARING ON 2019 MUNICIPAL BUDGET AND ADOPTION OF 2019 MUNICIPAL BUDGET

### 1. Public Hearing

Council President Trueblood opened this portion of the meeting for Public Hearing.

**James Boland, 226 Filbert St. – 1.** Stated that he was surprised the Special Budget Meeting was done in an hour. Councilwoman Burton advised that Council has the privilege of being able to look through the Budget ahead of time and ask questions to the Mayor and Administrator prior to the hearing so that they are prepared for the meeting. Mr. Boland stated that one thing not talked about in the budget but that has everything to do with money is the plans to buy and sell real estate. Stated that while he does think it is important to be aware of what is in the budget, he thinks it is also very, very important to keep our eyes on what is going on with the real estate in this town. Stated there has been a lot of talk about the old Acme building and what will become of this town. Commented on him hearing we are in talks with developers but he does not know what that means. Mr. Bayer advised him that to get a developer to come in you have to find one that is willing to invest millions of dollars to redevelop something and that this is much different than putting a for sale sign in front of your home. Advised that he has been here since 2007 and he can say that the Mayor and Council over the years have been arduously trying to get redevelopers to commit to spend millions of dollars to invest into Pemberton. Stated that it is not a simple process and that these are complicated matters and he feels that Mr. Boland's criticism is not a realistic vision of that process. Mayor Patriarca stated that these properties have had for sale signs on them for years and no one wanted to buy them. Stated that they are currently negotiating with interested parties. Mr. Boland stated that he has seen bigger properties with for sale signs. Commented that the buildings by Sun's Market were knocked down 2 years ago and nothing has been done with that yet. Council President Trueblood advised that those properties were for sale for a long time and no one would buy them so the Township bought them. Mayor Patriarca stated that they are actively talking to developers about those properties. Further explained the process of getting developers. Noted he could put a for sale sign on it and sell it to Mr. Boland, but what will he do with it. Explained the sale of the old Schneider's Supply building. Councilman Allen stated that he thinks Mr. Boland is looking at this like someone trying to flip a house and that is not what they are trying to do with this. Commented that they are trying to get someone who will develop the

whole thing and not just piece by piece. Mr. Boland asked if the Township is actively seeking developers instead of using a sign. It was noted that was correct. Mayor Patriarca stated that many developers are reaching out to us because they know there are opportunities there. Advised on how this would benefit residents and encourages development. Commented on an incentive program handed down by the Federal government to incentivize developers and that we are seeing more interest because of that. Mayor Patriarca advised that developers use other networks and do not need a sign to show interest in a property. Mr. Bayer noted that this was off topic of the Budget. Mayor Patriarca noted that there is money in the Capital Budget for property. Stated that the tax levy is one thing and that bonding is what we use for Capital projects. Mr. Gonzalez advised that the Capital Budget is a plan and is not appropriating funds for an appropriation which is done in a different manner.

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

2. 124-2019 Authorizes 2019 Municipal Budget to be read by title only. *Tabled until approval by the State received.*
3. 125-2019 Adopts 2019 Municipal Budget. *Contingent upon receiving approval from the State. Tabled until approval by the State received.*

## **ORDINANCES FOR SECOND READING AND/OR PUBLIC HEARING**

### **ORDINANCE NO. 18-2019**

A BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTIES FOR REDEVELOPMENT AND/OR PARK EXPANSION PURPOSES, BY AND IN THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$420,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF

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

Motion by McCartney and Burton to adopt Ordinance 18-2019. McCartney, yes; Burton, yes; Gardner, yes; Allen, es; Trueblood, yes. Motion carried.

## **REPORTS & COMMUNICATIONS**

- a. Engineer's Report – 4/25/2019

Council President Trueblood noted that roadway and drainage projects under #3 will be using trenchless technology. Mayor Patriarca explained that this is a project that Public Works has been advocating for, for several years. Advised that failing pipes have to be dug up and are damaged. Commented that pipes in TNM and Lake Valley are failing and explained the process using UV lighting with a cart running through it that cures it in place and it becomes a solid lining in the pipe. Stated that this prevents us from having to dig up the road and put new pipes in. Advised that we had done something similar in Country Lakes with Dam #3 with it sprayed on that dam. Commented that this is what they will do here but the application is different with it being cured in place.

## **BILL LIST**

Approval by Council required for payment of vouchers on bill list dated 4/26/2019.

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

Council President Trueblood commented that she was impressed with the bill list having just one notebook listed on it. Stated that she remembers doing budgets at the College and everything there was miscellaneous. Mayor Patriarca advised that they all get special attention and they try to be as open as possible. Mr. Gonzalez stated they do not like miscellaneous, for them it is not a good word.

## **SOLICITOR'S REPORT:**

**Mr. Bayer reported:** Nothing to report.

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

**Mayor Patriarca reported:** Advised that the roof went on the firehouse in Presidential Lakes. Advised they are working through an issue with what they are calling curbing but that it is really concrete that is attached to the building. Hoping this will be done this week with the siding starting to go on. Stated they are still out paving roads and were most recently on Forest. Stated that he had taken a ride out on Route 70 and if you take Mt. Misery toward Woodland, you can see what we paved. Advised that it was horrendous and was fixed after receiving several complaints from residents. Stated it is now a nice driveway to the Methodist Conference Center. Noted that they should be starting Ong' Run in a couple weeks for the walking trail going in behind the library out to Evergreen Boulevard. Stated that the contractor is scheduled to come out in about 2 weeks.

## **COMMENTS BY COUNCIL MEMBERS:**

**Councilman Gardner** – Asked that we remind the residents how much money we have saved by doing our own paving. Mayor Patriarca noted that when we bid them out it runs about \$131.00 per lineal foot where we are around \$27.00 to \$28.00 per lineal foot. Advised that the DOT process is very complex and they have so many requirements. Stated we have yet to figure out how to take that money and apply it to our program and get more miles out of it. Stated we get 5 times as much done and it is a tremendous savings. Councilman Gardner stated that people have asked why there is white gravel on the road when the pothole killer is used. Explained that the white gravel is to keep the fresh asphalt from being pulled out of the ground. Mayor Patriarca further explained the process and that the machine does a great job. Advised that you could go online and watch the YouTube video on the Pothole killer that shows the process. Councilman Gardner asked what is being put in at the Country Lakes Firehouse. Mayor Patriarca advised that it is a cell tower being installed. Stated it was approved by Pinelands and that Pinelands wants them to be directed to the firehouses to bring revenue to them. Stated we do get the bang for our buck from our fire company here in our town. Councilman Gardner thanked all for coming out.

**Councilwoman Burton** – Thanked all for coming out and sharing their concerns. Stated to Mr. Boland that now that she understands how things work, she does not see how we could get through some of our projects without using grant money and she is grateful for that.

**Councilman Allen** – Thanked all for coming out.

**Councilwoman McCartney** – Asked if there was a timeframe for when they would be doing the opening ceremony of the Presidential Lakes Firehouse. Mayor Patriarca stated they are hoping it will be completed in May and that there have been set backs pushing it back a week here or there. Stated they are still optimistic that sometime within the next month they will have the CO for the building and then they can schedule an actual opening and advertise to the residents. Stated he has been talking to Recreation to start coordinating something as half of the building will be for recreation. Councilwoman McCartney stated she knows some residents are concerned about having a second leaf collection and wanted to thank the Mayor for providing a report of what the costs would be and what we would lose by doing the second pick up. Stated that Council had just received the report and it could be discussed at the next meeting. Noted that she had previously mentioned her concerns for safety on the water during the Water Carnival and thanked the Mayor for following up on this as well as the committee is discussing how to improve the lighting on the lake. Advised that May 11<sup>th</sup> there would be a Clean Up day with the Public Works being open for residents to clean out their homes and yards and bring stuff up to the Township. Stated that there is a list of items that allowed to be brought up. Councilwoman McCartney advised that also on May 11<sup>th</sup>, Deborah would be hosting a free cardiac screening for children ages 12 to 19. Advised that residents could go on the website and register. Advised that last Sunday, Nadir Shakir had coordinated a spoken word café with 1 High School and 1 College student writing and sharing their own poems. Commented that May 18<sup>th</sup> is the Browns Mills Clean Communities and will be held at the Firehouse. Noted that May 17<sup>th</sup>, the BMIA will be out planting flowers in the triangle by Turtle Log Bridge. Thanked all for coming out.

**Council President Trueblood** – Thanked all for coming out and sharing. Stated they do try to get back with answers to the questions they are given. Stated she was very impressed with all of the equipment that will be auctioned off and knows it will be a success.

The meeting was adjourned at approximately 7:13 p.m.

Respectfully submitted by,

Amy P. Cosnoski, RMC, Township Clerk