

**TOWNSHIP OF PEMBERTON
REGULAR MEETING**

**June 19, 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

Gaye Burton
Jason Allen
Elisabeth McCartney
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.

PRESENTATION

Presentation from the Pemberton Township Municipal Utilities Authority.

Corinne Kemp from the PTMUA, advised that she has been coming to these meetings since February watching to see what our Government is doing. Advised on how to review the meeting audio on the Township website. Commented on a discrepancy in the report done by the Engineering firm stating that the MUA does not have a reserve which differs from the report provided. Stated she was not given notice that they would be on the agenda for tonight's meeting and did therefore not have a presentation. Commented on money that was taken from the MUA and demanded it be returned.

CLOSED SESSION

167-2019 Authorizes Council to go into Closed Session

Motion by Allen and Burton to approve Resolution 167-2019. Allen, yes; Burton, yes; McCartney, yes; Trueblood, yes. Motion carried.

At this time Council went into Closed Session to discuss Personnel Matters. Those minutes are transcribed and filed separately.

Mr. Bayer noted for the public that Councilman Allen has recused himself from the MUA matter as he sits on the Board of the MUA.

PUBLIC COMMENTS

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

Leon Rosenberg, Browns Mills – 1. Questioned how the Township was going to take over the MUA with no experience. Stated this should be placed on the ballot for the residents to vote on and he does not agree with the dissolution.

Jack Tompkins, Pemberton – 1. Commented on the peace and good order ordinance and the false notifications and commented on the fines. Stated that he has a glass shatter alarm that was set off multiple times by a guy on a Harley. Stated he is concerned about the fines as this will start costing him money and it is something he has no control over. **2.** Commented on his experience with the MUA when he was on Council and his feeling that it is a well-oiled program. Commented on the trust funds and asked when the Township takes over, will they be opening a trust fund for this reserve.

Sandra Armstrong, Browns Mills – 1. Stated she is concerned with the management and the finances of the MUA if it is taken over by the Township. Commented on the discrepancies in the report, but still no violations. Questioned the violations by Public Works and it makes her concerned about the quality of services for the water and sewer. Questioned what was done with the money paid to the Township by the

MUA.

Bob Pelletier, Pemberton – 1. Questioned the annual drinking report and secondary contaminants. Questioned the total dissolved solids and contamination in the water. Advised on a device that could be used to check on this. **2.** Commented on the engine braking on North Pemberton Road. Councilman Allen advised that he had provided him with an answer on this issue. **3.** Mr. Pelletier commented on the flyer he had received from the MUA. Stated he feels that everything seems to be in order with the MUA.

Rocco Morra, 37 Foxglove St. – 1. Wanted to reiterate what he had said at the last meeting. Commented on the issues in Camden with American Water and the complaints they are receiving. **2.** Thanked Administration for fixing his potholes. Stated he had reached out to the Pinelands Commission along with some other people regarding these issues.

Charles DeCharleroy, Browns Mills – 1. Stated he has been living here for 43 years and has taken care of the bills in his house and feels the MUA is working perfectly. Stated there have been no rate increases in the last 7 years and they have a long-term improvement plan with the funds for these improvements. Advised on issues throughout other departments in the Township.

Michael Sawka, Scrapetown Rd. – 1. Advised that he had received a copy of the Animal Control contract that was adopted at the last meeting. Commented on the terms of the contract and the feral cat issue in our town. Cautioned the Township to watch the actions of Mr. Garrity, who is the owner of New Jersey Animal Control. Suggested starting a trap and release program for the feral cat population.

Rocco Morra, 37 Foxglove St. – 1. Commented on the panhandling issue in this town and the elderly people that are getting harassed. Asked for something to be done about that situation.

America Phillips, Presidential Lakes – 1. Commented on the MUA and stated that she does not understand why the Township wants to take over when they are doing their job there. Commented on going to the Smithville Earth Fair and talking to the people of American Water. **2.** Commented on the stop sign at the end of Tennessee Trail by the firehouse. Advised it is overgrown there and you cannot see it. **3.** Noted that the basketball courts and the tennis courts need to be fixed along with the bleachers in Presidential Lakes. Stated that the beach park and basketball court need to be fixed as well. **4.** Commented on the trash on Spring Lake Boulevard.

Leon Rosenberg, Browns Mills - 1. Commented on Evesham Township trying to take over the MUA a few years ago. Noted that they placed it on the ballot and it was defeated by the people at the election.

Leslie Koster, East Lakeshore Dr. – 1. Stated that she is a school bus driver and noted several streets that need to be paid attention to including South Brynwood and California Trail. Mayor Patriarca advised that California Trail was definitely on the paving schedule for Presidential Lakes. State that he knew that New York was being done first.

Isaiah Beard, Browns Mills – 1. Stated that he noticed some signs going up saying not to eat the fish. Advised that he has done some research and found that there is a significant amount of contamination coming from the base and the firefighting foam. Commented on the quality of the drinking water and his concerns with that. Advised on some issues he feels should be looked at with the water and hopes that this is a primary concern and that the obsession over the MUA does not distract attention from this.

George Petronis, Browns Mills – 1. Commented on the terrible condition of Press Avenue and that it is almost impassible in certain areas. Asked that Press Avenue be remembered when doing the roads.

James Boland, 226 Filbert St. – 1. Asked who on the Council might be the most qualified to explain to him what an alternate design pilot program treatment system is. Mr. Bayer advised that this is a time to comment and not a time to cross examine council. Mr. Boland asked if any of Council might be able to comment on this during

their Council comments. **2.** Commented on Sharon Warren and her retirement. Noted the stray cat problem in the area and that they are everywhere. Stated he will miss Sharon. **3.** Commented that the alternate design pilot program treatment system was banned in 2007 and is something that Council all voted yes to reintroducing to make it legal once again. Would also like for anyone on Council to comment on why they personally think the MUA should be dissolved. Asked for Council to do the right thing.

Michael Sawka, Scrapetown Rd. – 1. Noted that if it is a bad decision to dissolve the MUA, he will make a concerted effort to make sure that none of the incumbents are re-elected.

Bob Pelletier, Pemberton – 1. Commented on the MUA issue and the Remington & Vernick report and when it was presented. Stated he feels that Council was trying to blind side people. Stated that instead of trying to dissolve the MUA we should be moving the water, solid waste and recycling over to the MUA. Stated that Administration would still have authority over the MUA.

Lydia Sokill, Berkeley Dr. – 1. Stated that she is a resident and a bus driver and is concerned with the overgrowth along the roads that need to be cut back especially on Upper Mill Road and Deep Hollow Road. Noted that with all of the rain it seems to be thicker and coming out towards the roads. Asked for this to be cut back so the views are not obstructed. Also asked for the deer carcasses to be picked up instead of left to decay.

America Phillips, Presidential Lakes – 1. Commented on the cleaning of Spring Lake Boulevard and asked if the shoulders could be cut so people do not get ticks. **2.** Commented on Virginia Drive where the old Lake Store is located. Stated that she notified Public Works a week ago that there was a dumpster there and it was removed. Noted that the person who own the property has not cut the grass and that this is where the drug dealers meet by the lake. **3.** Commented on the ballpark and the lawn being torn apart by 4 wheelers. Stated it needs to be roped off so the kids will be secure. **4.** Commented that she feels that the dissolution of the MUA should be placed on the ballot and let the residents decide.

James Boland, 226 Filbert St. – 1. Commented on items in Ordinance 24-2019 including the part that addresses putting additions on structures or adding accessory structures to existing structures. Stated that these requirements were made less strict allowing people to build more without having to connect to a sewer. Stated it would be interesting to see any of Council comment on why that restriction was expanded to allow more building.

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 172-2019.

***MEETING MINUTES**

Regular Meeting Minutes of June 5, 2019.

***CONSENT AGENDA RESOLUTIONS**

***CONSENT AGENDA**

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| 168-2019 | Authorizes various routine refunds in the total amount of \$860.00. |
| 169-2019 | Authorizes the use of competitive contracting pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 Et Seq., for the purchase of permitting, code enforcement, case management software, and data conversion services. |
| 170-2019 | Authorizes renewal of Plenary Retail Consumption and Club Licenses for the sale of alcohol for the term 2019-2020. |
| 171-2019 | Requests permission from DLGS for insertion of a special item of revenue in the 2019 Budget in the amount of \$169,400.00 from the Small Cities 2019 |

Housing Rehabilitation Program and the Township required match.

- 172-2019 *Pulled from the Consent Agenda and considered later in the meeting.*
- 173-2019 Authorizes the purchase of one (1) 2019 Rayco RG37 Super JR Self Propelled Stump Cutter with swing out controls for \$21,456.48 from Rayco by Morbark through the Sourcewell Cooperative Purchasing Agreement.
- 174-2019 Accepts a contribution from PSE&G in the amount of \$500.00 for the 2019 Pemberton Township Water Carnival.
- 175-2019 Authorizes the use of competitive contracting pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 Et Seq., for the conduct of an Electronic Tax Sale in 2019.
- 176-2019 Authorizes the use of Regional Contribution Agreement Funds (Cinnaminson Township) for the Emergency House Repair Program for Tibbets, Block 11, Lot 16 in the amount of \$4,561.00.
- 177-2019 Authorizing the award of a contract to Insituform Technologies, LLC, for the Cured-In-Place Pipe Program on Harvard Avenue and Scammel Drive.
- 178-2019 Authorizes the submission of an application to the New Jersey Department of Transportation for fiscal year 2020 State Aid in order to fund reconstruction of a portion of South Lakeshore Drive.

NEW BUSINESS

*1. Purchases over \$3,000

- a. Public Works - Purchase of water meter readers from Core & Main in the total amount of \$7,300.00.
- b. Recreation - Purchase of scorekeeper and referee services and playoff trophies for Youth Basketball program from Westampton Recreation in the total amount of \$5,280.57.
- c. Police Department - Purchase of ammunition from Eagle Point Gun Shop in the total amount of \$6,171.63.
- d. Public Works - Purchase of 95 Gallon Recycling Totes from Occupational Training Center in the total amount of \$8,163.00

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

RESOLUTIONS

172-2019 Requests permission from DLGS for insertion of a special item of revenue in the 2019 Budget in the amount of \$440,000.00 from the Small Cities 2019 ADA Reconstruction Project and the Township required match. *Pulled from the Consent Agenda.*

Councilman Allen asked where these curbs would be placed within the Township. Mr. Gonzalez advised that this would be on Pemberton-Browns Mills Road between Trenton and Juliustown Roads.

Motion by Allen and Burton to approve Resolution 172-2019. Allen, yes; Burton, yes; McCartney, yes; Trueblood, yes. Motion carried.

OTHER RESOLUTIONS

179-2019 Recognition of Dedication of Public Service by ACO Sharon Warren.

Mayor Patriarca stated he remembered when Sharon started. Noted how she loved to take picture and how she had helped them with the K-9's when he was a Police Officer. Stated that she had served us well and they appreciate her and the time she has put in.

Motion by McCartney and Burton to approve Resolution 179-2019. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried

180-2019 Consents to the appointment of a Business Administrator for Pemberton Township.

Motion by Allen and Burton to approve Resolution 180-2019. Allen, yes; Burton, yes; McCartney, yes; Trueblood, yes. Motion carried.

Council President Trueblood asked Mayor Patriarca to provide some information on Mr. Daniel Hornickel, the new Administrator. Mayor Patriarca advised that Mr. Gonzalez would be retiring and Mr. Hornickel would be taking his place. Advised that they had gone through an extensive search and felt that Mr. Hornickel was the best choice to carry us to the future. Stated he has grown very comfortable and accustomed to having a Business Administrator who is fully knowledgeable and proficient in local government and it has allowed him not to have to come in at 8:00 a.m. and have to stay until 8:00 p.m. every night. Commented it is nice to know that you have a team that is able to pick up and work your visions when you are not here to keep the town moving forward. Stated he would like to thank Mr. Gonzalez and we will see how things move forward with Mr. Hornickel. Council President Trueblood stated he seems like he is up to the challenge and we are looking forward to working with Mr. Hornickel.

ORDINANCES FOR SECOND READING, PUBLIC HEARING AND/OR ADOPTION

ORDINANCE NO. 23-2019

BOND ORDINANCE PROVIDING FOR BUILDING AND/OR PARK IMPROVEMENTS PURPOSES, BY AND IN THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$210,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000.00 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.

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

James Boland, 226 Filbert St. – 1. Noted that this was for park expansion. Councilman Allen stated that some of this was for improvements in Presidential Lakes. Mr. Gonzalez advised that was correct and would be for the structure in Presidential Lakes as well as the adjacent park.

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

Motion by McCartney and Allen to adopt Ordinance 23-2019. McCartney, yes; Allen, yes; Burton, yes; Trueblood, yes. Motion carried.

ORDINANCE 25-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON CHAPTER 141 OF THE TOWNSHIP CODE ENTITLED "PEACE AND GOOD ORDER".

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

Bob Pelletier, Pemberton – 1. Asked if this was the noise ordinance. Mr. Gonzalez advised that this was about false alarms and was requested by the Police Chief due to the amount of calls they go to unnecessarily. Mr. Pelletier asked if an engine braking ordinance could be considered in the future.

James Boland, 226 Filbert Ave. – 1. Asked if this covered car alarms. It was noted that it did. Stated he was guilty of that today as he was working on his car today. Commented on Mr. Tompkins issue from the last meeting where someone speeding down the road is setting off his alarm.

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

Councilman Allen asked for clarification on the title change. Mr. Bayer stated that the section was going to read 'Alarm and Alarm Systems' and then the article under that says 'False Alarms'. Mr. Gonzalez stated the title of the ordinance would change from Peace and Good Order to Alarms and Alarm Systems. Councilman Allen stated that the ordinance before them stated Peace and Good Order. Mr. Gonzalez advised that the name would be changed after the adoption. Councilwoman McCartney reiterated that if the alarm was set off for an unpredictable reason, the resident would not be held responsible.

Motion by McCartney and Burton to adopt Ordinance 25-2019. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 26-2019

BOND ORDINANCE PROVIDING FOR STORMWATER PIPE REHABILITATION AND/OR OTHER DRAINAGE AND ROAD IMPROVEMENTS, BY AND IN THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 BOND OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF

Motion by Burton and Allen to introduce Ordinance 26-2019 with a Public Hearing to be held on July 17th, 2019. Burton, yes; Allen, yes; McCartney, yes; Trueblood, yes. Motion carried.

ORDINANCE NO. 27-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE SALE OF BLOCK 286, LOT 4 BY WAY OF QUITCLAIM DEED TO LARRY BOZARTH.

Motion by Allen and McCartney to introduce Ordinance 27-2019 with a Public Hearing to be held on July 17th, 2019. Allen, yes; McCartney, yes; Burton, yes; Trueblood, yes. Motion carried.

ORDINANCE NO. 28-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE SALE OF BLOCK 286, LOT 32 BY WAY OF QUITCLAIM DEED TO LARRY BOZARTH.

Motion by Allen and Burton to introduce Ordinance 28-2019 with a Public Hearing to be held on July 17th, 2019. Allen, yes; Burton, yes; McCartney, yes; Trueblood, yes. Motion carried.

ORDINANCE NO. 29-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE SALE OF BLOCK 561, LOT 37 BY WAY OF QUITCLAIM DEED TO RAYMOND VEITENHEIMER.

Motion by Allen and Burton to introduce Ordinance 29-2019 with a Public Hearing to be held on July 17th, 2019. Allen, yes; Burton, yes; McCartney, yes; Trueblood, yes. Motion carried.

ORDINANCE NO. 30-2019

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE SALE OF BLOCK 823.01, LOT 11 BY WAY OF QUITCLAIM DEED TO MICHAEL DITARANTO.

Motion by McCartney and Burton to introduce Ordinance 30-2019 with a Public Hearing to be held on July 17th, 2019. McCartney, yes; Burton, yes; Allen, yes; Trueblood, yes. Motion carried.

REPORTS & COMMUNICATIONS

a. Engineer's Report – 6/13/2019

Council President Trueblood commented on the water testing on one of the wells. Mr. Gonzalez noted this is the status of the new well in North Pemberton. Mayor Patriarca provided the updates. Noted that we did a test well but did not get the results we were looking for. Advised that we are looking at an option to see how we can improve the production on that well. Added that we are looking at other areas to run a second test well. Stated that the plan would be to somewhere down the line bring in additional existing wells in the area or a third well for that area to complete that system that is being built. Noted that this would allow us to come off the Borough system and be a backup to the Borough system.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 6/14/2019.

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; Trueblood, yes. Motion carried.

SOLICITOR'S REPORT:

Mr. Bayer reported: Mr. Bayer advised that the Local Finance Board Application was filed back in April which was to be heard in May. Advised that the MUA had requested an adjournment then and again in June so it is now scheduled to be heard in July.

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

Mayor Patriarca reported: Offered himself up to any resident who would like to come and sit with him to get the truthful answers to all of their questions. Stated it seems like they need truthful answers and should seek that out and he is available for that. Noted that in regard to the lake contamination, they are aware that there is an issue and it has been publicized and the military is aware and responsible for this. Advised that it is due to the firefighter training that has occurred on the base over a course of years and the types of chemicals they were using. Shows that we sometimes do not think ahead when we do things in government. Stated that they were using things that were leaching down into the down stream area in the community surrounding the base. Stated that there has been well testing throughout the community and our wells do not show contamination in our drinking water and that it is safe to drink from the tap. Advised that he was contacted by the Director and that it is an issue for consuming larger amounts of fish from the lake. Stated he would advocate catch and release. Stated that the lakes are safe to swim in. Commented on the BMIA BBQ this weekend. Advised that it was a nice event and noted some of the ideas they have throughout the year to celebrate their 100th Anniversary. Noted a particular event was to get as many boats out on the lake as they could which he thinks is a great idea. Would love for the town to co-sponsor something with them and suggested that they reach out to Recreation. Noted that this weekend was the Blueberry Festival over in White Bogs. Noted that the first cultivated blueberry came from White Bogs. Advised that Emergency Management was working in the next room over and asked for all to be safe driving home. Noted some areas of concern and asked everyone to please not drive through flooded areas.

Dennis Gonzalez reported: Nothing to report.

COMMENTS BY COUNCIL MEMBERS:

Councilwoman McCartney – Commented on the BMIA events and noted that Karl Johnson was first place in the yard contest with James Boland receiving an honorable mention. Noted that she had been looking forward to the MUA presentation as she had questions and was hoping to get them answered. Noted that she got the feeling from them that she would only get more information by attending their meeting. Stated she is hoping that perhaps the MUA would consider providing a presentation on July 17th.

Councilman Allen – Noted that over the weekend a resident asked if the Township paved the alleyways in Lake Valley. Asked how a resident would be able to get an alleyway looked at. Mayor Patriarca advised that they are trying to work through this, as currently they are owned by the residents. Councilman Allen suggested a suggestion or recommendation box somewhere in the Township building and a centralized location where residents could drop their ideas. Feels this would help Council and Administration get an idea of how the residents are feeling. Commented on the panhandling in Browns Mills and asked if this could be passed along to the Chief for monitoring.

Councilwoman Burton – Thanked everyone for coming out and sharing their concerns and comments. Stated she did go to the BMIA 100th anniversary picnic but did not get to stay and is looking forward to the other activities coming. Commented on an event that took place at the BMIA through a program called Life Opportunities who paired with the Department of Corrections to bring people that were incarcerated to talk to our youth. Stated that she was very pleased with the number of young children that were there. Noted that there were 4 individuals that gave their testimony to the children to let them know what happens if you have a record and go to jail.

Council President Trueblood – Reiterated what Councilwoman Burton said about the Life Opportunities event and that is great to reach the children at such a young age. Commented on the lack of a presentation by the MUA. Noted that it is a shame that everyone that was at

the meeting from the MUA left before the end of the meeting. Commented that we did file our application with the Local Finance Board as Mr. Bayer had stated earlier, and they are still going through the process. Stated that from the emails she is receiving from the residents, it seems that people are getting false information. Advised that all residents and their opinions do matter. Thanked all for reaching out to Council and noted that there are things that they still need to work through. Advised the public that Council did make an official request to the MUA to make a presentation. Noted that as Council President she is advising that Council has not denied time to MUA to make a presentation. Stated that where things are wrong, they are wrong, but that this is false. Council never denied allowing the MUA to do a presentation because a request from them was not received. Noted that Council will be making another request to see if the MUA will do a presentation.

Mr. Gonzalez advised that the MUA had specifically requested to do a presentation at this meeting on June 19th and that was why it was placed on the agenda.

Mr. Bayer stated that the offer was made but that they did not take the offer to do the presentation in April.

Council President Trueblood wanted to advise the residents that Council is not turning their backs. Thanked all for coming out. Asked all to be safe going home.

The meeting was adjourned at approximately 8:27 p.m.

Respectfully submitted by,

Amy P. Cosnoski

Amy P. Cosnoski, RMC, Township Clerk