

TOWNSHIP OF PEMBERTON

REGULAR MEETING

AUGUST 6, 2008

6:30 P.M.

1. Council President Stinney announced that notice of this meeting was given in accordance with the Open Public Meetings Act and led the assembly in the Pledge of Allegiance, followed by roll call.

PRESENT

Ken Cartier (arrived at approx. 6:30 pm)
Tom Inge
Richard Prickett
Sherry Scull
Diane Stinney

ABSENT

Also present: Mayor David Patriarca, Business Administrator Chris Vaz, Solicitor representative Jake Archer, Township Clerk Mary Ann Young

2. Chairwoman Stinney called the meeting to order at 6:30 pm.
3. Closed Session Res. No. 177-2008

RESOLUTION NO. 177-2008A

WHEREAS, SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, P.L. 1975 PERMITS THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES; AND
WHEREAS, THIS PUBLIC BODY IS OF THE OPINION THAT SUCH CIRCUMSTANCES PRESENTLY EXIST;
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, AS FOLLOWS:

1. THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF AND ACTION UPON THE HEREINAFTER SPECIFIED MATTERS.
2. THE GENERAL NATURE OF THE SUBJECT MATTERS TO BE DISCUSSED IS AS FOLLOWS:
UNION CONTRACT NEGOTIATIONS UPDATE
WOODBINE DRAINAGE
3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE-STATED SUBJECT MATTERS WILL BE MADE PUBLIC WHEN THE MATTERS HAVE BEEN RESOLVED.

Mrs. Stinney asked Mr. Archer for any additional Closed Sessions Topics where he advised Woodbine Drainage would also be discussed.

Motion by Prickett and Scull to approved Resolution No. 177-2008A.
Prickett, yes; Scull, yes; Inge, yes; Stinney, yes. Motion carried.

4. CLOSED SESSION

Mrs. Stinney indicated that Council will be going into Closed Session and will return to Open Session at 7:00 pm.

5. Formal action as necessary pursuant to closed session.

Mrs. Stinney reopened the meeting at 7:00 pm and noted there will be no formal action pursuant to closed session.

6. Public comments on consent agenda items only.

Mrs. Stinney read the following statement prior to opening the meeting to public comments: "Tonight, I am extremely proud to sit as Council President and Chair our meeting for the first time in our newly renovated meeting room and proud to have taken part in this project. For years, as I sat where you are tonight I thought will someone ever do something with this room; the ceiling tiles, lighting and oh yes, those uncomfortable chairs. I can only say how proud Charlie Graf and so many others who have gone on would be of this meeting room. When this Council and Administration took office, we made a commitment to bring pride and dignity to our Township and that is what you see here this evening to this room. During Budget sessions, we agreed that the residents deserve having their property look nice and budgeted capital was set aside. I visited many Townships and saw what their meeting room looked like, and all I could say was maybe our Township meeting could someday look like this. Tonight, we are sitting in a state of the art meeting room that we should all be proud of. To the residents of Pemberton Township, congratulations on your beautiful meeting room. Thank you Council and Administration for your vision of wanting to make Pemberton Township a beautiful place to hold our meetings. Thank you". Mayor Patriarca asked to add to Mrs. Stinney's statement. The Mayor commented that it was a lengthy process and wanted to give credit where credit was due. Mayor Patriarca reported that the Township's Public Works Department put a tremendous amount of time into this effort along with staff members from his office and the Township Clerk's office; noting that their visioning is what is seen here today. He reiterated that the credit clearly goes to the hard work of the Public Works Department and Administrative staff.

Mrs. Stinney opened the meeting to public comments on Consent Agenda items only. There being no members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments on Consent Agenda items only.

***7. 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.**

***9. MINUTES FILED BY MUNICIPAL CLERK**

***a.** Regular Meeting, July 16, 2008.

***10. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 178-2008A

REVISED RESOLUTION AUTHORIZING TAX SALE

WHEREAS, THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, DESIRES TO COLLECT ALL TAXES, ASSESSMENTS AND OTHER MUNICIPAL CHARGES THAT ARE NOW DELINQUENT; AND

WHEREAS, THE TAX COLLECTOR IS DIRECTED TO SELL ALL MUNICIPAL DELINQUENCIES THROUGH DECEMBER 31, 2007 IN A MANNER DESCRIBED BY N.J.S.A. 54:5-19, AND AS AMENDED BY CHAPTER 99 PUBLIC LAWS OF 1997.

WHEREAS, ALTHOUGH THE ORIGINAL DATE OF TAX SALE WAS SCHEDULED FOR SEPTEMBER 16, 2008, THE DATE MUST BE RESCHEDULED DUE TO THE FACT THAT THERE WAS A CONFLICT IN THE SCHEDULED DATE.

NOW THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, THAT THE TAX COLLECTOR IS HEREBY AUTHORIZED AND DIRECTED TO SELL ALL MUNICIPAL LIENS IN ACCORDANCE WITH NEW JERSEY LAW, AND AS STATED ABOVE ON SEPTEMBER 17, 2008 AT 10:00 A.M.

RESOLUTION NO. 179-2008A

RESOLUTION OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE LEASE AGREEMENT BY AND BETWEEN THE TOWNSHIP AND THE BURLINGTON COUNTY BRIDGE COMMISSION IN CONNECTION WITH THE COMMISSIONER'S 2005 GOVERNMENTAL LEASING PROGRAM

WHEREAS, THE BURLINGTON COUNTY BRIDGE COMMISSION (THE "COMMISSION") HAS BEEN DULY CREATED BY RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY (THE "COUNTY"), DULY ADOPTED OCTOBER 22, 1948, AS A PUBLIC BODY CORPORATE AND POLITIC OF THE STATE OF NEW JERSEY (THE "STATE") PURSUANT TO THE SELF-LIQUIDATING BRIDGES ACT, CONSTITUTING CHAPTER 17 OF THE PAMPHLET LAWS OF

1934, OF THE STATE OF NEW JERSEY AND THE ACTS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO (THE "ACT"); AND

WHEREAS, PURSUANT TO THE TERMS OF THE ACT, THE COMMISSION IS AUTHORIZED TO PROVIDE WITHIN THE COUNTY PUBLIC FACILITIES FOR USE BY THE STATE, THE COUNTY OR ANY MUNICIPALITY IN THE COUNTY, OR ANY SUBDIVISION, DEPARTMENTS, AGENCIES OR INSTRUMENTALITIES OF ANY OF THE FOREGOING, FOR ANY OF THEIR RESPECTIVE GOVERNMENTAL PURPOSES; AND

WHEREAS, THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY (THE "TOWNSHIP") PARTICIPATED IN THE COMMISSIONER'S 2005 GOVERNMENTAL LEASING PROGRAM IN ORDER TO FINANCE AND/OR REFINANCE THE COST OF CONSTRUCTION OF CERTAIN IMPROVEMENTS (COLLECTIVELY, THE "PROJECT"), WHICH PROJECT WAS LEASED BY THE COMMISSION TO THE TOWNSHIP PURSUANT TO THE TERMS OF AN IMPROVEMENT LEASE AND AGREEMENT DATED AS OF AUGUST 15, 2005 (THE "LEASE AGREEMENT"); AND

WHEREAS, THE COMMISSION FINANCED THE PROJECT THROUGH THE ISSUANCE OF ITS COUNTY-GUARANTEED LEASE REVENUE BONDS (GOVERNMENTAL LEASING PROGRAM), SERIES 2005 (THE "BONDS"); AND

WHEREAS, THE TOWNSHIP HAS DETERMINED TO MAKE A CHANGE IN THE DESCRIPTION AND LOCATION OF THE IMPROVEMENTS TO BE FINANCED UNDER THE LEASE AGREEMENT AND THE COMMISSION AND THE TOWNSHIP DESIRES TO AMEND THE LEASE AGREEMENT TO REFLECT THE TOWNSHIP'S CHANGE IN THE PROJECT, PURSUANT TO A FIRST AMENDMENT TO THE LEASE AGREEMENT (THE "FIRST AMENDMENT");

WHEREAS, THE TOWNSHIP NOW DESIRES TO APPROVE THE FIRST AMENDMENT AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF THE FIRST AMENDMENT.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN A MAJORITY OF THE FULL MEMBERSHIP THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

SECTION 1. THE TOWNSHIP COUNCIL HEREBY APPROVES THE CHANGES IN THE DESCRIPTION AND LOCATION OF THE IMPROVEMENTS AS SET FORTH IN THE FIRST AMENDMENT AND THE FIRST AMENDMENT, IN SUBSTANTIALLY THE FORM PRESENTED AT THIS MEETING, IS HEREBY APPROVED.

SECTION 2. THE MAYOR, THE TOWNSHIP ADMINISTRATOR AND THE CHIEF FINANCIAL OFFICER (THE "AUTHORIZED OFFICERS") ARE EACH HEREBY AUTHORIZED TO EXECUTE THE FIRST AMENDMENT ON BEHALF OF THE TOWNSHIP, AND THE TOWNSHIP CLERK IS HEREBY AUTHORIZED TO ATTEST THE VALIDITY OF SUCH SIGNATURE. THE EXECUTION OF THE FIRST AMENDMENT BY THE AUTHORIZED OFFICERS SHALL EVIDENCE THE TOWNSHIP'S APPROVAL OF THE TERMS THEREOF AND NO FURTHER ACTION THEREFORE SHALL BE REQUIRED.

SECTION 3. THE PROPER OFFICERS OF THE TOWNSHIP ARE HEREBY AUTHORIZED AND DIRECTED TO TAKE ALL SUCH ACTIONS AS MAY BE NECESSARY TO EFFECT THE EXECUTION AND DELIVERY OF THE FIRST AMENDMENT, INCLUDING BUT NOT LIMITED TO EXECUTION AND DELIVERY, FOR AND ON BEHALF OF THE TOWNSHIP, OR ANY AND ALL INSTRUMENTS, OPINIONS, AFFIDAVITS, CERTIFICATES, AND DOCUMENTS, AND TO DO AND TO PERFORM OR CAUSE TO BE DONE ANY AND ALL ACTS AS THEY MAY DEEM NECESSARY OR APPROPRIATE IN ORDER TO IMPLEMENT THE EXECUTION AND DELIVERY OF THE FIRST AMENDMENT AND THE MATTERS HEREIN.

SECTION 4. THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

RESOLUTION NO. 180-2008

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 REQUIRES THE GOVERNING BODY OF EVERY LOCAL UNIT TO HAVE MADE AN ANNUAL AUDIT OF ITS BOOKS, ACCOUNTS AND FINANCIAL TRANSACTIONS, AND

WHEREAS, THE ANNUAL REPORT OF AUDIT FOR THE YEAR 2007 HAS BEEN FILED BY A REGISTERED MUNICIPAL ACCOUNTANT WITH THE MUNICIPAL CLERK PURSUANT TO N.J.S.A. 40A: 5-6, AND A COPY HAS BEEN RECEIVED BY EACH MEMBER OF THE GOVERNING BODY; AND

WHEREAS, R.S. 52:27BB-34 AUTHORIZES THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY TO PRESCRIBE REPORTS PERTAINING TO THE LOCAL FISCAL AFFAIRS; AND

WHEREAS, THE LOCAL FINANCE BOARD HAS PROMULGATED N.J.A.C. 5:30-6.5, A REGULATION REQUIRING THAT THE GOVERNING BODY OF EACH MUNICIPALITY SHALL, BY RESOLUTION, CERTIFY TO THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY THAT ALL MEMBERS OF THE GOVERNING BODY HAVE REVIEWED, AS A MINIMUM, THE SECTIONS OF THE ANNUAL AUDIT ENTITLED "COMMENTS AND RECOMMENDATIONS; AND

WHEREAS, THE MEMBERS OF THE GOVERNING BODY HAVE PERSONALLY REVIEWED, AS A MINIMUM, THE ANNUAL REPORT OF AUDIT, AND SPECIFICALLY THE SECTIONS OF THE ANNUAL AUDIT ENTITLED "COMMENTS AND RECOMMENDATIONS, AS EVIDENCED BY THE GROUP AFFIDAVIT FORM OF THE GOVERNING BODY ATTACHED HERETO; AND

WHEREAS, SUCH RESOLUTION OF CERTIFICATION SHALL BE ADOPTED BY THE GOVERNING BODY NO LATER THAN FORTY-FIVE DAYS AFTER THE RECEIPT OF THE ANNUAL AUDIT, PURSUANT TO N.J.A.C. 5:30-6.5; AND

WHEREAS, ALL MEMBERS OF THE GOVERNING BODY HAVE RECEIVED AND HAVE FAMILIARIZED THEMSELVES WITH, AT LEAST, THE MINIMUM REQUIREMENTS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY, AS STATED AFORESAID AND HAVE SUBSCRIBED TO THE AFFIDAVIT, AS PROVIDED BY THE LOCAL FINANCE BOARD; AND

WHEREAS, FAILURE TO COMPLY WITH THE REGULATIONS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY MAY SUBJECT THE MEMBERS OF THE LOCAL GOVERNING BODY TO THE PENALTY PROVISIONS OF R.S. 52:27BB-52, TO WIT: R.S. 52:27BB-52: A LOCAL OFFICER OR MEMBER OF A LOCAL GOVERNING BODY WHO, AFTER A DATE FIXED FOR COMPLIANCE, FAILS OR REFUSES TO OBEY AN ORDER OF THE DIRECTOR (DIRECTOR OF LOCAL GOVERNMENT SERVICES), UNDER THE PROVISIONS OF THIS ARTICLE, SHALL BE GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MAY BE FINED NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000.00) OR IMPRISONED FOR NOT MORE THAN ONE YEAR, OR BOTH, IN ADDITION SHALL FORFEIT HIS OFFICE.

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL OF THE TOWNSHIP OF PEMBERTON, HEREBY STATES THAT IT HAS COMPLIED WITH N.J.A.C. 5:30-6.5 AND DOES HEREBY SUBMIT A CERTIFIED COPY OF THIS RESOLUTION AND THE REQUIRED AFFIDAVIT TO SAID BOARD TO SHOW EVIDENCE OF SAID COMPLIANCE.

RESOLUTION NO. 181-2008

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT THE CHIEF FINANCIAL OFFICER IS HEREBY AUTHORIZED AND DIRECTED TO REFUND MONIES TO THE FOLLOWING PERSONS FOR THE AMOUNTS AND REASONS SET FORTH:

ROBERT L. MCCLURE, \$724.62, OVERPAYMENT OF PROPERTY TAXES, BLOCK 186, LOT 21

RONNETTE SMITH, \$1,200.32, OVERPAYMENT OF PROPERTY TAXES, BLOCK 47, LOT 1

ANNETTE ROBINSON, \$205.00, REFUND OF SUMMER RECREATION PROGRAM FEES

CHASE HOME FINANCE, LLC, \$871.25, PROPERTY TAXES PAID IN ERROR, BLOCK 198, LOT 1.01

RESOLUTION NO. 182-2008

RESOLUTION OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF PROPERTY TAXES ON PROPERTY QUALIFYING FOR A VETERANS' PROPERTY TAX EXEMPTION

WHEREAS, N.J.S.A. 54:4-3.30 PROVIDES FOR AN EXEMPTION FROM TAXES ON CERTAIN PROPERTY OWNED BY A TOTALLY DISABLED VETERAN; AND

WHEREAS, IT HAS BEEN DETERMINED BY THE TAX ASSESSOR THAT PROPERTY KNOWN AS BLOCK 1093 LOT 6, 447 TEMPLE ROAD, PEMBERTON, NJ, OWNED BY JOSEPH THOMPSON QUALIFIES FOR A VETERANS' PROPERTY TAX EXEMPTION AS OF APRIL 14, 2008; AND

WHEREAS, THE DETERMINATION BY THE TAX ASSESSOR IS THE RESULT OF AN ASSIGNMENT OF A ONE HUNDRED PERCENT PERMANENT AND TOTAL WARTIME SERVICE CONNECTED DISABILITY EVALUATION FROM THE VETERANS ADMINISTRATION; AND

WHEREAS, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL PROPERTY TAXES ON BLOCK 1093 LOT 6 AS A RESULT OF THE GRANTED EXEMPTION; AND
WHEREAS, THE TAXES DUE ON THE PROPERTY FROM JANUARY 1, 2008 TO APRIL 14, 2008 ARE \$741.52 WHICH ARE CURRENTLY OPEN AND DUE TO THE TOWNSHIP WHICH THE COLLECTOR'S OFFICE IS IN THE PROCESS OF TRYING TO COLLECT ALONG WITH 2007 BALANCE TOTALING \$2,254.37 AS MR. THOMPSON IS CURRENTLY IN CHAPTER 13 BANKRUPTCY; , AND

WHEREAS, TAX LEVY FOR FIRST HALF OF 2008 IS \$1,282.80, THE TAX COLLECTOR REQUESTS TO CANCEL \$541.28; AND
WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES ON SAID PROPERTY AS OF APRIL 14, 2008.
NOW THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AS FOLLOWS:

1. THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO CANCEL 2008 PROPERTY TAXES ON BLOCK 1093 LOT 6 AS OF APRIL 14, 2008, AS SAID PROPERTY HAS BEEN DETERMINED TO QUALIFY FOR A VETERANS' PROPERTY TAX EXEMPTION UNDER N.J.S.A. 54:4-3.30.
2. THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE TAX COLLECTOR, TAX ASSESSOR AND CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF PEMBERTON AND THE BURLINGTON COUNTY BOARD OF TAXATION.

RESOLUTION NO. 183-2008

TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF COMPLETED GENERAL CAPITAL PROJECTS

WHEREAS, CERTAIN GENERAL CAPITAL IMPROVEMENT APPROPRIATION BALANCES REMAIN DEDICATED TO PROJECTS NOW COMPLETED, AND OR NOT PURSUED; AND

WHEREAS, IT IS NECESSARY TO FORMALLY CANCEL SAID BALANCES SO THAT THE UNEXPENDED BALANCES MAY BE CREDITED TO CAPITAL SURPLUS, AND UNUSED DEBT AUTHORIZATIONS MAY BE CANCELED; AND

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE FOLLOWING UNEXPENDED AND DEDICATED BALANCES OF THE GENERAL CAPITAL APPROPRIATIONS BE CANCELED.

ORDINANCE 21-2006

DOMINIC JOHNSON RECREATION CENTER AND
MIRROR LAKE BEACH CONCESSION BUILDING
ROOF REPAIRS

ACCOUNT NUMBER # 04-2006-200621-4001-4-44401

BALANCE TO BE CANCELED: \$ 33,089.00

RESOLUTION NO. 184-2008

WHEREAS, THE TOWNSHIP OF PEMBERTON IS A SECONDARY MORTGAGEE UNDER A MORTGAGE DATED FEBRUARY 28, 2007, BETWEEN CURTIS AND NORA LUKER, 333 BIRMINGHAM ROAD, PEMBERTON, NJ 08068 IN THE AMOUNT OF \$18,000.00, AS A RESULT OF FUNDS PROVIDED BY THE TOWNSHIP TO OWNER OF SAID PROPERTY UNDER THE REGIONAL CONTRIBUTION AGREEMENT (RCA) WITH CINNAMINSON; AND

WHEREAS, CAPITAL ONE HOME LOANS, LLC HAS PROVIDED THE NECESSARY FORMS FOR THE APPLICANT WHICH ARE ENCLOSED, BY WAY OF A LETTER HAVE REQUESTED THAT PEMBERTON TOWNSHIP EXECUTE A SUBORDINATION AGREEMENT TO ALLOW THE OWNER TO SECURE A LOAN, COPIES ARE ATTACHED HERETO AND MADE A PART THEREOF THE RECORD; AND

WHEREAS, THE TOTAL ASSESSED VALUE OF THE PROPERTY KNOWN AS BLOCK 4, LOT 17, 431 PEMBERTON BLVD, IS CURRENTLY ASSESSED AT \$50,900.00 PER THE ASSESSOR'S OFFICE AND AN APPRAISAL IS ATTACHED IN THE AMOUNT OF \$135,000.00, AND THE ADMINISTRATION HAS DETERMINED THAT THERE IS SUFFICIENT EQUITY IN THE PROPERTY TO PROTECT THE TOWNSHIP'S RCA INTEREST; AND

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE MAYOR AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE SUBORDINATION AGREEMENT FOR CURTIS AND NORA LUKER AS ATTACHED HEREWITH WITH CAPITAL ONE HOME LOANS, LLC.

RESOLUTION NO. 185-2008

WHEREAS, APPLICATION HAS BEEN MADE TO THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON FOR RENEWAL OF A PLENARY RETAIL CONSUMPTION LICENSE FOR THE PERIOD OF JULY 1, 2008 TO JUNE 30, 2009; AND

WHEREAS, THE SAME HAS BEEN DULY ADVERTISED AND NO OBJECTIONS HAVE BEEN FILED WITH THE TOWNSHIP CLERK; AND

WHEREAS, THE RENEWAL APPLICATION HAS BEEN COMPLETED IN ALL RESPECTS AND THE BELOW-NAMED APPLICANT IS QUALIFIED TO BE A LICENSEE IN ACCORDANCE WITH ALL STATUTORY, REGULATORY, AND LOCAL GOVERNMENTAL ABC LAWS AND REGULATIONS;

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE FOLLOWING LICENSE BE RENEWED FOR THE PERIOD OF JULY 1, 2008 TO JUNE 30, 2009, EFFECTIVE UPON ADOPTION OF THE RESOLUTION HEREIN:

PLENARY RETAIL CONSUMPTION LICENSES:

OTT'S PUB INC.

#0329-33-012-003

T/A OTTERS PUB

RESOLUTION NO. 186-2008

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO MONMOUTH-OCEAN HOSPITAL SERVICE CORPORATION FOR THE PROVISION OF 24-HOUR DAILY EMERGENCY SERVICES IN PEMBERTON TOWNSHIP

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS AUTHORIZED THE ACCEPTANCE OF BIDS FOR THE PROVISION OF 24-HOUR DAILY EMERGENCY MEDICAL SERVICES FOR PEMBERTON TOWNSHIP FOR A CONTRACT PERIOD BEGINNING SEPTEMBER 1, 2008 NOT TO EXCEED 24 MONTHS; AND

WHEREAS, THE TOWNSHIP RECEIVED TWO (2) BIDS FROM THE FOLLOWING VENDORS IN THE FOLLOWING AMOUNTS:

1. MONMOUTH-OCEAN HOSPITAL SERVICE CORPORATION
4806 MEGILL ROAD
NEPTUNE, NJ 07753
\$116,300.00; AND
2. AMERICAN MEDICAL RESPONSE MID-ATLANTIC, INC.
426-440 N. 8TH STREET
PHILADELPHIA, PA 19123
\$225,000.00

WHEREAS, THE ADMINISTRATION AND THE TOWNSHIP SOLICITOR HAVE REVIEWED SAID BIDS AND RECOMMEND THAT THE CONTRACT BE AWARDED TO MONMOUTH-OCEAN HOSPITAL SERVICE CORPORATION AS THE LOWEST QUALIFIED BIDDER SUBMITTING A CONFORMING BID; AND

WHEREAS, THE TOWNSHIP COUNCIL FINDS THAT IT WOULD BE IN THE BEST INTEREST OF THE TOWNSHIP OF PEMBERTON TO AWARD THE CONTRACT TO THE LOWEST QUALIFIED BIDDER, MONMOUTH-OCEAN HOSPITAL SERVICE CORPORATION, FOR THE PROVISION OF 24-HOUR DAILY EMERGENCY MEDICAL SERVICES FOR PEMBERTON TOWNSHIP.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE CONTRACT FOR THE PROVISION OF 24-HOUR DAILY EMERGENCY MEDICAL SERVICES FOR PEMBERTON TOWNSHIP BE AND HEREBY IS AWARDED TO MONMOUTH-OCEAN HOSPITAL SERVICE CORPORATION, AND THAT THE MAYOR IS AUTHORIZED TO EXECUTE A CONTRACT, IN A FORM

LEGALLY ACCEPTABLE TO THE TOWNSHIP SOLICITOR, BETWEEN THE TOWNSHIP OF PEMBERTON AND MONMOUTH-OCEAN HOSPITAL SERVICE CORPORATION FOR THE PROVISION OF 24-HOUR DAILY EMERGENCY MEDICAL SERVICES FOR PEMBERTON TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$116,300.00 FOR A PERIOD BEGINNING SEPTEMBER 1, 2008 NOT TO EXCEED 24 MONTHS AND IN ACCORDANCE WITH THE BID PROPOSAL SUBMITTED BY MONMOUTH-OCEAN HOSPITAL SERVICE CORPORATION; AND

BE IT FURTHER RESOLVED, THAT THE CHIEF FINANCIAL OFFICER HAS EXECUTED A CERTIFICATION OF FUNDS FOR THIS CONTRACT, WHICH IS ATTACHED HERETO, AND THAT SUFFICIENT FUNDS ARE AVAILABLE FOR SAID CONTRACT FROM ACCOUNT NUMBER 01-2008-0001-0262-2-15106; AND

BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. MONMOUTH-OCEAN HOSPITAL SERVICE CORPORATION
- B. TOWNSHIP ADMINISTRATOR
- C. TOWNSHIP CHIEF FINANCIAL OFFICER
- D. GLUCKWALRATH LLP.

***e.** Applications submitted for memberships, licenses, permits:

***1. Loud Speaker Permit applications:** 1. Radyne Allen, music amplification system for graduation party at the Graf Stull Borzell Community Ctr., 3pm-9pm, 8/9/08. 3. Country Lakes Vol. Fire Co., loud speaker for fund raiser at fire house, 7pm-11pm, 10/17/08. 4. Nathan Williams, music amplification system for party at Dominique Johnson Center, 2pm-8pm, 8/17/08. 5. Letha Nelson, DJ for going away to college party at Dominique Johnson Center, 2pm-8pm, 8/10/08.

***2. Fire Company Memberships:** (Council confirmation/acknowledgement of new members): **Magnolia Road Fire Co.:** Firefighter Charles Otting; **Country Lakes Fire Co.:** Contributing member Cindy Lalumiere; **Presidential Lakes Fire Co.:** Junior firefighter Annabelle Roman.

***3.** Social Affair Permit Application: One day liquor license for malt alcoholic beverages for fund raiser at fire company, 7pm-11pm, 10/17/08.

***13.** Approval by Council required for payment of vouchers on bill list dated **8/1/08.**

Mr. Prickett asked to add Resolution No. 187-2008 which authorizes emergency drainage repairs at the intersection of Scammel and Sandra Drives and Resolution No. 188-2008 which authorizes emergency appropriations for repairs to Scammel and Sandra Drive and suggested Mrs. Stinney might want to reopen the meeting to public comments on Consent Agenda items.

Motion by Prickett and Scull to add Resolution No. 187-2008 which authorizes emergency drainage repairs at the intersection of Scammel and Sandra Drives and Resolution No. 188-2008 authorizing emergency appropriations for repairs to Scammel and Sandra to the Consent Agenda.

Mr. Cartier informed he does not have a copy of Resolution No. 188-2008. Mrs. Young and Mrs. Stinney informed Mr. Cartier that a copy was placed on his chair.

Prickett, yes; Scull, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

RESOLUTIONS ADDED TO CONSENT AGENDA

RESOLUTION NO. 187-2008

RESOLUTION AUTHORIZING EMERGENCY DRAINAGE REPAIRS AT THE INTERSECTION OF SCAMMELL & SANDRA DRIVES

WHEREAS, ON JULY 30, 2008, THE STREETS AND ROADS SUPERINTENDENT ("SUPERINTENDENT") DISCOVERED DAMAGE TO THE STORM SEWER PIPING BENEATH THE INTERSECTION OF SCAMMELL AND SANDRA DRIVES; AND WHEREAS, THE SUPERINTENDENT DETERMINED THAT THE DAMAGE TO THE STORM SEWER PIPE ALSO CREATED A DANGEROUS SINKHOLE WHICH UNDERMINED THE INTEGRITY OF THE ROADWAY AND POSED A THREAT TO THE PUBLIC'S HEALTH, SAFETY AND WELFARE; AND WHEREAS, THE TOWNSHIP ENGINEER INSPECTED THE DAMAGE AND CONCURRED WITH THE FINDINGS OF THE SUPERINTENDENT; AND WHEREAS, THE TOWNSHIP ENGINEER HAS DETERMINED THAT, UNDER N.J.S.A. 40A:11-6, AN EMERGENCY EXISTS AFFECTING THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE USERS OF THIS INTERSECTION; AND WHEREAS, THE TOWNSHIP ENGINEER THEN AUTHORIZED EMERGENCY ACTION TO REPAIR THE DRAINAGE PIPE AND THE FAILED ROADWAY CONDITIONS; AND WHEREAS, THE TOWNSHIP OF PEMBERTON AUTHORIZED THIS CONTRACT TO BE MADE WITH MAC ROSE CONTRACTORS WITHOUT COMPETITIVE BIDS OR QUOTATIONS DUE TO THE EMERGENCY SITUATION; AND WHEREAS, THE TOWNSHIP ENGINEER AUTHORIZED THE REPAIR ON A TIME AND MATERIALS BASIS DUE TO THE UNKNOWN AND UNFORESEEN NATURE OF THE PROBLEM; AND WHEREAS, ON AUGUST 1, 2008, MAC ROSE CONTRACTORS MADE THE NECESSARY REPAIRS TO THE DRAINAGE PIPE AND ROADWAY TO RETURN THE INTERSECTION TO A SAFE CONDITION; AND WHEREAS, MAC ROSE CONTRACTORS WILL COMPLETE THE ROADWAY PAVING RESTORATION IN THE NEAR FUTURE ONCE THE REPAIR AREA HAS SETTLED.

NOW, THEREFORE, BE IT RESOLVED BY THE PEMBERTON TOWNSHIP COUNCIL THAT:

1. ON JULY 30, 2008, AN UNFORESEEN EMERGENCY WAS DISCOVERED AT THE INTERSECTION OF SCAMMELL AND SANDRA DRIVES IN THE FORM OF A DAMAGED SEWER PIPE, WHICH CAUSED A SINKHOLE AND UNDERMINED THE INTEGRITY OF THE ROADWAY; AND
2. THE SUPERINTENDENT OF THE STREETS AND ROADS DEPARTMENT AND THE TOWNSHIP ENGINEER CONFIRMED THAT THIS UNFORESEEN EMERGENCY CREATED A DANGEROUS CONDITION THAT AFFECTED THE PUBLIC'S HEALTH, SAFETY AND WELFARE; AND
3. THE TOWNSHIP ENGINEER DETERMINED THAT THERE WAS AN IMMEDIATE AND PRESSING NEED TO CORRECT THE DANGEROUS CONDITION IN ORDER TO PROVIDE FOR THE PUBLIC'S HEALTH, SAFETY AND WELFARE; AND
4. THE MAYOR AND TOWNSHIP COUNCIL ARE WITHIN THEIR POWERS TO RATIFY THE TOWNSHIP ENGINEER'S AUTHORIZATION TO CONTRACT WITH MAC ROSE CONTRACTORS FOR THE EMERGENCY REPAIR OF SCAMMELL AND SANDRA DRIVES PRIOR TO FORMAL ACTION BY COUNCIL.

BE IT FURTHER RESOLVED, THAT THE PEMBERTON TOWNSHIP COUNCIL ADOPTED THIS RESOLUTION PURSUANT TO THE AUTHORITY VESTED BY N.J.S.A. 40A:11-6.

RESOLUTION NO: 188-2008

TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING EMERGENCY APPROPRIATIONS FOR EMERGENCY REPAIRS TO SCAMMELL & SANDRA DRIVES

WHEREAS, AN EMERGENCY HAS ARISEN WITH RESPECT TO THE REPAIRS CORRECT A DANGEROUS SINKHOLE AT THE INTERSECTION OF SCAMMELL & SANDRA DRIVES AND NO ADEQUATE PROVISION WAS MADE IN THE 2008 BUDGET FOR THE AFORESAID PURPOSE, AND

WHEREAS, N.J.S. 40A:4-46 PROVIDES FOR THE CREATION OF AN EMERGENCY APPROPRIATION FOR THE PURPOSE ABOVE MENTIONED, AND

WHEREAS, THE TOTAL AMOUNT OF THE EMERGENCY APPROPRIATION CREATED INCLUDING THE APPROPRIATION TO BE CREATED BY THIS RESOLUTION IS \$15,000.00 AND THREE PERCENT OF THE TOTAL OPERATIONS IN THE BUDGET FOR THE YEAR 2008 IS \$696,982.05.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY (NOT LESS THEN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING) THAT IN ACCORDANCE WITH NJSA 40A:4-48 THAT:

1. AN EMERGENCY APPROPRIATION BE THE SAME IS HEREBY MADE FOR IN THE AMOUNT OF NOT TO EXCEED \$15,000.00.
2. TAT SAID EMERGENCY APPROPRIATION SHALL BE PROVIDED IN FULL IN THE 2009 BUDGET.
3. THAT THE CHIEF FINANCIAL OFFICER HAS CERTIFIED THAT THE EXPENDITURES TO BE FINANCED THROUGH THIS RESOLUTION ARE RELATED TO THE AFOREMENTIONED EMERGENCY.
7. THAT TWO CERTIFIED COPIES OF THIS RESOLUTION BE FILED WITH THE DIRECTOR OF LOCAL GOVERNMENT SERVICES.

Mrs. Stinney reopened the meeting to the public for comments on Resolution No. 187-2008 and Resolution No. 188-2008. Those wishing to comment were:

Elmer D'Imperio: 1. Asked if Council was aware of the two Resolutions added to the agenda. Mr. Prickett advised that Council was emailed at the beginning of the week if not last week on these items. Mr. D'Imperio then asked if these kinds of items were discussed in Closed Session. Mr. Prickett answered no, it has to be done publicly in order to...Mr. D'Imperio interjected that it is discussed in Closed Session but is brought before the public. Mr. Prickett clarified that it was not discussed in Closed Session. Mr. D'Imperio stated that seemed a little strange. Mr. D'Imperio then asked about the anticipated costs on the two resolutions. Mr. Prickett conveyed that it is an emergency situation and it is under \$17,000. Mrs. Young and Mrs. Scull noted the amount of \$15,000. Mr. D'Imperio asked if Scammel and Sandra were located in Country Lakes. Council replied no, the streets are located in Blueberry Manor. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to the public.

Motion by Prickett to adopt the Consent Agenda.

Mrs. Stinney interjected his motion requesting if Council would pull item #2 under *e. Applications submitted for memberships, licenses, permits for Randi Rakes, DJ

for wedding at 412 Pardee Blvd., 4pm-2am, 8/30/08 for further discussion. Mrs. Scull requested this to be pulled from the Consent Agenda.

Motion by Prickett and Cartier to adopt the Consent Agenda as amended. Prickett, yes; Cartier, yes; Inge, yes; Scull, yes; Stinney, yes. Motion carried.

8. PRESENTATIONS

- a. Mayor's presentation of the Township's state of address.

Mayor Patriarca read his following Township State of Address:

“Members of Council and residents of the Township of Pemberton. I find it hard to believe that our first year together as partners towards a better Pemberton have passed and we are well into our second year together. I refer to us as partners because we will only succeed in reaching our goal to improve the quality of life in our town at an affordable price if we continually reaffirm our commitment to work together. My first mission as your Mayor was to replace our previous Business Administrator with someone who not only had the ability but the desire to meet Pemberton Township's goals. I truly believe we have found this person with the appointment of Christopher Vaz. As complex as running a large town such as Pemberton can be, I watch Chris handle each assigned project with competence and passion that delivers a level of service expected not only by my office but also by our residents, too. Over the past year and a half Administration has worked tirelessly with the aim of improving services to our residents. We began by addressing human resources, an effort that is ongoing every day. We brushed the dust from personnel policies and procedures and established them as a standard for employee conduct. We have also emphasized employee performance and accountability. In the area of personnel recruitment, we established a hiring practice that requires the dissemination of information about employment opportunities to a more diverse group of applicants. We now utilize e-mail and fax lists to advise the public of job vacancies. Pemberton's faith based organizations, and other groups and individuals who have requested to be included on these lists, have created a greater pool of candidates for us, many of whom may not have known that a position was available. The days of being hired by Pemberton Township just because you know someone in town hall are behind use. Let's face it; many people in the community have an expectation of an upper hand in the hiring process because they have family or friends who work for the Township. However, under my Administration, in order to fill a vacancy it's not “who you know,” but rather, “what you know.” Only the best qualified candidates will have the upper hand while I serve as Mayor of Pemberton Township. We have also started the process of addressing weaknesses within our Township Code, with an eye toward asking Township Council to amend ordinances that were established with good intentions, but have inherent problems on the implementation side of the equation. It is our desire and responsibility as public servants to address these weaknesses with amendments to our codes, not only to deter legal challenges but also to be fair to our residents who expect to be treated objectively and fairly. During 2007 we commenced rebuilding several of our key departments by hiring new department heads who understand the needs of our residents and the meaning of customer service. We now have a tax collector, tax assessor and chief financial officer who work with our residents to solve problems rather than create problems. I believe we've hired the right people for these important jobs because the almost

daily complaints that I previously received about these departments have been replaced with compliments. Last year we also appointed a new Chief of Police to guide our officers in protecting our community. To support the Chief, we included in the 2008 budget funds for two additional police officers in anticipation of increasing the number of officers from 57 to 59. I anticipate that Township Council will accomplish this very soon with an amendment to our Township Code. In addition, we reestablished the K-9 unit and the D.A.R.E. unit to help provide our officers with the essential tools they need to keep our streets safe and to educate our children about the dangers of substance abuse. During 2007 we transferred supervision of our Code Enforcement officers from the Construction Office to the Police Department. Since that change, we have noticed a significant change in performance in the area of code enforcement. With the addition of a new full-time code enforcement officer last year we expect that this office will continue to progress in its efforts to enforce our municipal codes. At the end of 2007, we hired a part-time zoning officer to replace a very broken system that was in place whereby the Construction Official, a Code Enforcement Officer, and a clerical employee had shared the zoning officer duties. The old system was a failure, evidenced by attorney letters and legal action, and some of our residents continue to pay for some of the unfortunate decisions made under that system. During 2007 our new chief financial officer and her staff worked countless hours correcting years of mismanagement and inexplicable financial shenanigans on the part of a former chief financial officer and past administrations. I believe that we are finally at a point where most of those problems are behind us and we now have an up-to-date working ledger, which is an essential part of a \$23 million budget. One example of poor financial decisions made by prior administration was a practice of funding projects but not commencing the project. This was done by entering into lease agreements with the Burlington County Bridge Commission whereby the Township would fund a project, make payments on the debt, and then fail to utilize the funds for the approved purpose. Our chief financial officer has worked very hard on these accounts to identify the areas of unused funding. We are finally in a position to be able to use those funds for their intended projects or for new projects without having to borrow all over again. In 2007 Township Council passed a budget that totaled \$23,020,348 - a \$1,081,395 increase over the 2006 budget, or a 4.7% increase. In 2008 Township Council passed a budget of \$23,232,735 - a decrease of \$143,468, or approximately .6%. Currently our local purpose tax stands at 1.394 cents or \$1,394 for a home assessed at \$100,000. This represents an increase of \$8.00 over last year's local obligation or a .07% increase from 2007. Although a reduction in our general budget and only a modest increase in the local purposes tax was a reasonable direction to go in 2008, we must be prepared in the future to meet the rising costs of providing public services. Utility costs, fuel and oil, solid waste disposal fees, and not to forget our salary and health care costs, continue to rise at unpredictable and alarming rates. In addition, our pension contributions increased 44.96% for employees in the Public Employees system and 31.93% for law enforcement officers in the Police and Fire system. To be candid, it will be extremely difficult, if not impossible, to maintain moderate property tax increases in the future without new sources of municipal revenues – sources which obviously are not easy to find in this economy. Moreover, we continue to be ignored by Trenton. It is no wonder why businesses and residents are fleeing to Pennsylvania and other states. Pemberton Township residents cannot be expected to continue to bear the burden of Trenton's unceasing assault on local government and the often-times misguided exercise of its legislative and regulatory power. The true cost of municipal government is substantial, and we need Trenton to recognize that fact rather than choking us into service reductions and layoffs. The current

municipal debt obligation for Pemberton Township stands at \$39,172,385. This includes our bonded debts, our Green Acres debts, an environmental loan, our lease agreements, water department debts and debts that we back with the Municipal Utilities Authority and the School District. Additionally, we soon must permanently fund projects that have either already begun - such as the purchase of three new fire trucks – or will begin shortly such as the construction of our dam in Presidential Lakes, and the much needed repairs to municipal property such as our buildings, our parks and our roadways. During this time we must also anticipate emergency repairs to our aging infrastructure such as our roads and storm water drainage systems. We will soon be faced with even more debt as we begin repairs to the three dams in Country Lakes. We accept all of these projects for various reasons, but acceptance comes at a price. How much of this price we are willing to accept will define how far we are willing to invest in our community. Our Township's overall land area consists of approximately forty thousand acres. Approximately thirty five thousand acres of actual land area is within the jurisdiction of the New Jersey Pinelands Commission. Approximately four thousand acres of actual land area is outside of the Pinelands on our north side of town. Our open space currently stands at approximately twenty six thousand acres or approximately 66.8% consisting of federal, state, county, municipal and private properties, all of which by ownership and or deed restrictions will remain undeveloped and preserved in their natural state. Future development in Pemberton is limited not only by the many Pinelands, wetlands or endangered species restrictions presently associated with most of the available properties, but also because available properties for development are limited. A recent study by our planner indicates that 90.5% of our township falls within the Pinelands and of that, approximately 22% is property that could potentially be developed. The remaining 9.5% of our township remains outside the boundaries of the Pinelands and of that, only approximately 36% is developable property. The owners of the remaining properties in the non-Pinelands area of the township have expressed an interest in developing their properties in the future and it is important that Pemberton stay actively involved with these property owners in order to ensure that any development which does occur best serves the residents of the entire township. Development is not the answer, but certainly responsible development must be a part of the solution if we intend to maintain the current level of public services enjoyed by our residents. True, development comes with a price, such as the loss of open space and farmlands. However, unlike many other municipalities in Burlington County and throughout the State, Pemberton Township is ensured that we will always have open space with 44% of our township already being preserved. Our township comprises mostly Pineland areas, which stands to reason that the larger portion of open space would be in the Pinelands area. We are actively pursuing preserving additional property in Pemberton Township, such as the township owned land commonly referred to as the PL Pits adjacent to Presidential Lakes; however, those decisions must only be made with the entire townships interest in mind. We recently experience the closing of Lanxess, also known to most of us as Sybron Chemicals. This was a loss of over one hundred jobs, many of which were filled by Pemberton Township residents. We also face the potential loss of tax revenue of over one hundred thousand dollars which could be passed onto residents if those Sybron tax revenues are not replaced. Deborah Heart & Lung Hospital representatives have indicated that they, too, are feeling the financial difficulties of the times and have initiated employee and other cutbacks. Deborah has been a staple of our community since 1922, and we cannot afford to lose the economic stimulus their employees bring into our business district each day, not to mention the many jobs provided to our residents. Our municipal

planner was assigned two major tasks which should set the course for the future of our township. This direction will be achieved through the re-visioning of our master plan, which is currently underway, and by the redevelopment of the Browns Mills business district. Both projects are critical to our future and have been received with open arms by many of our residents. What we must keep in mind though is that these are just plans to guide us with our choices. We have had master plans and we have had redevelopment plans in the past, but they have failed to take off because of an absence of strong political leadership. Now, more than ever, we must make our choices carefully when forming our personal opinions about development, and consider the new COAH regulations which could possibly require us to provide even more affordable housing in the township. On the other hand, we must not be fearful in our attempts to create a better balance between commercial and residential development. Remember when I said that we must avoid repeating mistakes of the past? Well, this might be our last chance of getting it right if we do not carefully plan the Township's final stages of development in the few areas we have left to develop. I propose to all of you that we must put the interests of the whole Township at center stage, even if it means that some of us will inevitably be disappointed. Our UEZ office continues to monitor businesses throughout the township and seeks interest from new business owners who are looking for that perfect location to call home. Some of the many projects in the works to help these efforts are the UEZ Welcome Signage program recently approved by the N.J.U.E.Z. Authority. The project authorizes Pemberton Township to expend \$20,000 of UEZ account funds for the purchase of professionally produced signage for gateways into the Township and the UEZ zones. The UEZ Coordinator and a representative from Hometown Press have commenced developing the 2008 Pemberton Township Community Information Guide/ Street Map. The N.J.U.E.Z. Authority recently approved the Pemberton Township UEZ Clean Team proposal totaling \$274,000. The project calls for the employment of two(2) additional Public Works employees for a year and the purchase of a vacuum sweeper, litter vacuum, 2 pickup trucks with snowplows and salt attachments, plus all the tools needed to maintain the streets, sidewalks, and parking areas within the UEZ zone boundaries. This program is expected to provide much needed relief to our business owners in maintaining properties in and around our business district. We have also recently been approved for a Town Clock to be funded through our UEZ funds and placed in our Browns Mills section of our township. For the first time in many years our Water Department's budget is not being charged salaries for employees who work in other departments. Although this practice is acceptable when a portion of an employee's work day can be attributed to the needs of the Water Department this type of creative financing drains from our surplus in this department which could otherwise be used to offset improvements in the system, therefore keeping the cost for the service down. In the 2008 capital budget we planned for a new radio read system to enable a more efficient and accurate method of reading our water meters. This will also give the Water Department the option to perform billing on a monthly basis which will not only help improve the township's revenue flow throughout the year but it will also afford residents the payment of a bill that fits more into their monthly budget. Our DPW is currently stable although the demands from our residents for services, such as leaf and brush pick up, is putting a strain on the Department. Also, we no longer can stockpile our leaves and mulch in the Public Works yard as a result of a recent notice received from the Pinelands Commission regarding encroachment on wetlands issues. This puts an added burden on our DPW to send the leaves and mulch directly to a facility outside of the township consuming additional resources and funds. The consequence is that DPW must deploy resources to this new responsibility, those

resources being redirected from other regular tasks and special projects. We are expecting to add a new bucket truck to the fleet sometime within the next month which will help with the many calls received for unsafe trees and to provide a better maintenance program for our theme lighting in Browns Mills. We should be receiving our new sign machine any day which will allow DPW to begin making our own signs again to replace old or defaced signs and add new signs where needed. We must begin considering the purchase of more efficient vehicles for township use. It is understandable to purchase a heavy duty vehicle which will be used for hauling heavy loads or plowing snow but most of our fleet consists of Police Department vehicles or used, hand-me-down Police Department vehicles that are reassigned to other departments. These types of vehicles run daily and in most cases twenty four hours a day. With fuel costs tripling in recent years we must start thinking of ways of cutting back vehicle usage and purchasing more efficient vehicles. We have started this process by limiting the number of take home vehicles to employees from seventeen to three. We must also find ways to manage the use of our vehicles throughout the day and to prevent such things as duplicate trips to pick up parts or supplies and empty trucks returning to the yard. Our Recreation Department continues to flourish and offers more opportunities for our children to be involved in with a growing variety of programs each year. The success of our Recreation Department is dependent not only on the support of Administration and our governing body, but also on the participation by parents and children. This year we received a ten thousand dollar U.S.G.A. grant which funded our first Pemberton Recreation Jr. Golf Program. This program was well attended and provided a professional level of training to our children. We held a week long basketball camp for the children this year which was also well attended. This camp along with much needed improvements to our summer basketball program has helped to provide opportunities not offered to our children in previous years. We introduced an indoor soccer program into the schedule this year which has experienced successful enrollment and a level of enthusiasm which should strengthen the longevity of this program. We introduced a THINKING GREEN program this year into our summer recreation program held at our schools where the kids are taught ways on how conserving energy and recycling waste products contribute to improving our environment. Our Teen Center at the BMIA is in the second year of the program and continues to grow. I would like to see these numbers grow at a faster rate which would mean that we are reaching more of our children, but this does not seem to be happening and we must identify the reasons why. We have seen the largest numbers of attendance at our movies on the beach program since reintroducing it three years ago. The program offers a great family experience and helps to bring our community closer together. And let's not forget the free popcorn...Next week we will offer a new pedal boat program at the Mirror Lake Beach. A program that has been long sought after by our Recreation Department now finds the support of our current Township Council and Administration and will soon be available to our residents. I have to mention that the five boats currently scheduled to be introduced into the program have been donated by local businesses and organizations and will bear their logo on the boat symbolizing their support of the program. The use of the boats will be offered to residence at no charge. The pedal boats will offer additional activities at the beach with hopes of expanding the program to all of our beaches next year. The removal of the unsafe and non-compliant playground equipment throughout the township continues. Imagination Kingdom's new look will soon be presented to the community for approval. After many hours of meetings with interested community members who have worked hard to design a safe park for our children, we believe that our new playground facility will not be outdone by any park in

Burlington County. We were looking for a WOW! park and when completed I believe we will have achieved it. Our children and grandchildren deserve nothing less! Our Recreation Department continues to seek new and creative programs to capture the interest of our youth. Although it is difficult to compete with the alternatives presented to our youth today, our Recreation Department continues to meet these challenges with fresh ideas and new programs to try and stay one step ahead of the competition. Our Senior Citizen program remains the number one ranked program throughout Burlington County. We continue to provide a place for our seniors to gather along with affordable meals and free transportation to and from our facility. We continue to offer well attended bus trips this year as in years past. We are involved in an inter-generational program with the students in our school district where our students get a chance to work directly with our senior citizens on projects such as horticulture, crafting or just socializing with their senior generation. This was no more evident than at our first held true senior prom this year which quickly became the talk of the town. We published our first senior yearbook this year and we have introduced our seniors to one of the favorite pastimes of the children of today's generation by adding the Nintendo Wii game at the center, which I'm told has found its way into the hands of many of our seniors. Our commitment to our volunteer services is evident in our pursuit to bring three new fire trucks into service within the next four to nine months - a decision we made as a result of an in depth evaluation of our current fleet of fire apparatus and a plan prepared by our township's fire chiefs that should hold strong for the next eight years. Now we need to begin working on strengthening the organizational structure of our four fire companies and explore the possibilities of consolidation to continue to provide the most efficient and the most effective fire service to our residents. We currently contract our primary EMS service out to a private source and Administration is continuing to explore the feasibility of bringing that service in-house. We currently support four volunteer EMS squads within the Township and must continue to do so in order to offset the current number of service calls they handle within the Township each day. Pemberton Township, as in the past, must continue to recognize the contributions made to our community by the members of our volunteer services by ensuring that equipment meets or exceeds not only the standards set by state agencies but also the high standards expected by our volunteers enabling them to perform their job efficiently and safely. As you can see, difficult challenges lie ahead of us. But I believe that our future can be great, if not for those of us who are getting on in age, then for our children and grandchildren. Some may ask, "why discuss the past?" Well, I believe that it is the past which guides us through the future. We must improve on the things that work and avoid repeating mistakes whenever possible. If we are to realize Pemberton Township's greatness in the future, then we must look to the past and learn what is holding Pemberton Township back from achieving its full potential. I am confident that our mission to make Pemberton Township a better place to live for all our residents is still on course and we will reach that goal together. Thank you". Mrs. Stinney thanked the Mayor.

11. ORDINANCES FOR INTRODUCTION

- a. ORDINANCE NO. 17-2008 (title read by Mrs. Stinney)
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND GENERAL PURPOSES OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLING, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,158,105 AND AUTHORIZING THE ISSUANCE OF \$1,100,199 BONDS OR NOTES.

Mrs. Stinney advised this is the first reading and if this ordinance is introduced this evening, public comments will be held on August 20th and the ordinance will also be posted on the Township website. Mrs. Stinney asked Council for comments. Mr. Cartier advised that he had no comments as this was discussed during the Budget hearings. Mr. Inge noted he had no comment. Mrs. Scull agreed with Mr. Cartier. Mr. Prickett stated for the benefit of the public that the first bond ordinance no. 17-2008 is to pay for one or two police vehicles, weapons, live scan fingerprint computer upgrades, security systems, mowers, landscape trailers, generators, oil and water separator system for the fleet garage, exhaust ventilation system for the fleet garage, more improvements to the public works' garage, resurfacing of Norcross Lane, resurfacing repairs to Springfield Road, resurfacing drainage repairs to Woodbine and improvements to Imagination Kingdom II. Mr. Prickett then began reflecting what bond ordinance no. 18-2008 was for...Mrs. Stinney interjected that Council was not discussing 18-2008 yet.

Motion by Scull and Cartier to introduce Ordinance No. 17-2008. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

- b. ORDINANCE NO. 18-2008 (title read by Mrs. Stinney)
BOND ORDINANCE PROVIDING FOR ACQUISITION OF A RADIO READ METER SYSTEM BY THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$1,525,000 AND AUTHORIZING THE ISSUANCE OF \$1,525,000 BONDS OR NOTES TO FINANCE A PORTION OF THE COST

Mr. Vaz asked Mrs. Stinney to read the title that is on the actual ordinance in their package and not the title that is on the agenda as it is a minor difference because it is a water utility bond ordinance and did not require a down payment. Mr. Prickett asked Mr. Vaz if the first ordinance was read adequately. Mr. Vaz replied yes. Mrs. Stinney read the title of Ordinance No. 18-2008 from the ordinance.

Motion by Scull and Cartier to introduce Ordinance No. 18-2008. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

Mrs. Young advised the public hearing for Ordinance No. 18-2008 will be held on August 20, 2008. Mrs. Stinney noted that it will also be posted on the website.

12. NEW BUSINESS

- a. Request from Administration for authorization to receive proposals for provision of electronic receipt of payments system.

Mr. Prickett suggested Council be provided with an explanation. Mrs. Stinney agreed. Mrs. Stinney noted that on June 18, 2008, Council authorized Resolution No. 167-2008 and tonight Administration is asking to solicit RFPs for the service. Mrs. Stinney read the title of Resolution No. 167-2008 as follows: RESOLUTION OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF CREDIT CARD, DEBIT CARD, AND ELECTRONIC CHECK PAYMENTS FOR CERTAIN MUNICIPAL FEES IN ACCORDANCE WITH THE PROVISIONS OF N.J.A.C. 5:30-9.1, ET SEQ. Mrs. Stinney then read excerpts from the resolution: That the Township Council authorizes the Municipal Court Office to accept credit card, debit card, and electronic check payments for the payment of Municipal Court fines, fees, costs, and such other

payments that may be due to the Municipal Court. Mrs. Stinney also conveyed that it will also allow for the payment of property taxes, dog license fees, OPRA fees, permit fees, marriage license fees and so on. Mr. Prickett noted that is the resolution that Council passed at a previous meeting. Mrs. Stinney reiterated that Council is being asked to solicit for the provision of that service. Mr. Cartier asked Administration that they asked for two different options and if it has been decided which option. Mr. Vaz explained it has not and suggested to Council to “couch” the motion in terms of authorizing receipt of fees or bids. Mr. Vaz expressed he would prefer doing it by bid because then they have gone the extra mile and if done by RFP and there is a challenge, someone may say they should have done it by bid, which is the higher standard. Mr. Vaz added that he is inclined to actually do it by bid and would like to be covered both ways. Mr. Prickett commented that since this has already been discussed, tonight’s topic is really which way it is going to be advertised. Mr. Vaz indicated that a discussion does not need to be held on which way but rather he is asking that they be covered to do it either way. One way or another, they will solicit quotes or a bid and the peculiar aspect of this that is making it very difficult is that they are not actually paying for a service. Mr. Vaz explained that the consumer for instance at the Municipal Court window will pay a convenience fee and if anyone has paid taxes on line to the State of New Jersey it goes to a company that the State and the IRS has hired and they charge a convenience fee. He indicated they are not paying it and it makes it a little peculiar and that is why he has gotten different advice from various people on the State level and that is why he is inclined to actually do this by a bid because there is probably no harm in doing it that way. Mrs. Stinney asked Mr. Vaz if it is his recommendation to go out to bid. Mr. Vaz reiterated that he is inclined to do it that way and if Council wants to pass the motion that way, that would be fine as well. Mr. Vaz explained that he was asking for it to be done either way but the amount of work involved in putting together an RFP or bid is going to be the same in any event. Mayor Patriarca asked if the cost would be different from an RFP to a bid and if it would be cheaper to put it out as an RFP. Mr. Vaz replied they are going to end up advertising it either way so the advertising cost is probably the only significant cost and they then would ask the attorney’s office to review the proposals either way. Mr. Prickett asked if there was a way to write this so that the convenience fee is as small as possible and added that the award should be based on that instead of burdening the tax payer. Mr. Vaz remarked that they are going to bid on and give a number and then they will compare the numbers. He indicated it is a fairly new field of expertise for vendors and there are regulations and different aspects regarding this. Mr. Vaz relayed that there are limits on what the credit card companies have in their agreements and either way they will get the lowest bid because there will be at least two companies bidding on this. Mr. Prickett asked what the range of the convenience fee is. Mr. Vaz explained it’s usually a sliding scale depending on how much the person is charging or debiting. He noted there is a small charge of a couple of dollars for using an on-line check compared with using an actual credit card. He reflected that there are also certain services that a credit card is not allowed to be used for; it is very detailed and will have to be specified what the credit card agreement is with the particular companies. Mrs. Stinney asked if it is the direction of Council to go either way or fewer bids. Mr. Vaz asked for a motion authorizing receipt of bids.

Motion by Cartier and Scull to authorize Administration to go out to bid for electronic payments and processing. Cartier, yes; Scull, yes; Prickett, yes; Inge, yes; Stinney, yes. Motion carried.

- b. Initial review of model ordinance for defined pension contribution of various employees pursuant to new legislation.

Mrs. Stinney introduced Mr. Jake Archer, noting that Mr. Andy Bayer, is away and Mr. Archer will be sitting in for Mr. Bayer tonight. She relayed that their next topic of discussion will be 12.b, initial review of model ordinance for defined pension contribution of various employees pursuant to new legislation. Mrs. Stinney asked Mr. Archer for a brief description. Mr. Archer indicated that the State in recent years due to the Budget has made a determination to cut costs or rework many aspects of State government and it has filtered all the way down which affects local government. He informed that the defined contribution retirement program is one such by-product and is basically the evolution of the retirement system. Mr. Archer reported that some of the public may work for the State, local or county governments and may actually be affected by this. He explained that basically, what is being discussed tonight is something that the Township has no control over in terms of introducing, noting that the Township has been ordered by the State to do this. He informed that the Township has to within the confines of the statute; determine what employees will fit into this new defined contribution retirement program. He pointed out it is not a bad thing and it is not a good thing; it is what it is, it's their retirement program in the State. He stated that many of the public might be familiar with the previous pension program especially PERS, the Public Employee Retirement System. He advised that this is not something that Council should be worried about as it is really a mere formality in terms of the municipality moving forward and introducing this. Mr. Archer remarked that he was in Burlington City last night doing the same thing. He indicated that the State has given guidelines to all of the municipalities in terms of what employees should go in to the DCRP and what employees are not allowed to go in to the DCRP. Mr. Archer recommended that employees go to the website for information because it provides detailed information. He explained that this is something that requires retirement contribution on the part of the municipality and is something that the State has mandated that the Township pass and introduce and determine which employees are a part of it. Mr. Prickett asked if the people that can contribute and be a part of this pension plan changed or is it just a formality to list in the code book those people that are a part of the pension system and those people that are not a part of the pension system. Mr. Prickett noted that in looking at the list, he is familiar with all of those in the past that have contributed and were taking part in the pension system and wondered if any individuals that once were contributing to the pension system are now not eligible and any people that were at one time eligible are not eligible now. Mr. Archer replied that after speaking with someone from DOP or from Pensions, this is going to come down to an ultimate decision by the Council and there may be a few circumstances where they have to determine under the new DCRP, which people will be in this and which people won't be. Mr. Archer commented that if they are already in it, he does believe they are grandfathered. He acknowledged this will substantially change people's retirement because it is an evolution to the retirement program and there are going to be modifications to it but in terms of excluding anyone that has already been involved in PERS and continues in that process should be fine. He clarified that it may alter their status a little, but nonetheless, it shouldn't be exclusionary. Mr. Prickett asked if Council does have the determination of who within certain limits can contribute and can't contribute. Mr. Archer stated he would certainly highlight within certain limits and added that the DCRP will accept certain people and won't accept certain people and then there is an area where it will be up to Council to determine those in between which way they go within the confines and strictures of

what they have determined. Mr. Prickett asked if that range has been figured out yet. Mr. Archer answered that is something Mr. Vaz will be working with in terms of sitting down and plugging in the names of who goes where. Mr. Vaz responded that Administration has to look at all of the titles in these types of positions that they have and see which titles are intended under the law to be included in this and then plug them in. Mr. Prickett stated that this is really the first step. Mr. Archer indicated it will take a little work but once it is figured out, it will be introduced and those people will then be brought into the system and everything should take care of itself hopefully after that. Mr. Prickett questioned if this will come back as a completed ordinance over the next few months. Mr. Archer acknowledged that was correct. Mrs. Scull, Mr. Inge and Mr. Cartier stated they did not have any questions.

- c. Letter of approval requested from Council by Burlington County Farmland Preservation Program regarding Preliminary Approval with no municipal cost share for Fenwick Manor Farm/Thompson, Blk. 846, Lt. 2.01; Blk. 848, Lts. 32.01 & 32.02.

Mr. Cartier commented that this is a letter from the County and wondered if any member of the Thompson family or a representative of Fenwick Farm was in the audience tonight. Mr. Cartier pointed out that Council does not know if this is a request from the Thompsons or the Fenwick Farm to participate in this program. Mrs. Young conveyed that she spoke with someone at the County Farmland's Program and was informed that the applicants reapplied. Mr. Cartier advised that he would like to see that from the Thompsons or a member of the Fenwick Farm prior to moving forward with this. Mrs. Scull commented that even if Council moves forward with this, if they don't desire it, it wouldn't go anywhere and asked Mr. Archer if she was correct. Mr. Cartier then asked what right Council has to proceed forward with this on behalf of the Thompsons if they are not in favor of this. Mrs. Scull asked Mr. Archer if Council did approve this and the Thompsons didn't want to do this, is she correct in that it wouldn't go anywhere. Mr. Archer replied that he would need to review the documents prior to giving an assessment on the fly tonight. Mrs. Scull remarked that the letter states Mr. Cartier interjected that in 2003 they have. Mrs. Scull disagreed and expressed that after two years, the farm owner is permitted to reapply which in this case is exactly what they are attempting to do. Mrs. Scull expressed that she does not want to hold this up unnecessarily if it's apparent that is what they would like. Mr. Cartier indicated that with past practice with the County coming in to Pemberton Township and preserving farmland, he would like to know for sure that this is exactly what this resident wants to happen. He clarified that he has no problem as long as the resident is in favor of it. Mr. Inge and Mr. Prickett had no comment. Mrs. Stinney confirmed that it is the desire of Council to get the consent letter and bring it back on August 20th for approval. Mrs. Stinney noted that they will be within the deadline which is August 29th.

- d. Approval requested by Township Engineer (ARH) for the following proposals:
 - 1. Design and construction management services in connection with Well # 11 facility redevelopment, in the amount of \$8,350.00.
 - 2. Design and construction management services in connection with Browns Mills Arms Apartments water meter replacement project, in the amount of \$2,710.00.

3. Design, surveying, permitting and construction management services in connection with Crescent Drive water main replacement project, in the amount of \$24,220.00.
4. Design, surveying, permitting and construction management services in connection with Iris Street water main replacement project, in the amount of \$14,450.00.

Motion by Scull and Cartier to approve the request of ARH for the above four proposals. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

PULLED LOUD SPEAKER PERMIT APPLICATION: 2. Randi Rakes, DJ for wedding at 412 Pardee Blvd., 4pm-2am, 8/30/08.

Mrs. Stinney explained that she asked this to be pulled from the consent agenda after noting that the loud speaker permit requested was till 2:00 a.m. in the morning. Mrs. Stinney commented that she thought she might say as a resident at 2:00 a.m. in the morning, regarding that type of noise or any type of noise at 2:00 a.m. in the morning. She advised that she researched information pertaining to some sort of policy for loud speaker permit applications regarding to approve time frames and she has not been able to come up with any documentation. Mrs. Stinney advised that she has heard much verbal input that some are allowed till 11:00, some at 10:00, some at 9:00 but there is nothing that she can put her hands on in writing to say what time a loud speaker permit should continue to go on. Mrs. Stinney requested Council to digest this and suggested the committee that was set up to review ordinances could look into this and perhaps put something in writing. Mrs. Stinney asked Mr. Prickett if from his previous experience...Mr. Prickett interjected that in the past the Council has limited the time if someone has requested having an event go on into the early hours in the morning. Mr. Prickett reflected that Council has limited that time to whatever they thought was appropriate and asked Mrs. Young to confirm if that is her recollection. Mrs. Young agreed. Mr. Prickett remarked that in essence Council could decide what the range for this event could be. Mrs. Scull asked if Council had discussed in the past that even though there is a loud speaker permit, they still cannot violate the noise ordinances and asked Mrs. Young if that was discussed. Mrs. Young confirmed. Mrs. Scull noted that even if Council approves the permit until 2:00 a.m., if they are noisy the Police can still be called and tell them they are violating the noise ordinance. Mrs. Young conveyed that Mrs. Scull is correct. Mr. Inge asked why then, are permits even given and reminded that he brought this up a while ago because if there is a problem with noise and people have a permit, they are being misled because there is a noise ordinance that supersedes this. He questioned what is the sense in charging people and issuing permits. Mrs. Scull agreed with Mr. Inge acknowledged that has been discussed and that is one of the ordinances that the committee is looking at revamping and bringing back. Mrs. Scull expressed that has been her concern and asked why charge for something if she has a permit she will think she can make all the noise she wants and that is what most people would think. Mrs. Stinney commented that if the permit is given and it's in black and white and they are told 2:00 a.m., then it is. Mrs. Stinney remarked that she doesn't want to rain on anyone's parade for their wedding but wants Council to stay within the scope of the basic time that Council has previously allowed for loud speaker permits. Mr. Prickett asked if this were merely a typo and should there be a 1 in front of the 2. Mrs. Young answered no. Mrs. Scull acknowledged that Council does know that it is a responsible resident

and doesn't want to rain on their wedding either. Mr. Cartier expressed that 2:00 a.m. in the morning is a bit excessive. Mrs. Stinney asked Mr. Vaz for his comments. Mr. Vaz noted that he has not seen the application and asked if the Township requires that the applicant receive the approval of their neighbors on this application. Mrs. Young advised that there is no requirement for that. Mr. Prickett commented that this permit would pertain to a DJ and music and certainly wouldn't curtail the event; the event could go on as long as they wanted the event to. Mrs. Stinney asserted that it does state DJ for wedding. Mr. Vaz recognized that the problem that exists that Mr. Inge brought up in carrying it further is that the noise ordinance is based on the feelings of the neighbor so that without knowing how the neighbors feel about a wedding reception going on until 2:00 a.m., the bride and groom may find out the hard way that their neighbors feel their music is violating the ordinance because that is essentially the standard that is in our ordinance; whether it bothers somebody. Mrs. Stinney informed that she previously asked if this information could be provided well in advance on the application so that if there is any type of discussion or information that could be looked up or talk to them, Council could have it in advance. Mrs. Stinney noted that for some reason it is not happening. Mrs. Stinney reflected that this is for August 30th and is sure they would have to book the DJ for the wedding. Mrs. Stinney concluded that 2:00 a.m. seems to be an excessive time. Mr. Prickett conveyed that it should be adjusted to at least 12:00 midnight. Mr. Cartier agreed with Mr. Prickett. Mr. Inge answered that he does not have a problem with that and Mrs. Scull also agreed. Mrs. Stinney advised that she was informed by the Solicitor that the applicant can always come back and plead their case on the August 20th meeting. Mrs. Stinney thanked Council for the dialogue.

Motion by Cartier and Scull to approve the loud speaker permit for Randy Rakes as adjusted.

Mr. D'Imperio commented from the audience that the public cannot hear what is going on and there are microphones in front of every person and asked why it is not utilized so the public can hear what is going on. Mrs. Stinney explained that Council did try to move the microphones up and there was some feedback sounds.

Cartier, yes; Scull, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

Council President Stinney convened the meeting at approximately 8:09 p.m. for a short break and reconvened the meeting at approximately 8:18 pm.

GENERAL PUBLIC COMMENTS:

Mrs. Stinney opened the meeting to public comments. Those wishing to comment were:

Pete Emmons: 1. Gave his compliments on the room and expressed it is fantastic and absolutely brilliant; it is beyond words, however, the sound system was not. He noted it has bugs but acknowledged that anything new like this will have some flaws which he is sure will be worked out in time. Mr. Emmons reported that the paper towel dispenser in the men's room is broken and doesn't work and there is also a leak in the lobby that is staining the ceiling tiles and he tripped on a crack on his way in but this room is fantastic. Mrs. Stinney welcomed Mr. Emmons. Mr. Prickett informed that the custodian is in the men's room fixing the paper towel dispenser. **2.** Mr. Emmons commented on the two bond ordinances introduced tonight; one is for \$1.1 million and one for \$1.5 million with a total of \$2.6

million. He asked if those amounts are included in the \$39 million the Mayor sited tonight as the Township's debt. Mayor Patriarca answered they are not because they were not approved ordinances at that time. Mr. Emmons then stated the \$2.6 million is in addition to the \$39 million for a total of \$41.5 million. Mr. Emmons then asked if the Presidential Lakes dam which was approximately \$4.5 million was included in the \$39 million. Mrs. Stinney answered yes. Mr. Emmons asked Council if any Council members knew what their debt limit is. Mrs. Eden replied that the Township is at 1.52 of their debt limit. Mr. Emmons asked for an explanation. Mrs. Eden explained they are currently 1.52% of their debt limit; their net debt now according to the State is \$22,625,349. Mrs. Eden continued that they back the school, the water and the MUA and those payments are made by them. She explained there is a calculation where their debt is based on their net value of their property, their tax levy and she does not have that information with her tonight. Mr. Emmons asked what the maximum amount is and he understands it is based on a scale but asked what it is currently. Mrs. Eden replied that off the top of her head, 4%. Mr. Emmons asked for a dollar number to attach to that. Mrs. Eden advised she did not have the number off the top of her head. Mr. Emmons asked if it was \$45 million, \$50 million or \$65 million. Mrs. Eden responded no; it is 4% of their total valuation and is also based upon their school which goes from grade one through twelve and the maximum they can go is 4%. Mr. Emmons then commented that he is wondering if Council realizes how close they are to the debt limit and reminded that the Mayor sited in his address so many more extremely important projects that they have to meet. He reflected that there are three failing dams in Country Lakes, the roads are a continuing problem, and their infrastructure is always a continuing problem. Mr. Emmons expressed that it is important that the next time the Budget comes up, Council needs to have these numbers in front of them so they understand that if they are getting close to the maximum, they will not be able to borrow anymore and these major projects coming up are not going to be able to be met. Mr. Emmons cautioned them to be extremely careful on that issue. **3.** Found the Mayor's comments heartening regarding development in town and that it has to be encouraged and it is probably the main way they are going to grow out of debt and out of the problems that they have. Mr. Emmons expressed he is absolutely amazed at the hypocrisy in the Mayor's statement that they must encourage businesses because there is a member of Council who has been trying to open a business for two and one half years now and has been stymied at every turn by this Administration to open a restaurant in town that everybody wants. Mr. Emmons conveyed that he has not heard one person comment that a restaurant in that location would be a horrible idea. He noted that the lot is 100% developed and the issue before the Planning Board is they want to see what it is going to look like. Mr. Emmons suggested they go there and look at it to see what it looks like; it can't be changed anymore than it is. He expressed that the way Mr. Inge has been treated is a sin; it is absolutely a sin the way a business man who lives in this Township and is not an absentee landlord or has a house in Ventnor or Key West but is a man, a businessman who raises his family here who is trying to make this a better town and to provide the residents with services. Mr. Emmons indicated the way he has been treated is shocking and to hear the Mayor's address tonight made him sick to his stomach because he knows it is not true. Mr. Emmons conveyed he knows in his heart, he does not believe it. **Helene Russ: 1.** Advised that she was not present to hear the Mayor's address but does take exception with something that Mr. Emmons stated. Ms. Russ commented that it doesn't matter if one lives in town or not; a businessman is a businessman who brings revenue into this Township and should be treated respectfully. **2.** Commented that the continued discussion of the changes in the

ordinance was taken off of the agenda tonight. She expressed that she hopes it was not because of such a strong showing at the July 16th meeting in protest to the changes. She indicated they will not use the out of sight, out of mind tactics to calm the constituents. Ms. Russ remarked this is still an on-going and important issue. She reflected that they were continually reminded at the July 16th meeting that the Township was using state law to guide them; however, in that state ordinance 40:48-2, it clearly says municipalities may make, amend, repeal or enforce. She pointed out that the key word is “may”. She relayed then every Township has the option to use the guidelines to their discretion and they should opt to use fewer guidelines for the State and more input from the residents. She recalled that during the July 16th meeting, there were many numbers voicing their opposition to the indication of the entry to their property without a court order. She iterated that although their Mayor tried to reassure them that he would not be coming into their homes that did not eliminate his designee from doing it. She expressed that residents need to be aware that the State guidelines allow for financial consequences for the resident that does not let a representative from the municipality come into their house. Ms. Russ pointed out that the municipality can fine the resident until they let the representative in. She relayed that since the public was informed at the July meeting that the State guidelines were being followed, she would not be surprised if they are going to follow that guideline and residents will be fined into submission. Ms. Russ expressed this is an enormous amount of power to lend to their present and future Mayor and Administration. Ms. Russ suggested they rethink this avenue being taken. She noted the fines are also at issue, when they are in an economic crunch; Boscovs is in trouble as are several other businesses. She reflected that the Township is talking about increasing fines up to \$2,000 and she can’t in good conscious think how they can do this. She suggested they need alternative ways to help people and not fine them. She reiterated the need to help them in getting the goal that we set; they all want a better Pemberton; their goal is to have a better Pemberton and hopes it not just to collect monies from low to middle income or people that are already in financial trouble. Ms. Russ stated they do have a large share of middle class or low income and they all know that. She expressed that to target people with extra fines in that financial status doesn’t make any sense to her. Ms. Russ commented on the genesis as it was put to the public during the July meeting was the old Acme plaza in town where this came about that they need to revamp again their ordinance and she would ask Council and Administration to separate commercial from residential properties in their new ordinance contemplations. Mrs. Stinney thanked Ms. Russ and pointed out that it was on the last meeting on the agenda for discussion only. Mrs. Stinney thanked Ms. Russ for her input and clarified that it was not put off because of a “strong showing”; it was for discussion and under recommendation as it was mentioned at their last meeting and the subject was discussed at length during the last Council meeting and the Administration did post after that meeting information previously discussed and public feedback as being thoroughly digested as mentioned in her comments earlier. Mrs. Stinney encourages residents to come out as she mentioned in her last meeting that even at the Budget hearing, it was so sad to see two or three people out at a Budget hearing. She advised that when and if a final draft ordinance is proposed for review by Council that will also be placed on the website. **Michael Tamn: 1.** Commented that the room does look beautiful but it is a little intimidating to see a dais like this and it almost looks like a tribunal but minus the robes. Mr. Tamn further noted that the glare from the lights is very annoying because it bounces off the reflectors and gets the top of one’ eyes. He asked if the Engineer or a consultant can come in to see if something can be done with the air conditioner

diffusers. Mr. Tamn asked what took place with the air conditioning because it is so noisy they can't hear anything, noting that for half of the meeting, more than half of the people couldn't hear anything. Mayor Patriarca explained to Mr. Tamn that new diffusers to correct that problem have been ordered but have not come in yet. Mr. Tamn asked if they need to be disconnected from the duct system to not carry the sound through. Mayor Patriarca replied that the system is too strong for the diffusers that are currently there; the holes are too small in the diffusers and one is just hearing the air blow through the holes. He advised that the new diffusers will have larger holes. Mr. Tamn again asked if a consultant or engineer went over this. The Mayor answered no. Mr. Tamn asked how much money was spent on this room. Mayor Patriarca replied \$81,482.00 was the total; \$90,000 was budgeted. He explained that out of the \$81,482.00, \$12,000 includes salaries of public works and \$13,000 was from last year's Budget which was approved for chairs last year. The Mayor further noted that that brings it down considerably and they did not reach the expected price and are well under. Mr. Tamn asked if the \$12,000 and \$13,000 were included in the \$81,000 figure or if it is above the \$81,000. Mayor Patriarca responded that is included in the \$81,000 and it was budgeted for salaries. Mr. Tamn stated the Mayor commented that part of it was for salaries and questioned if there were part time employees working on the room. Mayor Patriarca answered not on this project because the Budget was not passed when the project started and current employees were used. Mr. Tamn again asked about the part time employees. Mayor Patriarca informed that those individuals have not been hired because they were waiting so long for the Budget to be passed and the State to certify the Budget. Mr. Tamn commented that he thought they were working in this room. Mayor Patriarca stated that is incorrect as they were all Township employees. Mr. Tamn then asked if they were working weekends and overtime. The Mayor replied no weekends and the work was done during work hours. Mr. Tamn asked if there is any reason why the improvements to the room could have been done without spending that much money. Mr. Tamn added that it does look beautiful but the public doesn't need to be impressed because they are the ones paying for it and he would rather see some of the money put outside where people can see it and appreciate it everyday and be proud of the town instead of jamming it in here for a room for meeting night and the tax payers are coming out to see what is going on and see if their taxes are going up any more. Mr. Tamn acknowledged the need for the new chairs but expressed it's too bad chairs with arms were not purchased. He indicated these are important things that he looks at to be functional for a meeting room and expressed Council represents the public but the public pays the bills; Council is the servant of the tax payers and this room should reflect that. Mr. Tamn commented on the location of the podium for public comments and his opinion that the public would like to be able to see everyone when commenting; noting that some towns allow an individual to sit down and there is no provision here for that. He expressed that the economic crunch is affecting everyone and spending this amount of money at this time could have been spent making upgrades only and they could have achieved a very comfortable room being a little modest and save the tax payers money and that money could have been better spent on another part of the Township that is more visible.

2. Hearing tonight that the mulch can't be stored. He suggested at a prior meeting that the mulch be double or tripled grinded and sell it at a modest price to recover the cost of running the machine and more people would take it.
3. Reflected that the landfill tipping fees have been going up constantly with the County and asked why Council is not doing anything to enforce recycling. He suggested that someone go around and randomly check the garbage and put a big, red sticker on the garbage can if there is a violation in recycling, warning that the

next time if it is found, they will receive a citation. Mr. Tamn suggested someone do this approximately four hours a week through Code Enforcement and he guarantees that recycling will go up, their tipping fees will come down and the tax payers will be saving some money. He surmised that between the mulch, recycling and a few other things, the Township can save \$400,000 a year which is roughly over five cents on the taxes and adds up especially with the cost of living today and with people who are on set incomes. Mr. Tamn asked why the Township is purchasing red mulch when they could double or triple grind the mulch they have and use it. Mr. Tamn advised Council that they have to remember if people are paying taxes they are footing the bill for Council to sit there and for everything in this room and reiterated that Council is supposed to service the community and the needs of the community. Mr. Inge commented to Mr. Tamn to not put his wallet away yet because Administration plans to further go and do the rooms and offices next door. Mr. Inge relayed that he did not approve that in the Budget last year and suggested that Mr. Tamn ask Administration where the money is coming from because he won't see these rooms and doesn't think any of the other residents will see the rooms either. Mr. Tamn also reflected upon a previous discussion where a screen would be installed in the hallway for when there is an overflowed crowd, so they can hear what is going on and he didn't see any provisions for this. Mr. Tamn suggested this should be considered if Council wants to make an upgrade to help the people when it is a large public meeting. Mr. Tamn recalled a public meeting held last year that was held in the Court Room that overflowed and some provisions should be made for it and a portable speaker was provided. Mr. Tamn suggested a screen and portable speaker system be provided for the hall area when there is an overflow crowd because now they are more restricted in this room than they were previously. Mrs. Stinney stated to Mr. Tamn that he had mentioned people seeing what they have here and she is hoping and is a firm believer to start with the little ones and grow up and learn and learn and they get to Mr. Tamn's age and they are just about "knowledgeed" out. Mr. Tamn disagreed noting that he learns everyday. Mrs. Stinney hopes that they can set up with their Board of Education and perhaps have this as one of their sites for their field trip so their children can come into this building and learn a lot of the history that is posted here as she did by looking at the plaques, pictures and information posted underneath the pictures as there is a lot of history here. Mr. Tamn replied that those pictures were received from donations and didn't cost the Township \$81,000. Mrs. Stinney clarified she is saying history for their children to learn, noting that she is not talking about the price of the picture. **Bob Cushman:** 1. Noted they have now finished up approximately seven months of visioning about the future Master Plan from the Ragan Design Group. Mr. Cushman remarked that he did see the Mayor at all of the meetings that he attended but unfortunately he did not see a Council representative to the Planning Board at any of the meetings he attended. He relayed that the visioning meetings were conducted under the guise that all of the information that was discussed at the six separate meetings would be available to the general public for public comments to review what happened, and review what each individual had spoken about at the meeting. Mr. Cushman conveyed that they were assured that it would be provided through the Township website and members of the Ragan Design Group stated all of the information had been provided to the Administrator for the website which this goes back to the Area 6 meeting in April. Mr. Cushman expressed concern that the new Master Plan is going to be presented to the Township on the 15th and there are 28,000 people in the town and many hundreds of people didn't have the opportunity to provide a comment because the information that they were assured would be provided on the website has not been. Mr. Cushman asked why it's not on the

website, why can't the time period be extended from the 15th to 90 days to allow the people of the Township that were not able to attend the visioning meetings to comment on it and tell the Ragan Design Group what they like and don't like about the Township. Mr. Cushmeyer asked President Stinney if he could address the Administrator and added that they were assured by Ragan Design that all of the information was given to the Administrator and it wasn't Mr. Wasniewski. Mrs. Stinney stated to Mr. Cushmeyer that he could address the Business Administrator. Mr. Cushmeyer continued that he has been through the website many times and has not seen the information. Mr. Vaz conveyed that the only information he was provided was the agenda and some type of aerial in a PDF but the file size was too large to put on the website. Mr. Cushmeyer indicated that Ragan Design had a black board that contained comments from each meeting that was supposed to be on the webpage. Mr. Vaz stated if they are in type written form, he can put it on the website but he can only answer the question that he is asking him and what was given to him. Mr. Vaz further noted that he has the agenda but after the fact they are not relevant. Mr. Cushmeyer stated that Ragan Design Group never provided it. Mr. Vaz stated it might have been provided to somebody else and he is asking him if he received it and there are five people....Mr. Cushmeyer interjected that the only reason his name came up was because he does the website. Mr. Vaz clarified that there are five people that do the website. Mr. Vaz concluded that if Mr. Cushmeyer is stating the information is not on the website that would mean that none of the 5 people that do the website received the information. Mrs. Stinney stated to Mr. Cushmeyer that Council can go to Ragan Design to get the information to post on the webpage. Mr. Cushmeyer asked Mrs. Stinney to check into this and make sure this is done. Mr. Cushmeyer then asked who the Council representative to the Planning Board is. Mr. Cartier advised that he is. Mr. Cushmeyer asked Mr. Cartier if he had a chance to attend any of those meetings. Mr. Cartier replied that he did. **Mary Basey: 1.** Commented that the room is gorgeous and is really nice but asked what happened to getting the room done at the Senior Center with the money that was supposed to be allotted for it. Ms. Basey asked where that money went. Ms. Basey continued that there are so many programs that the ones that are supposed to be done today have to be given up so the other group can have it noting it's only more than fair. Ms. Basey advised that they have spoken to the Mayor regarding this. Mayor Patriarca confirmed he was talked to regarding this and advised that this money has been approved in the capital budget however they are not on that capital project and the money hasn't been funded but it's not taken away nor been removed from the capital budget. The Mayor indicated that they are just not on that project at this point. Ms. Basey asked when they will be on that project. Mayor Patriarca reported that their next project by mandate is going to be their court; they have to do that in the very near future and they will probably look at the rest of the projects and evaluate them afterwards. Ms. Basey cautioned that there are more people coming to the center so it makes it kind of difficult because it is really small. Mrs. Stinney commented that she hears so many wonderful things. Ms. Basey agreed that it is a wonderful organization and she has been to many others that do not have the programs that Pemberton Township's has. Ms. Basey remarked that they want to continue and need the upstairs done so that they can run other programs. Mrs. Stinney commented that the hold up was something about the elevator. Mr. Inge stated that he does not know anything about an elevator and it was not approved in the capital. Mrs. Stinney advised it was not but it is a mandate. Mr. Inge commented it wasn't approved but it was approved to have work done at the Senior Citizen's building and it seems like they can only do one project at a time. Mr. Inge remarked that if the money is available and approved, he doesn't see why they can't do more than

one project at a time. Ms. Basey asked how much the elevator will cost. Mr. Inge stated for that building it will be anywhere from \$80,000 to \$120,000. **Adrienne Leonard:** 1. Commended Council and Administration on the lovely room. 2. Recalled from the last meeting there was a resolution for a new sign maker and asked if that passed. Mr. Prickett advised there was just discussion about it and it is on order at this point. The Mayor confirmed that it is on order and should arrive any day. Mrs. Leonard indicated that she did receive the resolution from the Township regarding the new name change of the BMIA Building and was wondering when she could expect to see the new sign on the building. Mayor Patriarca reiterated that they do not have the machine yet so he can't provide a time frame. The Mayor further informed that they have to look at the capabilities of the machine to do the size of a sign that is needed and they may have to look at other resources to provide a sign. Mrs. Leonard reiterated that she was wondering what type of time frame she should expect and didn't want to have to wait a couple of years. Mayor Patriarca explained that depending on the cost of the sign, they have to now make sure they have the funding if they have to go out and make a special sign for that which wasn't appropriated in the Budget. He noted that if they have to find that area to draw from, maybe they can and it depends on what their needs are, noting it may not be able to be done until next year. **Leila Jackowski:** 1. Does not know whether this is the right time or place to bring this up but it seems that \$81,000 is a lot of money to spend. Ms. Jackowski did acknowledge that the room is beautiful. Ms. Jackowski noted that she would have purchased blinds from Wal-Mart as opposed to beautiful wooden blinds and that is because she has that "depression mentality". 2. Announced it is educational for her to attend Council meetings because she learns so much about what goes on in the Township with Administration and the running of the Township. She gave "kudos" to everyone who is public servants. She acknowledges that they are not getting rich doing this and they do devote a lot of time to it and she expressed her admiration for that. Ms. Jackowski stated that when she sees ordinances coming out and the public is not getting enough information, she becomes concerned because not everyone has a computer so they can't go on the website and not everyone gets a newspaper so they can't read about it. She was wondering about television, channel 19. She questioned that if the President can go on the television to address the country with his State of the Union Address, why can't the Mayor go on TV and address or why Council meetings can't be on the educational network. She expressed there are two sides to this and it would be a good thing because the information would be out there but then on the other hand it would be a bad thing because then there would be all these people on the phone. Mrs. Stinney acknowledged that Ms. Jackowski has good thoughts because approximately one year ago she and Mr. Inge served as liaisons to the Pemberton Township Board of Education and that was mentioned at one of their meetings that perhaps the Superintendent and Mayor could come together and share the things that are going on in Pemberton Township. Mrs. Stinney relayed that the Superintendent would share what is going on in the school districts and some of those things could come forward. She agreed those are good ideas about getting information out and believes when she served on the Board of Education for 13 years, this issue was a problem as well. Mrs. Stinney noted that Channel 19 was received by some people and not by others. She informed that information was distributed in their local libraries and suggested this could be another source of information to be distributed to the residents of the town. **America Phillips:** 1. Commented that the amount spent on Room 10 is a lot of money, noting that if she was building a home and with today's economy, she would have to look for the lowest prices. 2. Spoke of the children in the Township, noting that Presidential Lakes was excluded when the Mayor

spoke of the children earlier this evening. She expressed that nothing is done for the children of Presidential Lakes. She noted that buses are parked on the Board of Education grounds and they are paid for by all of the residents. She expressed that transportation is denied to the residents of Presidential Lakes for the children. Mrs. Phillips hopes Administration during their term will bring transportation to the children of Presidential Lakes so they can go to the Library. She relayed that it is part of the Mayor's duty to take care of the residents of the Township. Mrs. Phillips informed she was denied by BurLink in the past and asked the Mayor what intention he has for transportation for the children of Presidential Lakes in the future. Mayor Patriarca replied there is no plan that is currently being looked at to provide a transportation system in Presidential Lakes. The Mayor informed that BurLink has been explored and they have turned them down and stated as they informed Mrs. Phillips that it is the responsibility of the municipality. Mayor Patriarca conveyed if the residents want to pay for a transportation system, when Budget time comes around Council and Administration can certainly put that in the Budget and the municipality can pay for that. He reiterated that currently there are no provisions for a transportation system and there are no funds in the Budget for that. Mrs. Stinney suggested sharing costs with the Board of Education. Mrs. Stinney noted that the Mayor mentioned in his Address tonight a promotion on the Teen Center and she suggested sharing some type of services for transportation with the Board of Education. Mrs. Phillips recalled that she was informed in the past at a Council Meeting by the previous Administration that they are not supposed to touch the Board of Education. She commented to the Mayor that she is a tax payer and those people have a right to use those buses. She noted it was stated to her that it was a big deal for them because of insurance basis. Mrs. Phillips acknowledged that she does not have young children but she is speaking on behalf of the residents of Presidential Lakes that are not able to be here tonight. Mrs. Phillips asked Council to keep in mind what has happened with Presidential Lakes, noting that taxes are getting higher. **3.** Read an article in the newspaper regarding the gypsy moths. She advised that she was told by this Administration that it does not pay to pay for the gypsy moth spray because it does not work. She reflected that the Burlington County Times had an article regarding paying for gypsy moth spraying. She expressed hope that the Township in the coming year will spend the money that the tax payers pay for gypsy moth spraying. She commented to Council that they have children and grandchildren and asked how they can rob their futures from them when talking about the big deal recreation in town and they don't have anything because the kids are not picked up. **Ed Tournquist: 1.** Wondered regarding the decision by Pinelands that they should no longer be able to store the leaves in the back and asked if the decision was appealed. Mr. Tournquist stated that sometimes they have to "spit in their eye" to get their attention; they don't have to fall over backwards just because they say they are Pinelands. Mr. Tournquist expressed to Administration to stick to their guns. **2.** Acknowledged the room is beautiful, but the sound system stinks and the seats are still rock hard. Mr. Tournquist asked Council how their seats were. He commented that the room should be user friendly if they want the public to attend. **3.** Spoke of the loud speaker permit request for 4:00 pm to 2:00 am and stated the wedding could even be outside. Mr. Tournquist commented that he would not want that in his backyard. **4.** Expressed that it is time to resolve Mr. Inge's property use issue. He relayed that the time elapsed has been totally unreasonable and urged to get that building open for business. **5.** Indicated that updating the ordinance on unfit buildings is an appropriate action. He noted that two eyesores on Lakehurst Road coming in from the East have been demolished and thanked Administration. He relayed that there are other properties like that in the

Township that make them look so bad and they don't have to look that bad, they can be improved or demolished and urged not leave them like they are. **Fred Moorhead:** **1.** Commented that \$81,000 is pretty cheap for a bunch of Democrats rebuilding a room. He commented that it was a pretty good job and he knew when he came in and there wasn't any carpet on the floor that the money was not wasted. He expressed the seats are a little hard, the sound system needs a little tweaking, but Council's seats are appropriate. **2.** Wanted to know if he could open a small business on the sidewalk of the municipal building in front of the building and sell lemonade or something like that because the Township is letting the Nelson Tree Company run a business out of a municipal parking lot. He acknowledged not knowing if any money was being made off of them but expressed it should. **3.** Relayed that the ordinance for unfit habitation was originally scheduled to be discussed tonight and it was moved to October and questioned the delay. Mrs. Scull asked if it was moved to October as she doesn't remember that. Mr. Vaz referenced the Property Maintenance Citizen Advisory Board meeting. Mr. Prickett stated property maintenance doesn't have anything to do with unfit buildings and that is a different ordinance. Mr. Vaz conveyed that he stated that at the last meeting to clarify the distinction about the ordinance; on one hand it does apply to property maintenance and on the other hand it is not in the property maintenance ordinance per se. Mr. Moorhead commented that's clear. Mr. Vaz continued it wasn't thrown on the first meeting because it will be that Board's very first meeting convening and thought they had other things they needed to do for a first meeting. Mr. Prickett remarked that most of the Council was not aware of any changes until seeing the agenda on Friday or Saturday. Mr. Moorhead then asked if there was an expectation or if the public will know when that will come up before it comes up because a few of them are still interested in discussing it. Mrs. Scull advised that it should be on the agenda before it is discussed. Mrs. Scull indicated that Council is aware that it needs some work. Mrs. Stinney replied that is exactly what Council is doing in that they are getting the information and observing it and making sure that they listen firmly to what the public is saying. Mr. Moorhead thanked Mrs. Stinney and commented that the public appreciates it.

Steve Skulimoski: **1.** Announced that he is here tonight to ask Council to investigate the unethical, perjuries and possible illegal behavior of three members of the Pemberton Township Planning Board, Mayor Patriarca, Chairperson Kallil and Vice Chairperson Kemp. Mr. Skulimoski read from a prepared statement as follows: "that after investigating, he is sure they will agree that these members need to be removed from the Board and that two of them should be barred from ever holding a position whether appointed or elected within this Township again. Their actions rise to the level of being deplorable and reflect negatively on Pemberton Township. Their abuse of their positions should be dealt with in the harshest way possible. Mr. Skulimoski informed that in reviewing documents he received through an OPRA request, the evidence will show that these members have conspired and strategized to derail fellow Council member and Township businessman, Tom Inge, and his plan to convert the old library into a restaurant and bar. Mr. Skulimoski conveyed that at the January 24th remand hearing, the Planning Board meeting, the Mayor and Councilman Cartier recused them selves as they had in the past from participating in the proceedings due to a conflict of interest since Mr. Inge is also a member of Council. Mr. Inge's lawyer asked that Kallil and Kemp also step down because of bias and because they spoke to a recused member, the Mayor, regarding the application. The Planning Board's attorney asked both Ms. Kallil and Ms. Kemp if they had spoken to any recused members about the application and Ms. Kallil responded no and Ms. Kemp was little more emphatic, responding absolutely not. They were asked if they could

decide this case on its merits and if they were unbiased. They responded in the affirmative to both. Mr. Skulimoski continued that in the OPRA documents he reviewed, there were Closed Session minutes of December 6, 2007, which show Kallil, Kemp and the Mayor playing out a strategy to reverse their previous finding that Mr. Inge's application was complete and to now deem it incomplete. Mr. Skulimoski reported that Ms. Kallil was so excited at one point that she proclaimed, "olay". They also discussed how much of the meeting should be taped and how much of it if any would be made public. At another Closed Session meeting on December 12, 2007, they once again discussed strategy that opposed Mr. Inge's application. Mr. Sulimoski indicated that at one point Mrs. Kemp stated, "with these three letters from the Pinelands he ought to be made to take it down", and the Mayor, "what's the course for submitting a false application". Mr. Skulimoski stated it is obvious from what he just stated that Ms. Kallil's and Ms. Kemp's comments regarding being unbiased and not discussing the case are complete falsehoods. The discussions in closed door sessions with the Mayor who had recused himself is a violation of Township ordinance 190-59, entitled, provisions applicable to both the Planning Board and the Zoning Board of Adjustment. Mr. Skulimoski read from the ordinance, "Conflicts of Interests. No member of the Planning Board or Zoning Board of Adjustment shall act on any matter in which he has either directly or indirectly any personal or financial interest. Whenever any such member shall disqualify himself", as the Mayor had and Mr. Cartier, "from acting on a particular matter, he shall not continue to sit with the Board on the hearing of such a matter nor participate in any discussion or decision relating thereto. Mr. Skulimoski emphasized that it is within the Council's duties and responsibilities to investigate and remove individuals for cause." The authority to do so is given by Township ordinance 3-73, investigative powers which states, "The Council before determining to remove a public officer may deem it appropriate to cause an investigation to occur using the powers hereto recited. Additionally, should any conduct by a municipal official be reported to the Township Council so as to warrant an investigation, the Township Council may cause such an investigation to occur using the power heretofore recited", and by the NJ Municipal Land Use Law 40:55b2314b, "Any member other than a Class I member, after a public hearing if he requests one, may be removed by the governing body for cause". Mr. Skulimoski indicated this is not the first time the Council has been asked to investigate this matter. Mr. Inge stepped down from the dais during a Council meeting on February 6, 2008 and spoke as a Township resident. Mr. Skulimoski reported that Mr. Inge's statement according to the minutes of the meeting are as follows, "Mr. Inge informed he would like Council to take a look at this matter because he thinks it will come up in front of the Council and he hopes that when they go in to Closed Session, Council excludes members of the Planning Board in the Closed Session meetings. Mr. Inge added that he would like to see Council members for the public's sake, do an OPRA request on the Secretary for Building Inspections, Zoning Secretary, Building Inspector, Business Administrator, Mayor and the Mayor's secretary. Mr. Inge further added that Council should do an OPRA request to look at what has been going on with the Planning Board in his case. Mr. Inge informed rest assured that when Council members took a look at this information, they would know that his case has been treated totally different that anybody's else's case in the Township. Mr. Inge advised that people that are sitting on the Planning Board have deliberately stated things that are untrue and that will come out and it's a shame that the Township residents are the ones that will ultimately have to pay the cost for things that were brought up in the Township that had nothing to do with the building taking place on Lakehurst Road". Mr. Skulimoski reported that any

public official whether elected or appointed that misuses their position for political or personal gain, should be immediately removed from that position. Mr. Skulimoski stated he does not know why the Council didn't investigate this matter when Mr. Inge requested, but he is requesting it again and Council has the opportunity to right what was wrong and show the residents and voters that they will ensure public officials act with integrity and remove those who don't. Mr. Skulimoski indicated that he hopes to hear this matter discussed again in the very near future at a Council meeting and is sure that Council will take the appropriate actions. Mr. Skulimoski informed that he has the evidence for what he has quoted and stated tonight and provided it to Mrs. Young to have it entered as part of the public record. Mrs. Stinney thanked Mr. Skulimoski for his comments. **Ray Wells: 1.** Expressed to the Mayor that he likes the room and likes the fact that local people did it and it shows that they e have a lot of talent. He relayed that he doesn't know how many years the Mayor expects to get out of this room but if they get 20 years out it that is approximately \$3,800 a year which is not too bad. Mr. Wells agreed that the chairs are hard. **2.** He informed that when the new building and maintenance issue came up at the last meeting, he wondered what precipitated rewriting that law because the Solicitor had indicated that this was a law that has been on their books for 70-80 or more years. Mr. Wells asked why this is being rewritten, what precipitated it and what is wrong that the current law or State law that doesn't cover that they need to cover. Mr. Wells also asked what specific properties were involved and why this would come up. Mrs. Stinney explained that as it was mentioned at the last meeting, it is under the recommendation that a few pieces be added in there and she is still reviewing comments that were made and some other research. Mr. Wells replied that he is asking previous to that and again asked what was it that instigated that law being rewritten. He reflected that normally there is something in the town that can't be addressed and he would like to know what that is and why that one was picked; why wasn't the sidewalk ordinance picked. Mayor Patriarca responded that this actually began through the redevelopment meetings that were being held with the Planner and the Planner suggested that they strengthen their ordinances to give the ability to the Township to correct dilapidated buildings if all else failed. He iterated that currently they are stopped at the level of enforcement and fines in a court. He noted that what they are looking for is that next step to where if they can't get any further than the court and the fines and the individuals and if they have the individuals within their town that continue to ignore the repairs that are necessary, this would give the town the ability now to go in, fix the problem and assess the property as a next step. Not as an early; there is still a notice of violation, violations, the courts and part of the process that is currently in effect was that the appeal to that would be to the individual writing the violations so one of the other areas addressed was an appeals process that would now allow Council to be the appeals process so one would not be going to the individual that wrote the violation. Mayor Patriarca reiterated that is how this came about and it is just strengthening the ordinances that are already in place and had nothing to do with changing something so that the Mayor gets the ultimate power to come knocking resident's doors down and tearing the house down and rebuilding it the way he likes it. Mr. Wells asked if there was an individual or specific item or group of items that were being sought after and then asked how many others are being strengthened. Mayor Patriarca replied there is a sub-committee of the Council that is currently reviewing all of their ordinances for review. Mr. Wells asked if the sub-committee brought this one out. The Mayor answered no and reiterated that it was brought to their attention by the Planner during public meetings during the redevelopment process. Mr. Wells stated this specific one and added that initially he thought it had to do with the Acme. Mayor

Patriarca conveyed that he is not going to say that the Acme may not be a building that may be in question but that is not the only building in their town that is not in compliance and has refused to become compliant. Mr. Wells noted that someone else suggested that commercial and residential be separated and he agreed even if they are similar. The Mayor agreed as well and expressed that is why it was brought in front of Council and the public for discussion; this was not in an attempt to introduce but rather to be part of the discussion so that they can find out where the weaknesses are and they can make the adjustments. **3.** Noted that someone mentioned earlier and he wanted to reiterate that the Township needs businesses in their community. He expressed that in Mr. Inge's case, it seems like he got right up to the brink and then he was thrown under the bus so to speak. Mr. Wells noted having made an observation at last month's meeting regarding this and conveyed that during the public portion, Mr. Inge took his municipal hat off and gave a presentation which had to do with trucks that were parked and other things having to do with the trucks parking and tree trimmers and so on. Mr. Wells indicated that Mr. Inge did a great job, it was a nice presentation, it was factual and he had the permission and it was withdrawn by a communication he assumes from the Mayor or the Administrator and at the end of that presentation, not a single word was said. He reflected that there was no thank you to Mr. Inge, not "we would look in to it" and it was as if he didn't exist and as if he wasn't here; that he didn't speak and nobody heard it. Mr. Wells expressed that in his lifetime that was the first time that he remembers ever being in a situation where he felt he (Mr. Inge) was being discriminated against because he was black. He recalled that not one of Council mentioned they would look in to it; that they were sorry and wanted to know what all of the facts were and would get back to him. Mr. Wells remarked that he was embarrassed and felt terrible for Mr. Inge, felt terrible when he got home and the more he thought about it, the more angry he got because he thinks that is a horrible way to treat a gentleman who is volunteering his time and working hard to make his living and it appears that he is being discriminated against because he is black. Mr. Wells expressed disappointment in all of Council for at least not having the "hutsba" to say, "Mr. Inge, we'll find out about it, we're glad you made the presentation, I'm glad you made it because I thought it was excellent". Mr. Wells expressed disappointment in his community, that in 2008 this exists. Mr. Wells stated it's sad. Mrs. Stinney thanked Mr. Wells for his comments. Mrs. Stinney commented to Mr. Wells that it was not a presentation that Mr. Inge gave but it was some information that he passed out for Council. Mr. Wells apologized for mischaracterizing it but he thought it was a presentation.

Edna Inge: 1. Advised that she is Tom Inge's sister and the only thing she wishes to say about this meeting and several others is that she really thinks that there is a lot of disparity being shown where Tom is concerned compared to other businesses in this Township. Ms. Inge remarked that as a family member, she thinks it should be looked into and should be looked into by the people here. She expressed that going further; it should begin here because she knows that it's going to go elsewhere. Ms. Inge noted the old scenario is, if it aint broke, don't fix it and she stated that it is broke. Ms. Inge suggested to look around Pemberton Township and see the things that are being done around the Township; right, wrong or indifferent that are being addressed and not being addressed, but disparity is here and it needs to be addressed. Ms. Inge conveyed that she hopes Council, the Board, the Mayor and everybody gets involved and does something about it. Mrs. Stinney thanked Ms. Inge for her comments.

Robert Bailey: 1. Expressed that a wonderful job was done on this building. He noted understanding that there is some movement of some rooms that will take place soon to be remodeled recommended that they continue to move forward to get those rooms straightened

out and get done what has to be done because prices continue to increase. **2.** In reference to Mr. Inge's property, he heard one gentleman include the Zoning Board of Adjustment and the Planning Board and from what he reads in the newspaper, the Pinelands Commission has something to say about this application. He relayed that as far as the Zoning Board for Pemberton Township that Board does not have any hang ups with Mr. Inge's application to the best of his knowledge. Mr. Bailey commented that he would like to see that building occupied as well as anybody else but if there are some regulations or ordinances that he has not met as far as that building is concerned, it is no more than right that these corrections be made. Mr. Bailey expressed hope that whatever corrections have to be made can be made as soon as possible so that he can get on with the project. Mr. Bailey thanked the Council for doing a wonderful job so far and he knows that some of the work is unappreciative but he appreciates them and their leadership. Mrs. Stinney thanked Mr. Bailey for his comments. **Stephan Thompson: 1.** Understands that Council has received a letter from the County regarding a Farmland Preservation application that he and his wife have filled out for the Fenwick Manner Farm in the New Lisbon section. Mr. Thompson referenced that Council would like some feedback and questions answered and he came over to see if he could assist. Mrs. Stinney commented that is very kind of him. Mr. Cartier added that was quick. Mr. Cartier acknowledged that it was his concern whether it is actually Mr. Thompson's desire to participate with the County in their Farmland Preservation Program. Mr. Thompson answered that he applied approximately three years ago and the offer was less than adequate and after two years he can re-apply and after talking with some people and Mr. Dan Kennedy, he thinks they are making a viable offer this time. Mr. Thompson explained that he is going to try to farm the biggest part of it, noting it has been in his wife's family for 150+ years. He expressed that it is a good piece of farmland; it's not great but it has been here and they would like to see it continue as a farm, noting he doesn't know if his kids are going to feel that way but time will tell. Mrs. Scull asked if he will keep his alpacas. Mr. Thompson replied he probably will as they help pay the taxes more so than the soybeans that are being eaten by the deer as they speak. Mrs. Stinney thanked Mr. Thompson for coming in and clarifying and asked Council if after public comments they would revisit this topic. Mr. Cartier replied yes. Mrs. Scull thanked Mr. Thompson. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments.

12. NEW BUSINESS (REVISITED)

- c. Letter of approval requested from Council by Burlington County Farmland Preservation Program regarding Preliminary Approval with no municipal cost share for Fenwick Manor Farm/Thompson, Blk. 846, Lt. 2.01; Blk. 848, Lts. 32.01 & 32.02.

Mr. Cartier conveyed he has no problem going back to it and approving it and thanked Mr. Thompson for coming forward on such notice and making his intentions known. Mrs. Stinney thanked Mr. Cartier.

Motion by Scull and Cartier to approve Item C under New Business. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

SOLICITOR'S REPORT:

Mr. Archer conveyed he has nothing to report at this time. Mr. Prickett commented that he has some questions for the Solicitor. Mr. Prickett remarked

that Mr. Skulimoski came forward and spoke of a Council investigation into what apparently happened on the Planning Board. Mr. Prickett commented that a lot of these details are possibly new to the Council and the thought of having the Council investigate this matter is certainly new to him and it has not happened in the tenure that he has been on Council. Mr. Prickett asked the Solicitor to explore that possibility of having Council do this investigation and get back to Council with a written recommendation as to what Council may need to do. Mr. Prickett expressed that the things described by Mr. Skulimoski, really the Council could do that investigation but it's also an ethics complaint. Mr. Prickett expressed that an ethics complaint could certainly be filed with the Ethics Board and that investigation could take place by them as well. Mr. Prickett asked for the Solicitor's recommendations as soon as possible, way before the next meeting if possible. Mr. Archer replied that he will have that to Council before the next meeting. Mr. Prickett thanked Mr. Archer and added that it would address the concerns of the residents that have come forward in that context. Mr. Prickett also asked for advice in that Mr. Inge had mentioned rooms that are next in line for renovation, noting that indeed they are. Mr. Prickett relayed that Council has had offices in this area of the building since the building was built and these rooms were architecturally designed for the Council. Mr. Prickett iterated that the Township has had different forms of government; they had a Committee form of government before and now have the Council form of government. He expressed that there have been a number of reasons for the Council having their own offices and currently with this form of government, he has been told that having offices for each Council member prevent a quorum from taking place. Mr. Prickett conveyed the reason he is bringing this up is because and this is really what he wants the advice on, is the Council this week essentially received an eviction notice by Administration, by the Mayor to vacate Council offices. He advised that the "eviction notice" would displace the Council and their records and their ability to have their own office and in place of that would go storage of file cabinets and other storage facilities and a single office for Council to meet. Mr. Prickett further noted that an office out by the Clerk's office with a separate entrance and he is not sure if that separate entrance was out in the hall or in Administration's area or not. Mr. Prickett expressed concern that he has seen this happen over the last year and a half or so and they go with one thing and then there is another step. Mr. Prickett also expressed concern that Council will not have access to Administrative offices at all and thinks that by displacing the Council eventually what will happen is the Council President will have access through the hall and not be able to come in and that will certainly isolate the Council from all of the employees here. Mr. Prickett remarked that that is taking it to an extreme and the Council has had these offices for a long time and he would like to know what rights Council has as Council people to have an office. Mr. Prickett noted that he has heard over and over again that it is not Council's building, it's not Council's budget and at this point, he doesn't know what Council's role is. Mr. Prickett indicated that he has had an office for the last five and one half years and believes that a resident that lives in an apartment or room somewhere has certain rights and was curious whether Council has any rights. Mr. Prickett has reviewed the municipality's book and in there it lists the responsibilities of the Mayor and in no where can he find that the Mayor is able to determine whether Council has offices or not. He recalled that previously when Room 10 was discussed, he brought up the question as to why Council is not involved in the planning of the room and our Solicitor informed Council that it is the purview of Administration. Mr. Prickett stated that he didn't and is sure that other Council members did not have any role in how this room was put together, the sound system or anything else. Mr. Prickett reported that if the public attended

the meeting in July they will note that several of Council was opposed to extra monitors in the room. Mr. Prickett commented wanting to know if Council is going to be out on the street with their bags sometime soon with this eviction notice and he passed it down to the Solicitor so that he can use it and would specifically like a written opinion on this. Mr. Prickett thanked Mr. Archer and expressed his appreciation for Mr. Archer's legal opinion on this. Mrs. Stinney advised she will let Mr. Archer have her eviction notice. Mr. Prickett suggested to the public if anyone has an office available for the Council to use, they could use the public's house or business or Fenwick Manor might have a place, or a barn. Mr. Inge suggested the second floor in the Senior Citizen Building. Mr. Prickett stated the library also. Mr. Inge reiterated the second floor of the Senior Citizen Building if that ever gets started. Mrs. Stinney brought the meeting back to order. Mr. Inge asked the Solicitor what permission Administration has to get for Township employees to work on a resident's property. Mr. Archer replied he could look into that and confirmed with Mr. Inge that he is asking what permission Administration needs. Mr. Inge reiterated that his question is who approves the spending for employees, for vehicles and materials, and he is talking about the work that was done last week on the island that is owned by Mr. Pepe that the Township employees had worked on. Mr. Inge stated if the Township is going to be clearing lots for individual residents, he suggested getting a list out there for everyone that wants their properties cleared and then they wouldn't even have to go to Pinelands for permission. Mr. Inge noted that is one of the biggest things and added that if a resident removes even one tree from their property they have to watch out because Pinelands will be all over them and asked why Administration can go ahead and clear almost a quarter to half of a lot before they are stopped and the lot is clearly in wetlands and using Township employees. Mr. Inge added it was never mentioned at any time to him as a Council member that this work was going to be done and he has still not received anything on who did the work but it is his understanding that it was Township employees. Mr. Inge stated to the public if anyone wants to go down South Lakeshore Drive and look over at the island, they can see all of the trees that have been removed. Mr. Inge conveyed that the Township has followed the Pinelands' wetland management and asked what laws have been broken there. Mrs. Stinney started to interject and Mr. Inge commented that he is speaking to the Solicitor and would like the Solicitor to write this down. Mr. Archer commented that since Mr. Inge is elaborating in more detail it might be easier if he addressed this in written form and sent him an email. Mr. Inge explained that he would like the public to have this information also since he is quite sure the public was not aware of what was going on. Mrs. Stinney confirmed that Mr. Archer is listing the things he wants the Solicitor to look into regarding going on the property, using public employees, wetlands issues, wetlands violations.....Mr. Inge commented if the Township had approval from wetlands and Pinelands, noting there was just an ordinance passed a few months ago regarding water run off and remarked that the removal of those trees will change the water runoff into the lake on that property. Mr. Archer responded to Mr. Inge that this may be more detailed because it may include state agencies as well as the engineer and things of that nature so this investigation that Mr. Inge is seeking may not necessarily be ready by the next meeting because of the information that Mr. Inge is stating. Mr. Inge conveyed that it's a shame that it will be a cost to the Township tax payers. Mrs. Stinney asked if anyone has any additional information that they would like the Solicitor to look into. No further comments were received from Council.

ENGINEER'S REPORT:

Representative from ARH: 1. Apologized to Council that the Engineer's Report was not able to be received through email. 2. Reflected that during the New Business portion of tonight's meeting, four proposals from the engineer were approved and he thanked Council. 3. Advised that Scammel Drive was an issue that came up during the last month and Council authorized a resolution approving the work and that will be done this week. Mrs. Stinney accepted the apology for not receiving the engineer's report via email. Mrs. Stinney expressed Council is used to reviewing the email and then having the hard copy report and thanked the engineer.

MAYOR'S REPORT:

Mayor David Patriarca: 1. Noted there were a lot of comments made this evening but expressed disappointment that nobody was able to take the time and come to the microphone to complement on how well the water carnival went this year. He expressed that the water carnival was held this past week and it was actually not only a well attended event but a well presented event. The Mayor commended those involved in putting that together and for participating in their water carnival and how well that entire activity took place. 2. Conveyed that he finds it very disturbing that an officer of the court would come before Council and try to encourage Council to ignore laws, regulations, and rules of not only this town but state agencies. He advised that the property that was talked about so much tonight is not being held up by Pemberton Township, it is in front of the Pinelands Commission. The Mayor conveyed that when the Pinelands Commission releases that property and brings it in front of the Township, the Township can act on it but right now there are so many violations that have not been met that the individual's application cannot be released; it is not certified. Mayor Patriarca reiterated that is where the hold up is; and emphasized it is not Pemberton Township as it has been portrayed but things don't always get portrayed as they really are. The Mayor encourages the town not to violate the law and not push things through because that is what they want. Mayor Patriarca expressed if they want something different, then they should change the law. He reiterated that is where the real problem is, not with the case because it is not a case with this Township. 3. Noted that someone, and he believes it was Mr. Tamn, mentioned putting a screen in the hall area and that was a suggestion he had early on in this project. Mayor Patriarca commented that Mr. Prickett was dead against putting a screen in the hall but he still thinks it is a good idea because there is at times an overflow and it would be good to have cameras in the room. He recalled that it was feared that nobody would come into the room and that everyone would stay in the hall and that might be valid but he doesn't know. The Mayor remarked that Administration has looked at that and will look at that again if that is the wish of the Council and the public. He relayed that as far as the cost of Room 10, initially he informed it was \$81,000 but they were approved at the Budget hearings for \$90,000 for this room. He informed what was expended in reality was approximately \$54,000 this year, noting that \$13,000 was appropriated last year for chairs which Administration elected to hold up from purchasing at that time until the new room was completed. He noted they were intended to be in the old room 10. The Mayor clarified that in reality Administration stayed \$36,000 under Budget as to where they were and the small cost to each resident for the room as far as he is concerned is something that he thinks they are willing to bear to have something that looks like this as opposed to what they were used to coming into. 4. Spoke of the Council members being removed for filing cabinets and asked Mr. Prickett if he could hear him. Mr. Prickett replied it is very difficult to hear the Mayor with the air conditioning. The Mayor continued that it is much

more than filing cabinets and clarified that they need space. Mayor Patriarca noted that Administration has done a survey throughout the state and has a stack three inches tall of all of the municipalities that responded and of all municipalities that did respond he stated that the majority of them gave no accommodations, they provide a post office box, they mail to their homes and one municipality responded stating they supply offices but commented that it is a waste of space and is never used. The Mayor remarked that is the experience that Administration found in that the majority of the offices are rarely used and an office is supplied for two days out of the month and there are other needs here and other departments that need offices and they are running out of space. Mayor Patriarca addressed Council in that if that want to approve a new building to bring that to the public and perhaps that is the answer but right now they have to find solutions. The Mayor reported that Room 9 behind him is the largest room and as Mr. Prickett knows, it was designed for a conference room, a closed meeting room and it was not designed for an office. He explained that intention is for that conference room to be restored so that their residents don't have to be kicked out of a meeting room every time they want to go into Closed Session and the residents can remain in here and not get forced out in to the hallway. 5. Mayor Patriarca stated on the issue of the trees that Mr. Inge brought up and wants to investigate, if that is what Council decides, they can investigate, but he cautioned on that because they are venturing into an expense that is not necessary. The Mayor suggested to Council if they had asked Administration or called his office, they would have received the answer. He informed there was discussion to explore an area of that island to be used by the Township for the fireworks display at the water carnival. He relayed that individuals from the Township Public Works went out with the Pepe's and explored that island and came up with a location and there was a misunderstanding on their part that they were to clear that island. Mayor Patriarca conveyed that they were never instructed to clear that island by Administration so it is not a direction by Administration and they have been in touch with Pinelands and they are rectifying that problem. The Mayor acknowledged that certainly they are not going to be able to put 20 foot trees and 30 foot trees back up but there are remedies that the Pinelands do accept. Mayor Patriarca advised that they will comply with Pinelands unlike other individuals that may be in the Township that refuse and ignore Pinelands; that is not Administration's intention and they never have been that way and they don't intend to. He emphasized that the rules, the regulations will be adhered to; if they don't like them, they will work to change those rules. Mr. Prickett stated he has a couple of questions for the Mayor. Mr. Prickett asked the Mayor how much of that island was cut as he has heard from a number of residents that it was "clear cut" and there seems to be half or a third of the island that was clear cut. Mr. Prickett asked how much of the island was affected by Public works. Mayor Patriarca responded that it is his understanding that there was approximately 20 trees removed and he is told it is less than 10,000 square feet of the island. Mr. Prickett relayed that he has also heard there is a range in the amount of man power; hours that were used to cut these trees down between just an afternoon to all week and asked how many hours did Public Works spend cutting these trees and getting this island. The Mayor answered that he doesn't have a report on this at this time but can have it tomorrow morning and asked Mr. Prickett to call his office or come in and he'll have that information. Mrs. Stinney asked the Mayor to send the email to Council as all of Council would like to know. The Mayor confirmed. Mr. Prickett then asked if the Mayor stated there was a misunderstanding as far as cutting the trees down. Mayor Patriarca reiterated that it was a miscommunication. He explained that the individuals involved were under the impression that they were to go out and remove them and

he was under the impression that they were going out to survey the area and the fire marshal was involved, the state fire inspector was supposedly involved and there were several individuals involved and it was his understanding that they were going out to inspect this to see the feasibility of doing this and there was no intention on Administration's part to remove any trees at that time. Mr. Prickett stated that as Mayor, he is the one that is accountable for this disturbance of this island. Mayor Patriarca advised that he takes full responsibility for their actions. Mr. Prickett commented that he is glad to hear that. Mr. Prickett thanked the Mayor.

COUNCIL MEMBER COMMENTS:

Ken Cartier: 1. Noted that it's nice to see everybody out this evening. 2. Expressed congratulations to Pemberton Township's 11 year olds and 15 year olds who proceeded into the State Baseball Tournament. The 11 year olds made it as far as the championship game in their State Tournament subsequently losing but it is still an accomplishment on their behalf for making it that far. He expressed that it is tough to get out of the districts and out of the states and then play teams from all over the states. There are 13 different districts so there are 13 different teams in the tournament. Mr. Cartier noted as far as the 15 year olds, he has not heard how they faired. Mr. Cartier asked Mrs. Scull if she knew. Mrs. Scull replied that she has not heard. 3. Thanked everyone for coming out this evening and wished them a safe trip home.

Tom Inge: 1. Noted he has already spoken about the room as well as Mr. Prickett at the last meeting when they spoke about the flat screened TVs. He advised that there was never any indication where they were going to be located and he voted against it to that fact because when sitting in Room 10, if everyone is in here he questioned what the TVs were needed for. He expressed that if the room is full and they are needed in the hallway, they are not going to do any good in here if that was the purpose for it. Mr. Inge commented that he doesn't know but suggested that maybe Administration likes looking at them selves so much that they figure they can get them on a big screen and then sit here at a meeting and also see themselves performing because the flies in this room he doesn't think are from the doors being open. 2. Thanked everyone for coming out.

Sherry Scull: 1. Congratulated the community for a good job on the water carnival. She acknowledged that unfortunately she was out of town but from everything that she heard, it was the best ever. 2. Announced there was good news last night at the MUA in that the Early Childhood Center on Arney's Mount Road will be put out to bid shortly and should be completed by January 2010. She advised that the Township happens to be number one on the list for the monies for the school district so that should move their children out of these temporary modulars and into a nice building. 3. There was also a discussion at the MUA last night and Council has also talked about it regarding Presidential Lakes' water and sewer. She explained there is a committee from the MUA to work with the Mayor and Council to investigate if there is a possibility for either or. She surmised that the state is not going to allow both and probably won't allow sewer but they owe it to the residents to investigate and see what can happen out there if anything. 4. Expressed the ordinance on unfit buildings definitely needs to be looked at. She relayed that a lot of misinformation got out there and Council had not even seen what was proposed in that ordinance that was talked about in the previous meeting. She noted the intent is to try to make the Township look better and not for anybody to be playing "big brother". She reflected that if any of the public has been at the

meetings, they know that she constantly votes against ordinances and she thinks they have too many and would like to get rid of some of them, although some of them are mandated by state. She iterated that it was interesting to her as a Councilperson to look at the ordinance and see that this was already on the books and many of the issues that were so offensive to the community is part of the law and had already been on Pemberton Township's books as an ordinance. Mrs. Scull noted she would like to see that brought back and cleaned up and wants to see the intent followed through so that they can make sure some of the businesses in this town are looking up to par. **5.** Expressed disappointment in what she was hearing tonight. She suggested there needs to be an investigation and the public needs to know the truth and the whole truth from throughout the entire time. Mrs. Scull commented that she has sat on Council and kept her mouth shut and hasn't written letters to the editor because as a Council person she doesn't feel that is appropriate. Mrs. Scull stated that the community does not get all of the information they need. She indicated that Council should be working together for what's best for the Township and not working constantly to undermine each other and Administration and the Mayor. Mrs. Scull conveyed that she is very disappointed that so much time is spent on issues that are counterproductive to their community and to their residents. Mrs. Scull would much rather see them working to improve the community. She relayed that everybody needs to be responsible and follow through what they were told and what they needed to do. She thinks they need to find out exactly what that information is and that information needs to go out to the public so if somebody is not doing what they were supposed to be doing, they know who it was and the public is aware of the facts, not the innuendo and not somebody who is being picked on because of their political persuasion. Mrs. Scull addressed Mr. Wells in that not in Pemberton Township does she believe it has anything to do with race. Mrs. Scull advised she would have been the first one hollering and having a fit if she thought that way. She expressed that this Township for many years has not cared who their neighbors are as long as they are good neighbors, and she doesn't want to see race brought into an issue that goes against the grain of this community because they are a melting pot and they respect each other. She noted that unfortunately, and she apologized to Mr. Wells if he felt nothing was said, but she did not feel it was appropriate for Council and as a Councilperson to make any comments. Mrs. Scull reiterated that the investigation needs to go through and the public needs to know the truth regarding the matter. **6.** Mrs. Scull thanked everyone for coming out and added that it is great that there are this many people.

Richard Prickett: 1. Wanted to elaborate on what Mrs. Scull spoke of in regards to the unfit building law that Pemberton has on the books now and the law that the State has. He noted that the State has a long list of selections on their menu for unfit housing for this type of legislation. He informed that Pemberton Township in the past did not elect to choose coming into your house to investigate. He reiterated they did not choose to come into your house and if you don't let someone in, to be fined on a daily basis. He noted that is part of the State law. He indicated they did not choose to have abatement for nuisances. Mr. Prickett conveyed that an unfit house or unfit building to him is pretty obvious that there is a health hazard there, and a nuisance is not a health hazard. He suggested that perhaps there is a place for nuisance abatement but it doesn't go with unfit buildings and there is a disparity there. Mr. Prickett expressed concern over that and also with their constitutional rights of someone coming into their house. He reflected that the State law does not say that they need an administrative search warrant as was mentioned last week; it indicates that if they don't let them in, they

will get fined on a day by day basis. Mr. Prickett commented that one would have to get convicted or something for that to take place but any law that he would consider voting for would have to have the protection for them in it. Mr. Prickett stated he does not know how many of the public are victims of ...Mrs. Scull interjected "selective enforcement"? Mr. Prickett continued that he is almost afraid to say it and really is afraid to say it because who knows what might happen. Mr. Prickett remarked that he sees it in the Mayor's eyes and it may just happen. The Mayor responded that he did not say it. Mr. Prickett stated that he sees it and body language tells all. Mr. Prickett wants to make sure that any law that is put in place would protect their rights. **2.** Mr. Prickett remarked that they have a lot to be proud of as Pemberton Township residents, starting off with the Senior Citizen which was talked about last week and all of the wonderful things that happen there and also the Canoe Carnival which the Mayor brought up that no one had talked about. Mr. Prickett stated to the Mayor that he could have talked about it in his State of the Municipality Address. Mr. Prickett informed that he has seen a lot of water carnivals over the years and they are all terrific. He iterated that he can't say one is better than the other as they are all outstanding. He expressed that everybody seems to love them, noting there is so much involvement in these water carnivals. Mr. Prickett's only comment on that is perhaps maybe there shouldn't have been so much money put into fireworks and so much money into cutting trees down and they should have taken some of that money and used it as an incentive for kids and residents to build floats. He advised that this year the big prize was \$250 and other municipalities provide a lot more of an incentive for floats and displays in their parade. Mr. Prickett suggested to Administration that perhaps in some way they could support those making floats in the next couple of years by providing them with platforms to put on canoes and maybe they can come up with some generators that they can use on their floats. He expressed they need to, as a municipality, support this more than they have which is going to help this community in so many different ways. **3.** Commented that what the Mayor stated regarding the offices is possibly true. He noted he is sure there is a need for storage and maybe a bigger building. Mr. Prickett expressed they need to use those offices as they were intended to be used. He reflected that they were used by Committee people in the Committee form of government not in the strong Mayor, "pittly" Council form of government, which they have. Mr. Prickett stated no one is willing to stand up to "this man" and what they need to do is ask the Solicitor to check into changing this form of government. Mr. Prickett conveyed they need to do that as soon as they can so they don't have complete control over their lives by one person. **4.** Mr. Prickett expressed gladness to see everyone and he has gotten to know so many of them over the years and really treasures their feedback and opinions. **5.** Thanked everyone for coming out.

Sherry Scull: **1.** Pointed out that some people are acting like the Council offices were not discussed before but it has been discussed during the Budget hearings or whatever. She reminded that it was talked about going down and sharing offices and having maybe three and that would free up two offices, the room and the other one. She expressed that personally there is nothing for her to sit here and do all month long. She acknowledged that she doesn't use her office constantly and rather uses her computer at home and has people call her at home. Mrs. Scull advised that she does not mind giving up her office so that the UEZ Director can have an office because she doesn't believe he belongs in the Library and does belong in the municipal building working with Administration to try to get them a Value City, an Olive Garden and an Aldi's. Mrs. Scull reiterated that she doesn't have a real problem with the office but she does think maybe they should keep a

couple instead of just one and let people double up. She advised that she doesn't mind sharing and thinks most of them have said they don't mind sharing an office, and emphasized that it was not a total surprise and it was something they all knew was in the works.

Tom Inge: **1.** Stated that he would not want to share an office with another member on this Council, and clarified that Mrs. Scull is not speaking for him. Mr. Inge added that he was at every Budget hearing and he does not recall ever stating or hearing someone else state that they will drop down to three offices. Mrs. Scull interjected and clarified that that was her suggestion. **2.** Mr. Inge stated he does recall the first year in office that Council did allot money for the second floor to be fixed at the Senior Citizen Building and to have offices there and have other uses for the senior citizens. **3.** Conveyed that the Mayor stated \$91,000 was allotted for Room 10 but that was with the understanding the fire marshal was here from the State and they did not know what kind of sprinkler system if any was needed for Room 10 and that was considered when that amount of money was allotted for this room. He indicated that it was not just for what everyone sees here; there was more mentioned. **4.** Commented that Mrs. Scull mentioned a thing about race and advised her that she is not him. Mr. Inge stated that Mrs. Scull does not fit in his category and the way he feels he was treated. He relayed that he does not recall Mrs. Scull saying anything when there was an article in the Burlington County Times stating from the Mayor that if he doesn't know the law that they will teach him the law. Mr. Inge asked Mrs. Scull what that meant to her and advised that to him he thought that was a racial statement. Mrs. Scull replied that she certainly didn't think that was racial. Mr. Inge asked Mrs. Scull if she didn't think that was a racial statement. Mrs. Scull replied no. Mrs. Stinney interrupted and asked if Mr. Inge and Mrs. Scull would not debate. Mr. Inge suggested to Mrs. Scull to look back in history and when she goes to the school, to look back in history. Mrs. Stinney commented that she does not want to get into a debate on race. Mr. Inge remarked that he did not bring it up, that Mrs. Scull did. Mr. Prickett informed that he would save his comments for another time.

Diane Stinney: **1.** Thanked everyone for coming out this evening. **2.** Believes in healthy discussion and voicing their opinions. Mrs. Stinney expressed that she does not believe in throwing the race card around. She does believe in healthy discussion. She thanked everyone for their positive and their negative comments. She commented that certainly they are all due respect and that is why she stopped Mr. Inge and Mrs. Scull from a debate. She reiterated they are all entitled to their opinions. **3.** Advised Mr. Prickett that for someone to stand up to the Mayor, he should be in one of the offices back there observing he, the Mayor and she going to at one another. She explained that just as recently as Monday, she was in the Mayor's office pursuant to their eviction notice that says to stop by if they have any comments or concerns, to come in and address it. Mrs. Stinney informed that she got nowhere. She doesn't know if the Mayor didn't want to listen to her or if she didn't want to listen to the Mayor and she is not sure which one it was but they do have healthy discussions and it's good and it's okay that she can say to the Mayor she is not going anywhere with this and will talk to him later. She reiterated that's good and the Mayor can contest to that but she will stand up to the Mayor and he knows that and she is sure vice versa. **4.** Wanted to say congratulations and ask the Council something special this evening on the winter carnival. She expressed it was one of the nicest family events that she has seen in this Township ever. Mrs. Stinney mentioned a few people that made this possible and she has never seen this before and didn't know if it should be called a shared

service or just an outreach of community involvement with their surrounding communities. Mrs. Stinney asked the Council if some type of appreciative letter could be put together for allowing some of the things to take place with getting the information disseminated to the residents. Mrs. Stinney mentioned the Recreation Department staff, lifeguards and volunteers, the Department of Public Works, the Pemberton Township Police Department, Office of Emergency Management, Pemberton Township Channel 19 and the family that let them use the land for the fireworks. Mrs. Stinney wanted to express congratulations to all of the float participants. She noted there was a float that took place that evening and she couldn't resist singing a song about the lion. Mrs. Stinney thanked the float judges and extended a special thanks to Michele Adams, their Tax Collector, one of their newest employees; Pat Austin, Pemberton Township's Board of Education's Business Administrator and shared services people such as Department of Defense from Fort Dix for uses of the lights, Burlington City's use of their bucket truck, State Department of Community Affairs Division of Fire and Safety, Surf and Turf Power Sports for the use of their jet and ski quads, DJ Betty Nixon, Ragan Design who gave out the float money, Pemberton Township CERT, Browns Mills Fire EMS, Country Lakes Fire EMS, Presidential Lakes Fire, Pemberton Boro EMS, Magnolia Fire, Fort Dix Fire, the County of Burlington Highway Department, the NJ State Marine Unit and our Fire Police, Burlington County Fire, Franklin Fire Company from Mansfield, she has to call Mayor Puglia and thank him very much, Westampton Fire Company, Chatsworth Fire Company, Presidential Lakes Fire Company, Country Lakes Fire Company and Springfield Township's Station 212 out of the Jobstown Station. Mrs. Stinney noted all of those people took part in making their water carnival a success. Again, Mrs. Stinney asked Council to authorize some kind of letter of appreciation thanking them for their shared service and coming in and taking part of their successful water carnival. Council agreed.

5. Thanked everyone for coming out and wished everyone a blessed evening and a safe trip home.

Meeting was adjourned at 10:20 pm.

Respectfully submitted:

Mary Ann Young, MMC
Township Clerk