

TOWNSHIP OF PEMBERTON

REGULAR MEETING

FEBRUARY 4, 2009

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
Tom Inge
Richard Prickett
Sherry Scull
Diane Stinney

ABSENT

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

2. Chairwoman Stinney called the meeting to order at 6:30 P.M.
3. Closed Session Res. No. 60-2009

RESOLUTION NO. 60-2009

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:
LITIGATION MATTER: ESTATE OF ANTHONY BUSH VS PEMBERTON TOWNSHIP
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 referred to Mr. Archer for Closed Session topics as she did not have any topics at the time of the agenda. Mr. Archer informed Council the Closed Session topics would involve discussion regarding litigation settlement in the matter of the Estate of Anthony Bush vs. Pemberton Township.

Motion by Prickett and Scull to approve Resolution No. 60-2009. Prickett, yes; Scull, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

4. CLOSED SESSION

Chairwoman Stinney convened the open session meeting at approximately 6:34 pm for Council to go in to Closed Session.

5. Formal action as necessary pursuant to closed session.

Mrs. Stinney reconvened the open session meeting at approximately 7:00 p.m. and took the following action:

Motion by Prickett and Cartier to add Resolution No. 63-2009 to the agenda. Prickett, yes; Cartier, yes; Inge, yes; Scull, yes; Stinney, yes.
Motion carried.

RESOLUTION NO. 63-2009

A RESOLUTION AUTHORIZING SETTLEMENT IN THE MATTER ENTITLED ESTATE OF ANTHONY S. BUSH BY JOSEPH BUSH AS ADMINISTRATOR AD PROSEQUENDUM ET ALS. V. PEMBERTON TOWNSHIP ET ALS., CIVIL ACTION NO. 1:08-CV-3797 AND AUTHORIZING THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE THE TERMS OF THE SETTLEMENT

WHEREAS, THE ESTATE OF ANTHONY S. BUSH BY JOSEPH BUSH AS ADMINISTRATOR AD PROSEQUENDUM, HEATHER BUSH, ANTHONY BUSH, JOHN HODGSON, AND ADAM PUTNICK (COLLECTIVELY THE "PLAINTIFFS") FILED A LAWSUIT AGAINST PEMBERTON TOWNSHIP (THE "TOWNSHIP"), SERGEANT JAMES WEHMAN, PATROL OFFICER RICHARD LUDEN, PATROL OFFICER JAMES ETTINGER, PATROL OFFICER LESTER HANN, PATROL OFFICER THOMAS LUCAS, AND PATROL OFFICER SARAH JEFFERSON (COLLECTIVELY THE "DEFENDANTS") IN THE DISTRICT COURT OF NEW JERSEY, CAMDEN VICINAGE, ENTITLED ESTATE OF ANTHONY S. BUSH BY JOSEPH BUSH AS ADMINISTRATOR AD PROSEQUENDUM ET ALSO V. PEMBERTON TOWNSHIP ET ALS., CIVIL ACTION NO.1 :08-CV - 3797 (THE "LITIGATION"); AND

WHEREAS, THE DEFENDANTS FILED AN ANSWER CONTESTING THE ALLEGATIONS RAISED BY THE PLAINTIFFS THROUGH THE LITIGATION; AND

WHEREAS, THE PLAINTIFFS HAVE AGREED TO RELEASE THEIR CLAIMS AGAINST THE DEFENDANTS IN THE LITIGATION IN EXCHANGE FOR A PAYMENT FROM THE TOWNSHIP TO PLAINTIFFS IN THE TOTAL SUM OF \$100,000.00 AND IN EXCHANGE FOR SUCH OTHER TERMS AND CONDITIONS AS ARE SET FORTH WITHIN THE RELEASE PROVIDED BY PLAINTIFFS TO THE DEFENDANTS; AND

WHEREAS, DUE THE RISKS AND COSTS ASSOCIATED WITH LITIGATION, THE MAYOR HAS RECOMMENDED THAT THE TOWNSHIP COUNCIL APPROVE THE SETTLEMENT OF THE LITIGATION.

NOW THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, AS FOLLOWS:

1. THE SETTLEMENT OF THE LITIGATION FOR THE TOTAL SUM OF \$100,000.00 IS HEREBY APPROVED;
2. THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP IS HEREBY AUTHORIZED TO ISSUE A CHECK IN THE AMOUNT OF \$100,000.00 TO THE ESTATE OF ANTHONY S. BUSH IN FULL SETTLEMENT OF THE CLAIMS THAT WERE RAISED OR THAT COULD HAVE BEEN RAISED BY PLAINTIFFS THROUGH THE LITIGATION.
3. THE MAYOR IS HEREBY AUTHORIZED TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE TERMS OF THE SETTLEMENT OF THE LITIGATION SO LONG AS SUCH DOCUMENTS ARE IN A FORM ACCEPTABLE TO THE TOWNSHIP SOLICITOR.

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

- A. DAVID AVEDISSIAN, COUNSEL FOR PLAINTIFFS
- B. TOWNSHIP ADMINISTRATOR
- C. TOWNSHIP CHIEF FINANCIAL OFFICER
- D. GLUCKWALRATH LLP

Mr. Archer read Resolution No. 63-2009 for the record.

Motion by Prickett and Cartier to approve Resolution No. 63-2009. Prickett, yes; Cartier, yes; Inge, yes; Scull, yes; Stinney, yes. Motion carried.

6. Public comments on consent agenda items only.

Mrs. Stinney opened the meeting to public comments on Consent Agenda items only. Those wishing to comment were:

Mike Tamn: 1. Regarding Resolution No. 62-2009, asked what the contract is for. Mr. Prickett stated that she didn't remind him. Mr. Cartier commented that Council is not there yet. Mr. Prickett remarked that it is the Consent Agenda. Mrs. Scull noted that Mrs. Stinney did not ask if anything was being pulled. Mr. Prickett asked so why not. Mrs. Stinney apologized to Mr. Tamn and informed that Council will get it straightened out. Mrs. Stinney noted that she has asked Council to pull Resolution No. 62-2009 on the Consent Agenda item. Mr. Tamn asked if it is being pulled for tonight. Mrs. Stinney answered just for tonight. Mr. Tamn asked if it will be at another night. Mr. Prickett replied yes. Mrs. Scull answered it might. Mr. Cartier commented possibly. Mrs. Stinney informed it is a possibility. Mr. Prickett remarked that Council has not heard from the Solicitor on this item yet and that is what Council is waiting for. Mrs. Stinney noted anticipation on the next scheduled meeting on the 18th. Mr. Tamn remarked that it was on the agenda. Mrs. Stinney informed he is right. Mr. Archer informed there was a little more legal work that had to be done on that and that is why it is being held until the following meeting for discussion. Mrs. Scull conveyed we are also looking into doing a shared service or something so that it won't be so expensive. Mrs. Stinney advised it will be ready on the 18th.

2. Mr. Tamn questioned actuarial services for the Finance Department. Mrs. Stinney asked Mr. Tamn if he wanted an answer and she would get an answer for him. Mrs. Stinney commented to the Mayor through the Business Administrator she thanks him and will get the answer for him. Mayor Patriarca informed it was a request from Administration to put that on and Mr. Vaz will explain what that entails. Mr. Vaz informed that they are now required as a local government to have their post employment retirement benefits analyzed by an actuary to determine what the costs on an actuarial basis is of those benefits. For them , since they don't provide a pension and the pension is provided by the state, they are only looking at having to analyze the health insurance that some employees who are here for 25 or more years may be entitled to when they retire. It's a new mandate that is national and is hitting the private sector and the public sector. The services haven't been performed yet and this would actually authorize the services. They will come in and get their data on retirees and existing employees and try to cost out what the value of those post employment benefits may be so that this governing body and future governing bodies have an understanding of what the number is and how it affects revenues, etc.,. Right now, there is no law mandating that they actually fund what that liability may be but it will give them an understanding of what that number might be like and then down the road the town can choose to start funding little by little so that there is some sort of way to pay it. Mr. Vaz suggested that assuming hypothetically that everyone retires today there would be no money in the budget to pay all of those retiree benefits.

There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments.

***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.**

***8. MINUTES FILED BY MUNICIPAL CLERK**

***a.** Regular Meeting, January 21, 2009.

***9. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 61-2009

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2008 RESERVE BUDGET.

WHEREAS, N.J.S.A. 40A: 4-59 AUTHORIZES APPROPRIATION TRANSFERS DURING THE FIRST THREE MONTHS OF THE SUCCEEDING FISCAL YEAR; AND,

WHEREAS, IT IS NECESSARY TO TRANSFER FUNDS BETWEEN APPROPRIATIONS IN THE 2008 RESERVE BUDGET; NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON THAT THE FOLLOWING BUDGET APPROPRIATION TRANSFERS BE MADE:

FROM:	TO:	
0310 BUILDING & GROUNDS O & E	5,862.82	
	0435 STREET LIGHTING O & E	724.76
	0430 - ELECTRICITY O & E	5,138.06

TOTAL	5,862.82	TOTAL	5,862.82
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12. NEW BUSINESS

- *a. Requests from various departments to expend funds in excess of \$2,000.00 for the following purchases:
 - *1. **Water Dept.:** Annual fee for Water Dept. Billing Software support fee, to Harris Computer in the amount of \$3,471.54.
 - *2. **Finance Dept.:** GASB45 Actuarial Service provided by Summit Actuarial Services, LLC, in the amount of \$9,000.00.

- *e. Applications submitted for memberships, licenses, permits:
 - *1. **Fire Company Memberships:** (Council confirmation/acknowledgement of new members):
Country Lakes Fire Co.: Firefighter Samuel D. Hodnett, Contributing member Daina L. Singletary;
Browns Mills Fire Co.: Firefighters Steven P. Martin & Robert W. Noble.

- *13. Approval by Council required for payment of vouchers on bill list dated **1/30/09**.

Motion by Cartier and Prickett to pull and table Resolution No. 62-2009 from the Consent Agenda. Cartier, yes; Prickett, yes; Inge, yes; Scull, yes; Stinney, yes. Motion carried.

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

10. ORDINANCES FOR SECOND READING, PUBLIC HEARING AND/OR FINAL ADOPTION

- a. **ORDINANCE NO. 4-2000 (TITLE READ BY MRS. STINNEY)**
ORDINANCE AUTHORIZING A CROSS EASEMENT FOR PARKING ON REAL PROPERTY SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF PEMBERTON AS LOT11.03, BLOCK 554 AND LOT 17, BLOCK 553

Mrs. Stinney opened the meeting to public comments on Ordinance No. 4-2009. Those wishing to comment were: **Mike Tamn: 1.** Stated the ordinance that created this service for the Township as far as encouraging small businesses to come in to town, one store in that facility is already operating. Another store is going to open up on the same premise. The store that is operating is quick service and that individual's customers from now on may have to park around back. If they see cars there, they may not come in to that business. Mr. Tamn conveyed it is a mistake to pass this ordinance. He expressed it's an existing business that has been operating there and that business is going to get short changed when another business opens. He relayed there is nothing wrong with cross easements on parking; they are very good but should be implemented before a business gets established. Mr. Tamn reiterated that as it is now, that

business is established and could possibly lose some business because another business will be using some of their parking spaces. He expressed this should be considered. He noted if they want someone to come in to town and they want them to stay, don't pass this and figure something else out. There being no additional members of the public wishing to comment on Consent Agenda Items, Mrs. Stinney closed the meeting to public comments.

Mr. Prickett asked if the business was able to put some signs out with the agreement of the owner of the property and the Township for five or ten minute parking. He suggested this might address the point that Mr. Tamn brought up. Mr. Prickett is not sure if that would be able to be implemented besides this ordinance and asked Mr. Archer. Mr. Archer replied that he would have to look at this. Mr. Prickett stated this could be rectified in that sense. Mr. Archer added that the business owner would want to be spoken to. Mr. Archer appreciates Mr. Tamn's concerns as he always has a lot of valuable ideas. Mr. Archer suggested reaching out to the individuals directly implicated to find out their feelings on the matter as well. Mr. Rehmann noted he has not received testimony from the owners of the proposed restaurant. One of the things he was concerned about was proper lighting and access. Mrs. Stinney asked Council for comments. Mayor Patriarca added that most of the parking for the existing established parking is designated in the rear of that property. The parking spaces in the front do not make up nearly the amount of spots needed or approved for that particular business that is currently in place. The Mayor reiterated that the business has spots in the back for their customers now. Mrs. Stinney asked Council what their desire is. Mr. Archer asked Mrs. Stinney if he could ask Mr. Rehmann a question. Mr. Archer commented that the purpose of tonight is if moving forward to pass this, Mr. Rehmann is talking about post implementation and is not saying this necessarily needs to be pulled but there are things post introduction that can be done. Mr. Rehmann confirmed. Mrs. Scull commented that Mr. Prickett's suggestion was a good one.

Motion by Scull and Cartier to adopt Ordinance No. 4-2009. Scull, yes; Cartier, yes; Inge, abstain; Prickett, yes; Stinney, yes. Motion carried.

b. ORDINANCE NO. 5-2009 (TITLE READ BY MRS. STINNEY)
AN ORDINANCE ESTABLISHING SALARIES, COMPENSATION
AND BENEFITS WITHIN THE TOWNSHIP OF PEMBERTON

Mrs. Stinney opened the meeting to public comments on Ordinance No. 5-2009. Those wishing to comment were: **Marisa Wilkins: 1.** Advised that she comes before Council as a resident of Pemberton Township. She expressed that in the economy that they are living in today, they should all be grateful that they are employed and able to take care of themselves and not rely on the government to subsidize their income with food stamps and other assistance. From a newspaper Mrs. Wilkins quoted, "Being able to take care of yourself and your family, you can pay rent, you can have a car for transportation, you can have a job and you can pay your bills. You don't need to depend on anyone for anything. You are off all assistance programs. You can pay for daycare for your children. You can buy groceries and you can pay for life's necessities". She noted that by New Jersey standards from the NJPRI, NJ poverty standards of 2008, the average single parent family should have an income of \$42,000 to \$65,000; while a two parent family should bring home \$69,000 combined because their living expenses, rent, cable, electricity a month and a few things are combined. She expressed that by these rates, some of their current employees are below the standards. She advised that this can be checked

through the Courier Post and find the wages of all Pemberton Township employees for 2007. She expressed that the percent increase being scheduled for these employees tips them over the top of the scale. She denoted that Pemberton Township is not like any other in the surrounding Townships as they say they are trying to adjust to, but is unique. She noted that they range from vast areas of natural, beautiful woods to communities of houses. They have a lovely mix of civilian employees and military employees. She informed that the last census shows that a majority of the households in Pemberton Township are single parent or three person homes which is a single parent and two children. The income of their houses should start at \$42,000 which is an hourly rate of \$29.95 an hour all the way to the bottom of \$13.78 an hour. She reflected that their highest paid AFSCME employees here are within that rate and they have 26 years of employment. Most of the other employees are below that. She relayed that Council is now asking for Pemberton Township to pay these employees an average of \$20,000 per person over the standards just to be able to take care of themselves in New Jersey. She expressed that these incomes they are paying are enough to cover both household's incomes when there are employees not even making that within range after ten years of solid service. She indicated that during a time of financial depression, these percentage rates are above the standards when the top increase will be \$32.75 an hour which is \$68,000 a year, not counting in longevity of 8% on top of that which will make those prices higher. She expressed that when they have increases over their average of 3 or 4 percent it's just another slap in the face to the employees who come to work each day and work. She acknowledged it was not under life threatening conditions like their police force does on a daily basis just to find out now that their positions may be terminated or subject to a layoff, pensions will be stopped, health insurance lost, just to name a few. She relayed that the only people this layoff is affecting is the PBA and AFSCME employees who have residency requirements and bring their incomes back in to the town which will affect their revenue and since they live in the town, they are Council's voters. She expressed that too many chiefs and not enough Indians don't get the job done and most of the Indian chiefs don't have a residency requirement and they don't bring the revenues back like the registered voters do. She suggested that if Council feels that their current department head salary is not up to par with other Townships, then they must also think about the average resident who goes to work making the average or below and has to keep the bills paid including their taxes. She suggested this is like the automobile makers showing up with their jets, begging for money or like Wall Street asking for financial assistance to give large bonuses. She commented that if they feel that [their] salaries need adjusting because of the pay scales being erratic or inconsistent, then she suggests Council look back as to who may have their hands in the cookie jar and who has the most cookies. She questioned that if it takes the average employee through the best of circumstances to receive three title changes in the span of 18 years; the initial three years before receiving the first and five years to receive each promotion thereafter, why have certain employees received five or seven promotions in the same span. **Adriene Taylor: 1.** Ms. Taylor informed she is a representative from CWA Local 1040 and is also the Administrative Assistant to the President who was unable to attend tonight due to a scheduling conflict. She expressed that it is unfortunate that in a time of financial crisis, it should be recognized that it is of the fault of no one in the bargaining unit nor is it the fault of the Township of Pemberton. She noted this is much larger than Pemberton Township, Burlington County and the State as they are all suffering, and not for anything that anyone that has to do with these venues has done. She expressed that it is also unfortunate that these negotiations that culminated in these figures which are public; they are public workers, really does put a sour taste in some

people's mouths. Unfortunately, those are not the workers that have been without a raise for the last few years. She pointed out that these are also not the workers that have sat in negotiations for three years trying to figure out what would be fair to them and also fair to the citizens of this Township. She relayed that it is interesting that the public never seems to think about the fact that there is no public employee that gets excused for taxes. Whatever tax has to be paid, public employees also look at their pay stubs and see that they also pay the federal tax, state tax and local tax. They are not exempt. She confirmed that they do understand that they pay their fair share and they pay their fair share not on the basis of exemptions but they pay their fair share just like every other citizen that works and has a responsibility to support their government. She reflected that governments also have a responsibility to support their workers. She pointed out that workers run this country; they run this county and they run this Township, noting that without the workers, they wouldn't have these services at all. Ms. Taylor advised that she has been working with these supervisors for three years and for three years they have told her "but the Council may not be able to understand this. The citizenship may be hurting". She assured that she has never, ever been in a set of negotiations where she was repeatedly reminded of the tax base. She advised that these employees have worked for these years without a raise and not only have they worked for three years without a raise; they have also been paid less than their peers in comparable situations. Ms. Taylor implored Council again not to try to take out on these workers and try to make up for the deficits that they find themselves in. She noted she is hard put to not talk about one of their previous governors who said the workers will continue to pay their pension costs but the employers will not. She expressed that has devastated their pension system in this state. Ms. Taylor does not know if they will ever be able to make that up. She informed that it has put workers at risk and retirees at risk when they most need their pensions and certainly their health care. She does not care to take up the time of citizens nor the Council, nor the Administrator and Mayor going through this but they have been working long and hard. She relayed that they have division heads and department heads that they really should be tremendously proud of and appreciative of. Ms. Taylor asked again for Council to pass this ordinance and not let the financial situation, of which they had no part in play, get in the way of doing the right thing. Ms. Taylor thanked Council.

William Fitzpatrick: 1. Advised he lives in Presidential Lakes and there is no service out there. He asked if the Buildings and Grounds Supervisor wages listed was for 2007 and current wages in 2011. Mrs. Stinney advised yes, that is the negotiated contract. Mr. Fitzpatrick asked if the pay raise would be retroactive to 2007. Mrs. Stinney answered yes. Mr. Fitzpatrick noted that this person got a \$10,092 pay raise in the last five years. Mr. Fitzpatrick stated he is against this and is against every supervisor in the Township having a pay raise, period. He explained that one of his reasons is he came in last year and this year to pay a bill. He had a new furnace put in and it took three guys to come out and inspect his boiler. Mr. Fitzpatrick asked why and further asked couldn't one man do the job and directed his question to the Mayor. Mrs. Stinney reminded Mr. Fitzpatrick that they are talking about the salary ordinance. Mr. Fitzpatrick replied he is getting to that and all of these good supervisors here. Mr. Fitzpatrick explained that he ran telephone exchanges outside of the plant and inside, wire, cable and the whole works. When he worked on the inside plant, he took charge of telephones. He expressed that all of these good supervisors in this Township can't get the people that work under them to do what he did all over the whole wide world. Mr. Fitzpatrick asked why they should get a pay raise when they can't get a person to say; they put a sticker on his door last week and two guys came out to do it. The furnace was okayed yet it took a third guy

to come out and him and his wife wasn't in and he left a sticker on his doorknob saying he has to get it inspected. He noted that he didn't leave a telephone number, or call before he came out. Mr. Fitzpatrick asked if he knew how to supervise. Mrs. Stinney stated she is listening to his comments but they are talking about the ordinance. Mr. Fitzpatrick asked if they should have a class with the workers instead of him coming all the way in and all of the voters here. Mrs. Stinney tried to address Mr. Fitzpatrick and he stated that he has the podium and under New Jersey state law he is authorized to say what he says. Mr. Fitzpatrick asked the public if anybody as a tax payer.....Mr. Archer interjected to inform Mr. Fitzpatrick that he does have a right to speak but....Mr. Fitzpatrick interjected that he does and asked Mr. Archer if he is denying his right to speak.....Mr. Archer replied no.....Mr. Fitzpatrick asked Mr. Archer to be quiet.....Mr. Archer stated to Mr. Fitzpatrick that he must address the Council.....Mr. Fitzpatrick responded that he is addressing the Council and the whole hall and asked if Council and the public can hear him. Mr. Fitzpatrick stated to Mr. Archer to be quiet for a few seconds. Mr. Fitzpatrick and addressed the public and asked the public if anyone has come in to pay a bill and was late. Mr. Fitzpatrick pointed out someone shaking their head and stated to put their hand up because "they can't bite you because they are working for us". Mr. Fitzpatrick stated to Mr. Archer that he rudely jumped in on him and asked Mr. Archer if he understood the New Jersey law of the committee. Mr. Fitzpatrick continued that he can ask the public questions. Mrs. Stinney tried to explain to Mr. Fitzpatrick that he must address the Council, not the public. Mr. Fitzpatrick continued that he suggests that instead of giving a pay raise to "these suckers here" is to hire, not lay off the workers. Mrs. Stinney asked that he please not call names. Mr. Fitzpatrick replied that it is in the dictionary. Mrs. Stinney conveyed that she would appreciate it if he would not call names. Mr. Fitzpatrick asked if it was in the dictionary. Mrs. Stinney advised that she is not going to debate whether it's in the dictionary or not. Mr. Fitzpatrick stated he can use any word in the dictionary he wants. Mr. Fitzpatrick suggested Council does just that. Mrs. Stinney thanked Mr. Fitzpatrick for his comments. Mr. Fitzpatrick informed he is not finished yet and stated Council wants to get rid of him because he can speak louder and couldn't hear Council from the back. Mrs. Stinney read the Council's by-laws on Resolution No. 107-1991, section IV where it says, "The Council President shall on occasion preserve order in the meeting" and that is all she is trying to do. Mr. Fitzpatrick replied that he is not out of order. Mrs. Stinney reiterated that is all she is trying to do and is trying to ask him if he would address her and not the public; it is her he needs to address; this is what the by-laws said; they adopted it. Mr. Fitzpatrick asked what is wrong with his question to the public. Mrs. Stinney responded that she doesn't know and maybe when they can take a break he can ask them that later on but he is to address her and the law says that.....Mr. Fitzpatrick interjected that he has read New Jersey law andMrs. Stinney tried to continue but Mr. Fitzpatrick is talking over her, noting he "used to carry it when he was a frequent visitor here but still has it at home". Mr. Fitzpatrick stated he wished the supervisors could use the phone more often instead of having people like "him" use gas and their time to come here for what they can do with the phone. Mr. Fitzpatrick expressed that he doesn't mind paying the little penny ante pennies to the "demi-comie party" but if he goes two days, he is found. He advised he wasn't communicated with and "you guys and supervisors don't know how to communicate". **Rosemary Bishop: 1.** Advised that she Lives in Country Lakes and is dead set against supporting this ordinance, noting they are in a financial state. She acknowledged that she does not know when this was proposed and she is a union member and does know what it is all about to try to negotiate. Ms. Bishop expressed that most of the people in the Township do a fantastic job.

She assured she is not saying that they shouldn't earn this money, but not this year and not next year; not when talking about laying people off that don't make \$20,000, \$30,000 or \$40,000. She questioned how anybody would dare to think that they should get a raise and not save the other jobs. Ms. Bishop reiterated that she is dead set against this. She reflected that the Governor of this state is imposing a freeze on salaries. Ms. Bishop asked if Pemberton Township lives in a different world, noting that she is really confused about this. Ms. Bishop asked how many people will be laid off. Mrs. Stinney replied she doesn't have anything before her, nor a plan or a budget. Mrs. Stinney thanked Ms. Bishop for her comments and added that her understanding is by law, the state requires any and all workers to receive their due process of notification that if there is a plan such as the Governor stating he was going to plan to lay off 3,000 people that they have to plan. She reflected that while serving on the school board for several years, they had to plan for a possible 150 people to be laid off. She noted that was the plan but whether that plan comes to fruition is a question Mrs. Stinney reiterated that she is not sure and she does not have any documentation. She shared that she has heard many people talk about there being 19 people being laid off. Mrs. Stinney reiterated she doesn't have it. She knows there is a plan that had to be submitted to the state. Mrs. Bishop asked who has the plan. Mrs. Stinney replied that is through Administration and they still have the budget and the budget is not in the hands of Council yet. Mrs. Bishop asked if they are waiting to pass the budget to see what they get from the federal government. Mrs. Stinney answered no; they are not waiting to pass the budget to see what they get from the government. She advised that they have to wait to see how Administration balances out their budget for what they are supposed to get from the government. She relayed that they don't know what the figures and numbers are going to be. Ms. Bishop conveyed this ordinance with these salaries was negotiated with a contract with the union and asked if that is correct. Mrs. Stinney confirmed. Ms. Bishop then asked how long ago that was negotiated. Mrs. Stinney replied one year before Council took office; they have been in negotiations. Ms. Bishop asked if they have not received pay raises for three years. Mrs. Stinney confirmed that is correct. Ms. Bishop questioned if that was all employees. Mr. Prickett stated that would be two years; they received their raise in 2006 at the end of their contract. Ms. Bishop stated these pay increases are just for the people that are listed. Mrs. Stinney clarified it was for those in this union, yes. Ms. Bishop questioned for clarification if it was just for these titles and these individual people and not for everyone else, noting that like the lady that spoke before, they are at poverty level. Ms. Bishop confirmed this is just the supervisors that keep going and going and going and they are the people that honestly do get the promotions and the peons never get ahead. Mrs. Stinney replied that these are the people that.....Ms. Bishop interjected that she just wanted to go on record that this is totally wrong and asked how anyone can sit on Council or anyone in any of these titles can feel good about themselves with letting somebody else go in the state that they're in; noting that it's sickening. Mr. Inge stated he would like to make a comment to Ms. Bishop before she sits down. He expressed that although Council does not know what the budget is going to be, all Council members knew, and Administration knew that they passed out letters to all employees on Monday, stating that there will be job lay offs. He advised that on Wednesday, Council approved this.....Mrs. Stinney interjected to Mr. Inge that what she will do is.....Ms. Bishop interjected that people were notified. Mr. Inge responded that they knew in advance that there was going to be layoffs of Township employees; they did not know how many, they didn't know which employees but they knew there were going to be lay offs and Council still chose to approve this contract. Mrs. Stinney stated to Mr. Inge that there will be a

portion.....Ms. Bishop interjected asking how they can sleep at night.....Mr. Inge replied to Mrs. Stinney that he is just answering Ms. Bishop's question. Mr. Inge stated to Mrs. Stinney that she was able to speak, and he wants to speak. Mrs. Stinney explained to Mr. Inge that she is chairing the meeting and the Council by-laws say that the Chair chairs the meeting and according to the way that this is supposed to work is that Council has their due diligence for their comments after the public has had their input on this ordinance. She asked that if they as Council members would be so kind and respectful to their public here and allow them to make comments first and then Council will have that opportunity to make comment when the public portion is closed, she would be grateful. **Betty Donelson: 1.** Ms. Donelson informed the way this would work with the salary ordinance is if adopted tonight, Mrs. Young will publish the notice of adoption in the newspaper and twenty days after that, it becomes effective which is when all of the retro checks for these people would be paid. Ms. Donelson asked how the Township is going to pay the people that money. Mr. Cartier advised that the retro funds were budgeted for and these salaries were budgeted for in previous budgets. Mr. Inge commented that he thought the Council President was the only one allowed to speak. Mrs. Stinney acknowledged to Mr. Cartier if he would not mind, that this is public comment time. She then stated to Ms. Donelson to please continue with her questions. Ms. Donelson informed that the reason she is asking is because she knows they are working on a temporary budget and they don't have any figures for the real budget yet. Mrs. Stinney commented that is correct. Ms. Donelson expressed that it's strange because she doesn't remember ever seeing a salary ordinance on the agenda this early in a year and it seemed odd to her how it was going to be funded. She noted that it always seemed to be after the budget was adopted or close to the budget. Ms. Donelson asked why the Finance Director is not present and if she didn't usually attend meetings to answer questions of this type. Ms. Donelson stated this would have to do with funding. Ms. Donelson commented that everyone does deserve to get a raise and luckily in Pemberton Township, they have been able to have raises and they have worked hard for those raises. Ms. Donelson was curious regarding the difference of percentages. She expressed there is a really wide range from 0.6% to 8.6%. She reflected that when AFSCME negotiated their contract, it was across the board, 3%, 3.5%, 3.75%, 4% and the PBA was 3%, 3.5% whatever it was. Ms. Donelson asked why there is such a difference in the percentages. Mrs. Stinney explained it was basically to bring them comparable to the salaries that are basically within the parameters here to get them to that level. Ms. Donelson asked what parameters. Mrs. Stinney replied of their local surrounding municipalities. Ms. Donelson then asked which one and expressed that they are Pemberton Township and Pemberton Township people pay these taxes, not Medford, not Mount Laurel, not Cherry Hill and it's nice to be able to get a raise and Pemberton Township gives their employees a really nice package; they get great health benefits, great vacation and sick time and Council knows the employees get a great package, the employees get sent to school. Ms. Donelson commented that she acts like she still works here as this was such a big part of her life for so long. Ms. Donelson stated she doesn't understand why with the way things are now that they have to get 8.6% when the other unions have come together and agreed on 3% and 4%. Ms. Donelson remarked that this could use some work and questioned why there is such a rush when there isn't a budget and they don't know what the numbers are going to be. Ms. Donelson commented that they are stating they went two years without a raise. Ms. Donelson expressed that no one told [them] they had to form a union and they chose to do that. She pointed out that along with contract negotiations, that takes time, noting that all of the unions wait a year or two years through that process. She relayed that they are

still getting paid and they are still getting their medical and they are still taking their vacation and being able to go to school. Ms. Donelson continued that they haven't lost anything; they weren't unemployed so they didn't suffer, noting this is all extra; over and above. She shared that what bothered her was that there are people that have been here for 17 years that got a lay off notice and "she" got a 3% raise and she is in AFSCME. She expressed that they all have to give a little bit and they have to work together. She reiterated that this needs to be looked at a little bit more. She agreed that everybody does deserve to get a raise as long as they work hard for it. Ms. Donelson added that this ordinance does not reflect longevity that these people get and some are getting 4% and 8% on top of that depending on how long they have been here. Ms. Donelson noted there was a comment made regarding people paying their fair share paying taxes. Ms. Donelson stated that if they don't live here, they are not paying their fair share of Pemberton Township property taxes because they don't own property here. Ms. Donelson added that they knew what the position paid when they took the job. She expressed that everyone wants to make \$100,000 a year but when they fill out the application and come in to the Township, they want to work here because it is a great place to work; they know what that position pays. She indicated that when there is a vacancy in the building and that ad is put in the paper, there are hundreds of applications because this is a great place to work. Ms. Donelson asked why the lay off notices were given out when there isn't even a budget and they don't know what the numbers are yet. Mrs. Stinney reminded that at present they are dealing with the salary ordinance now. Ms. Donelson commented that she will hang around and come up later. **Mike Tamn: 1.** Noticed on the list of supervisors that one individual who is probably on the lower totem pole is the Municipal Court Administrator and expressed that she has more responsibility than anybody else on the entire list. He noted that individual seems to be getting about 4%. Mr. Tamn stated he does not understand how this was put together. He reflected that one of the most responsible individuals who has to be available day and night; she is very responsible and can't make a mistake easily and still there is only a 4% increase for her. He relayed that as far as unions go, he just heard the CWA representative; and back in 1967 and 1968, he fought for public employees to have a union. He became president of the first local in Burlington County that was a union. He has seen his co-workers and himself fired three or four times in a six month period and had to fight to get back to work for the privilege of having a union and negotiate. He noted that at that time, they were also trained that in negotiations you have to be reasonable with the municipality and the government they are working with on it. Mr. Tamn does not see reason here. Mr. Tamn suggested that since they are in such a bind, and there will possibly be a lay off of employees that maybe the Mayor and Council take no salary at all for the next two years because this will last for the next two years. He commented that the Council and Mayor all run with good intentions and because they felt they had something to give to the community to make it better. Mr. Tamn hopes that they are not running for the salary and there is no reason why they can't give it up for two years. **Ed Tournquist: 1.** Advised he heard someone make reference to Cherry Hill, Medford and so forth, noting that Pemberton Township is a unique community and they are not particularly wealthy. Mr. Tournquist reflected that he does not know what the salaries in other communities have to do with the salaries here. He expressed that it is irrelevant what they are making in other communities. He noted that every community has its own constituency and they are not different. He expressed that these are very comfortable salaries as they stand right now. Mr. Tournquist added that some of these salaries are almost a 10% increase from one year to the other. He expressed that that is unreasonable when they are talking about

nationally holding salaries where they are, talking about the state level holding salaries where they are and it might not be a bad idea for them to consider that.

Steve Skulimoski: 1. Expressed he doesn't understand how the Council can even consider pay raises for the supervisors when there are lay offs looming for the "real workers". He expressed that the supervisors sit in their office; they should lead by example. He relayed that if they were truly a supervisor, they would deny the raises themselves in solidarity with their AFSCME brothers in the other unions. He mentioned an individual that came forward tonight representing the Communication Workers Association Union but he did not see any members of the local union that are employed by this Township coming up and defending their right, their raise and wondered why that is. He noted this is something that he observed; he does not see any of the employees up here defending their own rights to a raise.

Edna Inge: 1. Ms. Inge informed she is a Vice President of the Local 152 UFCW workers out of Hammonton, New Jersey. She noted her concern with what is going on here at this time of a recession, the economy being the way it is from the entire country to right here, Main Street, Pemberton Township. She advised that when they elected Council and elected the Mayor, the Mayor above everyone else has a fiducial responsibility for the tax payers in Pemberton Township. She questioned that these people are getting raises based on what; based on the budget that they don't have. Quoting from the Burlington County Times, she read "Unfortunately, people are going to have to be laid off. We don't know how many. We do know that they are AFSCME employees". Ms. Inge stated that they know that but as a sister and brothers and sisters of every union in people in this room and not in this room, and questioned where the solidarity is. She noted everyone has to make a living and no one can tell her that the twelve or fifteen supervisors on the ordinance, if this gets put aside and doesn't get voted on tonight or more facts can be found out about that, they are not going to tell her that they will quit their jobs because they didn't get a pay raise. She expressed that they are not going to quit their jobs because of the economy. Ms. Inge asked why don't they just wait and see what lies ahead before they just jump and give everybody these pay raises; why not wait. She reflected that it's not going away; the economy isn't, the recession isn't, nor are any of the people that work here. She stated that everybody sitting on Council, the Mayor likewise and people that work for the Township do not get a good salary but they have great benefits. Ms. Inge asked who is paying for those benefits. She responded that they are and added that they are the ones that should know what is going on and when it's going on. Ms. Inge asked when this will be put on the website. She noted that she does not understand why other people are not out here tonight either; she doesn't understand it and she doesn't work in this Township. She relayed that they are in this together; they have to hang in this together and "shame on us if we don't speak up and do something and ask questions and get answers". Ms. Inge does not know if the taxes are going up in this Township and asked where this money is going to come from for these raises. Ms. Inge asked Mrs. Stinney if she knows and asked if anybody has put a bug in her ear. Mrs. Stinney replied yes. Ms. Inge noted that she is addressing Mrs. Stinney. Mrs. Stinney answered that first of all these are not raises. They are salary guidelines to get the workers compatible to where they need to be.....Ms. Inge interjected questioning where they need to be for what. Mrs. Stinney asked Ms. Inge to hold on one second and stated to the Mayor that she knows the Accountant is not present tonight but the negotiations were through the Business Administrator and for the record to clarify the exact area where this funding is, if she can go through the Business Administrator. The Mayor replied that the tax payers pay all of their salaries. Mrs. Stinney asked Ms. Inge if her question is where the money is now. Ms. Inge answered no, they are paying the

salaries; they are the tax payers and she is going to assume when these twelve or fifteen people get their raises, this is going to probably come from some of their tax money too but they don't know what the budget is. Ms. Inge asked how they can say, they want to make sure these poor people get the pay raises they deserve because they have been without for the last three years; she does not get where this money is going to come from and by the same token and the same respect, there might be lay offs. Mrs. Stinney stated from the tax payers. Ms. Inge expressed that is so sad as people in a community that they have to sit and not know what lies ahead for them tomorrow. **America Phillips: 1.** Noted she came late tonight. Her question to the Council is; she just read on this list and she is looking at this list now because she doesn't have a computer, and questioned where the other workers who patch the holes on the street and the workers, the trucks and whatever, where are they; are they here tonight. She stated they don't have to be here like she was told in the past. She noted all of these workers asking for a pay raise, and again questioned where they are tonight. Ms. Phillips asked if they are here or if none of them are here. Mrs. Stinney replied she doesn't know; they are talking about the salaries. Ms. Phillips responded that they are talking about all of those titles, all these people. Mrs. Stinney asked Ms. Phillips if she wanted to know where they are. Ms. Phillips asked if they are here right now. Mrs. Stinney replied she does not know; some are here, some are not. Mayor Patriarca stated to Mrs. Stinney that this has come up twice and he would like to clarify that. There are several members of this union if not all of them and he hasn't looked around entirely, but he has instructed them as department heads not to comment on this. He advised that this is Administration's responsibility to comment on this if need be, not the department heads. Administration does not have department heads come to the meetings. Mrs. Stinney stated that Ms. Phillips just wanted to know where they were. Ms. Phillips thanked the Mayor and stated that he answered the question and she already knows that. Ms. Phillips noted that she understands because they are working for the Township and it will not be fair for them to be labeled, she knows what the Mayor meant and she's sorry if she asked the question. She then commented on the state of this economy regarding the whole country. Ms. Phillips remarked that she works in the New Lisbon Developmental Center and has been working there for 27 years. She advised that her raise is not the greatest and there are people that have been here for 10 to 15 years, and when they give these high raises to these people, they should give it to the poor people who deserve it; they are outside in the cold and everything. **Mike Williamson: 1.** Mr. Williamson noted he does not work for the Township; he works for the post office and he is representing APWU. He declared that everyone deserves raises but in the current economic conditions, it wouldn't be bad for people not to take a raise and to be fair. He noted he is all about fairness in life. He reflected that it was raised by another individual that the raises are very fluctuating. Mr. Williamson stated it could possibly be and he is just speculating and does not expect an answer, but some of the supervisors as they know do not live in Pemberton Township but could it be that they are bringing them up to speed for the Township that they live in. He expressed that if that is so, they are taking that money and paying their taxes in their Township and not putting it back in to their Township. Mr. Williamson reiterated that this is just a speculation. Mr. Williamson stated that he is against passing this right now until they do get more numbers and so they can see what is going on. He stated that if he was to get a raise knowing that other people could possibly lose a job, he would not go with that and if they don't like it, let them find a job somewhere else. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments. Mrs. Stinney noted that she will start with Mr. Inge for Council comments and wanted to

publicly apologize to Mr. Inge to let him know that she certainly did not want to cut him or Mr. Ken Cartier off, but just tried to allow the public to have their portion or their time for comment and certainly Council can take as long as they would like to address some of the comments that have been addressed here this evening. Mrs. Stinney continued that her job here is not to convince anybody but her job is to try to keep order, not to shut anyone up but to ensure decency and order. Mrs. Stinney yielded to Mr. Inge first and will yield to Mr. Cartier second for their comments now. **Mr. Inge: 1.** Stated he accepted this office to serve the residents of the Township. He advised that when he saw this ordinance he was totally against it from the very beginning. He noted that when the Administrator wanted to compare other Townships and their wages to the Township employees and their wages, he had a hard time with that and he expressed it. **2.** He reflected that when a Township employee was hired, they said a notice gets put up in the Township. He expressed that surely a notice gets put up, but 90% of the time jobs in this Township are given to people that know somebody in this Township and that's how they get their jobs first of all. He relayed that if one is going to negotiate their pay, and if they think they're that good, he noted the first title on the list, Buildings and Grounds and added that he is not singling them out but if he was going to apply for that job and this is what he argued in Closed Session with other Council members and Administration, if the job was paying \$46,000 and he felt that he deserved \$55,000 to start and the Township didn't want to pay him that, he wouldn't take the job. If he felt that his skills deserve \$55,000 because another Township was paying that amount for that same position, then he should have negotiated when he took that job not when they're in the job and supposed to be serving the residents of the Township. **3.** Mr. Inge commented that it was in the Burlington County Times that Mrs. Stinney quoted that she loves the services that are given by the employees of the Township. Mr. Inge stated most of those employees are the workers, noting that's who Mrs. Stinney sees out on the streets, and that's who is cleaning the streets, cutting the grass, and picking up the trash. He acknowledged they might be supervised but they are the ones that are doing the work. He expressed that Supervisors; when taking a job as a supervisor, one is taking that job knowing that they are going to be in charge of many people. Mr. Inge continued that in a sense that job gives people pride; they are stepping up; they are knowing that they are moving up; now they are a supervisor and they are in different standards. He expressed that they are being paid well above the average employee. He reflected that a lot was said that some employees have been here 25 years that are making more than their supervisors so they have to change that. Mr. Inge conveyed that the supervisor might have only had that job for three years and asked how that can be compared, noting that Administration thought they could compare it that way. **4.** He pointed out that when going around the Township, one can see people catching the bus to go to work because they don't have a vehicle and they are not as fortunate to work in this Township but they do come back home and they do pay taxes even if they are renting, their landlord is paying taxes in this Township. Mr. Inge remarked that he used to see a lady on Lakehurst Road before Christmas at St. Ann's that had her son in the three year old program and everyday she had to walk and he would see her come down Lakehurst Road going to St. Ann's for the three year old program. Two weeks before Christmas, the boy came down with pneumonia and had to go from Mount Holly Hospital to Virtua in Voorhees and didn't get out of the hospital until the day before Christmas. He relayed that this mother had to drop her son off, catch a bus and go to work, come back and pick her son up and walk back home with her son; in the rain and the cold, just to be able to put food on the table for that child. Mr. Inge suggested that is the person that they should be representing up here; they should be representing the residents of the Township.

5. He reflected that there was talk about what other Townships are making. Mr. Inge does not care what other Townships are making and doesn't care what the economy is nationwide; he cares about what the economy is in Pemberton Township. He stated he doesn't care about what is going on out of the Township; he is worried about what is going on in this Township. Mr. Inge remarked the Administrator and the Mayor negotiated a very poor contract. He commented that the Administrator from living in Little Egg Harbor and working out of Seaside with their high rates, lost track of Pemberton Township and what residents really make in this Township and they should have taken an interest in a better contract, noting that's what they are here for. He expressed that they are here to approve a very poor contract and this contract should never be approved and he was against it from the very beginning and is still against it and hopes the rest of the Council does not approve this contract, this ordinance. **Mr. Cartier:**

1. Reflected that there were some comments made this evening and he had a couple of questions that he would like to address. One was why there was never a salary ordinance prior to a budget before which was raised by a former employee. Mr. Cartier explained it is his understanding there was never a contract for this union before and asked if he was correct. Mr. Cartier continued that their raises were based on the budget and this bases their raises on a contract, not on a budget. There were comments made that these public employees haven't had a raise for two years. It is Mr. Cartier's understanding that AFSCME and PBA just got their contract raises last year and asked if that is correct. Mr. Cartier stated they were two years without a raise. It's not just these employees that went without a raise; it was every employee in the Township that went without a raise for two years. It just so happened to be earlier in the year. 2. Mr. Cartier asked what the ramifications would be if Council does not pass this ordinance this evening. Mr. Cartier asked Mrs. Scull being a union president, what she would do. Mrs. Scull answered that she would expect an unfair labor practice charge to be filed against them because the contract has been approved by both sides already. Mr. Cartier asked what that would cost the Township to defend. Mr. Archer stated it would be fair to say that litigation is expensive. Mr. Cartier stated this contract.....(someone from the public is trying to speak).....Mr. Cartier responded, "no, you had your turn; it's my turn now" and deferred to President Stinney. Mrs. Stinney confirmed they are not in debate and what they did was allowed the public to have their comments first as stated on the agenda in regards to the salary and now it is Council's turn to ask whatever questions they have of Administration and have their comments too. She expressed that they will never get any place if they go back and forth with a debate; they will never get anywhere. She explained that's why they do things in decency and in order. She reiterated that the public had its turn; Council has its turn now. Mrs. Stinney asked that they all be respectable again to one another. Mrs. Stinney asked Mr. Cartier to continue. Mr. Cartier continued that this contract was ratified two meetings ago by a four to one vote after everyone except for three members of that union were still here. He noted that this ordinance was introduced at the last meeting by a five nothing vote by this Council. He pointed out that this is where they stand; it's up to the Council to continue on with this ordinance now. **Mr. Prickett: 1.** Questioned Council President if the contract has been signed by the Mayor. Mrs. Stinney advised that they legally did an MOA. Mr. Prickett again asked if the contract has been signed by the Mayor. Mrs. Stinney conveyed that it is her understanding that they did a memorandum of agreement, MOA, a contract that they.....Mr. Prickett interjected and asked if contracts get signed by the Mayor, noting the Mayor negotiated the contract and signs the contract. Mrs. Stinney replied she is sure they will. Mayor Patriarca informed there is no signed contract at this time. Mr. Prickett commented that there is no plan

provided to the Council about the lay offs at this time. He relayed that they don't have a budget at this time and questioned why they are rushing forward with approving this ordinance at this time. Mr. Prickett suggested tabling this ordinance until Council gets the information they need to look at the whole picture and be responsible to the voters as well as the employees. **2.** Noted he heard some questions tonight about why the CFO is not here and why department heads are not here and noted it was Ms. Phillips and Ms. Donelson that alluded to that. Mr. Prickett stated that question was answered tonight and stated the Council does not have any control over department heads appearing at the meetings. He expressed that it seems that it would be appropriate to have the CFO here to give a report on the state of the budget and the state of their finances to see what situation they are in at this time. Mr. Prickett noted these are his comments for the moment. **Mrs. Scull: 1.** Advised that it is a negotiated contract that has been approved by both parties. Mrs. Scull explained that she is not saying that she is totally happy with what the resulted contract was, noting that as a matter of fact, Council sent the contract back twice after Administration had agreed to it, for other changes. Mrs. Scull expressed concern then because once there is an agreement and she is someone that has negotiated for twenty five years probably in contracts, once that agreement is signed and agreed to by Administration, Council should have approved it because that's who the Township has doing the negotiating because of the type of government they have. Mrs. Scull urged that she does not want to see an unfair labor practice charge and to have to spend additional money in court costs. She relayed that other Township unions are exactly in the same place that CWA is, noting that no one is sitting here saying that all of these positions are safe as they don't have the budget in front of them yet. She informed that at that time Council will get to sit and decide which positions that are funded. She pointed out that it could very well be that not all of these positions are funded, but at that time, they are going to look at all departments. Mrs. Scull expressed that she does not want anybody to lose their job in Pemberton Township, especially the lowest paid employees. She expressed that they have a commitment that they're going to do the best they can to protect all of those positions. She commented that the state has put them in a terrible spot. Mrs. Scull advised that she is telling everyone as somebody who can separate issues that she is looking at this as an issue of a negotiated contract that needs to be approved because they have never had a contract before. **2.** She relayed that the issue about negotiations, and it's the same thing with AFSCME, if they are in negotiations and they know that their counterparts in the towns next to them are making more money, they can't tell her they don't bring that to the table with them. She responded to a comment from the audience that is inaudible and replied "well you should have". Mrs. Scull continued that the Police Department does the same thing. It's part of negotiations and is what goes on with negotiations. She noted this contract and these salaries because this is not the contract, this is the ordinance establishing salaries and the contract is already approved. The ordinance with these salaries still does not bring several of these positions anywhere near what their counterparts in other surroundings and she is not talking rich communities. She is talking about communities similar to Willingboro and to Pemberton as to what they are making, noting that is just part of negotiations. She expressed that it is unfortunate that they are in the financial situation they are in. Mrs. Scull stated that Council is going to be looking very closely at this and it's pretty early to say that these guys' jobs are all protected because they are not. [Someone from the public is commenting but they are inaudible]. Mrs. Scull replied that he got his raise and that'sand they negotiated to.....Mrs. Stinney called Mrs. Scull. Mrs. Scull apologized to Mrs. Stinney and stated she is not debating but everybody got

their raise. Mrs. Scull remarked they are in 2009 and the other unions have contracts at least until the end of 2010. She noted they are going one year further with this because it got finished later and asked if she is correct that the other contracts are until 2010. Mr. Vaz replied PBA is three years and AFSCME expires at the same time. Mrs. Scull asked if PBA expired this year. Mr. Vaz responded but he is inaudible. Mrs. Scull commented that is not good. These were negotiated, agreed upon contracts and that is where she stands with this. She stated they will see what will be funded when they do get the budget and right now, Council doesn't have it but they don't have it for 2010 either and those contracts were approved. **Mrs. Stinney: 1.** Thanked everyone for their participation on this ordinance, noting it's great; it's healthy for the Council to have considered every possibility of what is going on in their Township. She noted every possibility and they are in a problem from the feds to the state to the county to the municipality. She reflected that certainly they have gone home and thought about this and came back and said try this and take this back to the union and she is grateful that the salary ordinance before Council. Mrs. Stinney mentioned the headlines of the Burlington County Times, "Pay Raises" and she is normally never asked to give a statement to the Burlington County Times and if they are here tonight she wants to thank them for maybe the first time this year that someone called to ask her for a statement. Mrs. Stinney declared in her opinion that the salary ordinance before Council is merely a legal formality to implement a legal, binding contract that was approved by Council with a four to one vote. She advised that Council asked those questions and got answers, took it back, talked about it, wrestled with it and came up with a four to one vote. She noted that in her opinion, and she is entitled to her opinion, these salary figures should not and for the record to the Burlington County Times, be considered as raises in the normal sense of a pay increase but rather they are newly established salaries for a newly established union. The public is making comments but they are inaudible. Mrs. Stinney asked the public to please be respectful. Mrs. Stinney advised they have students that read the minutes online and she would want them to think that their employees that work here and their adults are respectful to one another. Mrs. Stinney expressed that she would want them to read that because they do set the example. Mrs. Stinney thanked them and asked that they please be mindful that it's not up for a debate. Someone in the audience is commenting again but is still inaudible. Mr. Inge then stated to the Solicitor that it was his understanding that Council approves the ordinance. He expressed that it doesn't matter what was negotiated, the final thing comes to Council and if Council doesn't approve it, it's the final say so from what he understood. Mr. Archer replied that going in to this answer may involve some attorney client privileged information because of potential litigation as Mr. Cartier spoke of in public and Mrs. Scull recognized and therefore he would be more than happy to advise Council, the entire Council in closed session if at that time he wishes to come forward or speak in public on that, that would be the consensus. Mr. Archer explained he would hate to divulge anything that may be privileged. Mr. Inge stated if that is information that was given to Council during closed session, Council should know if that is true or not. He reiterated that Council has the last say so regardless of what the contract reads. Mr. Archer stated for the record, his firm is not labor counsel for this particular issue but none the less, if speaking in general, the implication is that the contract that was negotiated with the Administration and Labor Counsel, he thought was already approved and ratified by the Council. Mr. Vaz confirmed it has been; it was approved by resolution at the second meeting in January. He further noted it is a legally binding contract; however, the ordinance that is presented to Council tonight; everyone on Council reserves the legal right to vote no; however they have already ratified and approved the

contract and it sets up a possibility for an unfair labor practice charge because in the state of New Jersey the public labor law is such that once a contract is ratified if either party, the union or employer, refuses or otherwise fails to sign an already approved contract, it is considered an unfair labor practice charge. Mr. Vaz asked Mr. Inge if that is what he is asking. At this time Mr. Prickett made the following motion.

Motion by Prickett and Inge to table Ordinance No. 5-2009 until the contract is signed, the budget is received by the Council and the lay off plan is also available for the Council to review: Prickett, yes; Inge, yes; Scull, no; Cartier, no; Stinney, no. Motion dies.

Motion by Cartier and Scull to adopt Ordinance No. 5-2009. Cartier, yes; Scull, yes; Inge, no; Prickett, no; Stinney, yes. Motion carried.

Mrs. Stinney convened the meeting for a short break at approximately 8:33 pm and reconvened the meeting at approximately 8:45 pm.

11. UNFINISHED BUSINESS

a. Determination of 2009 Gypsy Moth Suppression Program Participation.

Mrs. Stinney stated that since there has been public input at the previous meetings regarding the concern over gypsy moth spraying, she would like to have Council's consensus to open the meeting to public comment regarding the gypsy moth spraying prior to Council holding their final discussions and determination. All Council members agreed. Mrs. Stinney stated to Mr. Prickett that at the last meeting Mr. Prickett had mentioned to her to put a resolution declaring the gypsy moth a nuisance on the agenda but as he knows, that requires a legal notice of publication and she wanted a consensus of Council on how to move forward before expending any funds on the advertisement and if Council does vote tonight that it is their intention to participate in the spraying program this year, it would not be too late to put the resolution on the next meeting and in the meantime Administration can advise the state tomorrow of their intention. Mrs. Stinney asked Mr. Prickett if he would like to go first. Mr. Prickett replied that he thought it would be open to the public first. Mrs. Stinney asked if a vote had to be taken. Mr. Prickett stated Council already agreed. Mrs. Stinney then opened the meeting to public comments regarding the Gypsy Moth Suppression Program Participation. Mrs. Stinney asked for Council's consensus to a limit of a five minute comment because there is still an awful lot on the agenda that still needs to be addressed. Mr. Cartier agreed; Mr. Inge stated if a resident comes to the Township building, they should be able to be heard and a time limit should not be put on them, if they can come to a meeting, they should be able to be heard. Mrs. Scull stated five minutes should be plenty of time to tell Council how they feel about gypsy moths; Mr. Prickett informed he has always been an advocate of free speech and to take as much time as they would like. Mrs. Stinney stated it is a consensus and she wanted to say that she wanted to look at five minutes and she agrees as the consensus of Council, three to two, to try to keep it to five minutes because there is an awful lot on the agenda that Council needs to address. Mrs. Stinney asked the public to come forward and keep their comments to five minutes. She noted they have had numerous, numerous, numerous meetings asking residents for their input. She noted a young lady who has been here meeting after meeting to address this and it's only fair that they come forward. She reiterated there has been plenty of opportunity and she is glad to see that she is here this evening to address it but

there are many other items on the agenda that they need to address. Those members of the public commenting on Gypsy Moth were: **John Pruitt: 1.** Mr. Pruitt noted he is a resident of the Oak Pines section of Pemberton, NJ. He expressed they need only to have witnessed the devastation caused by the gypsy moths last year to know that they really don't need to discuss the issue, they need to get action. He stated they need it done and they need it done promptly. He advised that the foliage was completely devastated in some areas. In most areas they lost trees that had been there for 30-40 years. They were completely stripped of all greenery. The health hazards that these gypsy moths bring to them, the droppings, when walking outside one has a shoe full of not only gypsy moths but their droppings as well and they track it everywhere they go. Mr. Pruitt strongly recommends and hopes that the Council will at least consider helping the residents this year. He reflected that last year many of the citizens had to do it on their own. They hired individuals to come in and attempt spraying. He did not know if they used water or something that was too strong for the environment. Mr. Pruitt knows that Council and Administration can get the proper apparatus and everything in place and asked them to please help the residents. **Clint Catania: 1.** Noted he also lives in the Oak Pines area of Pemberton. He moved here about a year and a half ago and before that he heard about gypsy moths but had never experienced them. The first August he was here, it was past their peak so he had some moths and it wasn't a big deal. This last spring and early summer, he got to experience them in full blast. They are not just a nuisance, they are destructive. He has a large oak tree in his back yard and at night he lets his dogs out and there wasn't a cloud in the sky and it sounds like its raining. Mr. Catania doesn't know how familiar Council is with gypsy moth or if they have experienced them but he also has a 17 month old son who loves being outside. Mr. Catania takes his son outside and puts a blanket down and within five minutes there are 40 caterpillars on the blanket. They love the yard but can't enjoy it. Mr. Catania went on line and got some information and got a sprayer and he sprayed. He noted one is limited to the height and it did work and kept his yard clear. Before that the rings on the trees don't do anything. If purchasing stuff from Home Depot and spraying it on the tree, one is limited to the hose height so it's not very high. Mr. Catania remarked that he does not know how educated Council is about gypsy moths, but two or three seasons with gypsy moths destroying the leaves, one could lose a tree. Mr. Catania advised it cost him \$150 to spray but not everyone has that \$150. If the tree dies, and it's a substantially large tree, it's a lot more than \$150 to take a tree down; it can be up to \$2,000. He expressed that in this economy, a lot of people might not have \$2,000 to spend to cut down a tree and then there will be all of these dead trees that no one can take down properly and they start falling down and then there could be downed power lines, and busted houses and those costs for some people are really high. Mr. Catania suggested getting some spraying done for the whole Township would be wonderful. Since he has lived here he loves the open space, he loves the trees and by June last year, on some corners of Oak Pine and Acorn Court, the trees looked like they were falling down. He expressed that's a shame and he is a geologist with a scientific and environmental background and he would hate to eradicate bugs but these bugs are no where near facing extinction or endangerment. He noted that trying to control them a little would be beneficial to all of them. **America Phillips: 1.** Advised that the gypsy moth problem is not only in their Township but in a lot of different places. They brought it to the Township last year for the spray. She was told point blank in the court room that the chemical did not work and only once would not do the job. Ms. Phillips read books and noted it does work. She relayed that like the man stated earlier, she just took a tree down and it cost her a lot of money; she knows what it is like. Ms. Phillips would like to see if the

Township has to pay for each house \$500 or \$200 to spray that is one thing they know where the tax money they are paying goes. **Henry Gantz: 1.** Mr. Gantz noted he is from Presidential Lakes and informed that it is hard to live there from June through August. He likes to cook outside and during that time of the year, he can't grill because of all of the droppings. When it rains and one steps outside, it's like walking into a hog pen stepping in mess. One morning he was dressed to go to church and his pants were dropped down to a little below his heel and he had to go back inside of his home, take his shoes off on the stoop and go in and change his pants and when he came back outside he had to roll his pants up. Mr. Gantz referenced that those with small children can't do anything outside. He had two trees come down and had to pay \$850 which was a bargain because normally it was \$1,300. He has a fireplace so he split some of the wood and the tree was dead inside like a sponge. Mr. Gantz drives down Route 70 West, he works at Lenape High School and the trees are dying; they are gone. The tax payers look to the elected officials to support them. Mr. Gantz emailed the Mayor references and the only reply he received from them is thanking him for his concern about the gypsy moths. He had expected a better answer than that and that is why he came out tonight. Mr. Gantz highly suggested that Council passes this ordinance and sprays this Township because the residents pay their taxes. He loves this area and he is originally from South Carolina but he loves the open areas and the outdoors because he is a veteran but he is in his house in the summer time because he can't go outside. Mr. Gantz asked Council to support this ordinance and pass it because he was looking at the budget and \$40,000 includes all of those raises and that could cover some spraying. He suggested that before giving out raises, look at the other things. He reflected that there is \$40,000 and a little more that those people will get that will support some spraying at least two or three sprays. Mr. Gantz asked the Mayor and Council to please pass the ordinance. **William Fitzpatrick: 1.** Mr. Fitzpatrick informed he has lived in Presidential Lakes since he retired in 1976. He reported that the last time there was an infestation of gypsy moths was back with Jimmy Florio and it was the same problem. Florio did not want to spray and they lost a lot of trees and had a lot of "doo doo" on the ground. Mr. Fitzpatrick would like to see it; it only takes two to three years and the tree is gone forever; it just fades away. He stated that unless there are some good squirrels it will take about 30 years for the tree to grow about 30-40 feet. Mr. Fitzpatrick reiterated that he would like to see it sprayed and the sooner the better. **Mike and Gloria Bell: 1.** Mr. and Mrs. Bell live in Oak Pines. They noted that Council has already heard a lot of what they were going to talk about. They wanted to reiterate because they have already gone through two years of this and his concern is the second year was the worse. The first year wasn't so bad because there had been some spraying but it held it down. This past year, he and his neighbors suffered many tree losses. When the gypsy moths hit, the taping did nothing, whatever one used for some sort of chemical on their own did nothing and the trees looked like they had been shot gunned with buck shot. There were broken up leaves all over the yard and cars. They like to barbeque as well and enjoy entertaining especially when they can be outside. Mr. and Mrs. Bell purchased the property out here so they could be able to have a nice yard with tree coverage. They picked that kind of a lot for a reason. They need the Township to help. If this third year is anything like the last, there will not be anything alive in the yard. Mr. Bell expressed concern that he has written articles about it and his wife has had some articles published by other newspapers other than the Community News and have also seen other articles. Mr. Bell mentioned one article and wanted to ask the Mayor that in the Community News of January 8th, the Mayor stated that there is going to be a

gypsy moth problem and it will be an issue and last year the Township decided not to spray and they all knew that. Mr. Bell continued that the Mayor also stated that it was the right decision. Mr. Bell asked if he could ask the Mayor and Mrs. Stinney answered no, they are talking about the gypsy moth and he could come back up at public portion and ask or call him on the telephone. Mr. Bell commented that he would like to have that statement qualified because that is all that was stated and he doesn't see where there was anything right in that decision. Mr. and Mrs. Bell have not been able to have their friends over, not been able to enjoy their yard and other articles tell him that if he is to pull from their own Community News a statement by Charles Cooperis, State Secretary of Agriculture, "We are seeing less damage in the areas that were sprayed". Mr. Bell suggested keeping it in mind, let's try and spray this year. He wants to enjoy the neighborhood, have friends over to enjoy his home, to be able to go out in his yard and not suffer what has been shared by other people. He noted that not only the gypsy moths but there is another thing that showed up in his house. The gypsy moths get all over the house, they get all over the trees. There is a crazy caterpillar that wriggles around, spew out all kinds of ugly juice and it's a mess. So it's not even what they're dealing with outside, but some sort of caterpillar hunter and they come because of the gypsy moths and they are not just outside. **Mike Williamson: 1.** Advised he lives in Country Lakes and is representing the Country Lakes Homeowners Alliance. They just had a meeting last night and asked what they are waiting for to do something. He stated it will cost money but it can't be that much to save their trees and their environment. He has heard them and seen the droppings. Mr. Williamson stated he has not had the problem with the barbeques but he would not want them at his barbeque. **Michelle Forman: 1.** Thanked Council for hearing her out at all of the Council meetings that she has been to. She knows that she talks a lot and she reads over the minutes and can't believe she was talking so long. She wanted to say and she knows that she is supposed to address Council but she doesn't care and is going to say it anyway that she wants to thank the residents that took their time to come out this evening. Ms. Forman really appreciates it. She advised that all she is going to say is to wrap it up that these caterpillars in the spring time and she doesn't know what else to say. She urged that something absolutely has to be done. She is sitting here tonight praying with every cell in her body that Council will vote to spray for the gypsy moths. If not, what's already with the Department of Agriculture, even possibly a second spraying. **Kenneth Johnson and his mother, Sabra Wise: 1.** Mrs. Wise has never been to a meeting before and she finds it quite interesting. She is here because of the gypsy moths. She was a prisoner in her home. Ms. Wise is on disability and has a lot of health issues and her back yard is her oasis. Her grandchildren come over during the spring and summer and they have lots of barbeques. In her pool, there was six inches of caterpillar feces and noted it cost to get it cleaned out and they also had to have two trees taken down. Her neighbor dug the trees and gave her a break on her trees and he cut down every one of the trees in his front lawn and two thirds of the trees in his back yard. Ms. Wise moved to Presidential Lakes because she liked the area and the trees. She had a new driveway put in and it got stained. Every single day they had to clear off the patio. She expressed that she should not have to live in her home and pay the taxes that she does. Ms. Wise fixes up her home and tries to be a good resident and have her home taken care of but this is wrong. She stated that if Council does not pass this, there has to be repercussions because it has to be a health issue. Mrs. Stinney thanked Ms. Wise for her comments and stated to Mr. Johnson that she applauds him and welcomes him for coming out with his mother and that says an awful lot. Mr. Johnson replied that his mother gets a

little nervous. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments.

Mrs. Stinney started with Council comments on this matter and stated to Mr. Prickett that she always likes to lead out with him on this and he has just been an advocate here and full of information and he has spent a lot of time at the AG in Trenton and she yielded to him first and then to Mr. Cartier, Mrs. Scull and Mr. Inge.

Mr. Prickett: 1. Doesn't think any Council member could as eloquently state the case for spraying as the residents have done here tonight. The residents have brought up a lot of things, quality of life which is very important and one of the issues brought up had to do with spraying and health. When people spray their own yards if they can't afford to get someone to spray, they get exposed to chemicals that they shouldn't be exposed to; they are not professionals. When they talk about the cost, how many trees they are going to have to cut down on their property and how many times you multiply \$800 for two trees which was in Presidential Lakes where a resident had his trees cut down. Mr. Prickett noted that was very eloquently stated. Mr. Prickett expressed concern with the logistics of this. Council has not received the budget yet and does not know whether spraying for gypsy moth is in the budget. If it's not in the budget and the Council wants to proceed with spraying for gypsy moths, Council needs four votes. He stated of course, if it's not in the budget, he doesn't have a crystal ball, but if it's in the budget, then Council only needs three. Mr. Prickett expressed that is a concern he has tonight and he needs some advice from the Solicitor. Mr. Prickett had prepared the resolution that he had asked Mrs. Stinney to have in the packet at the last meeting and she addressed this a while back but he has a resolution that declares that the gypsy moth is a nuisance and the testimony here tonight is that gypsy moths are a nuisance with what they do outside of one's house, above one's house and inside of one's house. Mr. Prickett does not know how the Council can refute that the gypsy moths are a nuisance to the residents of Pemberton Township. Mr. Prickett continued that the resolution asks that there is work to be done with the state of New Jersey and read, "Now, therefore, be it hereby resolved by the Township Council of the Township of Pemberton that the gypsy moth is declared to be a public nuisance and the protection of vegetation or plant life there from is deemed to be a subject matter of public welfare and that all measures deemed necessary in compliance with the state of New Jersey Department of Agriculture recommendations, is hereby authorized to suppress this forest and shade tree pest". Mr. Prickett stated what he needs to know from the Solicitor is he believes this resolution can be added to the agenda tonight and believes it needs to be added to the agenda tonight and Council needs to say yes or no. Mr. Prickett continued that he needs to have the Solicitor evaluate this resolution to see if it can be added to the agenda tonight and whether to spray for gypsy moths at this point would require four votes as opposed to three. Mrs. Stinney stated to Mr. Archer to go right ahead. Mr. Archer responded that the resolution in substance is fantastic but he would like a little more time to make some slight form changes. Mr. Archer added that he could try to do that right now if necessary or possible to do that. On the whole, he does not see why this necessarily could not be voted on tonight. Mrs. Young advised that there is a regulation that requires this resolution has to be advertised in the paper prior to adoption. Mr. Archer apologized. Mrs. Young noted that the reference in regards to advertising the resolution declaring the nuisance is on page 7 of the 39 page.....Mr. Archer commented in terms of just a resolution and again they are talking about things that are for closed session but if what he is looking for is maybe even just a

resolution of telling the public here tonight that they are moving forward with this, there is something that certainly they could do because he knows it is certainly the Council's intention. Mr. Archer continued that once they are able to get this under legal review, under adequate time, certainly they can get this back for the next meeting and he is sure properly noticed for the requirements that are listed in the actual now therefore be it resolved portion. Mr. Prickett asked Mr. Archer to address the three to four vote issues and asked if Council needs to have a three or four votes in order to move forward with spraying for the gypsy moths, forming an agreement with the state. Mr. Archer answered that to be quite honest this is something that he does not have memorized and it would have to be something he would have to look in to. Mr. Archer conveyed that he certainly understands that they need to move on this. He obviously didn't know because who shows up tonight and how things go but he can certainly get on this right away and get an answer from his office shortly. Mr. Prickett conveyed that Council needs to move on this by the 6th and that's the day the Department of Agriculture needs to know their decision. Mr. Prickett wanted the public to know that he went to Trenton.....Mr. Archer confirmed February 6th with Mr. Prickett. Mr. Archer asked Mr. Prickett to give him one second. Mr. Prickett stated that he would like the public to know that he went to Trenton two weeks ago, went to the workshop discussing the packet and what needed to be done, he brought this before the Council at the last meeting, provided the Council members as well as the Clerk with the packet and there is no reason why this should not have been advertised, on the agenda and prepared for a vote tonight. Mr. Archer apologized that he did not hear what Mr. Prickett said and asked if he was directing something to him. Mrs. Stinney answered no, that he was directing the public. Mr. Prickett stated that he apologized to Mr. Archer, he was talking and figuring this out and he addressed the public. Mr. Inge remarked that in regard to Mr. Prickett's question, can he ask the Council President why this was not put on the agenda. Mrs. Stinney reiterated that as she mentioned before, it requires a legal notice of publication and she wanted the consensus of Council on how to move forward before expending funds for advertising and that's what she said. Mr. Inge stated that he thought Council agreed on it at the last Council meeting that they were going to go forward with this. Mrs. Stinney replied that was not her agreement, was not the Council's agreement and read what she said at the last meeting, "Mr. Prickett requested that the resolution also be on the agenda for consideration as well as a resolution is needed deciding whether the gypsy moth is a nuisance". Mrs. Stinney advised she then thanked Mr. Prickett and said that she will add it and it will be on the agenda for the 4th. She clarified that they didn't take a consensus of the other Council members on their vote. Mr. Inge stated she said it would be added. Mrs. Stinney confirmed. Mr. Inge again asked why it wasn't added. Mrs. Stinney replied that she will read it to him again. Mr. Inge responded that she does not have to read it to him again.....Mrs. Stinney interjected that he asked her the question and she is going to give him the answer.....Mr. Inge continued that if the notice was supposed to be given, why wasn't notice given and that's the question. Mrs. Stinney stated that she said to Mr. Inge that she wanted to make sure that it was the consensus of Council.....Mr. Inge interjected and stated that makes no sense. Mrs. Stinney asked why not. Mr. Inge responded she wanted to make sure and Council already told her at the last Council meeting Council wanted to go forward with this. Mrs. Stinney asked who on Council told him and asked if everyone voted on that and gave their consensus. Mrs. Stinney stated she does not have that in her minutes. Mr. Inge asked Mr. Prickett if he requested that. Mr. Prickett answered that he did and the minutes are clear. Mrs. Stinney noted yes, he's one and then asked if there was a consensus. Mr. Cartier asked if it was to go forward with this or to discuss it.

Mrs. Stinney replied to go forward with it. Mr. Cartier replied no, he gave a consensus to discuss it. Mrs. Stinney asked Mr. Inge if he gave his consensus. Mr. Inge asked if there was a deadline so if there was some clarification needed for this to go out for publication then as Council President, she should have contacted each Council member and discussed this with each Council member. Mrs. Stinney interjected that violates the Sunshine Law. Mr. Inge answered not individually, it does not. Mr. Inge continued that she could have had Mrs. Young contact Council. Mrs. Stinney noted that if Council votes tonight that it is their intention to participate in the spraying program this year, it would not be too late to put the resolution on the next meeting and in the meantime, Administration can advise the state tomorrow of their intention. Mrs. Stinney added that she can't say it any differently. Mr. Inge conveyed that in the past he has received phone calls from Mrs. Young when three Council member's votes were needed to have something approved and he received a phone call. Mr. Inge asked why that couldn't have been done for this. Mrs. Stinney replied that they are here and they're not too late for it. Mr. Prickett informed that he wasn't finished with his comments. Mr. Prickett continued that he needed to get a response from Mr. Archer and he maybe did answer that he wasn't sure and would find out tonight, the three or four votes. Mrs. Stinney noted to Mr. Prickett that Mr. Archer is going to address him about that. Mr. Archer replied that he will check on that and if there is something specific and maybe if there is some more he can try and put everything together from what has been said from the residents and Council and maybe there will be an email and try to address all of that. Mrs. Stinney relayed that Mr. Archer did ask to speak and if he wanted to quickly make a call. Mr. Archer indicated he would like to at least have a chance and if there was a recess to maybe look at this notice provision in regard to the time. Mr. Prickett informed Mr. Archer that he has the packet and doesn't know if he has it but he can pass it along to him. Mrs. Stinney asked Mr. Prickett if he is finished. Mr. Prickett advised he is for the moment.

Mr. Cartier: 1. Asked Administration if they have a price as to what this is going to cost. Mr. Vaz answered no for a specific price but there is an estimate that they had given for budgeting purposes they would probably use the outside price that they anticipated. It could be once they go out to bid. Using their acreage and multiplying by the cost per acre. Mr. Cartier asked what that would be. Mr. Vaz replied the high end was \$60.00. Mr. Cartier asked how many acres. Mr. Vaz answered approximately 980 after the second visit they paid to the Township. Mr. Cartier asked if that was for one spraying. Mr. Vaz replied yes, it is for one spray. Mr. Cartier stated \$60 dollars and 980 acres is \$58,000. Mrs. Scull commented it's closer to \$59,000. Mr. Cartier confirmed it is \$58,800 plus the advertising. Mr. Vaz remarked the advertising is on top of that. Mr. Cartier asked how much of a federal bump is put in there. Mr. Vaz informed they haven't committed but they give a range in the letter and it could be 50% and last year it was less than the prior year and we won't know until congress asks. Mr. Cartier indicated they are looking at maybe \$75,000. Mr. Vaz agreed. Mr. Cartier informed those are all of his comments. Mrs. Stinney advised Council will finish with Council comments and then take a short recess.

Mrs. Scull: 1. Stated to Mr. Vaz that he commented they came back in and it's now 980. The paper she has states 860 and asked where the additional 120 acres are. Mr. Vaz answered they asked them to come back and re-assess particular areas of town and it is out offThe Mayor interjected it is off of Pemberton Browns Mills Road, County Route 530. Mrs. Scull asked if that is 120 acres there because when she looks at this Country Lakes gets no spraying, New Lisbon has Rake Pond Road and no spraying at all in Oak Pines which is one of the hardest hit areas so if Council votes to do this, Oak Pines still isn't going to be sprayed, Presidential Lakes gets a lot and they need it. Mrs. Scull expressed

a problem and stated that Pemberton Browns Mills Road behind her mother's is destroyed; she has a problem with them spraying some and not taking care of all of the Township and if they do that they have to pay separately and then they don't get reimbursed. Mayor Patriarca responded that is correct. Mrs. Scull asked how many acres are there in Oak Pines. The Mayor stated 64 square miles is how many acres that are. Mrs. Scull continued that is her problem with it; they don't know the cost, they're not spraying the entire Township. Mayor Patriarca wanted it to be clear that those areas were not defined by the Township. Mrs. Scull informed the state picked them out. The Mayor continued the state chose those areas based on surveys and the egg masses in the areas of the Township. That is what they determine who qualifies to be in a program for a spray. Mrs. Scull wanted to clarify that it wasn't the Township that determines they don't get sprayed. Mrs. Scull expressed a problem with that; some of the residents are getting sprayed and not all of them. **Mr. Inge: 1.** Commented that some spraying is better than no spraying. They didn't spray last year and other Townships sprayed and reported a significant loss with the gypsy moth caterpillars on trees and in yards. They put a lot of money into the lakes. Their first year in office, they e put aside \$100,000 for the lakes to make sure they stay up to standards. In this Township, they are always talking about the rural community and if they don't spray, they won't have a rural community anymore. He expressed that Council just approved exorbitant raises for certain individuals in the Township, so he doesn't even know why Council is discussing the price because evidently this Township is very rich.

Mrs. Stinney convened the meeting for a short break at 9:31 pm and informed that their Solicitor is going to do some research. Mrs. Stinney reconvened the meeting at approximately 9:52 pm. Mrs. Stinney yielded to the Solicitor, Mr. Archer. Mr. Archer explained that after reviewing the pertinent statutes and regulations, there does appear to be a notice requirement in order to declare the gypsy moth a public nuisance. Mr. Archer advised that Mrs. Young is correct that such notice must be afforded within the proper time frames by law; therefore, that may not necessarily allow them to have that particular resolution completed by February 6th. However, what could work is many times the Council does provide a consensus on issues and they could provide this consensus in the form of a written resolution which would essentially declare the Township would certainly participate in the program and will take all measures including adequate notice in order to move forward with this voluntary suppression program. He noted then that could be reduced to writing shortly and submitted February 6th with the packet to the Department of Agriculture to meet the time deadline. He advised that of course, the subsequent actions needed to be taken could be taken and they can move forward. He relayed that without speaking to the Department of Agriculture from their side he has no idea necessarily on that but based on the timing issues they are facing, this would potentially be the most prudent way to proceed. Mr. Archer asked Council President Stinney if she would like to get a consensus. Mrs. Stinney asked Mrs. Young to take a consensus of the Council.

Prickett; Mr. Prickett questioned to spray or not to spray, he stated to spray.

Mr. Archer advised that he would say the consensus would be to move forward with a resolution tonight of the intention or actually if this is something Council would like to do and then he can move forward and actually espouse the resolution verbally.....Mr. Prickett interjected which would notify the state by the 6th of their intention.....Mr. Archer confirmed and added of the intention to

participate in the voluntary suppression program. Mr. Prickett agreed. Mrs. Young added and then Council will vote to add it to tonight's agenda. Mr. Archer confirmed.

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

Mr. Archer conveyed before a motion to add it to the agenda it would be best to at least state it for the record so they would know what is being added. Mrs. Stinney agreed. Mr. Archer stated, "Whereas the gypsy moth has been found heavily defoliating tree and plant growth in the Township of Pemberton, and Whereas continued destruction of foliage may result in loss of valuable forest lands and trees, Now therefore be it resolved that by the Township Council in the Township of Pemberton of its intention to participate in the gypsy moth voluntary suppression program in compliance with the state of New Jersey Department of Agriculture and all other applicable laws for the purpose of protecting the vegetation and plant life of Pemberton Township". Mr. Prickett asked if that is Resolution No. 64. Mrs. Young advised it would be. Mrs. Stinney confirmed it will be number 64.

Motion by Prickett and Cartier to add Resolution No. 64-2009 to the agenda. Prickett, yes; Cartier, yes; Inge, yes; Scull, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 64-2009

WHEREAS, THE GYPSY MOTH HAS BEEN FOUND HEAVILY DEFOILING TREE AND PLANT GROWTH IN THE TOWNSHIP OF PEMBERTON, AND
WHEREAS, CONTINUED DESTRUCTION OF FOLIAGE MAY RESULT IN LOSS OF VALUABLE FOREST LANDS AND TREES,
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL IN THE TOWNSHIP OF PEMBERTON OF ITS INTENTION TO PARTICIPATE IN THE GYPSY MOTH VOLUNTARY SUPPRESSION PROGRAM IN COMPLIANCE WITH THE STATE OF NEW JERSEY DEPARTMENT OF AGRICULTURE AND ALL OTHER APPLICABLE LAWS FOR THE PURPOSE OF PROTECTING THE VEGETATION AND PLANT LIFE OF PEMBERTON TOWNSHIP

Motion by Prickett and Cartier to approve Resolution No. 64-2009. Prickett, yes; Cartier, yes; Inge, yes; Scull, yes; Stinney, yes. Motion carried.

Mrs. Stinney stated to Mrs. Forman that she stood alone but she believed in her belief that this would work. She respectfully respected the people, the residents, and the Council; meeting after meeting after meeting. Mrs. Stinney thanked Mrs. Forman for her fortitude in wanting to bring this to Council in the way that she did. Mrs. Stinney expressed that she is grateful and thanked her and thanked the residents that came out tonight to speak on something that they believe in. Mrs. Stinney made a note that the gentleman that left with his mother was talking about the pool and she can contest to that by going over to her son's. Mrs. Stinney advised that she served as the Assistant Director at the Children's Discovery Center at the Burlington County College where they were infested and the noise. Her babies couldn't even go outside and she recalled when Mr. Inge's daughter was there and they were talking about the rashes that occurred and looking into if that was the reason of some of the little babies having a break out with rashes. Mrs. Stinney ended with her note tonight and thanked the residents for coming forward and reiterated that they do have to listen with a tentative ear. She noted sometimes they may not always agree but they do listen and she thanked the public very much for their comments they have said tonight, to the people that she has never seen before, to the young man that came in, she thanks them all very much and she truly does from the bottom of her heart. If it's something that she has said to hurt anyone's feelings, her intentions are not to do that. Mrs. Stinney explained that her intention is to make sure that things are done in decency and in order. You cannot take care of business with

screaming and hollering. She stated they just can't do that or they lose their trend of thought and she thanked everyone that came forward again peacefully that gave their opinions here tonight.

b. Review of proposed amendments to emergency No Parking Ordinance.

Mr. Cartier informed Mrs. Stinney that Council has received information from Administration regarding this that was asked for at the last meeting. The information states proposed changes are typed in red and he is asking that those changes be pointed out because his copy is not in color. Mr. Vaz asked if the remaining Council members had color copies or black and white. Council informed they all have black and white copies. Mr. Vaz respectfully suggested that a motion to table that be adopted and Administration will provide color copies as it will drive everyone crazy for him to point out the proposed changes. Mr. Vaz added that there are also other sections in color that might be helpful as well. Mr. Cartier asked if he could make a motion now unless someone else had comments. Mrs. Stinney responded to Mr. Cartier to go right ahead and start.

Motion by Cartier and Scull to table the proposed amendments to the emergency No Parking Ordinance.

Mr. Prickett asked if this was for discussion. Mr. Cartier conveyed that he stated he could make the motion now unless someone had comments. Mr. Prickett remarked that it is not clear on the agenda that this is a document that is an ordinance for introduction. It is a proposed amendment which indicates to him that it is discussion and asked if he is wrong. Mr. Cartier answered no. Mr. Prickett asked if Mr. Cartier wanted to table it. Mr. Cartier responded that was the recommendation from Administration. Mr. Vaz commented that Mr. Cartier had asked him to read the portions that are in red in the color copy that Council does not have and he suggested because it will drive everyone crazy for him to do that because there are quite a few of them, that Council carry this to the next meeting for unfinished business and in the meantime he will provide Council with color copies of what the report was. Mr. Prickett replied to Mr. Vaz that with Mr. Cartier's concurrence, if he could thumbnail the changes because Council did talk about this at the last meeting and it was going to be revised and asked if he could provide a summary after reviewing that. Mr. Vaz answered that he might as well do the red, because if they are going to do that.....Mr. Prickett interjected it was alright and apologized to Mr. Cartier. Mr. Cartier replied that's okay. Mr. Vaz asked if that is what they're doing. Mr. Prickett replied that he will agree with Mr. Cartier. Mrs. Stinney stated they'll do the red. Mrs. Scull stated they'll do it the next meeting. Council proceeded to vote on Mr. Cartier's earlier motion to table the discussion till the next meeting:

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

12. NEW BUSINESS

b. Review of annual ordinance to exceed the municipal budget appropriation limits and establishing a cap bank.

Mrs. Stinney advised this is done every year. Mr. Cartier replied that he has no comments and asked Mrs. Stinney if she is looking for a consensus to add it to

the next agenda. Mrs. Stinney replied yes and received a consensus from Council.

c. Review of proposed Fire Department Ordinance.

Mrs. Stinney yielded to the Mayor for his statement. Mayor Patriarca asked Council if a representative of the Chief's Association, Chief Maahs, could explain the ordinance and the process to Council. Mrs. Stinney answered that would be fine. Chief Maahs explained the entire ordinance process started approximately 4.5 years ago. There was discussion regarding creating a fire department in Pemberton Township. Chief Maahs having grown up and moving to Pemberton Township from a fire district, was a strong supporter of becoming a fire district in Pemberton Township, which would have resulted in taxing the residents additionally. The Pemberton Township Fire Chief's Association at the time formed two different committees; one to look at the fire district and one to look at a regular fire department without taxing. There was a great divide in the organization; looked at several things, agreed to look at the fire department without doing a fire district because he realized the residents of Pemberton Township would not be able to afford a fire district. There were some delays and different things that happened to where there was no progress made. Over the last year or so with all of the fire chiefs in the Township, they got down and started drawing a project up to get to where they are today. Chief Maahs conveyed they were not in agreement with everyone and had a lot of heartaches. One of the important things about doing this was if they did not lose the identities of the four Pemberton Township organizations, known as the Browns Mills Fire Company, Presidential Lakes, Country Lake and Magnolia Road. To maintain their individuality as far as their organizations goes, it is important to the heritage of the Township that they continue to go that route. Chief Maahs informed that they are looking for direction to put standard operating procedures and guidelines in place so that everyone is on the same page. This was starting to be done through the association but was not successful. They continued to work on the ordinance and Administration was a great help. The ordinance Council is presented with is a lot less stringent than the original ordinance that he drafted and copied from other municipalities within Burlington County. It is a workable document and it is not perfect. Chief Maahs advised it can be revisited and changes can be made. They left some things open to allow room to make the things work as they come across them. Chief Maahs reiterated it has not been an overnight project and it has taken many hours of all of the fire chiefs as well as several members of the fire services in Pemberton Township. Mrs. Stinney asked Mayor Patriarca if Council can address Chief Maahs with some questions because under the current form of government, Council does not have the opportunity to dialogue with department heads. The Mayor responded to feel free and Administration is open to any comments. Mrs. Scull stated she does not have any questions. Mr. Inge asked how many fire chiefs were involved in the very beginning. Chief Maahs informed in the very beginning there were five fire chiefs. Mr. Inge asked how many were involved at the end of this final draft. Chief Maahs answered there were four fire chiefs and that is simply because the Pemberton Township Fire Chief's Association changed the way its organization was laid out. Mr. Inge commented that looking through the ordinance, he sees a lot of stipulations, mandates and demands by Administration trying to make individual fire companies agree with Administration with their by-laws. Mr. Inge expressed that as far as he knows, the fire departments are volunteer throughout the Township. Each fire department does their own fund raisers and work very hard. Mr. Inge conveyed that he never sees Administration doing any fund raisers for the fire departments

as far as helping them with their donations. Mr. Inge stated he does not see any reason why Administration should be involved in any of the by-laws for the individual fire departments. Each fire department is unique to their own section of town. Mr. Inge commented that he doesn't see where they have the right to implement changes in their departments. Mr. Inge asked if he is still the liaison for the departments. Mr. Prickett asked if they were appointed indefinitely last year. Mr. Inge agreed that they were appointed but did not know if that changed every year and asked for clarification. Mr. Prickett commented that Mrs. Scull just shook her head no. Mrs. Scull remarked that she is shaking her head that she doesn't know. Mrs. Stinney asked Mr. Prickett and Mr. Inge if they have been to the meetings and added that she doesn't know and they are the liaisons. Mr. Prickett responded that he was waiting for confirmation this year. Mr. Inge continued that they are the liaisons and was wondering.....Mrs. Stinney interjected that the fire chiefs have been in this process for four to four and half years and asked Mr. Prickett and Mr. Inge if they knew what was happening. Mr. Inge replied that as of lately, he was not notified of this. Mrs. Stinney noted that they said they were involved and asked Chief Maahs if he stated he was involved in this situation for over one year. Chief Maahs informed it was for four plus years. Mr. Inge expressed that he can provide an example that he received an email that the Browns Mills Fire Chief was temporarily removed and asked.....Mrs. Stinney yielded to Mr. Vaz. Mr. Vaz commented that when Mr. Inge characterizes it that way, the answer is no. Mr. Vaz explained that the proper way to characterize it is that for various reasons, Chief Maahs was designated as the person designated in the contracts through a state law that allows it and he was designated as their supervisor, director, Township Chief for the Browns Mills Fire Company for lack of a better phrase. Mr. Vaz continued that this was done but it did not remove.....Mr. Inge asked Mr. Vaz to explain why this was done because as the liaison to the fire department, he had no idea this was going to be done and didn't believe Mr. Prickett had any idea either. Mr. Vaz answered that first of all it is his understanding and it is subject to Council's contrary legal opinion is that Council resolutions die at the end of the year and there would have to have been a new appointment of liaisons. Mr. Vaz added as a technical matter, Mr. Inge is probably not still the liaison to the fire companies; however, it is not to say that he is suggesting that it should or should not be that way but as a technical answer to his question, he is not. The ordinance was presented to him approximately one to two months ago for a final review on part of Administration and remains largely in tact as for how it was prepared by the fire chiefs. Basically the Faulkner Act items were put in to it, cleaned up some other sections, did some independent research with some other fire companies that have this or a similar structure and that is where we are today with the ordinance. Mr. Vaz continued that as far as the situation with the designation of Chief Maahs as the person that is now in terms of the Browns Mills Fire Company, the designated official or officer for Administration and that is a fact and it happened approximately one week ago. Mr. Vaz expressed the reasons for this he would prefer to discuss in executive session under the category of contract. This was done through the contract process which permits the Mayor or the Mayor's designee to designate someone other than the company chief to hold the role that Chief Maahs was since put in. Mr. Inge asked Mr. Vaz if the Mayor's is him. Mr. Vaz answered yes and he added that this was also done with the full authority of the Mayor and not just the designee. Mr. Inge commented that since Administration could not control the Police Department and couldn't control.....Mayor Patriarca interjected that he begs to differ in that Administration does control the Police Department; they are a department of Administration and Administration makes sure that they do their job. Mr. Inge asked the Mayor that he didn't control them with a Safety

Director did he. The Mayor responded that Council and the public decided what to do there. It's not a win or lose situation; it's what is in the best interest of the Township. Mr. Inge suggested the Mayor take that in consideration when he does things. Mayor Patriarca replied that he does everyday that he is here and not every two weeks when Mr. Inge decides to come here and disrupt operations. Mr. Inge suggested the Mayor take a couple of days off and maybe the Township could get back on track. Mrs. Scull asked for a point of order. Mrs. Stinney asked Mr. Cartier for his comments. Mr. Cartier relayed that in his ten years of living in Pemberton Township he has heard on and off again about the infighting in the fire departments of the Township. If it's not Goodwill and Country Lakes, it's Browns Mills. Mr. Cartier stated that he has never heard anything coming out of Presidential Lakes but he has heard of Magnolia Road; it's one or the other. His first here in the Township was the best year for the fire departments in the Township. Mr. Cartier remarked that this ordinance has been a long time coming; setting up some sort of structure for the fire departments of this Township and he wholeheartedly supports it. Mr. Inge noted that if it comes from Administration they are always going to get three votes to approve everything, without a doubt and it doesn't matter what it is. Mrs. Scull commented that is a shame because it should be based on the best interest of the public. Mr. Inge stated to Mrs. Scull that she should have thought about that a little earlier. Mrs. Scull answered that she did. Mrs. Stinney asked Council to please not get into a debate. Mr. Prickett thanked Chief Maahs for everything that he does. Mr. Prickett noted how conscientious he is and his team of volunteers that work with him; he knows how much time Chief Maahs put in to putting this ordinance together. Mr. Prickett does not want to argue and does not want in any way to detract from everything that Chief Maahs and all of the other volunteers in the town have done and continue to do at a moments notice. Mr. Prickett expressed some concerns regarding the ordinance that he would like to talk about. He has consulted with a number of people about this ordinance because he was not able to consult with the fire chiefs as this ordinance was being developed and was kept from him as a representative to the Fire Chief's Association. Mr. Prickett noted that he wished it wasn't and thinks that a collaborative approach was needed to put an ordinance like this together and the collaborative should not only include the Council but also more volunteers, professionals like the Fire Marshall and other professionals in town and outside of town in putting this together. The problems and the stress that the Chiefs and volunteers have to put up with in trying to serve the Township can be relieved if we come up with a plan. This is an attempt to do that and he commended Chief Maahs and the other chiefs for doing this as well as Administration. Mr. Prickett noted that one of the things he really likes about this plan is having a fire department board of trustees or advisory board. Mr. Prickett expressed the advisory board could do a number of things and could certainly look out for new things happening in the fire service and hear about any complaints and try to resolve them. Mr. Prickett remarked that the Mayor has the final word in this town and that's how the Faulkner Act works with the Mayor-Council form of government. Mr. Prickett reminded that he stated two Decembers ago when Council approved the fire truck specifications that one of the pre-requisites of his vote or comments was that they have a survey and that would be an assessment of the needs of fire services in Pemberton Township. They have a lot of different geographical regions; they have forests and need fire trucks with a lot of water to put those fires out; they have so many different areas in the Township and the fire service has to be there to help the residents. They need to first do an assessment of this Township, an assessment survey, to decide whether they need to consolidate. Mr. Prickett noted that they have talked about consolidation for a number of years now. They have to find out where they need

to put their resources to make sure that the volunteers can do their jobs in the best way possible. That is one of the first things that they need to do. The Mayor has a lot of powers. Mr. Prickett noted some problems the Mayor perceives have taken place and he has used his authority to deal with that. Mr. Prickett conveyed the Mayor has used his authority in other cases over the last year or two to address problems with fire companies. Mr. Prickett expressed that they don't need to jump into an ordinance at the moment when the Mayor has those authorities and they could come up with an ordinance that would resolve all of the problems and stresses that the fire companies experience. Mr. Prickett suggested the first place to start is to get a rave study done; an assessment of what the needs are, what the materials are that they need to use and that is a paramount importance. An advisory board would be very helpful in doing that listening to everybody concerned with this and that is the general overall picture that he would like to present. Mr. Prickett would like to look at the ordinance in a specific way. Mr. Prickett reiterated that before they put an ordinance together, they need to do the things that he spoke of. Mr. Prickett suggested that a committee should be established. He would prefer Administration establish the advisory committee and put the volunteers, the chiefs, the experts from the town as well as Council members and people from outside of the town on this committee. Mr. Prickett suggested the Council also put a committee together as well; an advisory ad-hoc committee to make recommendations. Mr. Prickett reiterated doing the assessment of the town which could happen at the same time. In looking at the proposed ordinance, Mr. Prickett liked that we are trying to organization and put structure in to the fire service of Pemberton Township. There are thousands of hours of volunteer time and we need to use it in a way that we put fires out and the volunteers are gratified in the volunteer effort that they make. Mr. Prickett noted that they also have to make sure that their resources are used as efficiently as possible. More specifically when talking about this ordinance, Mr. Prickett relayed at the very beginning of the ordinance it doesn't really say what the purpose of the fire company is. It doesn't talk about education, preventative safety, and the role of the fire company, the right of the fire company to put fires out; an introduction and guidelines for what fire companies are. Mr. Prickett continued that looking a little further in the ordinance there is no rational, or justification for having a fire company and there certainly is; everything that the fire company does should be in the ordinance. The Director is someone that is appointed by the Mayor and it's the Business Administrator or someone else that is appointed by the Mayor. In the ordinance, the Director directs the fire chief; however, the Director doesn't have qualifications described in this proposed ordinance. Mr. Prickett continued that they don't know that they know how to put together the procedures and policies in which they are given the authority to do in this document. Mr. Prickett suggested the fire chief be the one that should be putting together the policy and procedure and send that to the Director to approve if not the Council. Mr. Prickett is still not clear whether the Council plays a role in approving policies. In the case of the Business Administrator, the Business Administrator has a lot to do. Mr. Prickett stated Mr. Vaz may have the qualifications; he does not know, to assume this authority but if he does not have the qualifications, are they or is he in for a law suit. Mr. Vaz asked Mr. Prickett if he could answer some of this before going on to the next topic or if he is looking for answers tonight or just addressing issues. Mr. Vaz relayed that he could provide the framework as to why some of this was put in to the ordinance and can inform where it was received from so to speak and why it's in the ordinance. Mr. Vaz asked Mr. Prickett if he would like that but didn't want to interrupt his flow. Mr. Prickett commented that if Mr. Vaz broke up his thought, he could continue and asked Mr. Vaz to go ahead; in a more rational manner.

Mr. Vaz explained the Faulkner Act obviously requires a Director. The way it was drafted, they borrowed from the Police Department model and paid fire companies that have a Director because most of the paid fire companies if not all of them do. The way the Police Department is set up and this kind of answers Mr. Inge's comment earlier, is that there is an appropriate authority to which the Police Chief is responsible to for the day to day operations. In some towns, that's a Police Director and in many other towns in the Boro form of government it might be the Mayor, it might be the Business Administrator and sometimes in those forms of government it's the entire Council. However, the statute for the Police Department is very clear. The appropriate authority adopts the rules and regulations for the Police Department. Mr. Vaz commented that aside from Mayor Patriarca being a retired police officer, in those other towns where there is not a police officer serving on the governing body, they are responsible for adopting rules and regulations regardless of qualifications; regardless of who knows what about law enforcement. Mr. Vaz continued that practically, they don't do it; practically here the Director is not going to do it. They are all going to be drafted by the fire chief with assistance probably from other people and then it gets put in front of the Director for the formality of actually signing off on a document. This model comes specifically from the Police Department model. Mr. Vaz conveyed that he has said it privately before and would like to state publicly now that for all intents and purposes, in this form of government the Mayor is the Director of the Police Department. Whether they want to say it's the appropriate authority, it doesn't matter because in a department where there is a Police Director it is only because he or she is the appropriate authority. They mean the same exact thing and because of the Faulkner Act, the Council can't be the appropriate authority in this form of government; it has to be somebody on the Administration side and this ordinance that we have in Pemberton has always established the Mayor as the appropriate authority and not somebody else. Mr. Vaz explained that what Administration did was take the Director position, modeled it after the Police Department with the expectation that they don't want to add a salary to the budget because right now all of the departments technically are guided, supervised by Directors. When this Mayor and past Mayor's have been elected, they haven't run out and hired twelve new people to come in and supervise the twelve they already have. Those twelve people, effectively are the Directors of the departments. That could change one day and there could be another Mayor one day that comes in and says they are going to hire twelve new people to be the Directors of these departments. The ones that are there will have civil service tenure so they won't be Directors anymore but they will still have jobs. Mr. Vaz added that is where the framework for this comes in and the reality is the Chief will prepare the rules and regulations and they will just be signed off like they typically are in the Police Department scenario. Mr. Prickett stated then that should be in the ordinance. Mr. Vaz replied that the way he has seen it sometimes drafted and has always felt it is not legally correct, is that in forms of government where the Council wants to have a say but they are not allowed to have a say legally; it might say the Director and the Chief will do something together. There are ways.....Mr. Prickett interjected that also if there was an advisory board; if the advisory board had a role to make recommendations to the Mayor and Business Administrator, they obviously couldn't make those decisions but they could make recommendations; review and recommend. Mr. Vaz agreed and added that the first place to start is that they are not going to reinvent the wheel with rules and regulations as there are plenty of models in other fire departments and fire districts where there are already workable sets that exist and it's just a matter of getting them, reviewing them, modeling them and making them work for Pemberton Township specifically. Mr. Vaz wanted

to comment on one last point because it's fundamental to the issue of this ordinance and getting it done as quickly as possible. Mr. Vaz informed Mr. Prickett that he is 110% correct when stating the Business Administrator and Mayor are quite busy and the only reason he did this the way he did it was because of the need to not add a salary. Mr. Vaz continued that the amount of time that he personally spends managing fire companies today for eighteen months and the amount of time the Mayor has to spend, is at a breaking point. It's taking away from other things that critically need their attention. Mr. Prickett remarked that he has heard Mr. Vaz state this before. Mr. Vaz added that he does a night shift at his home when he gets home in time to be able to practically do a night shift. Mr. Vaz stated that he can't do a night shift anymore because the time is occupied on managing the problems with the volunteers; the fire agencies in Pemberton Township are distressed to the breaking point and they quite frankly are already broke. Mr. Prickett conveyed that what Mr. Vaz is doing with the ordinance is institutionalizing the system that we have now. We have all talked about changes that need to be made within the fire services; talked about consolidation and allocations of resources. Mr. Prickett asked if we don't do a rave study, how they are going to know if they institutionalize the system as it is right now. Mr. Vaz responded that he has his (inaudible) obviously. Mr. Prickett continued the authority to control the volunteer fire service if they think there is a problem. Mr. Vaz remarked the authority comes from the contract; however, the ordinance that's been prepared by the fire chiefs that has been teetered with in the meantime but the one that they have adds much more clarity to the situation than we would have if we operated solely by the contract. There are areas in the contract that are clear enough and he feels strongly that there are areas that are very clear as to what role a Township Chief of a Supervisor would have but there are so many other areas and the whole way this ordinance is structured is as Mr. Inge mentioned the by-laws and asked how to change, they are not looking for a change in by-laws but are looking for a consistency with the by-laws, with the rules and regulations or the ordinance and the method this ordinance uses to accomplish that is the contract. A contract with the volunteer fire companies; in order to have the privilege of serving that area of town; it comes with a contract where they buy in to the rules and regulations that are there, the structure of a Township Chief, Assistant Chief, Deputy Chief; it's the contract process. The problem that we have now is we desire a lot more clarity moving forward than this would do. Any problems that would come up in the implementation and there is an advisory board put in the ordinance at the present time for two years. Mr. Prickett commented that is for implementation essentially of this ordinance. Mr. Vaz added advice, recommendations and if someone wants to consider doing something more permanent, longer; that can all happen and what he is suggesting is if Council hasn't already figured it out and he thinks they all have because they've talked about this before, we are at the breaking point; Administration cannot give attention to much more important issues.....Mr. Prickett interjected and stated to Mr. Vaz that by rushing this through, by the Council not knowing about it before hand, by Council not being able to consult with other people, other people not being a part of the process, professionals, the County Fire Marshall.....Mr. Vaz interjected that with all due respect, the fire chiefs are professionals and they have done a fine job. Mr. Prickett agreed they certainly are he apologized if that is the way he described it. He is not just talking about professionals within the volunteer fire system; he is talking about people that are outside of fire system looking in and making suggestions. Sometimes when they're in an organization, they don't always see everything that is there because they're not objective, as objective as they could be if they were looking in instead of looking out. Mr. Prickett asserted that is his point, why they need

some people that are not within the fire services giving them advice and being a part of giving input to this ordinance. Mr. Vaz acknowledged that he is not suggesting that we don't pursue that path. Mr. Prickett reiterated that is why he doesn't want to rush it. Mr. Vaz did suggest that of all of the issues facing Pemberton Township now, clearly the budget crisis and layoffs clearly on a scale of 1 to 10 is beyond 10. Mr. Vaz conveyed that presently within the last year to year and a half, he would have to give this issue with the fire companies a 9 if not a 10 and he doesn't want to say 10 because it demeans the importance of the other problem we have with the budget. Mr. Vaz reiterated that he can't stress enough that the fire services are at a breaking point if not already broken and at least as a temporary measures, get a structure in place while pursuing the other things you would like to pursue and considering some of the other proposals that other people have made and at least get the structure in place. Mr. Vaz conveyed to get this monkey off of Administration's back and let those people run the show so that Administration can give attention to those other important issues. Mr. Prickett remarked that they have had two years addressing the concerns here and that hasn't happened in over two years. Mr. Prickett added that they could have had this ordinance a year ago and addressed it and tried to work it. Having an advisory board, having a board, having a committee provide input would have made a world of difference. Mr. Vaz respectfully disagreed because he looked at as they had that advice from the Pemberton Township Chiefs and again Mr. Prickett would like to welcome outside input and he is not discouraging that but is only saying that this ordinance is critical to us being able to help solve other important problems in this town. Mr. Prickett communicated that Mr. Vaz talked about this being critical and he understands his sentiments but doing the assessment is critical as well. Mr. Vaz concluded that the assessment can be done while this is being implemented and he agrees with Mr. Prickett. Mr. Prickett stated the assessment should be done beforehand and ahead of time. Mr. Prickett asked how long it took to do an assessment. Mr. Vaz replied that it depends on who is going to provide it, where the funding is for it.....Mr. Prickett asked why that wouldn't be done first. Mr. Vaz answered that they have a different idea of what the assessment is going to be. Mr. Prickett asked if it's not going to be a rave or something similar to a rave. Mr. Vaz noted that is one way to go. Mr. Vaz wants to be blunt and asked how many pages the ordinance is and stated that it is a long ordinance and could probably be reduced to four sentences just moving forward an ordinance that creates the position of Volunteer Township Chief, Assistant Chief and two Deputy Chiefs that are appointed by the Mayor and that serve for the term of the Mayor and that whoever is going to adopt the rules and regulations. From that we can at least have that framework if nothing else; there has to be something. Mr. Vaz reiterated that all he is suggesting is that this cannot go on and cannot continue in this town the way it is. Mr. Prickett agreed with Mr. Vaz. Mr. Vaz commented that the public is suffering. One day they're going to look back and he hopes they don't have to but they'll look back and say that they had the opportunity to fix something and they didn't and this is the consequence. Mr. Prickett remarked that the volunteers are suffering. Mr. Vaz continued that it is at the breaking point and he can't stress it enough. Mr. Prickett agreed and added that it wouldn't hurt to put this committee together. Mr. Prickett noted Mrs. Scull is shaking her head and if she doesn't agree.....they might as well fix it right the first time instead of putting something together that might cause even more problems down the road for yourselves as well as the volunteers. Mr. Prickett conveyed the discipline and Mr. Vaz is correct that there are a lot of pages but there's a lot on discipline but there should be something about the rights of the volunteers. There is a lot about the rights of the Director and the rights of the Chiefs and the leadership but the members, the volunteers that are

being subjected to this discipline need some kind of direction as to how they address the disciplinary matters and who they can go before. Right now, the end of the line is the Mayor and he's not even sure that that's true. The volunteers need to have due process and if they don't get that whether it's someone that isn't in leadership or isn't an officer or even if it is an officer, there needs to be due process for those individuals and an advisory board might be one way of doing that. An advisory board with advocates that is familiar with fire departments and fire department procedures. Mr. Prickett asked Chief Maahs if it made sense to him. Chief Maahs replied it does make sense to him. Discipline is for the Chief Officers and the membership is covered by the bylaws of the individual organizations on the disciplining members of those organizations. Chief Maahs reiterated that they are not trying to take away from the individual organizations or the operation of those organizations. Chief Maahs added that Mr. Prickett spoke of the ordinance being brand new and rushed to Council. Chief Maahs expressed he wished Mr. Prickett had brought these ideas forward about a year and a half ago to two years when a copy of a proposed ordinance was originally handed to him. Chief Maahs has read the article from an opinion of someone that he holds a lot of respect for and he does not discount his qualifications at all. He agrees with several things and is not opposed to a study of what we really need to do in Pemberton Township. Chief Maahs expressed that his concern is financial and added that we have to start somewhere; we have to crawl before we walk and we have to walk before we run. It is a basic document and the original proposed document given to Mr. Prickett was actually longer and more stringent than what he has now. Chief Maahs reiterated that he wished some of these issues were brought forward a year and a half to two years ago so that maybe they could have moved in that direction and had these studies done and as a Council member he may have helped to obtain the funding to do those studies. It is being presented as a document and he is not opposed to some of the things Mr. Prickett is saying. Mrs. Scull read from the ordinance, "The Director shall adopt rules and regulations and policies and procedures, governing disciplinary procedures, hearing procedures and appeal procedures not inconsistent with the ordinance. Each volunteer fire company organization that is subject to this ordinance may adopt its own discipline procedures for internal matters". Mrs. Scull noted this is already taken care of in the ordinance. Mr. Prickett stated it wasn't the discipline but it was the recourse that people being disciplined might have and some might not feel that it's fair. Mrs. Scull commented that usually goes in the policies and regulations and they will have to do that. Mr. Vaz noted it does have a mandate in here for the Director to adopt an appeal procedure. Mrs. Stinney notified that Mr. Archer would like to comment. Mr. Archer stated to Mr. Prickett that he understands about the due process and thinks after briefly reading this that it is safe to say that at a minimum due process clauses do exist in here specifically notice and hearing in 25-17, #2. Mr. Archer reiterated that it does appear in there that due process does exist that they shall be set forth the charge or charges against such member or officer in writing and they will be given a notice of a hearing thereon. Although it may not be spelled out to Mr. Prickett's liking, at least it would be safe to say that there does exist the elements of due process in there to protect those members as well the ordinance furthers that any rules and procedures adopted must be adopted in accord with this ordinance. Which would mean that they could not be inconsistent with due process contained therein. Mr. Prickett thanked Mr. Archer and asked if he has read the entire ordinance. It was submitted to Mr. Bayer. Mr. Archer answered that he has not had a chance to read all of the other provisions but he did key in on the due process portion. Mr. Prickett replied that he would be interested in Mr. Archer reading the ordinance with his police background and providing

Council with some kind of analysis. Mr. Archer responded that he appreciated that and thanked Mr. Prickett. Mr. Vaz noted that for the record, Mr. Archer is a commissioner in a fire district. Mr. Archer stated Chairman and he'll get some of the SOP's and regulations he just did. Mayor Patriarca commented that what bothers him about all of this and what seems to be opposition towards this ordinance which he believes was well put together by their fire chiefs, it wasn't long ago that they entrusted their fire chiefs with preparing a plan that cost the Township residents \$1.4 million which was approved to provide fire trucks and fire services to the town. The Mayor continued that now they are asking to implement a process in which they can best govern their fire companies and they are asking for outside assistance from individuals from other towns and other companies; they are not entrusting in their fire chiefs who know this town best and who know what it may take to run this town to provide them with that plan that he doesn't believe he has seen a dollar sign imposed in this plan yet. \$1.4 million as opposed to zero and he thinks they need to listen to their chiefs. Mr. Prickett conveyed that the Mayor did not hear from him any opposition to this plan and he has encouraged this plan and discussion.....The Mayor interjected that Mr. Prickett is very well at delaying and throwing bureaucratic red tap in the process. Mr. Prickett continued that it is not delay it is getting things right from the time that they do it and maybe the Mayor wants to rush through it and that's what it sounds like. Mayor Patriarca asked Mr. Prickett where his cat ordinance is and how is that going along and it's moving well isn't it. Mr. Prickett replied that he appreciates the Mayor's sarcasm and he is good at that. Mrs. Scull asked for a point of order again. Mrs. Stinney thanked Mrs. Scull. Mayor Patriarca stated that he knows that they don't get anything done if they don't act. Mrs. Stinney conveyed that Mrs. Scull has a point of order and thanked them kindly. Mr. Inge remarked that he has a question for the Mayor since he brought up the new trucks. Mrs. Stinney asked Mr. Inge to wait a moment and asked Mr. Maahs if there was anything else that he wanted to add to what he was saying. Chief Maahs replied no. Mrs. Stinney commented to Mr. Inge to go ahead. Mr. Inge stated he had a question for the Mayor and commented that during the Winter Parade, the new fire trucks were in the Winter Parade and asked who approved the.....Mayor Patriarca interjected to let him look and asked where that is at in the ordinance. Mrs. Scull noted that was addressed a couple of months ago. Mr. Inge replied that is not in the ordinance but the Mayor was the one.....Mayor Patriarca interjected he was just checking. Mr. Inge asked where the new trucks are at in the ordinance and again asked where the new trucks are at in the ordinance. The Mayor replied he was referring to.....Mr. Inge interjected that he is referring to.....Mayor Patriarca interjected he was referring to.....Mr. Inge interjected he is referring to.....The Mayor stated no, he was.....Mr. Inge stated he was referring to new trucks.....The Mayor continued that he was referring to them placing trusts in the chiefs to put a plan together as they did in this ordinance and he was comparing that plan to this plan and the cost of that plan as opposed to cost of this plan. Mr. Inge interjected that he is comparing.....Mayor Patriarca stated there was relevance in that and Mr. Inge's relevance to the parade has nothing to do with the ordinance. Mr. Inge stated it has something to do with it because it has something to do with morale. Mrs. Stinney started to say if all the.....Mr. Inge continued when they have another fire company driving a prior truck that was marked for another fire department and those members are sitting or standing outside in the cold watching their fire truck go by with someone else driving; a member from another fire department driving their truck. Mayor Patriarca replied not to correct Mr. Inge but that is a Township fire truck. Mrs. Scull once again called for a point of order. Mrs. Stinney thanked Mrs. Scull and added that if all of the

Council members have concluded with their comments then.....Mr. Prickett informed that he has not concluded with his comments and he would like to have.....Mrs. Stinney stated she would appreciate it if Mr. Prickett would move on. Mr. Prickett continued that he would like to have....if he could finish what he wanted to have.....Mrs. Stinney stated that he certainly and she is asking him to go right ahead and move on.....Mr. Prickett stated exactly he is saying that and.....Mrs. Stinney stated surely and go right ahead. Mr. Prickett continued that the Mayor stated Mr. Prickett wanted to delay but this is the first meeting that Council has had an opportunity to talk about it. Mr. Prickett added that they have come up with some important points to look at, to get some more information on.....Mrs. Stinney interjected that she just wants.....Mr. Prickett continued that he looks forward to hearing from Mr. Archer's analysis as well as he has appreciated hearing from a person in the community's analysis who has picked up on some things that were of legal concern so they need to really look at those.....Mrs. Stinney interjected certainly.....Mr. Prickett continued those matters to make sure that this ordinance is in and the Business Administrator sent it to Mr. Bayer to look for those things as well. Mr. Prickett remarked that the Mayor might want to rush with this. Mr. Prickett expressed that he understands how important this is and understands the situation they are in but they have to do this carefully; they have to do it deliberately and get it right the first time. Mr. Prickett thanked Mrs. Stinney for letting him finish his comments. Mrs. Stinney responded absolutely, sure. Mrs. Stinney noted that she is aware of the seriousness of a lot of the matters that are taking place here in the town and she has been given some emails; sent back and forth. Mrs. Stinney applauds and Administration has taken steps to ensure the safety of the public and several issues pertaining to this ordinance have been brought to her attention. Many of them Mr. Prickett mentioned tonight by a prominent outside person and she knows that they have spoken to him and her with some of their expertise and just a little bit about some outside input. This person is a former fire chief of a fire service organization which served the Township and as a person professing over thirty years of experience in this field. He just sent forward some input that they would like to have that would certainly be suitable for the advisory board to take a look at once this ordinance goes forward. Mrs. Stinney wanted to share this with everyone and is not sure if this would be appropriate and it is an email that came over to all of the Council members and asked if she could give this to Chief Maahs. Mr. Vaz notified that Administration received that same email and they already did that. Mrs. Stinney relayed that she is appreciative to all of the fire fighters in Pemberton Township and she is humbly ecstatic that they receive the service that they do. As a tax payer she is grateful to pay into the \$1.4 million dollars of equipment that came through on a bond and not one of the residents came forward here and opposed that so that tells her that their residents in the Township are very pleased with the services that are rendered. She questioned if things can be done a little bit better, a little bit more efficient, and a little bit more respectful; she believes in that respect, certainly they can. Mrs. Stinney applauds and wanted to just give Mr. Vaz his kudos as she knows he has spent many, many, many hours with their fine fire departments in bringing forth this resolution, putting his expertise together and she is grateful that he has done that and hearing that it has been going on for four and four and a half years, she stated thank you, thank you, thank you, very, very, very much for. Mrs. Stinney thanked Mr. Vaz for all of his input and all of the hours that he has placed in the resolution for the safety and concern and the betterment of our Township. She is truly, truly, truly grateful and thanked Mr. Vaz again. Mrs. Scull made a statement but she is inaudible. Mrs. Stinney continued that the Mayor selecting Mr. Vaz as their Business Administrator, she knew they would get something for the money they

were paying him and she thanked him so very much for putting these things together. Mrs. Stinney yielded to Mr. Archer. Mr. Archer stated in terms of moving forward on this.....Mrs. Stinney interjected yes, if it is the desire. Mr. Archer noted that since the Mayor and Business Administrator have put forth the need to move forward with this quickly, but yet Mr. Prickett has expressed some concern of also wanting to review things a little further. Mr. Archer does not see why there can't be at least at this juncture, the ability or consensus by the Council to introduce or.....Mr. Prickett interjected no, that's rushing it in. Mr. Archer continued that only for the legal and to let Mrs. Young know.....Mr. Prickett interjected no, no. Mr. Cartier asked Mr. Prickett to let Mr. Archer finish as he would like to hear what he has to say. Mr. Prickett apologized. Mr. Archer continued that it has nothing to do with his decision; it's strictly his and if this is put on it would need to be obviously for Mrs. Young for proper notice procedures and then Council can vote accordingly. So that there are no notice hiccups as evidenced earlier, he would like to bring that to Council's attention. Mr. Inge commented that they know which way this is going to go. Mrs. Stinney stated if it is the desire of the Council to.....Mr. Inge interjected that they knew which way this was going to go and this is ridiculous.....Mrs. Stinney continued to place this on the agenda for their next meeting for its first reading and asked Mrs. Young to be so kind to.....Mr. Prickett asked why it can't be placed on the next agenda for further discussion. Mrs. Stinney continued to ask Mrs. Young if she would be so kind to take the vote if it is the desire of the Council.

Motion by Cartier and Scull for this to be placed on the next agenda for introduction and everyone is prepared to discuss it at that time with their concerns. It's two weeks before the next meeting and there is no reason why they can't all be ready to discuss this and introduce it at the next meeting: Cartier, yes; Scull, yes; Mr. Prickett asked if Council could have a chance to again talk about this motion and isn't Council supposed to stop a second and talk.....Mrs. Stinney interjected and informed Mr. Prickett that they are in the middle of a vote. Mr. Prickett continued that they need to have timeMrs. Stinney interjected and stated to Mr. Prickett that he can vote yes or no and that Council is in the middle of a vote. Mrs. Scull interjected that she thinks Mr. Prickett has discussed it a lot. Prickett replied that his vote is no; Inge, no; Stinney, yes. Motion carried.

Mrs. Scull stated that she would hope that everyone does their research before they get here and go and see the Business Administrator and get their answers in advance. Mr. Prickett commented to not talk about it publicly and to do it behind closed doors. Mr. Inge asked someone if they are done with him now. Mr. Inge continued that it is alreadyMrs. Stinney interjected that next on the agenda. Mr. Cartier noted that he did say to be prepared to discuss this at the next meeting. Mr. Prickett agreed and added that he heard that. Mrs. Stinney remarked that they are moving on with the agenda. Mr. Cartier noted that no one said behind closed doors. Mr. Prickett continued that Mrs. Stinney stated to talk to the Business Administrator in his office. Mrs. Stinney remarked that they are moving on with the agenda at this particular time on general public comments and asked the public to please come forward. Mr. Cartier informed Council missed something. Mrs. Young informed letter "d". Mrs. Stinney apologized and stated to see how things can happen; Council is on letter d and when there are disruptions, they can't figure things out.

d. Review of proposed ordinance establishing health benefits waiver program.

Mrs. Stinney informed this is just an update to comply with the new contract provisions. Mr. Inge asked if this is something the Mayor wants and added if it's what the Mayor wants, why Council doesn't just go ahead and.....Mrs. Stinney interjected to Mr. Inge that he has the option to vote yes or no. Mr. Inge continued for Council to go ahead and approve it right now and why continue. Mayor Patriarca asked Mr. Inge if they could go back to the fire ordinance then. Mr. Inge replied that they might as well; it's already a done deal. Mrs. Stinney called for a point of order. Mr. Inge asked why go back, it's a done deal. Mrs. Stinney again called for a point of order. Mrs. Stinney reiterated that this is a review of a proposed ordinance establishing health benefits waiver and is an update to comply with the new contract provisions. Mr. Cartier state this is a done deal because this was negotiated in contracts and asked if he is correct. Mr. Vaz replied that it is taking what was in the contracts that really didn't belong in the contracts because the statute says it's not negotiable. It's putting it in to an ordinance and we have increased the waiver payment to encourage more people to waive the health insurance. Mrs. Stinney thanked Mr. Vaz for the clarification. Mr. Vaz continued that it was represented to the unions that Council would entertain the ordinance. Mrs. Stinney noted that is correct. Mr. Prickett noted that the Business Administrator so eloquently described this to Council the last time Council talked about it and it has to do with health benefits and asked the Business Administrator to describe it again for the public's benefit. Mr. Vaz explained that most of the union contracts had a clause that if an employee waived the health insurance, they would receive a payment for that; an incentive. The statute allows for that. Mr. Vaz continued that Administration's experience was that the waiver was on the low side because the Township can go up to 50% of the cost of the health insurance. When the contracts were negotiated, the unions acknowledged that this doesn't really belong in there because the statute says it is not negotiable. Mr. Vaz noted that Administration does want to encourage as a matter of policy, employees to waive the health insurance especially since the Township is self insured and they have a \$50,000 per covered person self insured retention. This accomplishes all of that and it takes it out of the contract, legalizes it through ordinance and increases the waiver payment to \$3,000 with a benefit that could cost us up to \$50,000 for each employee. It's hard to really measure how the \$3,000 plays in to that but if the Township is ever fully insured with an insurance company, and they can look at what a premium would cost them on a monthly basis, most family plans these days for the regular ones could be up to \$1,500 for a family plan. They would be able to more easily measure this. Mr. Vaz noted that he has heard that more employees are interested in it now because the waiver is a little bit more. Mr. Vaz added that it would only apply to employees whose spouse has coverage through their own employment or through some other source. An employee is not allowed to waive if they do not have another source of insurance. Mr. Prickett stated the spouse could be working for the Township or another entity. Mr. Vaz answered yes and then no and added that there is a separate provision in the health benefit that covers employees who are married and they are not entitled to have separate plans in the first plan so they wouldn't have the benefit of the waiver payment. It would have to be an employee whose spouse is covered outside of Pemberton Township. Mr. Cartier stated this should be listed on the next agenda. Mrs. Stinney stated this will be on the next agenda.

GENERAL PUBLIC COMMENTS:

Mrs. Stinney opened the meeting to general public comments. Mrs. Stinney noted to Mr. Balas as he came forward that she publicly would like to say thank you to him for the service he renders to Pemberton Township. She received an email from the Recreation Department in Medford that specifically shared the knowledge that he was able to help them in some of their matters that they are handling in Medford. Mrs. Stinney thanked Mr. Balas for what he has done and noted that it sends out a great, great message that they are willing to help others.

Mike Balas: 1. The three main entry points of Pemberton Township, Pemberton Browns Mills Road, towards the circle on Lakehurst Road and towards the base on Trenton Road, is littered with trash and debris. The Township has a Clean Communities Committee and it's probably less than 1% of all of Pemberton Township that is involved in that. He asked if anything can be done. It is not a good first impression coming in to Pemberton Township and Browns Mills. Mr. Balas asked when the last time anyone received a fine for littering was. Mr. Balas also asked who enforces littering. This is another way of getting money in the Township. Mr. Balas suggested using community service as an avenue to help beautify the Township. 2. Commented on Mrs. Scull's comments from a few meetings ago regarding putting furniture out for trash. Mr. Balas remarked that the personal pride of a lot of people would not stop to pick things like that up. Mr. Balas asked if there is possibly something the Township could do on a Saturday for a public gathering that if someone has useable furniture they could bring it there and others could pick the furniture up at no cost to them. Mr. Prickett suggested people could put pictures up in the municipal building of the objects. 3. Listened to the different conversations tonight and the only thing that ties it all together is timing. Mr. Balas made notes during tonight's meeting with thoughts to come forward tonight to chastise the people that were against the raise, to chastise the people that asked for the raise. Timing seems to be an issue on every subject that came up tonight. Mr. Balas asked if it would have been such an issue three or four years ago when the contract was first brought up for those asking for a raise. Would it have been an issue four months ago when everybody was happy with the economy, they're getting a new president, they're talking about budget meetings coming up and then they hear about the Township's big deficit and all of these other changes that are going on that the state government is cutting, the federal government is cutting and everything else. The timing of people stating no, they are unique in Pemberton Township and should not have to go out and look at what Willingboro and Medford are doing as far as these 15 people that they are basically chastising and it became this room against those 15 people instead of an issue of what should have been taking place. He noted they then turned around later in the meeting when they had four or five years to take a look at the fire ordinance and say no they need to stop and they need to get help from the outside and say they need help in Pemberton Township. The timing of sitting there and saying let's not rush into this ordinance; let's go beyond the four or five years and look at it and take a little bit more time or the timing of four years ago when they sat and argued and his name was drug through the mud because he sat here and said let's stop; let's slow down and take a look at the background ordinance; do it right the first time and not do what happened where they put that ordinance into effect and that ordinance is trash. Where they've had maybe 75 people get federal background checks, enforced through the baseball program and probably 60 of those 75 people they haven't done a federal background check in two years because the ordinance has so many loopholes and issues with it. The timing of one hand and the other hand of being able to say one thing and then a year or another meeting later say something totally different. The timing of giving praise to somebody, the timing of maybe having a couple of beers somewhere and making a fool of yourself is alright but to come in a public

forum as an elected official and make a fool of yourself may not be the appropriate timing to do that, to make a comment of things that were made tonight good or bad and whatever the saying is as far as history is deemed to repeat itself because they don't pay attention to it is sure as happening over the last two meetings that he has attended here. Mr. Inge stated that in January during the last budget hearings, he did bring it up and he did say he wasn't going to support a 9.5% pay increase for any Township employee. Mr. Inge reiterated that he did bring this up back in January and it wasn't six months ago and it wasn't four months ago, it was a year ago. Mr. Inge stated that he was not going to support that kind of increase for any employee and he doesn't think the Township should have supported that. **Chief Tom Maahs:** 1. Thanked Council for bringing the ordinance for introduction at the next meeting. 2. Council and Administration have his email address and cell phone number. He will gladly sit down with Mr. Adams or anyone else to work through this. Mr. Maahs explained that he has personally been in emergency services for 32 plus years in the volunteer world. Chief Maahs commented that he can speak on three of the organizations that he does know having spoken with their presidents and members of their organizations who will support this and are in favor of this moving forward. Chief Maahs asked Council to keep this in mind and whoever they want to bring in for him to work with, he will gladly do that. **America Phillips:** 1. Ms. Phillips is from Presidential Lakes, the Civic Association and also from the fire department. She said she sat tonight here after only a few hours sleep as she worked until 12:30 last night and went to work tonight and then went to the meetings and her time is gold like everyone else. For her to meet her bills and her standards that is what she has to do. When she went to a meeting tonight at her work, she realized how fortunate she is that she has a job and she can pay her bills because they were told of the possibility of lay offs. The way the economy is today, it's not only here but she knows that they just look in their Township. The one thing she learned when she came to this country for the things to work, they have to work together as a team. It's not only one this, one that. When a decision is made, the decision has to be in general and everyone has to discuss it but not when they come to the meetings. Ms. Phillips stated Council has more education than she does but suggested they be prepared because she knows for a fact that for the next meeting there will be people here and to be ready for them. Ms. Phillips will be working. She noted Council better be prepared and have answers for them. 2. Has observed since she has been coming here, she possibly looks like a record player but she asked several questions at last month's meeting and would like to ask the President of Council if she can ask her questions tonight. Mrs. Stinney replied she may. She asked why do the people that come to the meetings and are excited to come and see the people and gave examples of the Police Chief, department people, if they have any questions they can ask them. She asked why they do not have the right as a citizen, as a tax payer, they pay their salary. Mrs. Stinney referred to the Mayor. Mayor Patriarca replied that Ms. Phillips is referring to the Police Chief who is a department head and is no different from any other department head that he manages and he does not let his department heads come to Council meetings either one at a time or all together because this is a Council meeting. The issues that Ms. Phillips is raising with department heads are administrative issues and they should be dealt with either by making an appointment with the Chief day or night whether her schedules permits her to be there at night or day he would accommodate her and her questions can be answered by the Chief at that time. The Mayor conveyed that any resident has that option with any one of the department heads but to come here and bring a department head to a Council meeting would not be a functional form of governing. Ms. Phillips replied that why in the past all of the other administrations had a big table where everybody

sat and the public could come and ask questions to them and they were very glad to respond. Ms. Phillips asked the Mayor why that changed when he became the Mayor. She explained that is the reason she has been discouraged and tonight the Mayor was lucky he saw a lot of people in this room. She guaranteed that if there is nothing big going on, the Mayor wouldn't see anybody here. Ms. Phillips conveyed that she will be here, she may be here. **3.** Was very happy and thanked all of the residents that brought it up regarding the gypsy moths. Ms. Phillips stated she and Michelle Forman were complaining about it. They sprayed the stuff last year and they didn't have any bugs here but we did have ours. She hopes that they go along and she knows for a fact that her newspaper said that by February 6th, the Township has to reply and ask the residents of Pemberton Township if they are going to spray one little town, they better spray everybody because they are a tax payer like anybody else. Ms. Phillips noted that from what she heard tonight, there is a possibility that Oak Pines is not on the list. Ms. Phillips asked how Council can tell the people that come and brings their concerns about the gypsy moths that there is a possibility they may be sprayed. She is aware that the state made the decision but it is Council's right to tell the state what they have in the Township. **4.** Ms. Phillips has been in the fire field for many years and serves as the assistant fire chief for the state. She went for her medical and when she finished her EMT school and then went for the fire police. She is now in the auxiliary also. Ms. Phillips does her best and she knows what it is like to be a volunteer. For those people over there, she knows they are residents depending on the fire department. God forbid there is a fire; Ms. Phillips asked who does Council think will respond. None of Council will get out of their beds. The poor people that were here are the ones. She may be the one directing traffic. Ms. Phillips hoped that Council will look in to that because she knows a lot of you live in the Township and a lot of you don't. **5.** According to the salary and she will be honest, it is true that they deserve a raise but look in to the way in the community that they are living now. Their people are hardly just making it. They cannot compare with Medford, they don't have lawyers, they are not doctors; they are not anything in here and they are very poor. According to the man that was just here speaking about the garbage, it is true. Their Township looks like a dumpster. It is sad because they have a court room and someone has to find out who those people are throwing garbage out. They are not throwing a paper cup out or a bottle; they are throwing furniture out. Ms. Phillips stated they can't tell her that they have a police department and people driving up and down and they don't see anybody throwing those big monster things. If she sees them, she will be honest that she is not afraid to come to the court room and point that person out. She belongs to cleaning the highway department in the past and she is honest that she tells her coworkers and everybody, even her husband when he was alive, that if she sees them throw garbage out, she needs their license plate, she doesn't need their name. If they do that to her, yes, because if she has to go clean the garbage in the highway, then they will pay the price too. They may be with orange suits over there cleaning the garbage. **6.** In reference to the fire ordinance for introduction at the next meeting will she find it on the agenda. Mrs. Stinney replied yes. Ms. Phillips asked if the gypsy moths will be on the agenda and if somebody found out something. She has her paper and knows where her paper is. Ms. Phillips wished everyone a goodnight and wished everyone a safe trip home. **Betty Donelson: 1.** Noted Council adopted the salary ordinance tonight because they wanted to be fair and she thinks Council did a disservice to everyone on that list that made less than 7 and 8% but Council did what they felt was right. She knows that now the notice of adoption will go in the paper and then 20 day appeal period will start. She knows that the Township Clerk has the information on how to appeal that ordinance. Ms. Donelson asked if she would be out of

order to ask the Clerk whether she can come into her office and review her information. Ms. Donelson doesn't really know where to look for it but she would imagine the Clerk does. Mrs. Young replied to Ms. Donelson that she can come in anytime. Ms. Donelson stated she will call first. Mrs. Young answered that is fine. Ms. Donelson thanked Mrs. Young. In regard to the ordinance there were two titles on the ordinance dealing with the water department. Ms. Donelson commented to Mrs. Scull that she is married to a water department employee. Her husband's supervisor and the department head of that department received raises tonight and she voted on that ordinance. Ms. Donelson stated that she thinks that is a conflict and if it's not a conflict, it certainly appears to be one to her. Ms. Donelson commented she doesn't know if the solicitor could tell the public anything about that whether it's a conflict for Mrs. Scull to vote on an ordinance. Mr. Archer explained that he works for the Council and for Administration and he appreciates Ms. Donelson's concern. If the Council would like him to look in to anything as she has had the office do in the past, she could certainly by a consensus could do that and he would suggest that she has right now is merely a suggestion. Ms. Donelson stated that is her suggestion. Mrs. Stinney replied that Mr. Archer has already offered to look in to it to see if it was a conflict. Ms. Donelson stressed that she is not against the ordinance; people getting raises; she is against the fact that they are not equal. Looking at the ordinance and she knows the public hearing is already gone but if she was the Superintendent of Public Works or the UEZ Coordinator, she would feel that she is not worth as much as the Streets and Roads Supervisor or the Recreation Director. Ms. Donelson stated she would have liked to have had the chance before to look at the comparison charts that whoever put this together used to see what other people are making in the Township because she thinks there are some positions there that aren't comparable to the surrounding communities that maybe they should have gotten a higher increase. 2. Asked who is the Township webmaster. Mrs. Stinney asked the Mayor to Mr. Vaz. Mr. Vaz replied it is a duty that is split four ways. Ms. Donelson asked if they are Township employees. Mr. Vaz answered yes. Ms. Donelson confirmed it is in the building. Mr. Vaz replied yes. 3. Ms. Donelson conveyed that she has heard a rumor on the street that any Township vehicle has a tracking system on it so that Administration knows exactly where every vehicle is at any given time. Ms. Donelson asked if that is true because she would like to know how much that cost. Mr. Vaz replied it is not, but they wish. Ms. Donelson stated it is on their wish list. 4. Stated the budget is prepared by the Mayor and then it gets presented to the Council and asked when that will be. Mrs. Stinney answered that the Township received the extension from the state as most towns have and the date.....Mr. Vaz interjected that he was going to address some of this in his comments, his report, but the budget calendar was extended to give the Mayor until February 23rd to get the budget to the Council and the budget calendar for the Council was extended likewise and Council has to introduce by March 17th and adoption by April 28th. Mr. Vaz added that the state has indicated in the Local Finance Notice flexibility in the dates knowing the problem and he will address the specific problems with that during his report. Ms. Donelson remarked that she is sitting in the audience and no offense but it seems like everything is one, two, three up here. The votes are one, two, three, one, two, three, one, two, three and that concerns her when it comes to the budget that it's going to be a done deal before it even gets here. That whatever the Mayor is going to propose, one, two, three are going to approve. Ms. Donelson suggested that Council should consider that period of time between the Mayor giving the budget to Council or after the Mayor gives the budget to Council, to set up a citizens committee to go through the budget and come up with some recommendations to see perhaps areas where it could be increased or

decreased and recommendations to give to Council before the whole process starts. Mrs. Stinney noted that she is really sorry that Ms. Donelson thinks that she looks a little bit lesser to Council as a one, two, three....Ms. Donelson interjected that she is sorry about it too. Mrs. Stinney continued that Ms. Donelson does have the opportunity to come out after Council has received that budget to give input in to the budget hearing. Mrs. Stinney expressed hope that it is very well attended more so than it was last year and certainly it was not a one, two, three. Mrs. Stinney conveyed to Ms. Donelson that she can go and ask for the records and that sort of thing. Mrs. Stinney is very saddened that Ms. Donelson thinks it is a one, two, three because she herself and thanking God above, she is not influenced by anyone. Nor is she intimidated by anyone so the decision that she makes, she makes her decision on her research, on her heart and she thanks God above that he gives her that intuition to cast the vote that she does. Mrs. Stinney reiterated it is not a one, two, three and she could very easily say it's a one, two, a one, two and that's a fair assessment to say. Ms. Donelson is entitled to her opinion and its okay but Mrs. Stinney wanted to speak on behalf of herself that she is saddened that Ms. Donelson would think that someone could count on her vote as a one, two, three and she takes her vote very seriously. Ms. Donelson stated she is sorry that Mrs. Stinney is offended. Mrs. Stinney replied that is okay and she just wanted to speak to let her know how she felt. Ms. Donelson replied that she will be here and she knows the process to go and look at the records; however, she is not the only one that is sitting out here seeing one, two, three. Ms. Donelson stated she thinks Council needs to start asking more questions about the things that are presented to Council because what is presented to Council is not always the best way to go. Mrs. Stinney replied okay. Ms. Donelson noted that she saw some facial contusions or whatever you would want to call them up here when Mr. Prickett was asking questions about the fire ordinance. Ms. Donelson stated that she doesn't know the first thing about it but its good to ask questions and some of the other Council people were making these looks with their face which was totally unprofessional. It's good to ask questions. If they don't ask questions, they don't whether it's the right way to go plus they may be able to come up with an idea that wasn't thought of; they don't know. Ms. Donelson stated that is the way it looks to her; she is sorry Mrs. Stinney is offended and that's the way it looks to a lot of other people. Mrs. Stinney commented that is okay and she respects Ms. Donelson's opinion and wanted to say that a lot of those comments and a lot of those questions she goes and asks and seeks those questions. Ms. Donelson replied that is good and she is glad to hear that. Mrs. Stinney reiterated that she does and she just wanted to let Ms. Donelson know since she asked the question. 5. Ms. Donelson commented that some people did receive lay off notices and she was wondering how it was determined who got the notice and who didn't get a notice. Ms. Donelson understands that some people did and she is concerned because a lot of those people have been here a very long time and there are other people here that have not been here very long that didn't get a notice. Ms. Donelson was wondering what the process was and how that came about and who made that determination. Mrs. Stinney answered that by law the state says it is in the hands of the Administration to do what they need to do with the budget and to work whatever they need to work out. Mrs. Stinney does not have anything in her hands pertaining to a plan. Ms. Donelson agreed and stated she knows that. Mrs. Stinney continued that she wants to reiterate that and the budget right now is in the hands of the Administration and they make the determination of where there needs to be cuts and so on and so forth and however they talk and that sort of stuff. Ms. Donelson conveyed that is why she is confused because they don't even have any numbers yet people are getting notices. Mrs. Stinney remarked there is a plan and it's just like she used

to say on the school board the same thing when they would send out those notices to hundreds of employees and Mrs. Scull can contest to that and it has to be out the plans says that you have to go by what you presume that your budget would be so that that plan could match and it's like the Governor will give his state of the state address in March and he has to go with the plan that there will be 3,000 people laid off and perhaps he will come through or President Obama may come through with a stimulus but he has to have that plan in place per law according to the monies that he believes that he has to work with. Mrs. Stinney continued to answer Ms. Donelson's question.....Ms. Donelson asked if she could ask them how they how they came up with who they came up with; which positions they decided were the ones to go. Mrs. Stinney replied if they choose to answer.....Ms. Donelson asked if they chose to answer. Mr. Vaz replied that he will provide a brief report when he gives his report so Council will probably answer all of the questions at least it may not give the answer that she is looking for but it will at least address the subject matter. Ms. Donelson thanked Mr. Vaz and concluded that this is her first meeting tonight and she'll be back next meeting. Mr. Cartier stated Ms. Donelson alluded to a resident committee concerning the budget and he has a question. Mr. Cartier commented to Mr. Prickett that a previous Council had tried that and.....Mr. Prickett interjected that he was afraid and wanted to comment but didn't want to get chastised for commenting but yes, previous Council did have a subcommittee and it was either implemented by Administration or the Council and it would make sense to be Council. Mr. Cartier stated if he remembers correctly, each Council member brought forward a resident. Mr. Prickett did not remember how it was brought forward but the budget was given out to a number of people to review and come back with recommendations. Mr. Cartier asked Mr. Prickett how fruitful that was. Mr. Prickett replied it was well worth the while of the public reviewing the budget and feeling like they have a little more to say about it by being able to review it during the same time as Council. Mr. Cartier thanked Mr. Prickett. Mr. Inge informed he has another question and he thanked Ms. Donelson for bringing up conflict. He stated that Mrs. Scull's husband is a Township employee and he works for the water department. Mr. Inge expressed he is nervous about this because there are two members of that department getting raises. If noted that if he voted in favor of it, his husband would probably be looking pretty good in that department right about now and that would be a benefit to his family. Mr. Inge expressed that is a conflict and doesn't know why this wasn't brought up earlier and why the solicitor didn't bring this up beforehand. Mr. Inge commented that Mrs. Scull should have abstained from any voting as far as the contract where her husband could receive benefits through his employment in the water department under the supervisors that received these beautiful raises. Mrs. Stinney informed Mr. Inge that Mr. Archer stated he would provide Council with an opinion on that and thanked Mr. Inge for his comments. Mr. Inge asked Mr. Archer if he would provide his opinion now. Mr. Inge continued that this was brought up in a public meeting and would think that Ms. Donelson's question should be answered. It's Council's fault if they didn't look into this earlier. Mr. Inge stated as solicitor for the Township and Administration, that should have been something that was red flagged from the very beginning but.....Mr. Archer interjected that he appreciates everything Mr. Inge is saying but he personally was not aware of this until Ms. Donelson spoke of this and things of this nature obviously it was brought up in public and can be addressed in public but sometimes just they need to digest and do an investigation and check things out and not just rush to automatically say one way or the other. Mr. Archer continued that it certainly can be brought back up to the public when it is fully discussed. Mr. Inge added that Administration did think about this clearly and Administration thought

about one more vote, one more yes vote and that's what happened here. Mrs. Stinney thanked Mr. Inge for his comments. **Bob Ettinger: 1.** President of the Union, Local 260 for the PBA. This is not the reason he actually came tonight, but just wanted to point out that the unions have to negotiate with Administration and from his experience, Administration does not negotiate easily. Mr. Ettinger is not saying that the people that got the raises if they are in line with what everybody else is getting but he knows through contract negotiations that they do have to get comparables to Pemberton Township. Pemberton Township is very unique and it is very hard to find comparables to them. As far as the percentages, he has no comment because he does not know what the comparisons are. Just to let some people in Council know and the public that Administration, Mr. Vaz, has called two meetings with all of the union heads in reference to the deficit that the Township is facing. It was all voluntary for the union heads to come to this meeting to discuss how the unions can help the Township. Every single union was represented at the meetings and the unions in general came to Mr. Vaz and already stated that they feel as though they know of some ways through their contracts to save some money. If there was no deficit, would they be having this discussion about the contract issue. Probably not. Mr. Ettinger knows there is always someone that doesn't agree with the way something is being said. The economic times and timing was the worse thing for this union who works hard for the Township and gives probably more time than what is on their time card. Mr. Ettinger knows that from his own personal experience with him being a police officer and their union members. They donate a lot of time on their own that they don't expect any compensation from the Township because they enjoy the Township. Not everyone in his union lives in this Township but he can guarantee the majority of them have a connection in the Township and they want the Township to do better. A lot of the membership has also expressed an interest in saving not only the police officer jobs but the Township employees' jobs. He asked they don't be so quick to pull the trigger on the people that had their raises or whatever. As of today, they may have their raises but they don't have all of the numbers from the state, the federal government or from their own Township because they are still getting their financials together to present their budget to the Mayor and he can get his budget together. Once those numbers are together, they will come to the unions and say these are the numbers they are looking at and they need help. Mr. Ettinger can't say that his union will give stuff up. He is just saying that all of the unions have come to Mr. Vaz and listened to what Mr. Vaz and the Mayor have said and nobody is putting blinders on and walking away. The public begins making comments but they are not audible. Mr. Ettinger apologized to President Stinney for addressing the public. Mrs. Stinney thanked Mr. Ettinger. Mr. Ettinger advised this is not the reason he came up. His union members were taken back recently because they just find out that Judge Andronici has been let go as their municipal court judge. Mr. Ettinger does not know that much about whom the new judge is and couldn't even tell Council what his name is. Mr. Ettinger can only give Council what he heard as rumor; he was a Camden County judge and not taking away from him because if he's a judge, he has the qualifications. Mr. Ettinger stated it is a disservice to the Township of letting go a judge that has so many years of experience and is so familiar with some of the people they come in contact with on a daily basis. Judge Andronici also has so many other courts in this county that he runs in with the same people so he is very familiar with these people. Mr. Ettinger stressed that he is just voicing the union's opinion; they are saddened to see Judge Andronici go but as civil service says, they will work with whoever the Township gives them to work with. Mrs. Stinney thanked Mr. Ettinger. **2.** Mr. Ettinger informed that he has written several citations on people throwing stuff out of their windows. Public

Works when they catch someone, also call the police and the police catch them and issues summons for that as well. Mrs. Stinney thanked Mr. Ettinger for that clarification. **Steve Skulimoski: 1.** Thanked the gentleman that was up just before him for giving an opposing viewpoint to the viewpoint that he has concerning the salary ordinance. Mr. Skulimoski would also like to bring up which some people including him had a little bit of an outburst. Mr. Skulimoski stated that as soon as Mr. Fitzpatrick turned around and started addressing the public; Mrs. Stinney stopped him and chastised him but didn't do that to someone that had the same viewpoint as she did. Mr. Skulimoski continued that Mrs. Stinney spoke very eloquently about the gypsy moth and relayed a story about how her children across the street at the college couldn't go outside because of the gypsy moth "doo doo" and how she spoke about the conversations she had with Mr. Inge about children with rashes that could possibly be caused by the gypsy moth. Mr. Skulimoski asked Mrs. Stinney how she voted last year on the budget about removing the money for gypsy moths. Mrs. Stinney replied that she voted not to spray. Mr. Skulimoski thanked Mrs. Stinney. Mrs. Stinney replied that he is welcome. Mr. Archer apologized to Mr. Skulimoski and noted that it is quarter of midnight and added that Mr. Ettinger when he first began speaking he was addressing the Council but he did drift off to the public. Mr. Archer continued that Mr. Skulimoski's remark is well taken as well from the people in the back of the room. Mr. Archer just wanted to state that usually he is on top of those things; he has been up since six this morning and just got over the flu; it's no excuse but it's been a long night and he apologized and stated that he will take that. Mrs. Stinney apologized and conveyed that what she was basically doing with the other gentleman was it seemed like it became a hollering type of situation where the public was calling back and he was calling back and she wanted to try to control it and bring it back here and not have that dialogue with the public and his turn to speak and that sort of thing. At quarter of twelve in the morning, Mrs. Stinney apologized for just letting Mr. Ettinger go the way he did and she apologized and noted that is why it is really important to try and stay focused when going in to these meetings and not for late hours because they do want to make good choices and good decisions. Mrs. Stinney humbly apologized and stated that she is not that type of person to be a one sided person and certainly she is not. Mrs. Stinney noted as she stated before they all have that right but it seemed like it was becoming a hollering match at that time. **Harry W. Wilkins: 1.** Mr. Wilkins advised he has been a Township resident for 56 years which is quite a remarkable feat for what he sees going on here tonight. It makes him not want to be a resident any longer. Mr. Wilkins advised that he has been to probably a hundred or so Council meetings, and he is not going to ask for forgiveness for what he is about to say. Mr. Wilkins stated that Council is a joke; they are an absolute joke. Mr. Wilkins continued that Council is no different than the other goonies that have been up here; all they do is argue; Council does vote one, two, three, they have no, not one time have they ever listened to anyone out in the audience with the exception of when they wanted to replace the Police Chief. Mr. Wilkins commented that Council did listen that time and they're asking them to listen to them now but it's a little too late. Mr. Wilkins has a question he would like to ask Mr. Vaz if he may. Mrs. Stinney replied to come and ask her and she will see.....Mr. Wilkins stated Mrs. Stinney let everybody else ask him. Mrs. Stinney responded to come through her and she'll go through.....Mr. Wilkins interjected he is thinking it might be personal. He questioned why this is personal against him. Mrs. Stinney responded if he wants to ask a question, he can ask the question to her and maybe she will have the answer. Mr. Wilkins stated the question is, Council all knows who he is and that he works here and that he was the former President of the local AFSCME union

last year when their contract was signed. Mr. Wilkins reported there are approximately 70 members in the union and not one of the members asked when the contract was being negotiated to get wages that were subject to outside of this town. Mr. Wilkins reiterated 70 members and added but yet Council took the advice of 12 members deciding they should get that amount of money. Mr. Wilkins conveyed there is something is wrong with that picture. Mr. Wilkins asked Mrs. Stinney for her comment on that. Mrs. Stinney thanked Mr. Wilkins for his comments. Mr. Wilkins asked if he is going to get a comment. Mrs. Stinney replied that Mr. Wilkins is making his comments now. Mr. Wilkins stated that he is asking Mrs. Stinney for a comment on that. Mrs. Stinney noted that she read him her comment and asked him what it is that he wants her to say; she gave him her comment. Mr. Wilkins replied that he is totally confused. Mrs. Stinney stated so is she. Mr. Wilkins commented that he is not even tired. Mrs. Stinney suggested it might be the lateness of the hour. Mr. Wilkins replied that he is not tired. Mrs. Stinney informed that she stated her comment. Mr. Wilkins noted that he does not understand and asked if someone could help him. Mr. Wilkins again asked why Council did not take that in to consideration; 70 people vs. 12 and asked if there is something different with those people than him or the other 69 members of the union. Mr. Inge responded that there is a difference and he knows there's a difference. Mr. Inge continued that everybody on Council knows there's a difference. Mr. Inge added that there are people in that union, and noted the Building Inspector has to have classes constantly and always has to upgrade his license. Mr. Inge asked if they gave the Building Inspector a raise comparable to other Townships. Mr. Inge asked if they did. Mr. Wilkins replied he didn't know. Mr. Inge noted part of the UEZ Coordinator's salary is paid by the state and he is supposed to bring businesses in to this Township. Mr. Inge asked if he got a big salary. Mr. Inge noted he has an education, had to take a test to get the job, did it legally and asked again if he got 7.5% or in four years 36% or 35% not including longevity which wasn't mentioned. Mr. Wilkins agreed. Mr. Inge commented it was just certain employees. Mr. Inge informed there is an employee that is ready to retire and it's a nice bonus. Mr. Inge asked if the bonus was set up for that employee or was it a bonus set up for his successor. Mr. Inge stated to think about that. Mr. Inge remarked like he said previously, most of these jobs in Pemberton Township, if they are lucky enough to get a job, to just squeeze in there if they didn't know anybody and nobody knew that job was available to tell their friends or relatives to get that job. Mr. Inge advised that he questioned certain jobs when he took office during the first budget hearing and suggested to go back and look at the minutes. Mr. Inge informed that he questioned the Mayor and the Mayor's response was he is not going to do anything that was done prior to him taking office. The following week, funds were allocated for a certain employee to take classes, courses. Mr. Inge stated if that employee had the qualifications in the very beginning, they didn't need for her to take these courses because she would have already had the qualifications but that's not how it's done here and that's what the residents and most of the residents know this. Mr. Wilkins agreed and added most of the employees know that also. Mr. Inge commented that no one on Council wants to say anything because they are thinking they only have two more years and it's time for elections. Mr. Inge replied there is a lot to be said for that. Mr. Wilkins agreed. Mrs. Stinney asked Mr. Wilkins if he had any other comments. Mr. Inge stated he is not done and asked if he had a five minute limit. Mr. Inge apologized and asked if there is a timer on this. Mrs. Stinney informed Mr. Inge that she is talking to the public and is just asking.....Mr. Inge replied that he is still talking to the gentleman and asked Mrs. Stinney why she has to interrupt him and that is what he doesn't understand. Mrs. Stinney stated to Mr. Inge to go right ahead and talk. Mr. Inge

commented that he forgoes, he's under the same gun as Mr. Prickett so they are limited to what they can say and they have a time limit. Mr. Inge expressed that he wished they would have a little clock up here and push the thing and then they can watch it go round.....Mrs. Stinney interjected and stated to Mr. Inge to please address the gentleman as he stands here. The hour is late and it's ten of and they can go back and forth debating all they want.....Mr. Inge stated he is not debating; he is giving him an example. Mrs. Stinney stated they are here and he is asking questions and Mr. Inge is.....Mr. Inge reiterated that he asked a question and he is giving him an example and he is sorry that Mrs. Stinney has to be so rude and interrupt him. Mrs. Stinney responded to Mr. Inge to save his sarcasm for later. Mr. Inge replied to Mrs. Stinney that she is doing a good job of that. Mrs. Stinney answered that is fine and she wants to yield to Mr. Wilkins and Mr. Inge and to go right ahead and ask whatever questions he is asking. Mr. Wilkins stated he does not have a question but he does have a statement and he is not going to be sorry for whom it offends and if it offends anyone. Mr. Wilkins does not know how the three Council members that voted for everything tonight are going to be able to live with themselves. He does not understand that at all. They are all created equal and he has sat here many, many, many nights listening to them tell everyone where they are all created equal and God Bless with this, they're this, they're that and asked what they did to the residents of this Township tonight. Mr. Wilkins noted that they have no idea what they did; none whatsoever. Mr. Wilkins thanked Council for listening. Mrs. Stinney stated your welcome to Mr. Wilkins and to have a good night. Mr. Cartier asked Mr. Wilkins how many contracts has AFSCME negotiated with this Township. Mr. Wilkins replied that he has no idea. Mr. Cartier asked if this past one wasn't the first one. Mr. Wilkins answered no. Mr. Cartier then asked how long ago the first one was. Mr. Wilkins stated he has no idea and he's only been here nine years. Mr. Cartier stated to Mr. Wilkins that he just said he was here 56 years. Mr. Inge interjected that it was as a resident. Mr. Cartier replied exactly and he's been a resident for 10 years but he remembers the contracts. Mr. Wilkins stated oh yeh, and it really has changed; it's the exact same way it used to be; now Council is all picking on him. Mr. Cartier answered no, he is asking a question; Mr. Wilkins asked Council a question and now he is asking him a question. Mr. Wilkins asked Mr. Cartier why he would want to ask that question. Mr. Cartier replied because this is their first contract. Mr. Wilkins asked who they are. Mr. Cartier answered CWA. Mr. Wilkins stated yes and Council gave them everything they asked for on their first contract. Mr. Cartier noted establishing a salary guide and they did not get everything they asked for. Mrs. Scull stated no, they didn't get it. Mr. Wilkins asked they didn't. Mr. Cartier replied no. Mr. Wilkins stated he thinks they did. Mr. Inge replied they didn't get their overtime pay that they asked for. Mr. Wilkins added that one of them will get at the end of their contract which expires the same time as AFSMCE that there will be one or two of those employees making close to \$80,000 a year. Mr. Inge stated they deserve that and they have to look at what other Townships are making. Mr. Wilkins asked if they do. Mr. Inge asked Mr. Wilkins if he didn't get that. Mr. Wilkins replied no and added that AFSMCE did not look at that direction and there were 70 of them that didn't look that direction. Mr. Inge noted that he didn't look at that direction but he's stuck with it too. Mr. Wilkins commented that three of the five members of Council didn't even take that into consideration. Mr. Wilkins does not get what is the difference between those people and AFSMCE. They are not any better than them. Mr. Inge stated maybe good jobs. Mr. Wilkins replied that they tell them what to do and they do the work and Council rewards those people. It is ridiculous. Mr. Wilkins again thanked Council for listening and to please try and get some sleep tonight but he doubts it. **Edna Inge: 1.**

Advised that she has a few questions and one she will direct to Mrs. Stinney to find out if it does go to Mrs. Young regarding the appeal process. Ms. Inge asked if anyone is entitled to pick up the paperwork to file an appeal or if it is one person as Ms. Donelson mentioned it. Mrs. Young noted that anyone can call her office for general information. Ms. Inge confirmed and asked if only one appeal can be filed or if it had to be a joint effort. Ms. Inge stated that is what she wants to know. Mrs. Young informed she will check with the Solicitor's office because she is questionable on the twenty day appeal process and thought an appeal was only regarding the validity of the ordinance adoption. Ms. Inge reported that it's not quite clear and no one has actually explained it. Mrs. Stinney advised Ms. Inge that Mr. Archer will explain the legal process of it. Mr. Archer stated there have been a lot of legal questions tonight and if the procedure she is requesting is if she wants to file something which whatever the laws allows is certainly a right and she would need to have her own attorney do that. The solicitor can certainly look at whatever the Council desires it to look at and look into but if she is going to maybe challenge this ordinance from outside from the private sector, she would need to do that with her own counsel instead of here with this counsel with the tax payers' dollars. Ms. Inge stated she is asking the question Ms. Donelson was asking. Ms. Inge replied that she is not sure. Mr. Archer commented if he interpreted it wrong to forgive him and continued that if she is looking to join in or challenge or otherwise do something, Mrs. Young the Clerk can assist with OPRA related matters. Mr. Archer noted if there is any challenge.....Ms. Inge stated it is the ordinance that she is speaking of. Mr. Archer conveyed that the word challenge in his mind means a legal challenge and she would simply need to consult her own attorney for that for any process. Ms. Inge responded that she is just speaking from a union viewpoint and she has done many contracts as well. Just in the process that happened here tonight with the way the vote was taken and she is sure it is done all the time for this ordinance, she has been at these type of hearings and also the Planning Board meetings which some of Council do not sit on and she has heard and seen Mr. Cartier for one has been a person that has excused himself because of the situation. Ms. Inge continued that Mr. Inge has excused himself from other situations or abstained from voting. Ms. Inge would like the record to show and this is why she wanted to get back up and speak again, that Mrs. Scull should have done the same thing due to the fact of being very close to the situation as far as the water department issue is concerned and that vote was taken and she personally thinks it was wrong. Ms. Inge asked what the process is to come back and challenge this ordinance and without her own attorney, as a tax payer here what is the process. Ms. Inge commented that maybe she is thick and is not getting it. Mrs. Stinney noted if it was a wrong type of vote that she is saying. Ms. Inge agreed and stated she disagrees with the vote. Mrs. Stinney explained the process would be first to see that the vote was improperly taken and then go to the next process that she would like to appeal it because it now becomes the two, two. Mr. Archer stated he would just leave it and this would be the best way that there was consensus earlier to look into it by the Council. Mr. Archer conveyed that the Solicitor's side will look into it and get back to the Council with the findings. If there is anything additional that Ms. Inge is not satisfied with or she feels must be done from her side, she certainly can consult an attorney and obviously take whatever action she feels is appropriate. Ms. Inge replied that she is not going to get an attorney and continued that she wanted to know when they do this, when the attorney sits and talks to Council to find out what is appropriate and what is not appropriate and how does she find that out. Ms. Inge asked if it will be put on the website for the Township. Mr. Archer advised it would be Council's determination as to how it is publicly disseminated but he is sure it will be done obviously properly and in accordance

with law. Ms. Inge asked if it will be within that twenty day period. Ms. Inge commented that she doesn't think anyone will pick up the phone and call her and that's what she wants to know. Mr. Archer stated that he doesn't know if Council necessarily has the obligation to do so. Mayor Patriarca asked if Ms. Inge would have the option to go to the court and file an injunction. Mr. Archer remarked that he does not want to give legal advice. Mayor Patriarca stated he appreciated that but Ms. Inge's option is the court and not the Solicitor and not the Township. Ms. Inge remarked that the Solicitor is here tonight to answer questions for the public and no one is at the courthouse that can answer that question for her tonight. Mr. Vaz noted that they don't want the twenty days to go by with Ms. Inge thinking the process is here when the process is elsewhere. Ms. Inge explained that is why she asks because she doesn't think Ms. Donelson was very plain and clear when she asked that question. Mr. Archer indicated that essentially he works for the Council and does not want to give Ms. Inge legal advice because they are not in an attorney client relationship. Ms. Inge conveyed that she understands and wanted to know where she was going with this so that she would at least get the right start. Ms. Inge thanked Council and everyone for their time. **Marisa Wilkins: 1.** Reiterated to Council President Stinney that when she came up earlier, she wasn't trying to say that people should not have raises or promotions or anything like that. Mrs. Wilkins conveyed that there should be more uniformity across the board. Mrs. Wilkins referred to Mrs. Stinney's earlier statement that these salary changes for the department heads were budgeted for and asked Mrs. Stinney if this was correct and if they were already put in the budget. Mrs. Wilkins stated that would be going back to 2007 and asked if they were put in the 2007 budget. Mr. Cartier stated those were his comments and they were put in prior budgets. Mrs. Wilkins asked if they were also in the 2008 budget. Mr. Prickett replied that he doesn't think that is completely true; there was a percentage put in to that budget. Mr. Cartier agreed. Mrs. Wilkins asked if fees for this were set already within the budget. Mr. Cartier answered knowing that there was going to be some sort ofMrs. Stinney interjected with a negotiation coming up and that is normally what the process is. Mr. Prickett stated he thinks it was 4%. Mrs. Stinney continued that they kind of have to allow "x" amount of monies to go towards the salary. Mrs. Wilkins stated since they have the money in there and it's already approved, then they can go ahead with it and asked if that is correct. Mrs. Stinney stated go ahead with.....Mr. Cartier interjected with retro. Mrs. Wilkins stated with giving the salary retro changes. Mrs. Stinney answered yes. Mrs. Wilkins asked what if they had an AFSCME employee who one year ago had the paperwork submitted for a promotion and it took an entire year for the promotion to go through Civil Service and Civil Service approved it and certified it December 11, 2008; three weeks prior to the January 1st cut off freeze date and the money was budgeted already, wouldn't they think that that employee should get that promotion. Mrs. Stinney replied that she can't make that statement. Mrs. Wilkins asked if there is anybody in here that could. Mrs. Stinney replied she believes that is under Administration. Mrs. Wilkins asked Mrs. Stinney if she would be able to address that to them. Mrs. Stinney commented through the Mayor.....Mayor Patriarca replied that Administration is not going to entertain that not at this time and not in this meeting; absolutely not, it's a personnel issue. Mrs. Wilkins commented that she just figured it was along the same line. Mr. Inge stated there again it depends on the person. Mrs. Stinney stated Mr. Inge was talking and she couldn't hear. Mrs. Wilkins repeated that she just figured it was along the same lines; if money is budgeted, then if the figures are approved or if it's approved and she just figured it was along those lines. Mayor Patriarca stated she is asking why that employee did not get the raise and they are not going to get into the employee issue here

tonight at a Council meeting. Mrs. Wilkins thanked Mrs. Stinney. There being no other members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments.

Mrs. Stinney convened the meeting at approximately 12:06 a.m. for a short break and reconvened the meeting at approximately 12:17 a.m. Mrs. Stinney advised the public that they are awaiting the Solicitor. Mr. Cartier suggested moving on to the Engineer's Report while waiting on the Solicitor. Mrs. Stinney agreed to start with the Engineer's Report.

ENGINEER'S REPORT:

Mr. Chris Rehmann: 1. Due to the lateness of the hour he doesn't have anything critical to report. 2. Mr. Prickett stated to Mr. Rehmann that there was \$51.4 million approved to stabilize the real estate market in New Jersey. It is for stabilizing New Jersey neighborhoods hard hit by foreclosures as announced by the Department of Community Affairs. There was an article in the February 4th edition of the Courier Post. It has to be applied for by this Friday. Pemberton Township is on the list, Clementon, Lawnside, Paulsboro, Pemberton, Pineland and Winslow. Mrs. Stinney informed Willingboro as well and asked Mr. Prickett if he is looking at the neighborhood stabilization grant. Mr. Prickett replied he is and asked if they have applied. Mr. Vaz responded that out of fairness to Mr. Rehmann he doesn't think it's Mr. Rehmann's issue and it's the Mayor and Business Administrator's issue. Mr. Prickett stated he has some information and if they haven't done it, they have until Friday. Mr. Vaz advised that Administration is on it and in fact Gary Levinia from the Improvement Authorities is connecting him with the grant consultant that is available to them for free. Mr. Vaz continued that Mrs. Stinney has also been asking him and the Mayor and the problem the Mayor and he has had is really coming up with a program out of the choices that is a fit for the Township and they are aware that the deadline is Friday and he expects that they will get something in and they are on top of that. Mrs. Stinney commented for the record and if Mr. Prickett doesn't mind, she noted that they have spoken about the grant and the neighborhood stabilization grant; the grant with the matching funds. 3. Mr. Prickett conveyed that his next question has to do with the Sybron report that the Council appropriated the money to pay for at the last meeting and wanted to get a copy of that report since they have already paid for it. Mr. Rehmann informed it has been given to the Business Administrator who was going to distribute it to Council. Mr. Vaz reported that Ms. Willis provided it to him and he will give it to Mr. Prickett after the meeting or email it to everyone; whatever he wants. 4. Mr. Prickett thanked Mr. Vaz. Mr. Prickett noted the Planning Board had their special workshop meeting on the draft master plan and they did circulation last Thursday night. He just found something interesting; they were talking about Range Road and how people are cutting from Range Road down Whitesbog Road to Ridge Road. Mr. Prickett asked if they have the wrong side; they are putting \$260,000 in to the right side which is kind of like a driveway whereas they are not putting anything on the other side which really links Range Road with Ridge Road. Mr. Prickett noted that this is what was discussed at the Planning Board draft master plan meeting and they also talked about Range Road being opened up to Route 70. Mr. Prickett wanted to get some clarification on that; the Planning Board is talking about one thing and they're putting \$260,000 into a road 1,200 feet on the other side. Mr. Prickett suggested Mr. Rehmann getting back to him as it is so late tonight. 5. Mr. Prickett asked about the WaWa bond. Mr. Rehmann replied that he was personally out to the WaWa site with his staff. *Mr. Rehmann is too far away from the microphone and is hard to pick up on the tape.* The WaWa site was approved through the

Pemberton Board of Adjustments and they approved the site plan. If looking at the site plan itself, they have (inaudible). The question is whether the discharge from their retention basin comes around back on to the site. He has asked (inaudible) to take some elevations and since that is not part of what he would consider an escrow (inaudible) he is going to donate that because he is curious now because when he looked at it, one couldn't quite see where it was so he'll figure out how that goes. Mr. Rehmann reported that Mr. D indicated to him because he has a special interest in history that he would like to have his rails rebuilt. WaWa has put in some trees and built some areas on the trust property. He will look into that and he promised him he would do that but he is not ready to give a report of recommendation at the moment until (inaudible) that bond. Mr. Prickett expressed concern about the bond reduction because of the time limitation but it sounds like it is within Mr. Rehmann purview to do what he is doing now. Mr. Prickett thanked Mr. Rehmann.

MAYOR'S REPORT:

Mayor David Patriarca: 1. Wanted to respond to a couple of comments that were made this evening starting with Councilman Inge. Mayor Patriarca reflected that Mr. Inge made a comment that the Mayor made the comment of not doing what was done before. Mayor Patriarca assured that they are not doing what was done before and they are moving forward in this Administration; they're trying to get things done in a positive way and allocating funds for education is a common practice in the Township. The Mayor advised that they do that to make sure they have the best employees. Mayor Patriarca expressed he is sure that Councilwoman Scull takes offense to it but he does as a resident also and as the Mayor and that Councilman Inge would imply that they fixed a vote and knew what the vote was going to be, and that they knew in advance that Councilwoman Scull's vote would have been invalid and she shouldn't be voting on that issue. The Mayor stated if Administration believed that, they would not have allowed it and if Councilwoman Scull believed it, he knows she would not have voted that way because he has seen her in the past abstain from votes. Mayor Patriarca reported that Councilwoman Scull has no direct benefit in this process and it is embarrassing that Mr. Inge would sit as a Councilmember representing him as a resident and imply that another Council person is doing something improper. The Mayor commented that is just disgusting. 2. The Mayor further noted that the hiring process was brought up that one can get a job here "just the old way; it depends on who you know". Mayor Patriarca begged Mr. Inge to come to his office and show him where this has been done in this Administration. The Mayor indicated that Administration has changed the hiring process in the Township and it was on account of this Administration that they now have to go through a process that is fair and open to everyone. Mayor Patriarca informed that he took offense that Administration is allegedly practicing behaviors that occurred in the past without knowing what Mr. Inge is speaking about. 3. The Mayor noted that Mr. Inge made a comment about and gave a sad story and he feels for the woman that may have had to go through the troubles that she did, but Mr. Inge made a comment that that is the resident they should be representing. Mayor Patriarca stated that he represents every resident in this Township and every resident in this Township has one thirty thousandths of a vote of approximately how many residents they have on what they do in this Township. It's not about representing the poor or representing the rich; it's about representing everyone in the Township equally and that's the way that this Administration looks at all the issues that they deal with; how it best serves all of the residents. The Mayor informed that anyone that works under his Administration knows that he insists that that occurs when they make decisions in the Township. 4. Mayor Patriarca expressed that it is

really disappointing on all of the misinformation that has been out there on this salary ordinance. He expressed that it's very easy to lead a topic in a direction when they are only giving certain information out there and they're not giving the total story and individuals will see it one way. The Mayor reported that he has been fielding calls, three today, from individuals and one read in the newspaper that they gave big raises to the Mayor and Council and he asked her what newspaper she read this in and of course, she stated someone told her this. The Mayor advised that by the time he got done explaining, she was so disappointed, the process in this negotiation, how they got to where they are, she didn't agree with giving the amounts of raises, of course, as none of them believe they should but they have to in conditions like this because of what they negotiated on, and she then understood. As everyone he has explained this to in completeness and not just the side of the story that he wanted to tell somebody which he doesn't do. 5. The Mayor relayed that on the fire ordinance issue he heard two Council members sit up there and tell him that they are the liaisons. Mayor Patriarca indicated that they don't even know that they are the liaisons for the fire department or whether they are or they are not and if they are the liaisons, why aren't they attending the meetings, why aren't they inquiring, and asking what's going on. He relayed that they had no input in this whatsoever in this because they are absentee liaisons. The Mayor stated that the fire company wouldn't know who they were if they walked in there he believes. On the other note, the Mayor stands by what he said when he stated they entrusted their fire chiefs in Pemberton Township to prepare them a plan of \$1.4 million dollars for vehicles that the Township purchased, they entrusted in that plan for expenditures and then they tell them how they want to run their department, they agree with the plan they proposed but now some want to get outside opinions; some want to have other chiefs from other towns. The Mayor found this insulting to their chiefs of this Township that they would even consider that in an open meeting to make that public that they don't trust in their wisdom. Mayor Patriarca stated that is appalling. 6. Noted that Mr. Prickett made a comment that the Mayor has the final word. Mayor Patriarca stated that the Mayor doesn't have the final word; the public has the final word. It's the people of Pemberton Township that all of them serve, that they are here for, some of them are here for, everyday and serve the public. The public has the final word and come election time, they will have the final word again. That's what they do and that's their option. The 2,3,3,2 whatever they want to call it, it's a democracy and that's why they vote in this country. That's why the majority has that option. If they're not the majority, he doesn't know what to tell them, that's just the way it works. 7. Wanted to touch on the layoffs and it has been an issue bothering him every night. When he goes home and his wife will tell them that he tells her over and over how he puts a plan together where he has to potentially lay somebody off that he has known for years, worked with for years and some people 15, almost 20 years that now may be losing their job. It's a very difficult decision. There is a process and part of that process included what services they can eliminate and what services they can cut back on. They just can't take an entire department and cut it. It doesn't work that way. They can't take the finance department and cut it, they still have to operate. The Mayor asked how they come about their reasoning for this. He stated they look at each department and work from the bottom of that scale; that is in that department and work their way up from the bottom and they take one from each department, maybe two from each department, whatever the number happens to be. They have to start at the bottom. He noted that fortunately, they are a civil service department and there are rules and regulations on what they are allowed to do. They can't jump from this department and that department; they have to stay within that department when they make these decisions then they can move to

another department. The Mayor asked could they have manipulated the system and said well wait a minute, they'll move this individual over to that department and then they won't have to get laid off and then they'll take somebody else in this department. Mayor Patriarca remarked that is not fair; that's manipulating the system. Administration looks at where they tighten the belt in which department and that's how they came to the number that they came to and the positions that they came to. It had nothing to do with individuals and nothing to do with personalities. The Mayor added that as the Council Chairwoman stated, it is a plan. Administration has to put this plan together because of a timeline that goes in to place. Administration has thirty days to get it reviewed and 45 days to make notice. Everyday that Administration waits and instead of 75 days, it's 76, or 77 or 78 and everyday they go could mean another employee now has to be on that list because this affects their budget. All of these individuals that are on this are on there because Administration was forced to cut \$1.2 million dollars out of the budget. The Mayor hears the question "where is the budget, where is the budget" but Administration does not have the budget. They know a number that they are working with right now and that's the number. That's not the final number; they don't have the financial statements and cannot put a budget out today because they do not have the information. As Administration gets it, they'll get it but they do have a base number to work from and have set a plan that reflects that base number and then that plan is subject to change as the numbers change they work off the plan. Administration has to set things in motion for a reason and quite frankly they are very tough decisions. The Mayor reiterated that this bothers him every night that he goes home. He doesn't know how he can do this to someone but that's what one is put in these positions for; that are what they are here for to make those tough decisions. This is not a decision that one says, "oh well, Mr. Smith you figure it out, you tell me what do we do here". The Mayor stated they put them here to make those decisions and this is part of that process. Mayor Patriarca expressed that this is not a personal thing and is not a very easy thing but it is unfortunately a necessary thing, and it's what they're doing. 8. Referenced a comment made that Administration is rushing into this ordinance. The Mayor noted that when working on something for four years, there is no rushing going on. This thing has been looked at, changed and worked on very hard by the individuals involved and by the chiefs in their Township. Administration has given some insight on helping them through Administration but this is a chief's ordinance and is something that came from the members and the chiefs. The Mayor is sure Council will see that when the members and chiefs come out supporting the ordinance in the future. Certainly there may be some that don't but Council will have a lot of people coming to this meeting wanting to know why Council is not backing their way of life because this is what they do. Mayor Patriarca does not profess to know this business; they know it and they are advising him. The Mayor informed that Mr. Vaz has a few things to say. Mr. Prickett stated to the Mayor that the Township sold some property to Danitom a number of years ago and the Township received \$1.5 million dollars or more this year and asked what the status of that is. The Mayor answered that the Township did not receive the money on that yet. Mr. Prickett asked why not. Mayor Patriarca advised that Danitom still has to come in front of the Planning Board and get approvals before that agreement kicks in. They would have loved to have had that money as it would have made things a little easier. The Mayor added that they have to find revenue sources and he agrees; that's a one time revenue source. He expressed that development in certain areas of town could be an extended revenue source and Administration is looking at options. Mr. Prickett thanked the Mayor. Mr. Inge stated he would like to respond to several of the Mayor's statements. The first statement the Mayor made was that Mr. Inge did not

particularly say something about one resident; he gave an example of one resident but stated he is here to represent all of the residents of the Township. Mr. Inge informed that he gave that one resident as an example. Mr. Inge noted that as far as the fire departments go, he questioned who authorized the new fire trucks to be in the winter parade. Mayor Patriarca replied that he knows Mr. Vaz is getting ready to answer that but he can tell him that the authorization came from the Business Administrator and he supported that decision. Mr. Inge stated to Mr. Vaz that he commented that on all of the turmoil in the fire departments and bickering. Mr. Vaz stated yes, there is a lot of that. Mr. Inge commented that Mr. Vaz made the decision for the fire trucks to be in the winter parade. Mr. Vaz agreed and added that it was a great moment actually and if he had seen it on channel 19, it was wonderful actually. Mr. Inge asked Mr. Vaz if he was also the one that made the decision that a member of the Presidential Lakes Fire Department drives Browns Mills' fire truck. Mayor Patriarca noted that this was actually discussed at a prior meeting; Administration explained that this was a decision that was made by the Business Administrator in its entirety to include the driver of the vehicle, to include the vehicle. He might not have authorized blowing the horn but that was also a complaint that came up in this whole thing. The Mayor stated to Mr. Inge, his point and that's not the only problem in the fire companies and if Mr. Inge thinks that's what this ordinance is being passed for then maybe it is getting late because there is a whole lot more involved in that. Mr. Inge replied that there might be more involved in it but he doesn't think it helped matters any and that judgment was very poor by the Administrator. Mr. Vaz responded that it was intended to be a surprise and his personal view was and he knows it was shared with some of the Council people that he had a chance to briefly discuss with ahead of the parade, was that they had just received those two engines and being at the winter parade is one of the two more prominent events in the Township during the year, they saw no reason to not have \$600,000 worth of new fire trucks not be in the parade. Mr. Vaz informed he tried to keep it as much of a surprise as he possibly could and he asked Chief Maahs to handle it. Chief Maahs was able to handle it but unfortunately there was a reaction that he thinks was disproportionate to the situation on the part of some fire members. Mr. Vaz added that if he has to sit down and worry about those types of things that is the problem and is one of the reasons they do need an ordinance. Mr. Inge stated to Mr. Vaz that he doesn't believe that himself. Mr. Vaz replied to Mr. Inge that of course he does. Mr. Inge again stated to Mr. Vaz that he doesn't believe that himself. Mr. Vaz repeated that he believes it and it happened and he's the one that made the decision and he knows why he made the decision and like he said, a different picture is painted if one looks at the channel 19.....Mr. Inge interjected and stated no, if he looks at the people in the fire department watching a truck go by.....Mr. Vaz interjected with watching a Township truck go by. Mr. Inge replied okay. Mr. Vaz continued that it was intended to be a surprise and a lot of the people and there are other people in Browns Mills who maybe should come to meetings that don't but there are certainly other people in Browns Mills that supported that and were happy to see the trucks in the parade. Mr. Inge commented that there were plenty of members in the Browns Mills fire department that could have driven that truck and that consideration should have been taken. Mr. Vaz stated maybe so. Mr. Inge held some papers up and asked Mr. Vaz if he stated he worked on that. Mr. Vaz replied that he can't see what Mr. Inge is holding up. Mr. Inge asked Mr. Vaz if he worked on the fire department ordinance. Mr. Vaz answered that he did. Mr. Inge then asked Mr. Vaz if he put a lot of time into it. Mr. Vaz replied that certainly not as much time as the chiefs did but he did put a lot of time into it. Mr. Inge asked Mr. Vaz if there is a law suit pending against him. Mr. Vaz answered no, not that he is

aware of. Mayor Patriarca asked Mr. Inge if he knows of something he can enlighten them with. Mr. Inge asked if there was a lawsuit pending against the Administrator. Mr. Vaz answered no. The Mayor again asked Mr. Inge if he knows of anything he should be telling Administration about and maybe give them a heads up. Mayor Patriarca suggested to Mr. Inge for them to work together. Mr. Vaz asked Mrs. Young if the Township has been served with a lawsuit. Mrs. Young replied that she has received nothing in her office. Mayor Patriarca stated that we have to expect one because obviously Mr. Inge is talking to people that are threatening to sue. Mr. Inge stated that is something that he heard. Mr. Vaz stated all he can say is “whatever” anymore.

BUSINESS ADMINISTRATOR’S REPORT:

Chris Vaz: 1. Wanted to touch on some parts of the lay off process that the Mayor didn’t mention because it came up with Ms. Donelson. Lay off notices have not gone out to employees. What went out to all of the employees was what he would call disclosure. It was a letter that went out probably a couple of weeks ago. Notices of a lay off won’t go out formally until the thirty days go by and there’s an approval by civil service. An individual notice goes out to those that are affected, it is a 45 day notice and a general notice goes out to all employees because even if they are not getting laid off there is a potential that other employees may be affected in the process through bumping rights or what have you. Mr. Vaz explained the decision to send a letter out a couple of weeks ago was made primarily from the perspective of as he has watched other towns unfortunately have to go through this same process, he has been monitoring the newspaper articles from all across the state on this, the towns have been faced with a can’t win situation. They either give a lot of information or then run into problems because they’re giving a lot of information or they are running into problems because they are not giving unions and employees enough information. Mr. Vaz made the personal information to give as much information as possible to the employees and deal with whatever consequences that resulted in doing so. Mr. Vaz added that he figured that was the better approach than being accused of withholding information. He advised that a letter went out to everybody saying “look we have this problem, we’re working off some temporary numbers, things are flexible, and information is changing”. That is the only thing that he is personally aware of that went out. He reflected that as Mr. Ettinger pointed out earlier, there have been meetings with unions and department heads in-house and one question that has come up on a number of occasions by department heads and supervisors is how they handle questions from the employees. The reality is, many of the employees would know because of their seniority or lack thereof in the office that they are likely to be subject to being laid off. The instructions that Mr. Vaz has given all department heads and supervisors is that he doesn’t want them to go back and tell people they are being laid off and on the other hand he doesn’t want them to lie to anybody either. If there is an employee that asks to speak with them, they need to at least be honest with them and say that as a matter of fact that they have the lowest seniority in the office and they could be affected by that. The plan was filed Friday with civil service. He relayed that the Acting Director of that part of civil service called him; they sent an email copy followed by hard copy, he received the email copy and called him within hours and let him know that it will probably take the full thirty days because they are swamped with these things. They have done nothing but lay off plans for months; they have very little time to process the normal civil service local government paperwork. Mr. Vaz further noted that they spoke a little bit about the problem; what’s causing it and the tax levy cap and other issues, etc.,. He explained that right now they are in this wait period and also in the waiting period because the auditors were in to

prepare the financial statement. The information they are working off of now, the \$1.2 million dollar figure, was derived from taking the unaudited information that Mrs. Eden's office has, sitting down with the auditor and going over some numbers and things and then the auditor plugged that information into the levy cap formula that was used by the fiscal year towns so that they would have some number to at least start the process because as the Mayor indicated if they are in the position of having to do a lay off, the lay off gets worse if they wait until June or July and they are paying salaries for six months because that could potentially increase the number of people that have to be laid off. He informed that what happened is when they first met the auditor on this that was the very first question he actually asked which was when are they doing this plan because he has a client in a fiscal year town that waited nine months before they realized they needed to do a layoff and the layoff was almost twice as bad because they had been paying salaries for everybody for ten months. Mr. Vaz indicated that he let the auditor know that Administration was on top of the issue and was aware of it and dealing with it by trying to get the plan filed and at least be in the position in two weeks when the financial statements are done, they will know and have final revenue numbers and will know where they stand and the plan can shift by simply them sending correspondence to civil service saying this is how it's changing and they will react to that and reassess the situation from their vantage point but it's a flexible plan and it needs to be because the numbers aren't all in at this point. Mr. Vaz added that Administration hopes the numbers will get better and he is slightly optimistic that they will and talking to the auditor he knows where the question marks are in his mind as to some of the numbers and if certain things pan out, they'll be a little better than they are now. As Mr. Ettinger mentioned earlier, all of the unions have indicated a willingness once they have numbers to sit down and say "look, what can we do to minimize the number of layoffs". There is a multitude of things that they have discussed with the unions; a multitude of options available to them. He emphasized that Administration really can't get to that position until they have numbers. It's not fair to ask the unions to give something up in anticipation of a number that is going to change but they have all expressed a willingness to do that. Mr. Prickett asked Mr. Vaz if he is describing a situation that is really changing.....Mr. Vaz replied yes. Mr. Prickett asked at what point is he going to know that employees are safe or layoffs are going to happen. Mr. Vaz noted the timing of this gets really messy. The budget calendar was extended giving the Mayor until February 23rd. The auditor indicated that he is trying to get the financial statements by the 19th or 20th and is working hard to do that. On the 23rd which is the same day the Mayor needs to get the budget to Council, the Senate is going to be considering for a vote the pension deferral plan. Unfortunately, on the Township's end it's up to the last minute type of information. They'll be streaming on the internet the legislative session to see if the Senate votes for this; the Assembly already has. That's how up to the minute this information needs to be to see how it affects the overall picture for them. Mr. Prickett stated about \$800,000 and asked if it is half contribution that they are looking at. Mr. Vaz replied yes but they are not doing it in a way that is very beneficial to the town. It comes with its own set of headaches the way they want to do this. Administration is on top of it and unfortunately they planned it and he doesn't know if they did this on purpose and doesn't believe they would be that cruel to local government but it's the same day that Faulkner Act town Mayors have to submit the budget to Council. Mr. Vaz added that is where they stand with that and he thinks he has answered all of Ms. Donelson's questions. 2. Mr. Vaz noted having taken a lot of notes and noticed the bigger crowd has already left so there is probably not a need to get into the CWA ordinance in too much detail. Mr. Vaz wanted to

touch upon a couple of real quick things and the Mayor has already addressed some of it. Mr. Vaz stated to Mr. Inge that just for what it is worth, he has only met Mrs. Scull's husband once since he has been working for Pemberton Township and it was about a month ago when he came in because there was an issue with a truck. Mr. Vaz advised that he met him for not even ten minutes and he swears if the guy walked in here he probably wouldn't even know it is Mr. Scull. Mr. Vaz certainly would not have known any relationship between Mrs. Scull and this "mysterious husband" of hers that he has only met once so there was certainly no intention on his part to not point out what somebody has alleged that there is a conflict of interest. He assured that certainly, they were not counting votes or counting heads. **3.** Likewise, Mr. Vaz wanted to point out with the hiring process. The hiring process is a lot better than it was before this Administration. Mr. Vaz does most of it; the Mayor is advised as to what is happening in the process. Mr. Vaz explained that he supervises the department heads in the interviewing process and is making sure they are interviewing multiple candidates for positions and he does not know anybody that has ever applied for a job in this Township and when it finally gets to his desk for final decision and signature, he doesn't know these people. All that he is concerned about is what the Mayor is on him about, such as if they get the notices out, did they do what they were required to do by the contract, did they fax the job notice on their fax list, did they email it through the email list, etc.. Mr. Vaz further advised that the Mayor is pressing him and he is pressing the department heads and at the end of the day he is personally approving hirings and making sure they are the best qualified candidate and he does not know these people. Mr. Vaz stated that nobody since he has been here has gotten a job because they knew anybody. It's that simple and the flip side of this he has to say is that they have hired very, very excellent employees for the most part. Administration has done a good job with instinct, with looking at qualifications whether it's their Tax Collector who is awesome, their Tax Assessor who is awesome, the front office in Mrs. Young's office and Administration they share two people; other offices he thinks they have a great team and one of the barometers to judge that is they don't get the same level and types of complaints that they got for the first twelve months of the Administration; it stopped. Mr. Vaz does not think there has been a single complaint from the Tax Collector's office when Administration previously was getting them constantly. Mr. Vaz conveyed that Administration has made headway and Mr. Inge may not see it that way, but he thinks Administration has made a lot of improvements in that area. **4.** Mr. Vaz stated to Mr. Wilkins that the thing about the comparable wages and stuff is only because he never presented what other employees in other towns and they may not have known they have the right to do that. The other union, PBA does it and CWA did it and the answer to the question that Mr. Wilkins was asking him through Mrs. Stinney is, he didn't submit it so it wasn't part of what was discussed in the fifty or so sessions that they had. Mr. Vaz further noted that he doesn't know if it would have changed things but the point is it was up to the union to do the research like the PBA and CWA did and it simply wasn't done by AFSCME in this particular negotiation. Maybe next time they will. (Mr. Wilkins is commenting from the public but is inaudible). Mr. Vaz stated he is just answering the questions that Mr. Wilkins asked and he doesn't want to get into a debate with him. Mr. Vaz wanted to make it clear that Administration did not have the information from AFSCME that the other unions did supply. Mrs. Stinney thanked Mr. Vaz.

Mrs. Stinney noted that the Solicitor was not in at the time of returning from break so Council went on to the Engineer's report. The Solicitor, Mr. Archer, is

available now and she asked Mr. Archer to provide his report and noted that this is his last night here.

SOLICITOR'S REPORT:

Mr. Jake Archer: 1. Informed that he does not have anything for open session. Mr. Archer expressed that it has been a pleasure serving the Council and town. Mr. Archer thanked everyone for their time and informed that he is moving on to another position. Mr. Prickett wished Mr. Archer all the luck in the world. Mrs. Scull stated they will miss him. Mr. Prickett added not that he will need the luck. Mrs. Stinney thanked Mr. Archer.

COUNCIL MEMBER COMMENTS:

Ken Cartier: 1. Expressed good luck to Mr. Archer and noted it has been a pleasure watching the Jets go down in flames. 2. Noted it's been a long night. Wished everyone a safe trip home and looks forward to seeing everyone at the next meeting.

Tom Inge: 1. Wanted to state that tonight there was an injustice done and the injustice was done to the residents of the Township. 2. Stated to Mr. Archer that it was a pleasure but he has one more request. Mr. Inge would like to know when he will receive the information regarding whether "it" was a legal vote or not. Mr. Archer asked if it is regarding Mrs. Scull. Mr. Inge replied yes. Mr. Archer explained that first thing tomorrow he will meet with Mr. Bayer and pass that along and that will get into the proper hands. Mr. Inge asked if there was a deadline. Mr. Archer confirmed there is an estoppels period but there are other issues that will certainly be addressed. He will get that in Mr. Bayer's hands first thing tomorrow and that will be reviewed. 3. Asked Mrs. Scull if she has abstained from contracts before in the Township. Mrs. Scull stated to Mr. Inge not that she has to answer him but yes, he knows darn sight well that she has when it has affected her husband directly. Mr. Inge then asked Mrs. Scull if she abstained from them why didn't she abstain from this. Mrs. Scull asked why wasn't this brought up the last couple of years and it certainly never occurred to her that there would be a conflict. Mr. Inge remarked that according to the Business Administrator, Mr. Vaz stated that he knew nothing of this. Mr. Inge continued that Mr. Vaz has been in meetings where Mrs. Scull has abstained more than once from contracts. Mrs. Scull stated to Mr. Inge that so has he. Mr. Vaz made a comment but is inaudible. The Mayor made a comment but is inaudible. Mrs. Scull replied that she voted for the other contracts, PBA or whatever. 4. Thanked the residents for coming out tonight and hopefully they will continue to come out to Township meetings. 5. Wished everyone a safe trip home.

Sherry Scull: 1. Asked what is going on with the Liberty Work Program. She had someone ask her that. Mrs. Scull asked if we are any closer to getting it out there. Mr. Vaz informed that Mr. Jones will help with some materials that are necessary to send back to the state. There has been a problem and it's a real simple, silly problem and he thinks it is resolved at this point. Mrs. Scull noted that Evesham has theirs up and running and they joined it after Pemberton Township so she would like to see that happen. 2. Asked if someone checked on the Veterans Memorial when she brought up the cracked stones at the last meeting. Mr. Vaz replied that he passed it along. Mrs. Scull informed that she had a question from the veterans as to whether or not that had been worked on. Mr. Cartier added and the flags. 3. Mrs. Scull conveyed that they all appreciate the efforts of their fire fighters and their volunteers in this town. There are quite

a few volunteers that make things happen in this Township whether it's on the sports fields or in the fire house and emergency squads. It is important to respect all of their volunteers. Unfortunately it's a shame that they have run in to some of the problems that they have. 4. As far as the CWA contract, there were a couple of things that she felt. The main thing that bothered her was that it became a personal issue with some of the members instead of looking at it as an issue it was better that person is getting this raise and that is not fair. Mrs. Scull noted that she wholeheartedly understands that and she has dealt with that for thirty years. There were comments made that truly were not fair. They weren't fair to those folks. More than half of them live here. There are only three on that list that do not live here and one of them grew up here. There are two on that list that don't live here if her numbers are right and she believes they are. Mrs. Scull stated three or four because another one moved but they had grown up here and lived here until recently. However, whether anybody likes it or not, it was a negotiated contract and that is the bottom line. It had been agreed to by both sides. Mrs. Scull advised that this Council did not negotiate it but Council did send it back twice and demanded some changes that did occur. One of those changes wasn't talked about tonight but it was a guide so that somebody new replacing somebody that is leaving is not going to come in and make the same amount of money as the person that's been there. That's because that group has never had a guide before and Council felt that was important and it would be fair that folks have to work their way up like everybody else. Mrs. Scull has always promoted a fair contract for all of their employees. She advised that she is not going to change just because some people don't like an agreement. Mrs. Scull stated she is always going to stand on the side of the union and she is not ashamed of that at all. She is very proud of that. She noted that one thing she learned a long time ago; when they're in a leadership position whether it's as president of their union or on a Council or whichever group they're involved in as an officer, no matter what decision they make, somebody is not going to be happy. They are going to feel that they should have had more or they should have done more; everything they do is wrong. Mrs. Scull conveyed that she knew that when she ran for this office. Mrs. Scull stated that she is not going to have any problem sleeping tonight at all because she did what she felt was ethically the right thing to do and she is sure that is what they would want her to do when it's their contract up for a vote and she did. 5. As far as her husband goes, it's been quite obvious over the past couple of years that she tries to be extremely sensitive to that and she has abstained when necessary. Mrs. Scull thinks it's funny that it took two years of discussing this that somebody might have said well there might be a conflict. If Mrs. Scull had thought of it or if it was proven to be a conflict, she most certainly would have abstained in the vote as she has always done. Mrs. Scull expressed she finds it appalling that anybody would come in here and use that in a manner in which it was used. Mrs. Scull stated it is insulting. Mrs. Scull relayed that one can attack her all they want, but they have to leave her husband alone. Mrs. Scull stated that she is more afraid of what some of his co-workers would do to harass him because she has the audacity to vote for a fair contract for somebody than she is over him getting some kind of special treatment from his supervisors because after all he is a member of civil service and an AFSCME member and she would expect there are regulations and rules that have to be followed and she can tell everyone that her husband if they don't know him would never ask for any kind of special treatment, period. 6. As a matter of fact it wasn't they that brought up the 1,2,3 and thinks it was a Council member that mentioned that anytime there is something the Mayor wants, they can be sure the vote will be 3 to 2. Mrs. Scull stated she is sorry, but that doesn't sound like it's them, the 3 that have decided what the outcome will be. Mrs. Scull relayed that she will

sit on Council and vote how she feels is in the best interest of this community each and every time. She emphasized it has nothing to do with what the Mayor wants and asked the Mayor if she has not visited him in his office and shut the door. Mayor Patriarca responded that Mrs. Scull has told him many times that he does not have her vote and after explaining they have sometimes agreed. Mrs. Scull conveyed that the difference is she has come and talked to him and they have to talk and discuss issues and see what the story is. Mrs. Scull noted she is not coming in here with her mind made up with any other two people for anybody. She doesn't care if it's the Mayor, Mrs. Stinney, Mr. Cartier or anybody else. Mr. Prickett made a comment but he is inaudible. Mrs. Scull stated to Mr. Prickett that she didn't want to.....and Mr. Prickett is one of the two and didn't know if he would get upset or anybody because that's not what she is here to do and she is not worried about being re-elected in two years because that is not what she is here to do either. Mrs. Scull continued that she is not here to grandstand for the public and she is not here to try and make herself look good or do what the public wants because they are the majority in the room at the minute because they might not be the majority in the community. Mrs. Scull has had that discussion when there have been people here talking about "let's not build anything over on North Pemberton Road" and she's sorry but thinks the majority of the Township needs some rateables to help off set tax increases and problems this community is facing. As long as she is sitting on Council, she assured it is going to be what is in the best interest of the community and not what's in the best interest of the Mayor or any other Council members. 7. Thanked everyone for coming out, commenting that it was a fun meeting.

Rick Prickett: 1. Mr. Prickett advised that he picked up the paper today and saw 10 arrested in Pemberton Township on drug raids and he expressed thanks to the Police Department for doing a good job, noting here is the evidence. Mr. Prickett expressed to the Police Department to keep up the good work and he is proud of them all. 2. Wished everyone a good night.

Diane Stinney: 1. Advised that she will be very brief and wished the public was still here but she does understand the late hour. She expressed that it was certainly a challenging meeting. Mrs. Stinney enjoyed seeing the public come out and voice their opinion because that is the only way Council will get to hear their opinion. Mrs. Stinney wished Ms. Forman was still here as she has come by herself over and over and over again and has spoken on her beliefs. Mrs. Stinney wished people would come out more often and not try to play the "I gotcha" game but to be for real if there is something that is not right, she urged they please come forward with it. Mrs. Stinney reminded that the Mayor has said so many times his door is open and he gave his phone numbers and has extended the same for Mr. Vaz. Mrs. Stinney wished that could happen and now she can see why previous Councils as referred to by a young man that came forward tonight and spoke about how they never got anything done because there was never communication. She referenced the divorce rate and noted if they allow her to compare the divorce rate because of the lack of communication that is what has take place in the past years and she sees that there hasn't been favoritism here. Mrs. Stinney walks in and listens to the people walking through the hallways and they seem very happy and she doesn't know if they are happy or not and they may be sad. Mrs. Stinney applauds the Administration for not playing the favoritism game. She stated that numbers can come out to make it look like anything. She received so many calls when that blurb went in the newspaper regarding the pay raises for supervisors and they could make words seem like anything and that is why she doesn't bother with the paper,

specifically nothing against the Burlington County Times reporter, but she doesn't buy it. She noted that her husband came in today with the newspaper and that's the first time she saw that. Sometimes they can mislead and get people upset. She has also taught her children, ask the questions; come out first and ask the questions, and don't be jumping all over everything; be factual and come and ask the questions and if the doors are open, knock on it, go in there and ask those questions. Mrs. Stinney applauded Council and applauds the public for taking the stands that they did for whatever vote they took and she believes it came from their heart and no one can convince her that someone took a vote because it was a popular vote. Mrs. Stinney hates the play; people play the "I gotcha" game. She expressed its sad and she doesn't even see little kids play that anymore. They used to run around in a circle, "I gotcha, I gotcha". She doesn't even see that anymore. She reiterated hat's sad, it's very sad. Mrs. Stinney remarked like she apologized when Mr. Ettinger turned around and sometimes they get so caught up in the conversation in listening to people and they want to try to do things right and God knows above that she tries to do what's right. She tries to live the life that she wants her children to look at and say they are quite proud of their mother because she made a fair judgment in a comment in a newspaper. Mrs. Stinney thanks God for those words and she walked through here tonight and someone came up to the podium and stated to her, "please Ms. Stinney, they have a wonderful relationship and she only wants to speak her opinion and not hurt anyone's feelings". Mrs. Stinney applauds that person and she respects that person. She expressed it almost brings tears to her eyes because that person was sincere and stood before Council and spoke their opinion. She relayed that while they should be entitled to their opinion and that's just their life, everyone is entitled to their opinion. All Mrs. Stinney asks is that they respect one another. Mrs. Stinney remembered when Steve came forward and his daughter came on one of the nights that all of the union people were here. He sent an email and stated that was the worse meeting; his granddaughter was here and she had to experience that. She had to experience grown folks not respecting one another. Mrs. Stinney humbled herself and sent the email back to Steve and apologized for these grown folks that don't know how to act in public. She relayed that is sad because their young folks are looking at them, the public is looking at them and they wonder why they have the things going on in their society the way that they do, noting to look at how they act. She expressed its okay to voice their opinion; Council is here and that is what Council is for. Mrs. Stinney likes to use the verse, the phrase, "wow, she left the school board for 13 years and now everybody is following her over to the Council. That's awesome. That's great". Mrs. Stinney stated to the Administration to continue doing what they are doing. Mrs. Stinney stated to the Mayor that she heard Mr. Inge state to take a couple of days off, and she thanked him for being here everyday. She really truly does; she applauds him for being here everyday and also thanked his wife as she sits here because she knows it's not an easy job. Mrs. Stinney stated that her husband told her on the way out the door that he is praying for her tonight and she thanked him. Mrs. Stinney knows it is not an easy job being the spouse and she thanked Mrs. Mayor or as she likes to call her Mrs. First Lady Mayor even though she didn't want to be called that. She applauds them and thanked them very much. **2.** Mrs. Stinney stated to Mr. Archer that her heart always goes out to the young folks and anybody will tell them that she wishes them nothing but the best because she knows that is what is going to be honored and bestowed upon them. She expressed that Mr. Archer handled himself in such a respectable way, such a fine way and she is grateful. She relayed that he looks out for Council, it is not favoritism, he addressed Council and has since he has been here and she thanks him very much. She expressed that whatever he has done through Mr. Bayer's

office, Mr. Bayer has done a good job training and bringing him up. Mrs. Stinney wished him nothing but the best. Mr. Archer thanked Mrs. Stinney for her kind support and the kind words. Mrs. Stinney stated he will make a difference wherever he goes. Mrs. Stinney can humbly state that and as he heard the rest of the Council members state that. **3.** She remarked that with all that being said, she thanked everyone that waited this late hour of 1:10 a.m., staying here and voicing their opinion. Mrs. Stinney asked them to please do come back at the next meeting and she is going to go home and lay her little head down and close her little eyes. She has an interview tomorrow; it's Black History Month at BCC and they are doing an interview on her tomorrow so she will get some rest tonight. **4.** With that being said, Mrs. Stinney asked Council for a motion to adjourn.

The meeting was adjourned at approximately 1:14 a.m.

Respectfully submitted:

Mary Ann Young, MMC
Township Clerk