

TOWNSHIP OF PEMBERTON

REGULAR MEETING

MARCH 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 Andy Bayer, Township Engineer Chris Rehmann, ARH Representative Kelly Willis, CFO Linda Eden, Township Clerk Mary Ann Young

2. Chairwoman Stinney called the meeting to order at 6:30 PM
3. Closed Session Res. No. 77-2009

Mrs. Stinney informed there is no need to act on Resolution No. 77-2009 because there will not be a closed session tonight. Mrs. Stinney asked to have Resolution No. 77-2009 removed from the agenda.

Motion by Cartier and Scull to table Resolution No. 77-2009. Cartier, yes; Scull, yes; Prickett, yes; Inge, abstain; Stinney, yes. Motion carried.

4. CLOSED SESSION

Council President Stinney reiterated there will not be a closed session tonight. Mrs. Stinney convened the meeting at approximately 6:30 pm for a break and reconvened the meeting at approximately 7:00 pm.

5. Formal action as necessary pursuant to closed session.

Mrs. Stinney conveyed there will be no formal action as there was not a closed session held this evening.

6. Public comments on consent agenda items only.

Chairwoman Stinney opened the meeting to public comments on Consent Agenda items only. Those wishing to comment were: **Eve Nelson Barry: 1.** Thanked Council for passing Resolution No. 80-2009 that recognizes March 13, 2009 as K9 Veterans Day expressing gratitude for America's war dogs. Mrs. Barry spoke of an email from Mr. Joe White, who started this approximately two years ago, that asks her to thank Pemberton Township for him and advised that Browns Mills is now the first town outside of Florida to recognize K9 Veterans Day and that dogs have always been on duty at the local bases. Because of 9/11, police K9, custom K9 and many more are to be honored. There being no additional members of the

public wishing to comment on consent agenda items, Mrs. Stinney closed the meeting to public comments.

Mrs. Stinney read a portion of Resolution No. 80-2009 for the record for those that may not have had the opportunity to get the resolution.

WHEREAS, since at least World War I, canines have played an important and often lifesaving role in America's wars; and WHEREAS, beginning with a dog named Stubby, the "Great Dog of the Great War," America's soldiers have relied upon the skills and bravery of thousand of dogs, many of which died in action; and WHEREAS, in World War I, dogs were used to detect deadly mustard gas and search for the wounded; in World War II, they were used as couriers to carry ammunition, to pull snow sleds carrying the injured, to lead forward patrols and guard our bases; in Korea and Vietnam, they detected traps and warned of ambushes; and in Afghanistan and Iraq they locate deadly mines and search for hidden enemy positions; and WHEREAS, during World War I, nearly 7,000 dogs were killed in action; more than 10,000 dogs were in harm's way in World War II; 300 dogs served in Korea and 3,500 served in Vietnam; 125 dogs were used to detect hidden munitions caches in Kuwait in the Gulf War; and 500 dogs are serving in the current war on terror; and WHEREAS, after 9/11, the definition of war dogs has expanded to include police dogs, search and rescue dogs, Customs dogs, FBI dogs and a host of others that serve our country's security;

Mrs. Stinney informed there is a pet cemetery on the left of Route 73 going East from Route 70 and among the other pets that are buried there, our police dog and she believes and is still researching that there are a couple of K9 war vets.

***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, February 18, 2009.

***9. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 78-2009

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS PREVIOUSLY ENTERED INTO AN AGREEMENT WITH THE PEMBERTON COMMUNITY LIBRARY ASSOCIATION AND THE BURLINGTON COUNTY LIBRARY COMMISSION, SAID AGREEMENT ENTITLED "BRANCH SERVICE AGREEMENT – TOWNSHIP OF PEMBERTON"; AND WHEREAS, SAID AGREEMENT EXPIRES MARCH 31, 2009; NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE MAYOR AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED AND DIRECTED TO EXECUTE AN AGREEMENT WITH THE BURLINGTON COUNTY LIBRARY COMMISSION FOR THE PERIOD OF APRIL 1, 2009 THROUGH MARCH 31, 2010.

RESOLUTION NO. 79-2009

WHEREAS, BY RESOLUTION NO. 177-2008, ADOPTED JULY 16, 2008, THE TOWNSHIP COUNCIL AWARDED A CONTRACT TO MAC ROSE, FOR THE WOODBINE STREET DRAINAGE RELIEF IN THE AMOUNT OF \$111,609.00; AND WHEREAS, THE TOWNSHIP COUNCIL HAS RECEIVED CHANGE ORDER NO. 1 SUBMITTED BY ARH, DATED JANUARY 12, 2009; AND WHEREAS, A COPY OF CHANGE ORDER NO. 1 IS ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION, WHICH CHANGE ORDER REPRESENTS A DECREASE IN THE CONTRACT PRICE BY (\$8,743.91), WHICH CHANGE ORDER IS RELATED TO MISCELLANEOUS MATERIALS AS MORE SPECIFICALLY AND ACCURATELY DESCRIBED IN THE CHANGE ORDER REQUESTED; AND WHEREAS, THE NEW CONTRACT SUM INCLUDING THE CHANGE ORDER WILL BE \$102,865.09; AND WHEREAS, THE PROJECT ENGINEER AND THE ADMINISTRATOR, HAVE RECOMMENDED THE APPROVAL OF SAID CHANGE ORDER NO. 1, AND WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1 ET SEQ., AND THE REGULATIONS PROMULGATED PURSUANT THERETO, N.J.A.C. 5:34-1.1 ET SEQ. PERMIT THE AUTHORIZATION OF SUCH CHANGE ORDERS IN ACCORDANCE WITH CERTAIN GUIDELINES CONTAINED THEREIN; AND WHEREAS, THE GOVERNING BODY HAS DETERMINED, UPON THE ADVICE OF THE CONSULTING ENGINEER AND RECOMMENDATION OF THE ADMINISTRATOR, THAT THE PROVISIONS OF THE REGULATIONS HAVE BEEN MET AND THAT THIS RESOLUTION CAN BE ADOPTED GIVEN THE ENGINEER'S REPRESENTATIONS THAT THE REQUESTED CHANGES ARE IN ORDER AND THAT THE REASONS FOR SAME ARE ACCEPTABLE, JUSTIFIABLE, AND VALID; AND WHEREAS, THE CHIEF FINANCIAL OFFICER HAS CERTIFIED THAT FUNDS ARE AVAILABLE TO APPROVE THE CHANGE ORDER FOR A NEW CONTRACT IN THE AMOUNT OF \$102,865.09; AND

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT CHANGE ORDER NO. 1, AS SUBMITTED BY ARH, FOR THE PROJECT NOTED ABOVE, IS HEREBY APPROVED;

RESOLUTION NO. 80-2009

WHEREAS, SINCE AT LEAST WORLD WAR I, CANINES HAVE PLAYED AN IMPORTANT AND OFTEN LIFESAVING ROLE IN AMERICA'S WARS; AND
WHEREAS, BEGINNING WITH A DOG NAMED STUBBY, THE "GREAT DOG OF THE GREAT WAR," AMERICA'S SOLDIERS HAVE RELIED UPON THE SKILLS AND BRAVERY OF THOUSANDS OF DOGS, MANY OF WHICH DIED IN ACTION; AND
WHEREAS, IN WORLD WAR I, DOGS WERE USED TO DETECT DEADLY MUSTARD GAS AND SEARCH FOR THE WOUNDED; IN WORLD WAR II, THEY WERE USED AS COURIERS TO CARRY AMMUNITION, TO PULL SNOW SLEDS CARRYING THE INJURED, TO LEAD FORWARD PATROLS AND GUARD OUR BASES; IN KOREA AND VIETNAM, THEY DETECTED TRAPS AND WARNED OF AMBUSHES; AND IN AFGHANISTAN AND IRAQ THEY LOCATE DEADLY MINES AND SEARCH FOR HIDDEN ENEMY POSITIONS; AND
WHEREAS, DURING WORLD WAR I, NEARLY 7,000 DOGS WERE KILLED IN ACTION; MORE THAN 10,000 DOGS WERE IN HARM'S WAY IN WORLD WAR II; 300 DOGS SERVED IN KOREA AND 3,500 SERVED IN VIETNAM; 125 DOGS WERE USED TO DETECT HIDDEN MUNITIONS CACHES IN KUWAIT IN THE GULF WAR; AND 500 DOGS ARE SERVING IN THE CURRENT WAR ON TERROR; AND
WHEREAS, AFTER 9/11, THE DEFINITION OF WAR DOGS HAS EXPANDED TO INCLUDE POLICE DOGS, SEARCH AND RESCUE DOGS, CUSTOMS DOGS, FBI DOGS AND A HOST OF OTHERS THAT SERVE OUR COUNTRY'S SECURITY; AND
WHEREAS, THROUGH THEIR SELFLESS SERVICE, LOYALTY AND BRAVERY, AMERICA'S DOGS OF WAR HAVE SAVED COUNTLESS LIVES AND RENDERED HONORABLE AND LARGELY UNAPPRECIATED SERVICE TO THE ARMED FORCES AND PEOPLE OF THE UNITED STATES.
NOW, THEREFORE, BE IT RESOLVED, THE PEMBERTON TOWNSHIP COUNCIL HEREBY RECOGNIZES K9 VETERANS DAY ON MARCH 13, 2009 AND EXPRESSES GRATITUDE FOR THE EXTRAORDINARY SERVICE AND SACRIFICE OF AMERICA'S DOGS OF WAR AND IN HONORING THE CONTRIBUTIONS OF CANINE HEROES.

11. NEW BUSINESS

- a. Requests from various departments to expend funds in excess of \$2,000.00 for the following purchases:
 - *1. **Public Works Dept.:** For payment repairs to Quintech Ladder #1812, to Campbell Supply Co., LLC, in the amount of \$3,651.00.
 - *b. Applications submitted for memberships, licenses, permits:
 - *1. **Fire Company Memberships:** (Council confirmation/acknowledgement of new members): **Magnolia Road Fire Co.:** Firefighters Christopher Ball & Michael Coleman.
 - *12. Approval by Council required for payment of vouchers on bill list dated 2/27/09.

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

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

a. ORDINANCE NO. 6-2009 (Title Read By Mrs. Stinney)

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, AMENDING AN ORDINANCE ESTABLISHING SALARIES, COMPENSATION AND BENEFITS OF PEMBERTON TOWNSHIP MUNICIPAL EMPLOYEES

Mrs. Stinney opened the meeting to the public for public comments. Those wishing to comment were: **Mike Tamn:** 1. Stated it is \$3,000 and asked what it was before. Mrs. Stinney replied \$1,500. Mr. Tamn asked what the reason is for changing it. Mrs. Stinney answered that through the negotiations, it was talked about to be more doable for someone more acceptable to say they will waive their insurance as opposed to keeping.....Mr. Cartier interjected noting that it is an attempt to entice more employees to take the waiver as opposed to the.....Mr. Tamn interjected and asked if it is in a contract. Mrs. Stinney replied yes and deferred to Mr. Vaz through the Mayor. Mr. Vaz responded it had been in the contracts; however, when doing the recent contract negotiations he pointed out to

the negotiators on the other side that statutorily the waiver of health insurance is very specifically a non-negotiable item and it says so right in the statute. Mr. Vaz continued that they had agreed to take it out and it was indicated to the employees that they weren't removing the incentive but were going to ask Council to adopt an ordinance to implement it rather than having an appearance of being a negotiable item. Mr. Tamn asked what it was before. Mrs. Stinney reiterated it was \$1,500. Mr. Tamn asked how much it will cost the Township. Mrs. Stinney communicated it will save a lot and deferred to Mr. Vaz again through the Mayor. Mr. Vaz indicated that presently they are obligated per covered employee and dependent up to \$50,000 each out of their self insured medical fund. The Township does not pay a premium because they are self insured so the idea is to entice more employees to waive so that their risk of having to pay that \$50,000 per employee or dependent is lower because x number of people will not be on the health insurance plan at that point. Their participation level has been historically low because the \$1,500's is low in comparison to what the employee's gain by staying on the health benefit plan. The idea with moving it up was to see if we get more participation. The statute allows the town to go up to 50% of the cost of the benefit. Mr. Tamn then asked if an actuary has done any figures on this. Mr. Vaz answered that an actuary hasn't done anything on this. The Township did hire an actuary to figure out the long term analysis of retiree benefits but that is a different item than this. Mr. Tamn asked how they know where they're going with this if they don't have anything put down of what it is going to cost, noting they are just assuming. Mr. Vaz replied that they don't know what it is going to cost because they don't know what the level of participation will be with the increase. The money will come out of the money that is budgeted for the health insurance which they know is x number of dollars but they really don't know what it's going to cost until they have a history behind them with the new figure in place. Mr. Tamn commented that it's hard to believe that they can't come up with some figures at all. Mr. Vaz replied that there are 170 employees and until some of them come forward and fill out the form and waive, they just don't know. The level of participation was low; under the \$1,500 and until they have a history behind them they just can't really figure it out. There is money in the budget to cover this. As far as what the savings will be, it's up to \$50,000 that they're on the hook for, for each covered employee and dependent. A family of four is \$200,000. Mr. Tamn questioned if an actuary would give those figures and run something out on those figures to come up with something. Mr. Vaz asked Mr. Tamn if he is talking about the actual use of the health insurance. Mr. Tamn explained he is talking about the \$3,000 versus the \$1,500 versus people taking it or not taking it. Mr. Vaz stated the only way to answer the question would be to multiply \$3,000 by 170 employees because that would be the maximum, other than that there really wouldn't be any way to predict who is going to be enticed enough to take advantage of the program because they don't know as an employer what their employees' personal circumstances are that might lead them to want to waive for the \$3,000. It is very unpredictable. There is a benefit obviously for a husband and wife to carry two separate plans because whatever their co-pay is on one plan they're going to run it through the other plan. It's just not predictable enough to really give anybody a number. Mr. Tamn asked what was plugged in the budget for this. Mr. Vaz answered there is nothing specific for the waiver but they have \$2 million in the line item for the health insurance in the budget that was transferred to Council. Mr. Tamn asked if this would come out of the line item. Mr. Vaz asked Mrs. Eden if that is correct and answered yes to Mr. Tamn. **Roseann Monroe: 1.** Does not have a problem with most of the Township employees getting a raise but does have a problem with going to the WaWa at 7:00 a.m. and at 7:15 a.m. she sees the red trucks there getting their coffee.....Mrs. Stinney interjected and asked Ms. Monroe if her comments pertain to Ordinance 6-2009. Ms. Monroe answered it is about their raises. Mrs. Stinney commented that this ordinance is not regarding raises but rather with the benefits. Mrs. Scull explained it is the waiver for health insurance. Ms. Monroe stated she will be back. Mayor Patriarca asked Ms. Monroe to contact

him with that information and he will gladly look into that. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments on Ordinance 6-2009.

Motion by Cartier and Scull to adopt Ordinance No. 6-2009. Cartier, yes; Scull, yes; Prickett, abstain; Inge, yes, Stinney, abstain. Motion carried.

Mr. Prickett noted that he abstained because he elects to participate in waiving his healthcare and assumes that is what Mrs. Stinney felt as well. Mrs. Stinney thanked Mr. Prickett.

Mrs. Scull stated she has a question and brought this up earlier that she thought all of Council was able to vote on this because three of Council were affected and asked if she was wrong and if so she needs to abstain. Mr. Bayer informed Mrs. Scull is not legally required to abstain and it is no different than voting on her salary in a budget. Mr. Bayer added that she votes on line items for Council's salaries and it's no different. If any Council member feels strongly enough that they want to it is certainly within their right but it's certainly not a legal requirement. Mrs. Scull asked what happens if she changes her vote to abstain does it still pass, two yes' and three abstains. Mr. Bayer replied he is not sure because it wouldn't be a majority quorum who voted for it. Mrs. Stinney asked Mr. Bayer if that is his legal opinion. Mr. Bayer answered his legal opinion is that he would have to look at it and he is not sure. Mr. Bayer stated he does not think it's a conflict but that is up to Mrs. Scull. Mrs. Scull noted that she wouldn't want to be accused of a conflict, if she can prevent it. Mr. Inge commented that everybody spoke on this when it was first brought up and nobody abstained from this in the very beginning when this was first brought up.

b. ORDINANCE NO. 7-2009 (Title Read By Mrs. Stinney)

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Mrs. Stinney opened the meeting to the public for public comments. Those wishing to comment were: **Mike Tamn: 1.** Asked if there is a real reason for approving this ordinance tonight. Mrs. Stinney deferred to the Mayor who deferred to the CFO, Mrs. Eden. Mrs. Eden explained that this is an expense cap and it's the original cap from the state. It is no longer through the state where the cap remains. If the ordinance is not passed tonight, they would not only lose the 2007 cap but also lose the 2008. They didn't have to use it in the budget in 2007 nor 2008. The Mayor's budget that has been presented to Council for 2009 is approximately \$1 million under the cap but should the cap be needed next year, the ordinance has to be in place. Mr. Tamn commented that it looks like a slush fund for next year and since they have it, they'll probably spend it next year and he doesn't think its good business. Mr. Tamn asked them to count every penny and not count on stashing money away to use it next year when the budget increases and to try and keep the budget from increasing. That should have been done last year and the year before. Especially in the economic times that people are in today. That's a lot of money if that money is put in for next year. Nine out of ten it will probably be spent too. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments on Ordinance 7-2009.

Mr. Prickett explained this is an ordinance that is before the Council every year and he has supported it in previous years. Mr. Prickett expressed that he understands Mr. Tamn's sentiments that if the money is there, there is a temptation to spend it but if this bank is not kept in place and there is an honest to goodness need to have this in place, it would be unfortunate that the money wasn't there. He

assured that Council will be very careful in going over the budget this year to make sure that it would only be necessary to spend this money if they had to spend it at all. Mrs. Stinney thanked Mr. Prickett for his comments. Mrs. Scull agreed with Mr. Prickett, noting they have to have it there and it's imperative that we are very careful with the monies that are spent. As she has stated in the past, the Mayor is looking very hard at everything that he approves. They need to have it so therefore she supports it.

Motion by Scull and Prickett to adopt Ordinance No. 7-2009. Scull, yes; Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

c. **ORDINANCE NO. 8-2009 (Title Read By Mrs. Stinney)**

AN ORDINANCE TO AMEND CHAPTER 25 OF THE ORDINANCES OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AND SPECIFICALLY TO ESTABLISH THE PEMBERTON TOWNSHIP VOLUNTEER FIRE DEPARTMENT

Mrs. Stinney opened the meeting to public comments. Those wishing to comment were: **Mike Tamn: 1.** Acknowledged ordinance is needed of some type with the fire companies. Times have changed, the town has grown and it's needed. The type of ordinance he doesn't know. There are some serious questions in the ordinance. The volunteers have taken a little beating on this in a sense and the blame has been put on the volunteers that the companies look bad and everything else. In fact, the basic problems they face today were created by former Committees and Council and even the present Council is headed in that direction too with this. To go back about 50-60 years, he noted the development in the Township; Blueberry Manor, Sunbury Village, Lakeshore Mobile Park, Hilltop, Pine View Terrace under Karl, Johnson Court, Rottau Village, Presidential Lakes, Country Lakes, Belair, Lake Valley Acres, Country Lakes Apartments, Oak Pines, T&M Homes, Oak Ridge Estates, Whispering Pines, Browns Mills Apartments, Browns Woods Apartments, Golden Terrace, the development behind Sunbury going on now, possible Horton development in Country Lakes, possible development behind Deborah of 70 units and also the Greenberg Farm, North Pemberton Road and Route 206. Mr. Tamn conveyed as these developments came in and Council people, Committees and Mayors pushed for it because that's money in the Township. These fire companies were formed and they have provided a service, all volunteer. In the very beginning, it didn't cost the tax payers a penny because in the 1960's up to about 1964, they all paid for their fire insurance on the equipment besides putting gas in and maintaining and buying the equipment. Browns Mills in 1964 was getting about \$1,500 a year and Country Lakes received about \$500. Mr. Tamn noted Presidential Lakes did not receive any and Magnolia Road did receive some money. He expressed there is sort of an evolution in the fire business that has taken place and it's been adding on to things instead of looking at it, it is added on to. These companies perform because basically there was not the infrastructure of roads. Country Lakes was all gravel roads and didn't get paved until sometime in the 1970's. There are still some roads in the Township that are not paved. Consequently, all of these companies were needed because to get from one place to another place, you couldn't do it as quickly as today. There were also no street lights and the infrastructure was poor but adequate at the time because there wasn't development. When bringing development in, there are problems to contend with. The town just added to the problems of the fire companies. They all have to provide. In the meantime, Councils and Mayors were pushing for more growth which they are still pushing for from what he gathers from some meetings. Today the volunteers of the fire companies are handling over \$1 billion worth of property in this Township. That's excluding land; he's talking about houses, cars and personal property. It's a big responsibility for anyone to handle. On top of that, the important factor is they are handling 31,000 lives in this Township. Most of these people sitting here are the ones doing it and it's a big

responsibility. Does not feel that this ordinance tends to be a little on the political side when the Chief has to run his term concurrent with the Mayor's election. It's wrong to put politics in to fire companies and this is the start of it and it should not happen. No way should a Chief and an Assistant Chief have to depend on the election of a Mayor and that's what this adds up to. It should not taken place. He commented on the Director and if this passes it states everything by this manual but the manual hasn't been written yet. He expressed who knows what they will get. The Director evidently is appointed by the Mayor which brings more politics into it. Mr. Tamn stated he is against that. It's wrong and asked why there can't be just a Fire Chief with the responsibility of just answering to the Administrator and the Mayor instead of appointing a Director to make up the rules when the Fire Chief should make them up. Mr. Tamn suggested the Township could make them up in their contract and accomplish what they want in a contract. This is serious business. He expressed that every one of Council has a responsibility tonight and may also have some liability in this business the way the ordinance is currently. He doesn't think the ordinance defines things well enough. Volunteer fire companies are basically committing political entity if this thing is approved. He agreed they definitely need a Township Fire Chief but they need a Township Fire Chief that will not only be responsible but be in charge. The ordinance has the Chief being responsible but he doesn't really have control of the policies and the manual, noting that's not right. The amount of responsibility for a Fire Chief should be a paid job. Mr. Tamn doesn't see how a person could perform to do these and the responsibilities that are outlined in this without getting caught up in something if they don't do it as a paid job. It doesn't make any sense. It's putting a lot of responsibility on an individual but then tying the individual's hands by what is in the ordinance. This can't be done. It becomes a political football. It may not be this year; it may be next year; it might be the third year down the road and who knows what it's going to be. Mr. Tamn suggested the Township be ahead of the curve in this business and not behind it. There are some things in the ordinance that are excellent. Mr. Tamn reiterated that it is great the Council and Mayor are taking this step but they should take the right step and do what is right for the town and the people in the town. He asked they keep in mind, there are 31,000 lives and \$1 billion dollars you are responsible and liable for. Council's actions are going to point to that. Mrs. Stinney thanked Mr. Tamn for his comments. **Jim Wasniewski: 1.** Announced that last night the Country Lakes Homeowners Alliance had its regular monthly meeting. Had the pleasure of hosting several members of the different fire departments in the Township. These gentlemen took their time to come to the meeting and explain their position on this ordinance and what they planned to do. Mr. Wasniewski noted that some of the members of the Country Lakes Homeowners Alliance had already reviewed the ordinance and understood on a superficial basis. The members in attendance took a vote and unanimously voted to support this ordinance. They understand that this is not a document that is perfect. It has flaws as every document does. He reflected that the Declaration of Independence had flaws but they are still here. It has to be reviewed and has to be kept up with. It has to be understood by the members of Council, the Mayor and the Solicitor. The people in the Township should be made aware of it in some manner. It is posted on the website. The volunteers are capable individuals and he knows most of them. They are good people and are very, very into volunteerism and that is to be applauded. They will stumble, fall and have problems but this is a document that can be worked on. The only problem they could ever see would be if any of the positions became paid positions. The Township could not afford to have paid positions in the fire department unless the fire department was in some way capable of luring in businesses with a comprehensive plan of protecting the businesses and lowering insurance costs for those businesses. If they had enough ratables to come in because of that, there might be an opportunity for something like that but only if they paid their own way in that respect. If it doesn't ever happen, then there should never be a paid position. Mrs. Stinney stated to Mr. Wasniewski that she

wanted to make it perfectly clear to him that it would be the vote of the residents to establish whether it would be paid or unpaid and that would be at the polls. Mr. Wasniewski replied that is understood and that was one of the things that was presented to them last night. Mr. Wasniewski reiterated that they support the ordinance. **Betty Donelson: 1.** Advised having had a chance to talk to a couple of fire department members regarding the ordinance because she figured they are the most knowledgeable about this as she doesn't know anything about fire companies. She still has a couple of concerns and one is the Township is lucky enough to have a Business Administrator that has a background in fire fighting but questioned what if they have a Mayor who is not re-elected and a new Mayor comes in and the Business Administrator usually goes out with the Mayor. The Township doesn't always get a Business Administrator right away and asked who would provide the coverage as Director during that time. Mrs. Stinney replied she doesn't know and can only answer for her sitting right now. Mrs. Stinney deferred to Mr. Vaz through the Mayor. Mr. Vaz explained in situations where he has seen that actually happen, the Mayor made himself or herself the acting Director of the department. Ms. Donelson noted there is a reference made to the manual for supervision of the fire department and asked why that was not made a part of the ordinance as an attachment. She noted they are going to adopt the ordinance but the operating manual hasn't been done and the two of them together would make more sense. Mr. Vaz explained the Chiefs had entertained that question when they were meeting and if it is attached and part of the ordinance, in the future whenever there is a change to the rules and regulations, it would require an ordinance change. There was a decision when the ordinance was being drafting in to its final form to not do that. Mr. Vaz continued that it is generally since it's a department of the Township; it is Administration's view that it is no different than the rules and regulations of the Police Department and should be something that is done in this case by the Chiefs and the Director and gone through more of an internal process. Ms. Donelson thanked all of the volunteers for everything they do every day for this Township. **Chris Bradshaw: 1.** Mr. Bradshaw is the President of the Browns Mills Fire Company. Commented that creating a fire department within Pemberton Township is a good idea; however does not think this is the way to go about doing it. It has been stated that legal documents in their nation's history has had flaws and some of these could be addressed a little better and taken care of to the point to where there are not as many flaws in it. There have been mentions of the manual that is stated in the ordinance. Mr. Bradshaw asked for clarification as it states upon the passing and the time needed for legal posting. Mrs. Stinney replied 20 days. Mr. Bayer explained if an ordinance is approved and the Mayor signs it or approves it or doesn't veto it, the Clerk's office publishes it and the ordinance is effective 20 days from publication. Mr. Bradshaw asked if the manual will be written in less than 20 days and will he be provided that as a President of the fire company so that he can provide that to his members. Mr. Bayer answered that is not what the ordinance envisions. Mr. Bradshaw stated that is important and asked Mr. Bayer if he didn't agree. Mr. Bradshaw added that his firefighters should be very clear as to exactly what the manual is going to consist of and what kind of rules and stipulations are going to be placed on them falling under a department. They have established a constitution and bylaws now and everyone has been provided a copy of them so that they understand. Now there will be a document that is going to be created and there is obviously a window of time that the document needs to be provided to them for their review so they understand. Mr. Bradshaw asked if that document is not created in 21 days what happens. Mrs. Stinney deferred to Mr. Vaz through the Mayor. Mr. Vaz replied that was also discussed during the meetings of the Chiefs. The intent is that this is not going to be possible to implement this ordinance from the moment that it becomes adopted as in the process that Mr. Bayer just explained. The Chiefs had discussed getting model manual rules and regulations from other departments that have already been doing this. They were talking as far out as maybe September or October before they would have that in place and all of the other pieces of this that have to get

done. There still has to be an Advisory Committee formed, a Selection Committee formed, etc. Mr. Vaz understands Mr. Bradshaw's concern and a response to that is that obviously without a set of rules and policies, the members are not going to be held to something that nobody knows what they are. Life will continue on in the meantime as it has in the past and whatever mechanisms are in place now as far as policies and procedures will continue until there is a manual in force and it is given to the members and then everybody will be held to the standards that are in the manual at that time. Mr. Prickett stated the procedures and policies are to be written by the Director and the ordinance hasn't passed, they don't have a Director and then questioned how they could have that manual without having a Director adopt those policies and procedures. Mr. Bradshaw conveyed that while he understands that, that is why he was asking if this is going to be effective based off of this published time as it states in the document. Mr. Bayer explained that while many ordinances become effective as an operation of law; unlike with anything else, until and how ordinances are implemented and enforced vary by town and by circumstance. He noted that as Mr. Vaz pointed out, while it is legally effective, it talks about adopting regulations; until those regulations are adopted they can't be held to those. He explained it's really no different; if looking at federal or state legislation and the state legislation is the better example, the legislature which is the equivalent to this Council creates laws in New Jersey and many of those laws say the department of whatever state agency is affected by the legislation and as an example the Department of Community Affairs will adopt regulations to implement this legislation. At the state level it would probably take at least one year from the time the legislature adopts a law until a state agency can implement regulations because they have to go through a process that state law requires. Until the agency writes the regulations and until they are published and approved, it takes quite a long time. It's really no different than what would occur here. Mr. Bradshaw stated that personally he has seen all kinds of different levels of government try to pass ordinances, statutes or whatever the case may be and he has never seen it really open ended like this and there was always a drop dead date that everything will go in to effect and everything is enforceable on a particular date. He does not see that here and there should be a drop dead date. If that's the case, then the circumstances that Mr. Vaz brought up of doing the research which he thinks should have been done prior to getting to this point on the other manuals could drag on forever without having any kind of deadline when this needs to go in to place. Mr. Bradshaw noted he read a posting on a website from the previous Business Administrator in town that the days of the individuality in the fire company are over but yet this ordinance is trying to still establish that individuality underneath the fire department. Mr. Bradshaw conveyed that is a conflict of interest and doesn't see how they can have their own set of constitutions and bylaws and still fall underneath the departmental....Mrs. Stinney asked Mr. Bradshaw if Mr. Vaz stated that. Mr. Bradshaw answered no, he stated the previous Business Administrator. Mrs. Stinney conveyed he is no longer here. Mr. Bradshaw responded that it was still stated and if they are going to create a fire ordinance creating a department, they can't have four small separate entities like they are right now. Mr. Bradshaw disagrees with that and he also disagreed with that in the meeting he attended in December. Mr. Bradshaw stated they have to pick one or the other; they either all stay individuals or they all unite and combine into one. As he stated earlier, he doesn't mind combining into one and thinks it would be a great idea for the Township; he just thinks there is a different way of going about it than what is proposed right here. Mr. Bradshaw mentioned another good point brought up to him last night is that as Mrs. Stinney knows, he is not from around here and is here with the government; he is active duty military. Mr. Bradshaw does this because this is something that he enjoys; he doesn't have to do this. He expressed obvious commitment to their country has proven itself; he has been in the military for over 15 years. He looks at some of the members in his fire company that have been here for 15, 20 and 30 years and he has that same passion and drive while being here for 2.5 years that those members still have after all that

time. Mr. Bradshaw noted that should say something about the type of service they provide in the Township with fire service. He noted it's been stated that the system is broke and he disagrees with that. It's been stated that the best time in the fire company was over 10 years ago and he disagrees with that also. Mr. Bradshaw advised he finds both of those comments really insulting to the fire service. He posed that if they want to create an ordinance to try and tailor things to the best needs of the Township and a professional study by an outside source, someone who doesn't have rose colored glasses on or blinders on and will only look at certain things, it's all inclusive. Mr. Bradshaw continued that the only thing that he sees that is really broken with the emergency services in the Township and needs to be addressed and he has yet to hear anyone address it within Council or Administration, is some of the agencies' participation; the amount of calls dispatched over the calls answered. That would seem to be an urgent situation. He woke up four times this morning to his pager going off for a cardiac arrest that no one answered. He advised that an outside agency outside of this Township had to answer that. Mr. Bradshaw would not communicate the rest of the story but expressed that is his point. He asked how many times does a pager go off and no one is there to answer it. Mr. Bradshaw works during the day and the majority of his membership also works during the day and that is an issue that they have always had to deal with and will always have to deal with. He reiterated there are some real issues at hand in this Township that need to be addressed in the realm of public service and doesn't see where this ordinance fixes any of that. **Edna Inge:**

1. Expressed good evening to the volunteer fire departments and volunteer services that are here tonight. She questioned how they can compare the qualifications of a Director and the qualifications of a Fire Chief in this particular ordinance. Mrs. Stinney stated by the qualifications of a Director to a Fire Chief. Mr. Vaz explained one answer is there is no specific section that deals with specific qualifications for a Director but in the section involving the Fire Chief and the subordinate Chiefs there are. He noted that in a more global sense, the Director would be policy making and accountability and the Chief would be operational. Ms. Inge stated the Mayor appoints a Director other than the Business Administrator and asked what the chain of command would be. Mr. Vaz answered Chief to Director and Director to Administrator and/or Mayor as it is with the other departments. Ms. Inge asked what qualifications the Director will have to adopt rules, regulations, policies and procedures regarding the conduct and duties of the volunteer personnel. Mrs. Stinney replied "applications". Mr. Vaz advised the ordinance leaves it flexible for any Mayor if he or she so desires to have some sort of process to select a Director that has an enormous amount of fire service experience, which is built into this. He noted that a mechanism where the Administrator is the Director by default is simply done for two reasons. One is it is consistent with the way they do other things for the most part around here. The Mayor doesn't typically appoint, in the history of this Faulkner act town he has traditionally appointed separate Directors for the department as any Mayor would be allowed to under this form of government. He informed they have a Superintendent of Public Works and the statute gives the Mayor to appoint a Director of Public Works who would be over the Superintendent of Public Works. The other part of the answer and it is not absolutely necessary in his view, is to have an enormous amount of fire service experience to be a Director, noting the fact sheet contained in the example for comparison purposes. He advised they have Police Departments in many municipalities in the state of New Jersey and by statute the Chief of Police is directly accountable to what the statute refers to as the appropriate authority. The appropriate authority in some towns like the Borough Council form, it might be the Mayor, an individual, the Administrator, an individual, and he has served in that capacity or it could be the whole Council in that form of government. In many of those situations if not most of them, not a single one of those elected officials has an iota of law enforcement experience. The statute states that it is that entity or it's that person, whoever the appropriate authority is in that form of government, that has the sole right to adopt rules and

regulations. Mr. Vaz reiterated the sole right and he states that against this reality. The reality is typically that the Chief of Police drafts the rules and regulations and the designated appropriate authority will then for lack of a better phrase, rubber stamp it. Mr. Vaz does not think it is extremely important in this context but the option is there for any future Mayor or this Mayor to say they prefer to have a Director that has experience. If there is somebody that would want to step up to the plate with experience on a volunteer basis, he imagines this Mayor or any future Mayor would certainly consider doing that. Ms. Inge asked how many Fire Chiefs, Assistant Chiefs and Deputy Chiefs are going to be appointed by the Mayor. Mrs. Stinney asked Ms. Inge to hold on one second. Mr. Prickett asked if Council has the answer to that question and added that Council should be familiar with the ordinance. Mrs. Stinney asked Mr. Prickett if he wanted to answer Ms. Inge. Mr. Prickett replied yes. Mrs. Stinney asked Mr. Prickett not to tell her that she needs to be familiar with anything. Mr. Prickett commented there is a Fire Chief, an Assistant Chief and a Deputy Chief and that are four Chief related positions. Mrs. Stinney asked Mr. Prickett not to throw stones and if Ms. Inge has a question he should be gentleman enough to say that he does have the answer and not to say that all of Council should have the answer. Mr. Prickett replied that they should. After further discussion, Mrs. Stinney apologized to Ms. Inge for Mr. Prickett's outburst. Mrs. Stinney reminded there is order and Council is dealing directly with the Business Administrator. Mrs. Stinney asked Mr. Vaz to continue with the dialogue with Ms. Inge before they were so rudely interrupted. Mr. Vaz replied that Mr. Prickett's answer was correct; it's for two deputies, the assistant and the fire chief under the ordinance as it is drafted, which would be appointed by the Mayor. The next level; however, the battalion chiefs would be selected by the fire companies and all of those subordinate officers as well. He clarified; the battalion chief as it is described in the ordinance is actually the company chief. The state statute requires that the company chief be elected by the members of the fire company. He noted they just give that person a different name in the ordinance. Mr. Bayer added to be fair and accurate what the ordinance actually says is that those appointments are the Mayor's upon the recommendation of the Director from a list of qualified candidates submitted by the selection. There is a process within the ordinance as well before the Mayor makes the appointment. Mr. Vaz concurred. Ms. Inge state there is going to be a committee for the Business Administrator or the Mayor and questioned if they are going to send out request for proposals when they are compiling their lists of qualifications of the fire chief candidates. She reflected they are dealing with more than one volunteer company and doesn't know how that is going to be. Mr. Vaz reported that his view is to sit down with the organizations and seek their input as to how they want to form a selection committee. There have been basic discussions about that. He pointed out that there is a general feeling that it should be comprised of people from the Township and we can also draw upon some more neutral people from the County. He relayed that other towns have done this and have experience behind them and there are paid and part paid departments as well. He acknowledged they can certainly draw from Fort Dix which has a fire department and there are professionals out there including their own professionals and their own volunteer fire service that they were going to draw from. Ms. Inge asked if there is any other mechanism in place where these people wouldn't just be selected by their Mayor and the problem with that. Ms. Inge expressed concern with the discipline that is going to be put in place here. Ms. Inge read a portion of section 25-17, "each volunteer fire company organization that is subject to this ordinance may adopt its own discipline procedure for internal matters". She noted there is one chief and every individual used to be volunteer company to do their own discipline is how Ms. Inge understands this and asked if the discipline will be one discipline for one issue all the way across because that is not what it is stating. She reflected there will be one Chief over everybody and there should only be one set of discipline and asked how they are going to pick and choose what they will do and the severity of it. Mrs. Stinney asked Mr. Vaz to comment. Mr. Vaz remarked that is

one of those areas that the organizations talked about; taking the time between adopting the ordinance up maybe even up into the fall, to figure out how to do that. He expressed that one of the challenges of this ordinance was to maintain the identities of the individual organizations while at the same time creating a bigger umbrella type of organization. There are plenty of examples out there; Toms River has two fire districts and multiple volunteer fire companies. Other fire districts in Burlington County probably operate the same way. There is an individual identity and he still gets contribution letters from the fire company that serves his area of Toms River yet there is a fire district; there are district chiefs and district officers and still there are the company chiefs and offices with bylaws and a way of doing things. The distinction would be for instance if there is an internal issue at a fire company, a fight between fire company members; that's different than having a fire fighter at a fire scene run into a fire without his SCBA or turnout gear. Which really in his view and a view shared by the fire chiefs is an issue that really affects us as a town. At that level, the Township is providing the insurance and it's a risk imposed upon the Township and the Township residents and tax payers. There are going to be clear examples where they can draw a very clear line between what's local and what's Township. There may be areas that are gray but the commitment was again, they will crawl on this before they walk on this ordinance and that will be something that we try to draw on the experience of other people in towns that are already doing this. Ms. Inge stated she agrees with Mr. Tamn to a certain extent if they are going to crawl as Mr. Vaz stated she doesn't think they are ready for this tonight. **Steve Skulimuski: 1.** Expressed concern regarding the position of the Fire Director. Commented that Mr. Vaz stated the Fire Director in general would be appointed by the Mayor and it could be the Business Administrator or whoever the Mayor picks and that if the Mayor sees the need he could appoint someone that has knowledge with the fire services as Director. Mr. Skulimuski asked where the Fire Director would be based out of, and if it would be the Township building. Mr. Vaz noted that if it is somebody other than the Business Administrator, he would assume so. Mr. Vaz reflected that the Township does not have one fire station where there would be an office. Mr. Skulimuski confirmed that the Fire Director would be based out of the Township building. Mr. Skulimuski asked if the Fire Director is a Township employee. Mr. Vaz answered that to the extent that all of the volunteers are an employee of the Township for insurance purposes, yes; but it would still be a volunteer Director so they would not be entitled to salaries and fringe benefits but all of the volunteers on one level are quasi employees. Mr. Skulimuski replied that he doesn't want it on one level, he wants to know if they are Township employees or not. Mr. Vaz responded if he thinks of employees in the sense of.....Mr. Skulimuski interjected that he is not thinking of it like that and what he is thinking of is that if it's a Township employee and referenced Mrs. Stinney's statement earlier about paid firemen going to a referendum would be untrue because a Township employee is paid through ordinance as far as he knows. Mr. Vaz conveyed that the Township is not paying anybody. The ordinance sets it up as a volunteer service. Mr. Skulimuski asked if the Mayor decided not to use Mr. Vaz as the Fire Director, the Fire Director would be a volunteer. Mr. Vaz answered yes. **Danielle Vecchione: 1.** Ms. Vecchione is with the Browns Mills Fire Department. Asked what a high school diploma or a GED has to do with going to fire school. She commented that these people can't go to fire school or be a certified fire fighter without having a GED or a high school diploma. Mrs. Stinney replied because it's in the ordinance Ms. Vecchione confirmed that Mrs. Stinney's reason is because it's in there. Mrs. Stinney replied they decided to want to work this out in there. Ms. Vecchione noted E and letter II are pretty much going in circles because they're saying that they're an equal opportunity employer pretty much but then stating that if somebody didn't go to high school or get a GED then they can't be a fire fighter but yet they're going to be an equal opportunity employer at the same time. Mrs. Stinney asked Ms. Vecchione if that is her comment. Ms. Vecchione replied that is one of her questions for Council and the other question is how they are going to put

somebody in charge of an incident scene who is also going to be in charge of EMS and not have anything about the Chief, Deputy Chief or any of the leaders be an EMT. They will walk into this not knowing what they're doing as EMS and once they get on a fire scene they're in charge of not only fire but in charge of EMS too as an incident commander. Mrs. Stinney deferred to Mr. Vaz. Mr. Vaz stated Ms. Vecchione's question is regarding the incident management system and how that will work. Ms. Vecchione confirmed. Mr. Vaz deferred to one of the fire chiefs to answer the question if it is agreeable to Council President Stinney. Mrs. Stinney agreed. Mr. Vaz continued the general answer is the incident management system is going to be at play. Chief Craig Augustoni asked Ms. Vecchione what her question is, and if it is as though he going to, like he does now, tell how to put the band-aids on or bandages or is he just going to manage the scene. Ms. Vecchione stated she wants to know how he will manage the EMS scene being a Fire Chief. Chief Augustoni replied he will like he has done for 32 years and the Police Chief has several EMTs in his organization and when he arrives, by statute, is in charge of the incident. Chief Augustoni added that he manages the incident not the patient, noting that is what incident management is all about. Chief Augustoni commented that Ms. Vecchione is a certified fire fighter and probably trained that way when she took her I-100 in class and it is a management system not a tactical system. He assured they will not tell them how to put the band-aids on and he is a resource manager and that's what a Fire Chief does and what an Incident Manager does. Ms. Vecchione stated to Chief Augustoni that he is confident not being an EMT managing an EMS scene. Chief Augustoni replied absolutely, he can manage any scene and that's what he has. Chief Augustoni stated to Council President Stinney that he doesn't appreciate the laughing. Someone from the public stated they don't appreciate the comment _____ (they are inaudible). Mrs. Stinney called for order and asked Ms. Vecchione if her questions were answered. **Philip Matt: 1.** Also a member of 181, Browns Mills. Has not heard what the cost is on the proposal and asked Council to explain the cost to establish this ordinance. Mr. Matt stated it is adding four additional Chiefs and is assuming they will have to be geared out in new gear and vehicles will also probably be a part of this and asked where they will be stationed at. Again, it is not property owned, Township owned buildings but basically non-profit. Mr. Matt asked if rent is paid for those officers. Four new members will receive brand new gear. They will be top of the line people, above the other chiefs of the other companies. There are members within the companies now that do not have new gear. Mr. Matt asked if new gear will be supplied to all of the fire members. Mrs. Stinney replied that she doesn't see any funding and deferred to Mr. Vaz. Mr. Vaz responded that at least for 2009 when discussing the ordinance with the Chiefs, there was an understanding that they would be crawling before they walk and maintaining the funding that they maintain that the Council has maintained at least last year and maybe a few years before and then in 2010 they will bring something else once they know that they've implemented this and know what those needs are going to be. It will also require an assessment of what property exists now; what trucks and vehicles the fire companies have and what they have available as a resource out back. He explained that was part of the discussion and it was part of sitting down in the next nine months and moving forward and really planning out 2010, noting that right now, it will be status quo. Mr. Matt commented the bottom line is there is no estimate. Mrs. Stinney commented that Mr. Vaz answered his question and thanked Mr. Matt for this comments. Mr. Matt asked why EMS was not included in this ordinance, noting they both work very closely together with the fire companies. He relayed that when there is a car accident, EMS is there; when there is a fire scene, EMS is there. It is becoming more often as seen in large cities, calls going to homes for cardiac and injuries, noting Fire companies are responding. Mr. Matt asked why there is a separation of the EMS to the fire companies. Mrs. Stinney stated she can't answer that right now because it is not part of this ordinance. Mr. Matt replied that is what he is questioning is the ordinance, noting the ordinance left out a very large part. Mr. Matt responded to a

statement made by the previous person and he would like to introduce someone that does not have a high school diploma at this point and is 17, Sandra Matt who is his daughter. Mr. Matt expressed that his daughter became a certified EMT and a certified fire fighter at the age of 16. What the ordinance does is essentially say that no one can get to that point until they finish high school. His daughter is still in high school and she is running with the squad and with the fire company and has done very well. There is a possibility for the young people in this Township to be able to become EMS or fire fighters and that ordinance basically does a discrimination especially to the young people. Mr. Matt pointed out that as Council President mentioned, there are students in the audience that are looking at what is decided here. He affirmed that what Council has to say is whether they are going to bring up the students and young people into their organizations; they can't put limitations on them. He expressed they should allow them to come in and work with the fire companies and EMS. Mrs. Stinney asked Mr. Vaz through the Mayor to Mr. Matt that he had a very good question regarding the age limit and asked Mr. Vaz why that was particularly talked about over the years. Mr. Vaz informed there is a class of membership that provides membership up until 18 and that is the junior auxiliary membership criteria. That is not a change in the way the fire companies are presently doing business and doesn't believe that 17 year old could have become volunteer fire fighters under the present structure and added if he is wrong to please correct him. Mr. Vaz noted the young woman is certainly able to be a junior fire fighter until that person is 18. The other question had to do with a high school diploma and the language for that came from the state statute that would apply in the case of civil service and/or a paid or part paid fire department. Mr. Vaz does not know if that is in the existing ordinance or not but reiterated it is drawn from the state statute in the other areas. Mr. Inge stated they are not a paid fire service. Mr. Vaz responded that he is not suggesting.....Mrs. Stinney interjected that they will not have screaming back and forth and they will be recognized by hand. Mr. Vaz stated he is not suggesting that it is an absolute and it was drafted that way and derived from that source whether or not it has to be he is not suggesting the statute says it has to say that but he is saying it was drawn upon those other statutes. Mrs. Stinney stated to Mr. Inge that someone from the audience was trying to address what he is saying and she is not going to have that.

Sandra Matt: 1. Is currently a junior member as she is 17 now and will be 18 in April and before then she won't be graduating high school until June. Ms. Matt asked what that means for her questioning if she will not be able to be an active member until she finishes high school even though she will be 18. Mr. Vaz replied that is what the ordinance says and whether that's the right result or not is a different question. Ms. Matt stated in that part of the ordinance it states "able to read and write and speak the English well and intelligently" and asked what exactly is "Intelligently". Mr. Vaz replied that he doesn't know but does know that they are civil service and that's in virtually every job description he has ever seen in civil service and at some point somebody figures it out but it's not something he has a specific answer to. Mr. Vaz stated he guesses they know it's not "intelligently" when they see it otherwise he presumes it must be "intelligently". Ms. Matt asked what if someone has some form of disability where they have dyslexia or something like that. Mr. Vaz replied the ordinance is probably full of a million hypotheticals and at some point the standard will whether it jeopardizes safety or jeopardizes the safety of that individual and/or does it jeopardize the safety of the other fire fighters. If there is an inability to communicate, then he would suggest as a fire fighter that it could be a problem and they'll have to cross that bridge if and when they ever have to get to it. Mr. Bayer added that like any other ordinance, ordinances are enforced through Administration; whatever ordinance through the Mayor or whatever that would be and through the Township's employees, Directors, etc. so obviously a common sense application to what is written in the statute or an ordinance needs to be applied to what occurs out in the field or in the context of what is going on, on the grounds. Mr. Vaz asked Ms. Matt when she is graduating. Ms. Matt advised she graduates in June

but will be 18 in April. Mr. Vaz suggested if the ordinance is adopted tonight, they would look at that right away as a potential amendment to the ordinance to see if that is a hole that needs to be plugged as soon as possible. **Sean Davis: 1.** He is the Chief of Browns Mills. He asked if the read, write and speak intelligently requirement is retroactive. Chief Davis asked if read, write and speak intelligently is retroactive or if it is grandfathering people that are currently members. Mrs. Stinney deferred to Mr. Vaz through the Mayor. Mr. Vaz answered there is nothing in the ordinance that states it is retroactive or not. Mr. Vaz pointed out the requirements pursuant to statute for state relief association membership has the same language. It is a requirement that the member be able to read, write and speak the English language well and intelligently. Mr. Vaz reiterated to cross that bridge when they get to it and have to weave through the difficulty of whatever problem that might cause. Chief Davis commented that not all members are members of the state relief. Mr. Vaz replied he is aware of that but at least in that category in the ordinance it's.....Chief Davis interjected that a person doesn't have to belong to state relief to be a volunteer. It's their option and they can opt out of it so to say that the standard applies to the state relief doesn't really quantify that it should apply to this because his question was if it is retroactive or is it grandfathering people that are currently members. Mr. Vaz replied that question was answered and reiterated that he does not have an answer. Chief Davis confirmed that Mr. Vaz does not have an answer and added that it could be applied retroactively to people that are currently.....Mr. Vaz interjected no, that the ordinance can't be applied retroactively and stated that they can't make a law that does that. Chief Davis stated that was his question. Chief Davis stated that theoretically people that are currently members are grandfathered for lack of a better word.....Mr. Vaz interjected that without there being a grandfather clause to grandfather, it happens automatically by virtue of the ordinance not taking effect until two weeks from now. Mr. Prickett asked if Mr. Bayer concurred with that. Mr. Bayer responded yes and added there would need to be language in the ordinance which stated it applied retroactively to some date or something if it was going to. Mr. Vaz apologized to the Chief that he didn't understand it the first time. Chief Davis expressed thanks for the clarification. Chief Davis noted that Mr. Vaz made a comment earlier that 2009 stays status quo but 2010 will be looked at and asked if that means in 2010 the Township will be facing a fire department budget. Mrs. Stinney replied she doesn't know that is what he said and she can't speak for 2010 as she can only speak of this ordinance right now. Chief Davis stated he is asking Mr. Vaz to clarify. Mrs. Stinney replied that Council will ask Mr. Vaz that Chief Davis is to ask her and she will go through the Mayor. Chief Davis apologized. Mr. Vaz answered as it stands now, there is a budget but it is a budget that is set up where the money is paid directly to the fire companies. From a pure budgeting perspective, the concept in the budget needs to be changed from that potentially to a department or a combination of the two. Chief Davis asked if the fire companies will still be supported financially to house the apparatus and the other things to allow them to remain independent as specified in this ordinance. Mr. Vaz replied the fire companies are supported now. Chief Davis remarked Mr. Vaz is stating the budget can be changed to a combination of or to a fire department budget so obviously those monies that are allocated now for the fire companies in support can become a fire department budget. Mr. Vaz recalled from the meetings that there are going to be future meetings with the organizations to look at ways that doing this saves the Township money, there has to be efficiencies and savings built into a system where they are going to take their fire companies and do things in a coordinated way and look at what the needs are and that they have all talked about at one point or another doing a feasibility study to see where they stand with their resources and assets and move forward from there. Mr. Vaz stated to Chief Davis if he is looking for an answer that says the Township is going to throw \$1 million in the fire department budget, he is not going to get it from him. Chief Davis responded he wasn't asking for a financial statement. Mr. Vaz noted it is implied that there is going to be a change in the way they do

business. Chief Davis then asked once the fire department is made, who will provide the vehicles for the four chiefs that are appointed by the Administration. Mr. Vaz answered that will go hand in hand with doing the analysis of what assets they already have among the fire companies, what assets they have out back, etc... Mr. Vaz reiterated it will be a crawl before they walk situation. Chief Davis noted Mr. Vaz stated earlier the manual for supervision was discussed among the chiefs at a meeting and asked Mr. Vaz if he specifically recalled when he was present. Mrs. Stinney stated to Chief Davis to talk to her and she will get over there to Mr. Vaz. Chief Davis apologized and commented that Mrs. Stinney told him to address his questions to Mr. Vaz. Mrs. Stinney noted that she stated if there was a question this is how they are going to work that. Mrs. Stinney does not want the Mayor to think that they have him on the spot and he will be badgered. Chief Davis apologized and stated he is not badgering anybody. Mr. Vaz replied he does not feel like he is being badgered. Mrs. Stinney reiterated to Chief Davis to speak directly to her and they will work over that way. Mrs. Stinney conveyed that might be a bad choice of words but to come to her. Chief Davis commented he forgot his question. Mr. Vaz advised Chief Davis that he wanted to know if he recalled a particular meeting.....Chief Davis interjected that he wasn't actually asking for a date but the statement Mr. Vaz made was the chiefs and for the record he doesn't recall being at any meeting where they discussed the manual of supervision so he was curious why it was discussed among the chiefs when he still happens to be one of the fire chiefs and doesn't have any recollection of any such discussion. Mrs. Stinney deferred through the Mayor to ask Mr. Vaz. Mr. Vaz asked for a blanket approval which was approved. Mr. Vaz recalled specifically discussing it with the organization and doesn't know if it was called that at the time and it might have been called rules or policies and procedures but he has a very vivid recollection. Chief Davis noted in 25-05 which is the section on volunteer fire company organizations under section D Internal Management, it states that the constitution and by-laws of the fire companies shall conform to the provisions and that's obviously needed and necessary for the fire department's operational side but it also states that for every new or amended by-law of the fire company must be reviewed and approved by the Director. Chief Davis asked why that is in there and added they may write a by-law to change the time of the company meeting or day of the week and was curious why that would have to be approved by a Fire Director; it is a non-operational issue. Mrs. Stinney deferred to Mr. Vaz through the Mayor. Mr. Vaz explained the intent was the Township would not know that it is an internal matter unless it first had the opportunity to review it even it takes five seconds to figure it out. The concept was that it needs to be forwarded so that it can at least have the review to make sure that it's not going to conflict with the Township wide policies and rules. Chief Davis asked if the fact that it says reviewed and approved give the Director the ability to deny that by-law change from going into affect and that company's internal management. Mrs. Stinney asked Chief Davis to repeat that, which he did. Mrs. Stinney asked Mr. Vaz to answer Chief Davis' question. Mr. Vaz answered if there is a determination that it is internal, the previous sentence, the sentence in the middle clarifies that the intent is to make sure it doesn't conflict with the ordinance, any rule or regulation or policy so if there is a rejection it is going to have to flow from the fact that it is inconsistent with one of those three items. Chief Davis asked if the contractual issue that the fire company has to enter into with the company is that not a redundant matter when everything the company does according to this ordinance is now controlled by the Fire Director. Mr. Vaz explained the contract as it has been drafted in to the ordinance is the mechanism.....(Chief Davis' radio is going off).....Mr. Vaz continued that the contract between the Township and the volunteer fire companies is the mechanism where the Township is obtaining the acquiescence of the fire company to the rules and the policies and procedures and how this whole thing is being set up. It is being set up as a contract system. They are doing this to preserve the individual identities of the fire companies and if they were going to do the other way where they would just create a volunteer fire

department and the four companies dissolve, the contract wouldn't be necessary but because they are going to preserve the identity of the fire companies, the mechanism to get that acquiescence to the rules has to be by the contract. Mr. Vaz does not believe it is redundant and it is the core principal of how this is being structured. Chief Davis asked if by virtue of the wording of this does it make them quasi employees of the fire department or contractors. Mr. Vaz replied they would have the same status they have now. Chief Davis asked what their status is now. Mr. Vaz answered employees vs. quasi employees and added it is a term and it's not really.....when they cover a volunteer for a workers compensation injury, they are an employee for that purpose, if they come in seeking a contractual fringe benefit, they are not an employee. Chief Davis asked if the same would apply under the proposed ordinance. Mr. Vaz replied it is his opinion unless Mr. Bayer has a contrary view. Mr. Bayer answered no, and as Mr. Vaz pointed out, the whole idea behind the contract and these are independent organizations and especially if one of those may be from outside of the Township, the positions of the volunteers and how they are treated now would have to remain the same. Chief Davis stated Mr. Vaz has covered the financial arrangements going to the fire companies now and that would have to be looked at obviously if a fire department is formed but when the fire department is formed if this ordinance passes, asked if the fire department has financial responsibility for all fire operations and equipment. Chief Davis continued that right now the money the Township provides them does not cover all of their operational needs and expenses and the volunteers raise that money. Once this goes into effect and the fire department is operational, would the fire department assume all operational responsibility or do they have to stand on the street corner and collect money to buy tools and equipment or will the fire department now provide all of that. Mrs. Stinney deferred to Mr. Vaz. Mr. Vaz stated his answer would be the same and thinks Chief Davis was actually asking Mrs. Stinney because he doesn't think the Chief liked his answer. Mrs. Stinney commented that is alright. Mr. Vaz responded there are answers to these questions that are going to require time to analyze. Mr. Vaz continued that he knows what a burden it is to stand on the street corner collecting nickels, dimes and quarters; whether they still need to do that or not is going to be an independent judgment that each company is going to need to make. Obviously, they will have to sit down and analyze all of these things. The questions are new publicly but these are not questions that are new among the group that has participated in this process. Mr. Vaz has only participated since April 2007 and it has gone on at least a couple of years before that. The questions that the Chiefs are asking were discussed in the meetings that he attended and some of them just simply don't have an answer tonight. **Charisse Bradshaw: 1.** Mrs. Bradshaw is a member of 181 and also is a tax payer and her husband is military. She chose to purchase a \$194,000 house in Browns Mills because of the fire department. They could have stayed on base and not given any of their tax money to anybody else. As a tax payer, separate from being a member of the fire company and she is not a fire fighter; she is a contributor. She owes nothing to the fire company. Mrs. Bradshaw expressed concern regarding the financials that have not been discussed. As a tax payer, she asked how can somebody vote and approve something that is not completely written and has not been completely analyzed. She can't come and sell a cake and have absolutely no recipe but sell it for \$3,000 and they're going to buy it when it might be a little cupcake and they can go to WaWa and spend \$2.00 on it. Mrs. Stinney advised any penny that comes through this ordinance will have to come through Council to be authorized therefore. They are speaking of 2010 and she can't speak for 2010 and what will go on to that budget. Mrs. Bradshaw spoke in regard to lifetime members. There are several and she is not just assuming with her fire company.....Mrs. Stinney advised Mrs. Bradshaw to speak to her.....Mrs. Bradshaw continued there are numerous lifetime members that do not have high school educations, do not have GEDs and do not have diplomas and asked what happens to them that have served 20, 30 years that do not have the education that this new ordinance is pushing

through. Mrs. Stinney conveyed she hears Mrs. Bradshaw's comments but this is what the ordinance says. Mrs. Bradshaw asked what happens to them in the ordinance. Mrs. Stinney reiterated this is what the ordinance says. Mr. Bayer stated what was said earlier is that the ordinance is applying prospectively and it is not written to apply retroactively to disqualify existing members. Mrs. Bradshaw stated it is ultimately a grandfather law. Mr. Bayer stated if someone is a member of a volunteer fire department now which doesn't meet the.....Mrs. Stinney interjected they won't kick them out. Mr. Bayer agreed and added prospectively, new members and they can't create a law that impacts one's rights on a going backward basis. They can in some circumstances but it must be stated in the law when it is written. Mr. Vaz commented if there is something that totally winds up with the ordinance as being insane, whether the way it is drafted or the way it is being applied, that is the point of the standing advisory committee. Especially during the implementation process, if there is a need to come back to the Township Council for an ordinance amendment, that will be done and that is the whole point of having a standing group of people who will make those recommendations because they know that has got flaws. Anything that the fire chiefs could have drafted and had input into anything that they would have drafted would have had flaws. To the extent that some of these wind up being insane, like excluding life members because of something that is drafted, is certainly not the intent and it's definitely something that can be fixed by an ordinance amendment. Mr. Cartier commented regarding the discussion he had prior to the meeting, if there is a change concerning the ordinance, a Council member will be involved in that. Mr. Vaz agreed. Mrs. Bradshaw noted it stated membership shall not be denied because of applicant's race, creed, color, sex, national origin, ancestry, marital status, age or physical handicap. This is where someone else had asked a question and nothing was answered. Mrs. Bradshaw noted that the ordinance states you have to read, write and speak intelligently. Mrs. Bradshaw expressed that terminally, mentally handicapped that also runs across the lines with dyslexia. Dyslexia is a physical handicap because when they look at something, they do not read it correctly. There are people that have dyslexia that are the most intelligent people that she has ever met but because they can't read.....when they are on a fire scene, they don't have to read what the Chief is telling them because the Chief verbally tells them. Mrs. Bradshaw asked what in that aspect do they read and where does that now no longer become "intelligently" being around one another. Mr. Vaz replied that again the Fire Chiefs if they want to chime in as operational professionals, if she is asking him his opinion, he disagrees that a fire fighter doesn't have to read in order to.....Mrs. Bradshaw interrupted and stated anybody who has been through fire fighter I in their test if they are not capable of reading their test, they are allowed to be taken into another room and the questions and answers are read and therefore they can do the test. If that is not, how can they state that they don't have to read to take the test when they become a fire fighter but they're not going to allow them to be a fire fighter because they can't read. Mrs. Bradshaw stated that is a double jeopardy. Mr. Vaz disagreed that that is not double jeopardy but that is a good question. Mrs. Bradshaw commented that is being two-faced. Mr. Vaz replied it is not being two-faced. Mrs. Bradshaw stated it is. Mr. Vaz continued it is a good question and the basic answer he can give again. Some of this language came from a section of the statute that deals with civil service, and/or paid or part time and they are not doing that.....Mrs. Bradshaw interrupted that they are not civil service, they are not paid, they are not part time, there.....Mr. Vaz continued that he is not done with his answer but taking the test, whatever the ADA requirements are to afford a person a reasonable accommodation to take the test, and invited the Chiefs to chime in if they think differently but there are a lot of good reasons that a fire fighter should be able to at least have a basic understanding of being able to read when they potentially go in to fires, climbing ladders and there are a lot of signs that one might have to read and it's not a matter of just having to take direction from a Chief and it might be a matter of simply reading a do not enter sign or hazard written on a wall. Mr. Vaz

added he is being a little facetious about it but the reality is in his opinion it is not something to brush aside lightly. It might be an area that the advisory committee should look at. Mr. Vaz hears what Mrs. Bradshaw is saying and it is not unreasonable to have the concern but he is giving his disagreement on it. Mrs. Stinney stated Mrs. Bradshaw to allow Mr. Vaz to speak; they're asking the questions and want to make sure that Council hears both sides. Mr. Vaz stated they are not creating a paid department but if they were and the public approved it and they were having this discussion, there would be no dispute about that requirement because it would be mandatory. They're only having that dispute because maybe it's something that does not need to be in here and the only issue is whether it should be maintained or taken out. Obviously in the context of paid or part paid or in the civil service jurisdiction as they are, it's important to the people that drafted the statute and how that plays out in real life, he doesn't know because he hasn't had to apply it. Mrs. Bradshaw stated to interject part of the needing to go up the stairs and read a sign and this and that, that is what training is for. Typically, people can determine a sign and her personal opinion is when they take their driver's test, they give them signs and don't tell them what the signs say but they have to determine what the signs say. Typically, there are universal signs that say hazard, warning, flammable, gas, stop, go and those are typical signs and in dyslexia you do not have a problem with that. She reflected that they have a problem with it saying "please print your name", and they may get the e and a in please backwards. They still know what it says, but they get it confused. Mrs. Bradshaw acknowledged she does not understand all fire fighter terminology but if she becomes a fire fighter and she gets it, how is that any different than somebody who understands it correctly to no end but yet she is now on a scene and has a Chief or whoever it may be who gives her a direct order and because he may use a word and she is not from here and we use different words for different things we say and the Chief may give her an order in a verbatim that she doesn't understand what he is saying. Now she doesn't understand and in that person's eyes is she not intelligent because she did not get what he said because it did not register with the words that were properly used. In her personal opinion, there are too many loop holes, there are too many cracks, and there are tons of lawsuits waiting to happen because they are not specific. If you go by verbatim, when something passes through and there is no i.e., for example, blah, blah, blah, then it is what it says; it's in black and white; it is what it says and if you do not stress on what that means, then, therefore, that is what it says. Everything is open for a personal take of what it says. When it's in black and white, it's in black and white and there's no change about it. Mrs. Stinney stated she heard her comments and wanted to say to her again that there are areas in the ordinance as Council has heard tonight that can be tweaked. Mrs. Stinney reiterated to Mrs. Bradshaw that she hears her loud and clear and actually that was the first thing she picked up. Mrs. Stinney advised she stormed in the Mayor's door; she didn't throw a shoe at him but stated "what do you mean you have to learn how to speak English" and they calmed down and got things in order. Mrs. Stinney expressed that Council hears those concerns and those are things if this passes this evening that can be tweaked. She is hoping people like Mrs. Bradshaw that came up to the microphone tonight will have a say, will jot those thoughts down, will have those concerns ready for the committee to say, listen I want them to look at this; this is the example. Mr. Bayer conveyed he was going to echo what Mrs. Stinney was saying and what Mr. Vaz stated before which kind of got lost in everything he said which is public entities if this becomes a Township fire department, can't discriminate against a person based upon an acknowledged disability. Even if an ordinance or statute says something there is also a law out there that says we can't discriminate against people because of disabilities. To echo what Mrs. Stinney said is the way to deal with the issue Mrs. Bradshaw raised and he thinks it is a good issue is that once the committee is established and they work on language that could somehow make sure that public safety is preserved but people who aren't able to read but yet can pass these tests and otherwise serve and otherwise qualify operationally from the Chief's

perspective. There has to be a way to write that in to allow for that flexibility. Because at the end of the day in any law or anything that a municipality does, they can't discriminate. Clearly that is not what anyone here is intending to do but it's just a question of how they fit that into some kind of language which at the same time preserves public safety. Mrs. Bradshaw asked who determines what proper English is and where the manual is for what proper English is. Mrs. Stinney replied they'll sit down and look at the 504 disabilities act and they'll interpret that and tweak that in to what they need to do that. Mrs. Bradshaw explained the reason she is asking is that she doesn't say things the way they say things and there are people that are bilingual and in their homes they were brought up on a different language, therefore, when they speak English it is very broken English. One can understand it and sometimes it is very comical but one can understand them. There are times when she has been on fire scenes where if it were not for that person, they would not be able to communicate with the homeowner. If it's broken English and some people don't understand, the verbs are wrong, the nouns are wrong and what is that be determined. That is the type of sensitivity things that people need to look at. By all means, people don't speak proper all the time; they don't read proper all the times and they don't write proper all the time. Mrs. Stinney conveyed she hears her comments. Mrs. Bradshaw asked at what point the Administration will fall in place, noting they are talking about creating a fire department in the fire house they have administrations and wants to know where that falls in place. Mr. Vaz asked if she is talking about the company administrations. Mrs. Bradshaw answered yes. Mr. Vaz replied if he understands the question and he doesn't think he is, but they do it on their own terms. Mrs. Bradshaw stated if they have to answer to one person and for instance her husband, something comes across and the Chiefs will know it has to be taken up to administrative point of view, her husband does the disciplinary action for that person by this it is stating if the Chief does not agree with the discipline action, they can therefore go in and disciplinary as he sees fit. She asked where the line of administration is and the Chief, is it going to be the same as now or is there going to be a new line. Mr. Vaz asked Mrs. Bradshaw if she is talking about the disciplinary process. Mrs. Bradshaw replied yes. Mr. Vaz noted that he didn't understand that when she first asked the question. Mr. Vaz explained there is a requirement for an appeal process and his recollection is the specifics of the appeal process which cannot be inconsistent with the basics that are in the ordinance are going to be set forth in the rules and regulations and/or policies and procedures. An appeal mechanism was built in to this process. If they get back to the issue of internal vs. Township issues; the internal issues are not going to have an appeal process to the Township process because those are matters solely reserved to the fire company. Mrs. Bradshaw answered to be a little more specific, let's say "Billy Bob pushed Jo Lynn while they were off the truck; pushed her off the truck. Therefore, that now it can become a Chief, the Chief can either say, no or it can become administrative. But say that internal, they chose for it to be administrative but the head Chief decides, no, no, no, no, I don't like that disciplinary action and I want it changed". She questioned at what point in time, the administration continues their power over-running the fire house vs. the Chief stepping in. In other words, if her husband does a disciplinary action upon somebody as administration, can the Chief therefore come back and give them an additional disciplinary action if he feels that disciplinary action was not right. Mr. Vaz replied that if what she is saying is something that is purely internal, then the answer is no; that is reserved for the fire company. Mr. Vaz stated the question that she is asking he is not going to have an answer to one of them doing a hypothetical that they can ask tonight is what is internal vs. what is Township. Mr. Vaz stated he thinks that is what she is really asking and others have asked that question tonight and some of it he stated is going to be clear cut. He relayed that a guy running into a fire without his SCBA is certainly going to be something the Township is going to have a concern about from an insurance perspective at a minimum but someone not showing up for six consecutive meetings is getting

tossed and if that's what the by-laws say there is no appeal to the Township on that and that is solely internal and they're going to follow their own by-law procedure on that. Mr. Vaz is trying to make it real clear because he knows there will be examples that are not clear. If they start from the most clear.....Mrs. Bradshaw interjected that for the most part that did answer and she just wanted to make sure that if she threw Kenneth out, he was a member and she was the President and she threw him out and Chief Davis decided that he didn't like that disciplinary action and wants to keep him in and suspend him for six months. That was the thing, if it was an internal as long as the Chief could not therefore come back down because ultimately they are all running underneath the Chief and wanted to make sure of the clarification with that. It also states in there if a member is kicked out from a fire company, they are not allowed for four years to be a member of a fire company in the Township unless the Business Administrator over rides it. Mrs. Bradshaw reflected it is right there when it becomes an internal issue. That is an internal matter and that is up to the members and the members only. That is an administration. Now we're coming in and somebody else is telling us how to run their fire house. She kicked Thomas out. Then again, that is what she is trying to say that the ordinance states the Business Administrator or the Administrator can therefore over ride that and say no; they can be a fireman at another company because I thought that was injustice. Mrs. Bradshaw conveyed that it states that in the ordinance. Mr. Vaz added he knows what it says and it was intended to fix a problem that is profound in this town which is people bumping from fire company to fire company getting thrown out of one place and ending up at another place. Mr. Vaz is not so sure four years is the solution and maybe other people have a different opinion. Right now, it says four. Mrs. Bradshaw expressed that she is not opposing the time but is asking the question that if it becomes an administration thing and she says Thomas Inge, you were brought up on such and such charges that violate the constitutional by-laws therefore we deem that it is fit for you to be removed from the fire company and he comes to the Business Administrator stating it was not fair and whatever his conversation may be with you and you deem that you will allow him to be a member of another fire company and not wait the four years because you feel it is not right. That is where the administration gets stepped on. It's an administration value and if they feel that person is not fit to be in that fire company for whatever the reason may be and ultimately the repercussions are for four years you cannot be a member of the Township fire department; for a separate entity to come back and over rule that and allow them to become a member somewhere else. Mr. Vaz explained it is intended to be a relieve valve in an exceptional case but they are actually agreeing on the principal part of that section. It was intended to plug a hole of a fire company being a dumping ground for fire fighters who don't know how to be a member of other organizations. They agree on the principal part of that and they don't want to see that happen. The section about the business administrator or the Director is a relief valve if there is an exceptional case. Mr. Vaz noted it is a relief valve and hopes that it is used as infrequently as possible but it is there in case there is somebody that was unjustly tossed from one Fire Company. Mrs. Bradshaw asked what determines if they are unjustly removed. Mr. Vaz replied he doesn't know and added that they would have to see it when it is presented to them. Mrs. Bradshaw asked if ultimately it is case by case. Mrs. Stinney and Mr. Vaz both answered yes. **Ed White: 1.** He is the President and past Chief of the Magnolia Road fire company. He is before Council tonight representing three of the four organizations within the Township of Pemberton. He noted having heard a lot of discussion going back and forth and he did sit in with the Mayor and Business Administrator on January 15th. All of the company's Chiefs, Presidents or related parties were present. The discussion of the ordinance goes back to the purchase time of the three trucks they just took delivery of. This whole plan has been over a year in the process. All of these questions that have come up in the past few months and he looks back at it and kind of laughs and asks why hasn't any of it been going on prior to the purchase of the trucks. They have asked for a study to

be done. He understands the Township is in a bind now with money. We spent \$1.4 million dollars on brand new trucks and equipment but no study was done. You want to pass an ordinance which gives a structure for a span of control, leadership and responsibility but a study is being requested. It's just a document that covers structure. That's all it covers. The problems that they've had all the way back in 2007 with Magnolia Road wouldn't have taken place had such structure been present at that time. They make reference to 31,000 plus people in the Township of Pemberton which all of these volunteers are responsible for and they donate their time to. Council and the Mayor are responsible legally for what the volunteers do. Right now those 31,000 people are covered by four different points of views, four different sets of bylaws and four different policies and procedures. The next year when they have elections that could change again. This current ordinance would alleviate that problem because they will all fall under one set of rules; one set of bylaws. Everything would come under the scope of the fire protection and it would fall under one. From listening to the other speakers tonight, there seems to be a lot of confusion. Mr. White informed he is the President of Magnolia Road. When he had the meeting with the Mayor and the Administrator, he specifically asked to have the disciplinary part put in for internal matters because it was not in the original draft. That covers if someone is done internally that affects our constitution, then we deal with you internally. This ordinance does not cover that, our constitution covers that. If you do something that affects the fire service that we're providing, then the Chief takes over because that's their expertise; it's not ours. Mr. White asked for clarification if that is correct. Mr. Vaz replied yes, generally. Mr. White stated the terminology he hears about the reading and writing and he understands why it is there and quite frankly do they want somebody going into a building maybe as their back up that can't read the sign that says in case of fire, do not put on water. He doesn't. They make reference to individuals who.....his mother was handicapped and that is what they have the ADA for. They are confusing two different types of people. There are normal people that don't have the aptitude to do what they do and then there are people that are disabled and they are getting them confused here tonight. The bottom line is they're not going to hold anybody that's handicapped of any degree against the ability to serve if they can. The age requirements were covered; the 16 to 18 years old are junior members and will not have a high school diploma and they will not be held responsible for that diploma until they are eligible to have the diploma and in turn they would continue as they do today, they run through until they turn 18 and then reapply through the process and 99% of the time, it's a paperwork thing so the Township can change their status on the insurance because they become more responsible and can go in and handle more duties and responsibilities. The manual of supervision was touched on as well. It is not there, because we don't know what it is right now. Right now we have four different ones again and they don't match. If Mr. Inge is the Chief of Country Lakes and he comes over to Magnolia Road, he could be a Fire Chief for twenty years and my Lieutenant may have four years under his belt period and it's his first year as Lieutenant and because of the way our structure is, he is subordinate to my four year Lieutenant. He expressed that's crazy and in today's responsibilities, command and structure, the highest person should be the person in charge. Ultimately, you guys know as a Township, you are responsible. They make the mistake; they can always say they didn't know any better. They're responsible because they're paying their bills and paying their taxes. In 2004 when he was the President of Magnolia Road, he brought this issue up at one of the Chief's meetings and he was badgered because all he asked for was one set of operational by-laws to be adopted by all four Township companies. That whole individuality came in, they're going to lose this and they can't tell me what to do. No one was asking anybody to be told what to do. He asked to bring it to the table and they would be one step closer to where they are today. Financially he sees a document of structure and his secretary has a document of finance which is the contract for service. Two independent documents and he doesn't understand why people keep

mixing the two up. From the President's stand point he knows the Township gives them x amount of dollars and the Chief is responsible to spend half of that on equipment and the other half is his job to keep the doors open and the lights on and the building there for the equipment. Mr. White reiterated that he represents 3 of 4 and 75% is on board. The numbers themselves speak for the direction that we need to be looking to go. This document is not perfect. No document that is ever produced is perfect. It will have to be tweaked. Maybe in six months, maybe in six years. There has to be a start and there's no better time than the present especially considering the fact that we just purchased \$1.4 million dollars worth of equipment and turned it over to the companies to serve this Township. Right now, if you go on Pemberton Voice there are a thousand and one questions that could be avoided if it was under one structure. Because it wouldn't be four independent opinions. It's one person responsible back ultimately to the Mayor and then to each battalion chief for their internal affairs. Mr. White thanked the Council and added that he hopes this goes through tonight. He sees it to be a benefit for everybody. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments on Ordinance No. 8-2009.

Council President Stinney convened the meeting at approximately 9:04 pm for a short break and reconvened the meeting at approximately 9:15 pm.

Mrs. Stinney thanked each and every one that came forward tonight and gave suggestions, comments whether negative, positive, suggestions to look at it, go back to it, adopt it, don't adopt it and she thanked them all very much. One thing she wanted to say was it was very sad regarding the communication level; she hears the Mayor constantly talking about the doors open and hears the Business Administrator talking about the doors open and she knows transparent meetings are good documents but when they have a second they can pick up the telephone and that's what is wrong with their society today. They don't communicate; they would rather show off, throw things around, get angry and it's so sad. They are with a society that they have today and it's okay to disagree; it's fine, it is great they have good and just as bad. Mrs. Stinney informed The Burlington County Times reporter that she is not jumping on him tonight and she gave a thank you to him. She had a long conversation with him and noted that it is okay that they have disagreements but they need to have balance and need to talk about it. Mrs. Stinney informed she called the reporter up the next day when she saw some great things in the Burlington County Times newspaper. Mrs. Stinney had a friend from Willingboro call her because they had sold out of newspapers in Willingboro. She rushed out and bought four copies because the newspaper was full of kids. Mrs. Stinney doesn't know if it was something that she said but she called the reporter and thanked him. She reflected that they should all have something good, positive, and constructive, agree, disagree and it's okay. Those things are great and that's how they work and put things together. Mrs. Stinney referenced Mr. Bradshaw speaking of different governments that he is under and the laws and all of those sorts of things and it's a good thing. She is sorry that they don't utilize their rights to come up and ask questions as opposed to showing and telling and showing off or going off. Mrs. Stinney thanked everyone for the positive and negative input tonight reiterating it's all good. It gives us ideas of what they need to think about doing, how they need to go with it and make a document work. Mrs. Stinney advised that the public has input and she will now go to Council and this is something that Council hasn't done before. There has been a good dialogue with Council at the last meeting and some Council members brought forward some suggestions and they were tweaked in the document. Council listened to what they had to say and now Council is going to do what they normally do and that is have dialogue. Mr. Inge commented that after hearing the public come up and speak and members of the fire departments come up and speak, he still feels that there is too much control by Administration trying to take over the fire departments. It's been said that they have to crawl before they walk but he doesn't think they're

even at the crawling stage. Mr. Inge noted that Mrs. Stinney stated earlier that Administration's door is open and the Mayor's door is open to anybody that would like to come and speak to them. Mr. Inge commented that might be true but that doesn't mean the person will get the same answer as another person that might come to their office involving another fire department. There are four fire departments in the Township and when this Council first started, there were five. He expressed that Goodwill is a very important part of Pemberton Township. Goodwill has not been mentioned and he doesn't think they have been asked to come to the table to review this ordinance. Mr. Inge noted out of the four fire companies, there are three that are in agreement with this ordinance. Mr. Inge would like to see that it is not the Mayor that chooses an overall Fire Chief but would like to see the Chiefs choose the Fire Chief. Mr. Inge expressed that they will look at losing a lot of volunteers especially when Administration interferes with by-laws that individual departments want to set up. Mr. Inge does not think any Council members will be doing any volunteering in any of the fire departments and doesn't think Administration will do any volunteering. It's the individual fire departments that coordinate the volunteer efforts to raise funds to help keep their town safe. There are five great organizations in the Township and they should honor them. He does not think at this time; there are a lot of the loop holes in the ordinance; they keep hearing that it can be amended. Mr. Inge suggested doing the amending before the ordinance is passed. Mrs. Scull expressed concern regarding the issue of a high school diploma. As someone who worked with teenagers for a good part of her career, sometimes they do some stupid things. Mrs. Scull does not like to see somebody penalized because they might not have gotten their high school diploma or GED. Mrs. Scull does understand the concern regarding speaking proper English and understands why there is something in the ordinance where they have to be careful of whom they do go in to those burning buildings with. If they're talking about somebody that is non-verbal, she doesn't know that she would want them in the building with her if they can't yell "over this way or whatever". Mrs. Scull would hope that issue as well is looked at and to go back and check whether it's directly from the state and has to be in the ordinance or if that can be tweaked as well. Eighteen year olds probably has to do with insurance purposes but the high school diploma and the other, she would like checked to see how it is written in the state ordinance. Mrs. Scull also understands concerns regarding the Mayor making appointments. Not necessarily this Mayor, because she knows this Mayor does what he thinks is the best thing for the community and is willing to take the lumps and the bumps that go along with that decision maybe not being popular because he has taken plenty of lumps and bumps from her when she has gone in there and argued situations. Mrs. Scull conveyed that she never leaves the Mayor's office not believing that the Mayor is doing what he really feels is in the best interest of the citizens in Pemberton Township. Mrs. Scull does have a concern regarding this because she can see where it can become pretty political. Most of this ordinance was drawn up by the fire chiefs from other communities and whether or not that has to be listed that way because they are a Faulkner Act community. She commended the Chiefs and all of our fire fighters because she knows it was more than 3 or 4 people that put time and energy in to coming up with this ordinance. Mrs. Scull appreciates all of the time and effort that they give as volunteers and they all know the community cannot support paid fire fighters. They are all very important to this community and she certainly hopes little disagreements and squabbles don't drive them away and that they all come together, work together and continue to benefit Pemberton Township because they are truly needed and they truly are respected. Mrs. Scull thanked them very much for their efforts. Mr. Prickett seconded what Mrs. Scull said relating to the needs of volunteers in our town and how they have such a debt of gratitude for all of them coming out and volunteering their time. It is so important and each and every one of Council is thinking about that as they review the ordinance and make their comments. Mr. Prickett didn't hear any negative comments and didn't hear anyone come up to the podium and state anything negative. Everything that was

said was very constructive. There was a need by the questions and the comments that were said for more specifics and for a lot of things to be worked out. This will be the third meeting that Council has had to talk about this ordinance and Council has learned a lot over that period of time. There is a lot more to learn. Some of Mr. Prickett's questions have been answered tonight. The first question that he thought was very important and very important to the volunteers is really focused on the two sentences on the first page. Mr. Prickett pointed those out and added it's really the second sentence that he wants to talk about first. The two sentences are in Section One, the third paragraph which has to do with: The Township finds that economies and efficiencies can be achieved and the next one: Moreover through the contracting process, this goal can be achieved while preserving the special identities of each volunteer fire company. Mr. Prickett asked that question at the last meeting of what would be involved in negotiating for a contract. He really didn't get an answer and he suggested it might be negotiating the amount of money received as a company every year. Typically they have been receiving over the last couple of years, \$24,500. This year in the budget it is \$25,000 per company. Mr. Prickett also suggested that maybe not receiving the full amount and it might be based on the rental of the facility or the number of runs done, calls answered and that question wasn't answered at that time. Tonight, there were some answers and they were mostly from Mr. Vaz. Mr. Prickett stated Mr. Vaz commented that it's possible that the money will go in to one lump sum in to a bank and essentially in to the fire company as a whole and be dispensed from that bank or from that area. Mr. Prickett stated he does not know who would control how much money each company would get or what that would be based on. Mr. Prickett stated they need to find that out and that needs to be cleared up. Mr. Prickett noted that Mr. Vaz also stated which he thinks is important, is a change is how they do business but at the same time they preserve the identity of the fire companies. Chief Davis had asked if the fire department will now have the responsibility for company expenses and Mr. Vaz indicated that they would. Mr. Prickett asked how much would the companies receive and if projections could be based on supporting the companies by this ordinance. At this point, that is not clear. Mr. Prickett asked about the identity of the fire company. The Director sets the rules, the policies, the duties, they approve the equipment, they review the bylaws and approve them, any that are amended or suggested or requested and with all of those charges by the Director, are you still going to do all of the fund raisers and volunteer all of the hours and put their lives on the line to make sure all of the companies continue to maintain their identities. Mr. Prickett thinks the answer is yes but will it make it more difficult for them. The second area he was concerned about was the first sentence which is: The Township Council finds that economies and efficiencies can be achieved by establishing a volunteer fire agency that will serve as a department of municipal government. Economies and efficiencies were noted by Mr. Prickett. He commented that he has spoken a lot about a RHAVE and to be clear it is RHAVE which is a risk hazard and value evaluation and has heard a bit of support tonight. Mr. Prickett noted that Mr. Vaz spoke of it and President White spoke of it in his comments and it sounds like there is a need. They've been talking about it for over one to two years now and it still hasn't been done. Mr. Prickett reminded that he mentioned at the last Council meeting that they are re-doing their master plan which has plans for the future of the Township. It talks about fire companies, building new fire companies but it doesn't talk about a master plan for fire companies that could be derived from a RHAVE and that needs to be in the master plan. Mr. Prickett continued that the last area he wants to talk about is, to him, one of the most important areas and that is the flaw in the ordinance. He supports the ordinance; all of the things talked about tonight are very important to rectify and address, however, it is the very way you go about doing that that he is concerned about. Mr. Prickett referenced page two, 25-02 that notes volunteering personnel. The first person that volunteers under this ordinance is the Fire Chief. Then there is the Assistant Fire Chief and two Deputy Fire Chiefs and the rest of it describes all of the volunteers for the fire

companies. Mr. Prickett noted that he did not see the Director in the list and pointed out that the Director is not listed as a volunteer member of the fire company. The Director is not found until the section below that in section 25-03. That would leave him to believe that the Director could be and they were talking about putting in a Safety Director in the town a couple of years ago and the residents came out in droves for Council not to do that. That brings us down to the Director. Mr. Prickett remarked that Mr. Vaz stated no, that is a volunteer position but that's not clearly stated in that section of the ordinance. Mr. Prickett wanted to look at the Director more carefully and they know that there are two responsibilities. The Director will supervise the Fire Chief and adopt policy, procedures, duties, and all of those things talked about tonight. Mr. Prickett asked what else a Director will do. There is no job description or no outline of what the Director does. The Director certainly doesn't have any qualifications. Mr. Prickett asked what the purpose is of having a Director and further asked if that person shouldn't be defined. Taking a look at the Fire Chief who is supervised by the Director and there is an amazing amount of responsibilities this person will have. They will have sole control and command in cases of actual fire or other emergencies. They will periodically inspect all apparatus, they will render an annual comprehensive report, and they will be responsible for the proper and effective management discipline and training of volunteers and enforce all rules, regulations, and policies adopted by the Director, who doesn't have a job description. Nor do they know what their qualifications are. The Fire Chief will carry out the responsibilities on a volunteer basis. Mr. Prickett conveyed it sounds like a full time job to him but they are not going to get paid and asked how are they going to support themselves and if this is their second full time job. He questioned if they will have a staff to support them. Mrs. Scull responded that there already is for most of the Fire Chiefs. Mr. Prickett noted there is a bit more burden on them at this point with how this is described. Mr. Prickett conveyed that one of the things that are not listed here are some of the things that they all have to manage. Most importantly, manage the volunteers as they are the most important resources they could manage. They will have to be looking out for them; have to attract new volunteers and have to do everything they can to make sure volunteers stay in the fire fighting service. That is a huge responsibility along with the other things that they just talked about. Mr. Prickett reiterated that the Fire Chief won't get paid, has all of these qualifications but he reports to and is directed by the Director. Mr. Prickett reiterated there is not a job description for the Director other than he supervises the Fire Chief and he adopts procedure and policy. Also, there is a need to talk about these people that these positions are appointed by the Mayor and these people serve concurrently with the Mayor. Mr. Prickett expressed that brings politics in to the picture. He would much prefer to see a Fire Chief in a staggered term. If there is going to be a volunteer Fire Chief then why couldn't they be in a staggered term so that there is consistency from Administration to Administration. Why wouldn't they have a new Administration, a new Mayor and they might not have the same Chief, Assistant Chief, Deputy Chiefs and they might have some new people. That's not always bad but when they have it all at once, it creates a problem. Mr. Prickett expressed that it brings him back to what really concerns him about the ordinance and that is what model is being used in the ordinance for the Fire Chief. Mr. Prickett questioned if we are using the Safety Director model, a Chief, Fire Chief model where they are insulated from the politics where they get paid. Mr. Prickett reiterated a Fire Chief should get paid if they have all of this responsibility. Mr. Prickett asked what is funny. Mrs. Stinney asked if what happened. Mr. Prickett asked what happened. Mr. Prickett stated that he doesn't think it is funny that he said that a Fire Chief should be paid. A Fire Chief should have some security in their job so that they can when they take responsibility for the bad things that happen in the town, that at least they can say well they did everything they could to make sure these things didn't happen. The way the ordinance is set up now, they are directed by a Director who adopts the policy and procedures; they are supervised by a Director but the poor Fire Chief is kind of

caught between a rock and a hard place. Again, Mr. Prickett expressed that we need to take a look at the Fire Chief and give him some stability, some more rights and make him a department head, let him report directly to the Business Administrator and directly to the Mayor and not have a redundant system of a Safety Director or a Director however they may want to call it in between. Mr. Prickett apologized if anything he said was funny or not clear but trying to explain and present such a complex issue is very difficult. He does so with the utmost respect to everyone in the room no matter how they feel about the ordinance whether they are for or against it; he supports them in their efforts to protect the residents of Pemberton Township. Mr. Prickett noted there is a fatal flaw with the Safety Director Model which is what he is going to call it as opposed to a Chief model where there is a stability of a Chief that doesn't come and go that is paid that has the responsibility that goes along with their title. Mr. Cartier thanked everyone for coming out this evening and showing their support for or against the ordinance. Mr. Cartier informed that he has a special place in his heart for fire fighters because fire fighters run throughout his family and to be honest he thinks they are all a bit touched to run in to a burning building. It's not something he would want to do. This ordinance was written by the Fire Chief's Association of the Township and as it was stated this evening, three out of the four supports it and one does not. They stated their reasons for not supporting it this evening. The ones that do support it were expressed by President White with valid points. This ordinance goes to establish the structure of the fire associations in this Township that has been long needed. Since he has lived in this Township almost 11 years now, there has been some sort of problem with the fire companies in this Township whether it be Browns Mills, Magnolia Road, or Country Lakes. Mr. Cartier stated that he still has yet to find a problem with Presidential Lakes but he's sure there is one out there somewhere. Mr. Cartier indicated this ordinance reflects what is needed in this Township and it's going to be good in the long run for the residents of this Township. There are some concerns and he has some concerns with the diploma part of it. He did question that before and was told long prior to this meeting it has already been expressed and will be worked on. Mr. Cartier is in favor of this ordinance and it is going to go a long way in helping the fire departments in this Township. Mrs. Stinney thanked Council for their comments duly noted and all of their concerns duly noted. Council President Stinney thanked the volunteer fire fighters in the Township for all of the good things they have done.

Motion by Scull and Cartier to adopt Ordinance No. 8-2009. Scull, yes; Cartier, yes; Inge, no; Prickett, no; Stinney, yes. Motion carried.

At this time Mrs. Stinney shared a correspondence that she received. She has spoken with a lot of people that have gone on their webpage that have read this ordinance. She noted that Mr. Adams was heard at the last meeting. Mrs. Stinney took it upon herself to talk to a Chief in Burlington County and they spoke for approximately one and one half hours on the ordinance that they have also read. Mrs. Stinney spoke to another reputable person who she will refer to as Ted and they spoke for approximately two hours and of course every person that she spoke to had the opportunity to read this ordinance and they commented. What really touched her today was the correspondence that read, "Dear Mayor Patriarca and President Stinney. I want to take this opportunity to send a letter of appreciation regarding Craig Augustoni. Mr. Augustoni just recently assisted Woodland Township's two fire departments and EMS Squad in completing a very successful merger. The Township committee had requested for several years for the two fire companies to merge with no success. In 2007, the Township Committee disbanded the existing EMT's and turned them over to the Lebanon Lakes Fire Company. With the merger of one Fire Company and EMS, the Committee again strongly recommended a merge with the other Township fire companies. Our

committeeman, Matt Hendrich, got in touch with Mr. Craig Augustoni and requested his help. Without hesitation, Mr. Augustoni jumped in and provided advice and guidance. With his advice and guidance the merger of the three companies were completed within six months. He has shown not only the fire companies but also the Township Committee how to handle fire company budgets, how to form the officers to include members from all of the services and how to handle equipment requests to the Committee. He instructed our newly appointed Township Chief in the ways of dealing with the Township Committee to be efficient to both the fire companies and to the Township Administration. The Township Committee greatly appreciates all the assistance that Mr. Augustoni has provided and is grateful that he was able to get the long requested merger completed". Mrs. Stinney explained she read this to say that so many people she has spoken with asked her what took them so long to do this and they appreciate Pemberton being the example of what many, many fire companies can become. Mrs. Stinney expressed thank you from the bottom of her heart; she doesn't know how they do it; she would love to learn how to do it. She hears where Mr. Prickett is coming from, noting he stated that they should be paid. Mrs. Stinney asked where they will have the time and effort to do the things that they do. Mrs. Stinney recalled one time when she asked to serve on the J List Committee, Mr. Prickett stated to her where does she have time to sit on another committee. Mrs. Stinney recalled that she politely answered it is in the heart that allows you to do the things that you do. She wanted to make that analysis. Mrs. Stinney again thanked everyone for all of their input tonight. Mr. Inge asked if elections are this week because it sure sounded like a speech to him. Mrs. Scull asked for a point of order. Mayor Patriarca asked Council President Stinney if he could make an announcement that would be meaningful. Mrs. Stinney deferred to Mrs. Scull for her point of order. Mrs. Scull replied her point of order is for the comments that Mr. Inge made. Mrs. Stinney asked Mr. Inge to yield to the Council. Mayor Patriarca reminded everyone to set their clocks back this weekend and as a reminder to also change the batteries in their smoke detectors. The public interjected that the clocks are turned forward.

GENERAL PUBLIC COMMENTS

Chairwoman Stinney opened the meeting to general public comments. Those wishing to comment were: **Betty Donelson: 1.** Had a question about the budget schedule. The first meeting is Saturday and asked if there is going to be a list of departments and who is going to be heard on what day or time or anything like that. Mrs. Stinney explained she hasn't had an opportunity to sit down with Council and discuss that and she does refer as she stated earlier, listen to her Council and perhaps at the first budget hearing, they will sit down and have a discussion with that. Mr. Prickett informed Council received just the budget and they do not have any explanations for the line items, no totals and no schedule at this point as to what they will be talking about. Mrs. Stinney stated that is what she just said. Ms. Donelson asked when the public will be able to get a copy of the line item budget by department. Mrs. Stinney deferred to Mr. Vaz through the Mayor. Mr. Vaz answered it is his understanding that Mrs. Young has two copies in her office. Ms. Donelson asked if they can be copied. Mr. Vaz answered he believes so. Ms. Donelson noted that she will contact Mrs. Young like she usually does with OPRA. Ms. Donelson stated a few meetings ago, she had asked the Administrator about the webmaster and who was doing that work and he had replied several employees. Ms. Donelson noted there is a stipend attached to that job and she asked who is receiving the stipend. Mrs. Stinney answered that is administrative and will go through the Mayor. Mrs. Stinney deferred to the Mayor if he chooses to answer. Mayor Patriarca replied it's not that he does not know the answer to that. Mrs. Stinney commented that Administration will get that answer for her. Mr. Vaz interjected that he can answer that question and that line item that is actually in the budget is for the Police Department website. He explained that has a stipend attached and that did in the 2008 budget. The other people that are

involved with the Township website, Pemberton-twp, do not receive a stipend and there are three or four that are involved in that website. Ms. Donelson questioned that whatever is in the salary ordinance is for the police. Mr. Vaz responded that is for the individual in the Police Department that manages their separate website. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments.

SOLICITOR'S REPORT:

Andrew Bayer: 1. Nothing to report for open session.

ENGINEER'S REPORT:

Chris Rehmann: 1. Received from the NJ Pinelands a reduction in the buffer requirements from 300' to 175' for the Nesbitt Field. The Mayor indicates that he can probably now add some additional athletic fields to that site. They will be looking with the Mayor to see how that can be accomplished. The Pinelands did look in to and approve their request. 2. There is an issue with the Lebanon Forest Dam or the Presidential Lakes Dam in the sense of an unusual situation has occurred. There is a bridge on Dakota Trail that was a subject of an agreement between the Township and the County. As a former County Engineer for twenty years, he was under the impression that all bridges were under the County jurisdiction. There is an agreement that was set forth between the Township in the past that the County would be responsible for the deck of the bridge and that the Township would be responsible for the substructure. With this all dewatered at this particular point, that substructure has been able to be inspected by their staff and there is a lot of damage that might want to be addressed while there is a contractor on the site. Mr. Rehmann passed pictures out to Council so they can see what he is talking about. Mr. Rehmann explained there are vertical piles and 4x4's that are referred to as whalers that on a horizontal basis go from pile to pile and that is what the sheeting is nailed or bolted to in order to keep the soil in place and allow the water to go under the bridge. There is also under the bridge, some steel supports or bracing. He has asked the contractor after ARH inspected the piling and what they do is take an ice pick and shove it in to the pile because what happens with piles on the outside of them they remain to look fine but if the ice pick goes right through, you know the interior portion, the heart, of the wood has rotted. They also use a hammer to listen to the type of sounds they get out of that and they are all approved bridge inspection methods. ARH believes that those piles, webbing and steel structure need to be replaced. Mr. Rehmann conveyed that he is not asking Council to make a decision tonight. He wants them to be aware of it and think about what he is talking about. The bridge will not fall tomorrow. It is not something that has to be done immediately because he doesn't have to then pay a contractor later to mobilize his equipment and bring paper bonds and do all of that stuff that would normally have to be done if they went out and bid that project which they have already done for the contractor who is at Presidential Lakes. The negotiation is not finished and the cost is about \$100,000 and what that entails is the replacement of the 6x8 timber whalers, about 60' of that at \$160 per foot, removal and replacement of the pile at approximately 240 linear feet at \$44,000, pile caps at \$5,000 that need to be replaced, remove and replace the steel under the bridge which is \$20,000 and then there are some additional steel bracing that needs to be replaced for \$2,200. The decision he would like Council to think about is these are prices that they have negotiated and haven't been bid. They have taken some from the bid prices but some of the steel was not anticipated in the design by Alaimo of the dam so he had to negotiate those kinds of things. Mr. Rehmann suggested Council think about whether or not they want to bid this and there will be additional costs such as mobilization, demobilization, bonding cost, etc., or whether it is wise to come out and issue a change order for this. There is some money in the road bond program. This is a bridge associated with a road. They could work that out and he hasn't talked to Chris about this yet and still needs to be discussed. Mr. Rehmann clarified that he

needs to justify in his mind that the contractor is giving the best price. What he did in the construction of the dam is there is a coffer dam, a steel sheeting that was put in that was much larger in the contract drawings than what is approved for the contractor. This was a joint venture between the contractor and his office to try and save some money. Mr. Rehmann can take some of that savings and apply it to this change order so it would not be the full \$100,000. He hasn't quite gotten the contractor to see his point of view yet and he is working on that. He would like to make sure that they don't get an extra or a contract adjustment claim later on and wants to issue a change order on that particular item also so he signs off on it so they are all on the same page as far as the fact that they have gone from \$100,000 to \$60,000 and they think they have saved \$40,000 so that would make this a net \$60,000 increase. Mr. Rehmann offered Council to go out to the site. Ron Reams is the site inspector and he would be happy to show them what is happening. Mr. Rehmann does not want Council to make a decision without being informed. ARH will be sending Council the information in detail between meetings so that they can sit down and think about it and then discuss at their leisure. Mr. Rehmann asked Council if they had any questions he could answer tonight. Mr. Prickett noted that Mr. Rehmann mentioned there was money in a road program that could be used. Mr. Rehmann answered there might be some money in an old bond issue but he is not sure of that. Ms. Willis informed it is the 2006 Road Program that is being closed out and there is some extra money there when Clematis Street was removed from discussion because of the extra amount of money that would be needed to put in to the contract. There is still some money left over. Mr. Prickett asked how the design for the 2008 road program is coming along. He noted they talk about savings and there is one project that \$460,000 and he was hoping that could be reduced by at least \$160,000 and that could be used for this. Mr. Rehmann answered that ARH has not yet finalized the money for the 2008 program, so they are not moving ahead at this moment on that. Springfield Road is going to start, the next phase of Norcross Road will start and sometimes when dealing with the Pinelands they can be difficult but now when he is going to pave the road in front of their offices, many things run through his mind. One of the things he has found out is bidding in other towns, asphalt prices are way down. There was a bid that was estimated at \$350,000 and the asphalt prices were at \$75.00 a ton and they came in at \$52.00 a ton. This is an opportunity that he hasn't had the chance to discuss with the Mayor but we have to balance that. Mr. Rehmann stated we might not want to spend \$100,000 on the bridge and might want to spend it on roads and risk the bridge later on. What he would like Council to do is adopt a resolution asking Burlington County to consider taking over the entire bridge structure since that is their expertise. The County inspects all of these bridges under a federal program and there are a number of advantages for the County to have full responsibility and that would be something he would recommend to see whether they can get involved in this \$100,000 fix. Even if they spent \$100,000 and they took the bridge after they did it so they no longer have that responsibility. Mr. Rehmann wasn't here when the decision was made to accept that responsibility and neither was this Council and he is not going to comment on whether it is a good or bad decision and he would just like to at least try to make the decision and get it off of the Township's responsibility. Mr. Cartier stated the idea of a resolution is a good idea and suggested it be available for the next meeting. Mr. Rehmann informed he can draft something to Mr. Bayer so he can put it in intelligent English. Mr. Cartier noted Mr. Rehmann made a comment regarding the 2008 road program that something is not there. Ms. Willis advised the 2008 road program is approved and they have had a meeting with Administration to discuss what monies are available and where they should move forward. Mr. Vaz asked Mrs. Eden if she knew the balance that is in the 2008 capital program. Mrs. Eden answered it is approximately \$115,000 but she would have to go back and check. Mr. Vaz stated that is the balance. Mrs. Eden responded that is the balance after the three roads that were done. Mr. Vaz informed other roads were charged to that; roads that the Council approved during the year. It looks like the 2008 road

program will probably have to have another name at some point. Mr. Cartier stated to become the 2009 road program. Mr. Vaz agreed. Mr. Prickett stated some of the roads on the 2008 list have been done. Mr. Cartier answered some of the funds for the 2008 list was used in emergency situations on other roads. Mr. Vaz stated some of the projects that were presented to Council during the year had to be charged to that capital appropriation in the 2008 budget. Mr. Prickett commented they will now have to bond for the 2008 budget for the 2008 roads. Mr. Vaz added there was a note sale during the course of the year. Mr. Prickett commented that he didn't think the Township had gone out to bond for the 2008 road program and thought that was a comment that was made.....Mr. Vaz interjected that Council only approved the 2008 road program probably 6-8 weeks ago. In the meantime, these other projects had to be charged somewhere and they were charged there and the balance is approximately 115. Mr. Cartier noted that is what his concern was that the program was approved six weeks ago and nothing has moved forward and he was wondering why. Stuff is only going to start getting more expensive today. The news reported today that oil prices are going to start going up again. Mr. Rehmann advised the money has been used to leverage the state aid grants that have been received for the Township in Norcross and Springfield. The severe drainage problem has also been taken care of on Woodbine. Mr. Vaz conveyed some of that money will come back once the paperwork is filed with the department of transportation. Mr. Rehmann noted we are asking for reimbursement and we can get a certain percentage of that money so that we issue the contracts and the contracts were providing the paperwork so we can get that money back to the Township as quickly as possible. Mrs. Stinney remarked to Mr. Rehmann that the doors are open for communication and she thanked him very much. Mrs. Stinney noted that Mr. Rehmann mentioned Mr. Reeves is available for on site visits and asked Council since the door for communication is open again who would like to have an on site visit. Mrs. Stinney commented that she would like one and of course visits would be two Council members at a time. Mr. Cartier informed he would like a visit and asked for it to be planned for 7:00 pm. Mrs. Scull would also like a visit. Mr. Prickett inquired if the visit is to the Presidential Lakes dam. Mr. Rehmann advised if Council is interested, he would be willing to do the visit on a Saturday morning if that is what Council would like. Mr. Rehmann continued that sometimes touching and feeling make a difference and also suggested that Mr. Reeves would be available during lunch time during the week. Mr. Prickett asked if this would not only be to take a look at the bridge but also the work that is being done on the dam. Mr. Rehmann answered yes. Mr. Prickett commented that they need to move forward as quickly as they can with this bridge. The total project needs to be finished. Mr. Prickett recalled approximately 20 years ago when that bridge was put in and it took months to put that bridge in. The road was closed for quite a long time and he is surprised that 20 years later, it needs to be replaced. If the County would take it back, that would be wonderful for the Council that will be here twenty years from now. Mrs. Stinney confirmed that Mr. Prickett, Mrs. Scull and Mr. Cartier are interested in the visit. **3.** Mr. Rehmann spoke of the Evergreen and Lakeshore intersection and advised that the County is taking traffic counts. The County is arguing with ARH about the fact that a three way stop is not necessary because there is not enough traffic coming out of Evergreen on to Lakeshore and they don't understand that the problem is from Lakeshore to Evergreen because of site distance issues. The County is going to go out and cut trees and will also ask a property owner to cut trees and move a fence. Mr. Rehmann expressed he is not sure the County will receive that type of cooperation but there is a real resistance from traffic engineers to use stop signs when they think all that we are trying to do is correct speeding, because stop signs really aren't for that purpose. In that particular intersection it is site distance problems from what everyone has told him including the residents in the area. Mr. Rehmann reported that it is still a viable issue and they are trying to keep the County on board with what we are trying to do. Mrs. Stinney thanked Mr. Rehmann.

MAYOR'S REPORT

David Patriarca: 1. Commented the DPW for the work they did on the Township roads during the recent snowfall. DPW worked a lot of hours and did a decent job on our roads as they normally do. They did receive a lot of complaints about roads and the complaints involved County roads; PBM Road, 530, Lakehurst Road going through town was horrendous, North Pemberton and South Pemberton Roads were horrendous. The Mayor reported he went to Edgewater Park the night after the storm and once they got to Westampton on the other side of Route 206, the roads were clear. There wasn't a drop of snow in Willingboro. Mayor Patriarca stated they've had snow and took offense to that and had DPW contact the County Highway Department expressing our concerns and told them if they won't do the roads then fill out trucks with the salt and we'll do the roads. It's ridiculous that they leave their site here, drive on the roads in our town to get where they're going but don't do the roads in our town. The Mayor expressed it is unacceptable. The employees were offered to utilize their personal time or vacation time and not come to work on that day. They were open and there were a number of employees that did come in; they worked on a skeleton crew and were able to function that day and had quite a few customers since it was the last day that trash bills were do. They actually had someone come in and apply for a marriage license. 2. The heater has been fixed at the Nesbitt Center and the center is open again. Mayor Patriarca thanked the school district for all of their help by putting the kids in the Township schools during that time we were down. 3. They are getting an ATV problem and there here have been articles in the newspapers. Mayor Patriarca advised there were complaints that came in to Administration that he forward to the Chief of Police. They are looking at ways to address this problem which is common in their town. Individuals that ride these ATV's feel that they can ride them where they want and the complaints coming in state that the ATV's are being driven on our roads to access wooded areas that are private property. One of the primary spots was around Split Rock and Wisahickon in Country Lakes and Wisconsin in Presidential Lakes. The Police have put warnings out there and if they get stopped, they lose their ATV. 4. Made reference to Mr. Prickett's comment that Council did receive the budgets and they were a little late and didn't receive totals. The Mayor informed there are bottom lines and all departments and totals on all of the lines. Administration will have additional information for Council to be prepared at this budget hearing. As they go through the budget, Council will be able to understand what each line is directed for. Administration will have that information such as an 05900 line is for computer software/hardware and they will inform the description as to what the departments are looking for in the line items. The Mayor reiterated that the totals were given to Council and Council has all of the information they need to decide whether they are going to spend. Those are the items the Mayor has submitted to Council for operations for this year. Mr. Prickett asked the Mayor if he had the total budget if there are no changes. Mayor Patriarca replied if there are no changes it should be on the back change approximately \$24 million. Mr. Prickett asked if it is \$24,700,000. The Mayor agreed. Mayor Patriarca noted unless that page was omitted from the book and if it is not in the book, Administration will get that bottom line. The Mayor advised the budget submitted reflects a 9.8 cent tax increase to the residents but that was done with the idea that no employees will be laid off in the Township. They were facing 19 employees and it's a very tough decision but when they weighed in the fact that employees were still going to have their jobs, it made it easier. Mr. Prickett asked the Mayor if he had a revenue total. Mayor Patriarca replied all of that information will be provided in additional sheets that will come to Council with the current surpluses, revenues that were used to calculate the budget along with assessments and so forth and different tax equations that Council will factor in to this budget to determine whether this is a budget that Council can live with or not. The Mayor informed it is a very tight budget as opposed to other budgets but it does impose some increase that to

maintain operations that they are used to and there are some cuts in operations in there also and the budget does reflect an increase. Mr. Prickett thanked the Mayor.

5. The Mayor informed he was pleased to hear that the buffer Mr. Rehmann was referring to that was granted by Pinelands. That is what was submitted to Pinelands for the field behind the Nesbitt Center. The intention there is to put in a second football field for Youth Football. They are being moved from the field across the street so that they can dedicate that field to baseball and then that field gets a chance to recover after the baseball season which it doesn't get now since football jumps right in and uses it. They are looking to put in the second field at the Nesbitt and they are almost ready to start with the goal posts and the concession stand. They have to look at a few things and check out for possible approvals maybe through Green Acres. The Mayor reiterated that they are looking to get that started so the concession stand is ready for the upcoming season. Mrs. Stinney asked the Mayor if there was a way to get a letter out to the commissioner and those coaches. Mayor Patriarca responded that he has a meeting scheduled with them and Administration is on top of that. Mrs. Stinney apologized and added that she should have known better. Mr. Inge asked the Mayor to tell him about the parking. Mayor Patriarca advised parking right now will be where it's at. The Mayor continued that Administration is considering looking in to what it would take to convert the old hockey field section that doesn't get used for anything and maybe allow parking in that area also. Parking is going to be an issue down there when this was first approved the deal with the developer. He does not know if that was fully thought out and it has been identified as a problem and they are trying to address that with additional areas to put vehicles. Mrs. Stinney informed the Burlington County Times reporter is still present and she is sure he will get that word out.

6. Mayor Patriarca informed he has received information regarding the stimulus package that there is some funding that is already available to us. It is a very small crumb of the slice that they're hoping to get and there is a little over \$56,000 in grant money that is available through the COPS program and that could help fund some programs through the Police Department. Before they jump in to that \$56,000 they want to make sure that it's not a matching grant and the purpose is not locked in to something that they are not currently doing that they will now have to create another program and create additional funding. They'll have to look at that and see just what that grant involves. That is some money that just became available as of today and they were second in Burlington County on recipients. Willingboro has \$77,000 and then them. They are eligible for the highest amounts in that part of the stimulus package. The Mayor reiterated that is just a crumb that we are looking for. Mayor Patriarca advised he has been trying to lobby for more of this with a congressman and recently met with other Mayors at the Governor's mansion and listened to how this money is going to be divided. He is not real enthusiastic about the entire process; too much government involved. The state and possibly the county might have too much say in this and they may have a hard time getting their hands on the money that they are looking for. They're still hopeful that somebody is looking at their programs that they submitted and we'll stay on top of that and continue to push for additional funding. Mr. Cartier noted that he and the Mayor spoke recently regarding a website going around concerning stimulus monies and stimulus appropriations to municipalities and asked the Mayor to address that. The Mayor conveyed it is his understanding that was a 2008 webpage and this didn't take place until 2009 so he doesn't know what they are referring to. He noted their shovel ready projects that they were told to get in weren't due until 2009 and they came all of a sudden. The Mayor advised that he did not see that webpage and does not know the list that Pemberton Township is apparently not on that someone sends a letter to the editor or whatever. It is very possible that there is another list out there and it's a different type of funding. He does not know if it's stimulus funding and he is not familiar with that particular area that that person was referring to. The Mayor continued that he did hear recently and the source is credible since it is our local congressman representing our area that Deborah Heart and Lung just received some serious

money; some funding that was requested by them. Mrs. Stinney informed \$220,000. Mayor Patriarca conveyed it is nice help for an organization that does so much in their community and hopefully will help them continue their operations. The Mayor attended a briefing with Council President Stinney. Mrs. Stinney informed to watch how much they give out and noted the Commander's comments. Mayor Patriarca advised it was a briefing the commander on Fort Dix put together to get information on the joint base to the retiree committee and it was very informative. A lot of information on how and when this is going to take place is actually beginning this month. They are starting an initial phase and then they are gradually by October working this in so that the base will fall under one command by October 1st and that command will be the Air Force. The Mayor noted he heard today that the Air Force is suppose to be bringing in a one star, who will be a female who will be the overall Joint Base Commander and then there will be colonel for Fort Dix and McGuire but McGuire will have the lead on the entire project. Mr. Cartier stated according to the article in today's paper, it is a female colonel that just took over yesterday. Mayor Patriarca asked if the female colonel is up for one star and he heard there is a one star. It is happening very quickly and they are still on course with what they are doing and they are still fighting to get their gate open on Juliustown Road so that their business districts can utilize those customers that are on the base. Mrs. Stinney applauded the Mayor for standing up so firmly and speaking out for the residents of Pemberton Township. Council President Stinney conveyed the Mayor spoke very well and she thanked him very much; the Commander took it at heart and will be looking at Juliustown Road and the screen did not mention the 1,266 students coming in to the Township. Mayor Patriarca advised he has a fairly good relationship with the Base Commander who is a wonderful individual who listens well. The base commander knows the Mayor's position on the base, Browns Mills, Pemberton Township, their school districts and their business districts and they are working some issues out. 7. The Mayor conveyed they are in the process of putting together the Memorial Day parade. He has a meeting scheduled with the Veteran's Advisory Committee. The parade will be fine, if not finer than last years' parade.

COUNCIL MEMBER COMMENTS

Richard Prickett: 1. Looks forward to seeing everyone at the budget hearing this Saturday at 3:30. There are a number of other meetings scheduled and they need the public out to ask questions and hear about the budget. 2. Thanked everyone for coming out tonight.

Sherry Scull: 1. Thanked everyone for coming out. 2. Yesterday afternoon, she had the honor of being at their senior center when Freeholder Chris Brown donated \$1,000 to their senior citizens to use towards transportation costs. The seniors had shared with Freeholder Brown in their budget situation last year they didn't receive as much funding as they would have liked and there was a possibility that they would have had to charge our seniors a little more to go on trips. Out of the goodness of his heart, Freeholder Brown decided to give a donation to their senior council and it was appreciated. 3. Senior Prom will be April 29th. Last year she mentioned the ladies would like someone in uniform to dance with and none of the firemen showed up when she mentioned this at a Council meeting. Mrs. Scull informed the fireman present tonight that April 29th, the ladies would like to dance with someone in uniform. Last year, all had a great time and there were over 130 senior citizens and is sure this year it will be up to at least 150. 4. Mrs. Scull and the Mayor met with the MUA to discuss the on-going septic problems in Presidential Lakes. They are working on trying to come up with a solution together working with the MUA, Council and the Mayor. It's not something that is going to be fixed in a year or two but they have decided that if they try looking at it and start working on it maybe eventually down the road they will be successful in helping the residents in Presidential Lakes in that area. 5. Thanked everyone for coming out. It was nice to see friendly faces in the audience this evening.

Tom Inge: 1. Thanked everyone for coming out, especially the fire fighters of Pemberton Township. He expressed that sometimes they have to make decisions the way they feel and he stands by the decision he made earlier this evening. Mr. Inge would like to see the fire departments keep control of their departments. 2. Hopes everybody has a nice evening and expressed to get home safe.

Ken Cartier: 1. Expressed it was nice to see everyone this evening. 2. Earlier when he said they all must be touched, he explained that it does take a very special person to want to run into a burning building to save someone's life. With that being said, whenever it happens and God forbid it happens any time too soon, to please do it safely. He would hate to see anyone not make it home as is the motto of Country Lakes, "everyone goes home". He asked that by the grace of God, they please be careful out there. 3. Wished everyone a safe trip home.

Diane Stinney: 1. Thanked the Council again because the decisions that they make whether they be yay or nay, they are respected. Mrs. Stinney appreciates that without outbursts and the decisions that Council make are respected. 2. Council President Stinney commented to the families and she is sure with the newspapers and television news mentioned about the Ayala family, she was so proud of Kazan because she had him when he was 5 years old. When she saw the heroic thing he did, it touched her heart. She noted they do things, and she looks at the fire company, out of their heart and don't stop to think about it. They just do it because it's the right thing to do. The fire fighters here this evening are really good examples of what happened to their Township the other day. It sets the pace to let them know as residents that they do still have neighbors. They do have neighbors that don't turn their heads that come out and ask "how are you doing", I haven't seen you. Mrs. Stinney has a neighbor that lives across the street from her and he goes to a meeting every night. She knows when he leaves and when he comes back if she is asleep, her husband will wake her up to let her know he is home. They do have neighbors that care for one another and if nothing else that they learned out of the incident that took place this weekend, they do have neighbors that care and look out for one another. 3. Thanked everyone again for their comments tonight. It's a lot to digest. She is hoping that they all can work together. She asked they come knocking on the doors; they may not get the same answers the same way, but ask the questions. She suggested they come back out and say to the Mayor, "listen I visited you last week, did I understand you saying this. Or to Mr. Vaz, you opened up the door for me and thank you for allowing me to come in". Just like Mr. Rehmann stated tonight, he invited all of Council to take a visit; they can participate. Mrs. Stinney thanked everyone again tonight. Mrs. Stinney thanked Mrs. Young for all that she is doing. She noted that the back of the agenda states that Council will be holding special meetings to review the budget as a whole, as Council, respectfully to each other as presented to them by the Mayor on the 7th at 3:30 pm. Mrs. Stinney stated she is going to show how respectful Council is toward one another in that Mr. Prickett had something to do on Saturday morning and all of Council yielded to Mr. Prickett and asked him what time he will be able to make it and he replied around 3:30 p.m... Mrs. Stinney reiterated that Council can work together. Mrs. Stinney advised Saturday will be 3:30 p.m., and on 3/11 at 6:30 p.m. and 3/14 at 9:00 a.m. which is next Saturday that Council will all be together discussing the budget in a respectful, decent matter. 4. Wished everyone a good night and again thanked everyone for coming out.

The meeting was adjourned at approximately 10:30 pm.

Respectfully submitted:

Mary Ann Young, MMC

Township Clerk