

TOWNSHIP OF PEMBERTON

REGULAR MEETING

FEBRUARY 3, 2010

6:30 P.M.

1. Council President Scull 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
Diane Stinney
Sherry Scull

ABSENT

Also present: Mayor David Patriarca, Business Administrator Chris Vaz, Township Solicitor Representative Dave Clark, Township Engineer Chris Rehmann, Township Clerk Mary Ann Finlay

2. Chairwoman Scull called the meeting to order at 6:30 p.m.
3. Closed Session Resolution No. 54-2010

RESOLUTION NO. 54-2010

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

1. THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF AND ACTION UPON THE HERINAFTER SPECIFIED MATTERS.
2. THE GENERAL NATURE OF THE SUBJECT MATTERS TO BE DISCUSSED IS AS FOLLOWS:
-PBA CONTRACT NEGOTIATIONS UPDATE
-CONTRACT NEGOTIATIONS FOR FEDERAL LEGISLATIVE ADVOCACY RFQ/RFP
-POSSIBLE LITIGATION AT THE OLD BROWNS MILLS SHOPPING CENTER
3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE-STATED SUBJECT MATTERS WILL BE MADE PUBLIC WHEN THE MATTERS HAVE BEEN RESOLVED.

Mr. Prickett questioned why the Federal Legislative Advocacy RFQ/RFP is not on tonight's agenda and why it is being discussed in Closed Session. Mr. Prickett reminded that at the last Council meeting, Mr. Inge requested Administration advertise this on the Township website as well as Channel 19. Mrs. Scull advised it is for a discussion regarding a contract, and it will be discussed in public during the public session. Mr. Prickett asked if Council's discussion in Closed Session will replace two Council members reviewing the RFP's and making a recommendation to Council. Mr. Vaz replied that has been done and it would now be a referral to Council to review the proposal, which would normally be done in Closed Session.

Motion by Cartier and Stinney to approve Resolution No. 54-2010. Cartier, yes; Stinney, yes; Prickett, no; Inge, no; Scull, yes. Motion carried.

4. CLOSED SESSION (Reference Note: Closed Session minutes are transcribed and filed separately and considered part of these minutes)

Council President Scull recessed the meeting at approximately 6:34 p.m. to go into closed session and reconvened the open session meeting at approximately 7:04 pm.

5. Formal action as necessary pursuant to closed session.

Motion by Cartier and Prickett to add to Unfinished Business a discussion for Federal Legislative Advocacy. Cartier, yes; Prickett, yes; Stinney, yes; Inge, yes; Scull, yes. Motion carried.

Mr. Prickett inquired as to whether or not a motion was necessary to have the Mayor proceed to contact the Planner pursuant to discussions in Closed Session. It was determined that a motion was not necessary.

6. Public comments on consent agenda items only.

Mrs. Stinney requested to pull Resolution No. 60-2010.

Mrs. Scull opened the meeting to public comments on Consent Agenda items only. Those indicating a desire to be heard were: **Scott Hamilton: 1.** Mrs. Scull clarified for Mr. Hamilton that Resolution No. 60-2010 appoints a consultant for a Marketing and Branding Study and the item added to Unfinished Business is for a discussion on Federal Legislative Advocacy to which she will open it to the public after Mr. Vaz' presentation.

There being no additional members of the public indicating a desire to be heard, Mrs. Scull closed the meeting to public comments.

***7. Consent Agenda: All items listed with an asterisk (*) are considered to be routine by the Township Council and will be enacted by one motion. Should a Council Member wish to discuss a consent agenda item separately, that item can be removed from the consent agenda and considered in its normal sequence on the regular agenda.**

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

***a.** Regular Meeting, January 20, 2010.

***9. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 57-2010

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT THE CHIEF FINANCIAL OFFICER IS HEREBY AUTHORIZED AND DIRECTED TO REFUND MONIES TO THE FOLLOWING PERSONS FOR THE AMOUNTS AND REASONS SET FORTH:
FRANK MARTUCCI, \$25.00, REFUND FOR WINTER PARADE DUE TO INCLEMENT WEATHER

RESOLUTION NO. 59-2010

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE 2010 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A: 4-19.1 AUTHORIZES THE ADOPTION OF A TEMPORARY MUNICIPAL BUDGET FOR EXTENDED TIME PERIOD WHERE BUDGET DATES HAVE BEEN EXTENDED, NOT TO EXCEED 1/12TH OF THE TOTAL APPROPRIATIONS IN THE PRIOR YEAR'S BUDGET EXCLUSIVE OF ANY APPROPRIATION FOR DEBT SERVICE, CAPITAL IMPROVEMENT FUND AND PUBLIC ASSISTANCE; AND,

WHEREAS, 1/12TH OF THE TOTAL APPROPRIATIONS IN THE 2009 BUDGET, EXCLUSIVE OF APPROPRIATIONS FOR DEBT SERVICE, CAPITAL IMPROVEMENT FUND AND PUBLIC ASSISTANCE IS \$1,802,739.38 FOR THE CURRENT FUND AND \$132,455.83

FOR THE WATER UTILITY FUND;

NOW THEREFORE, BE IT RESOLVED THAT THE FOLLOWING TEMPORARY BUDGET APPROPRIATIONS BE MADE:

CURRENT FUND:

100 GENERAL APPROPRIATIONS:

MAYOR/BUSINESS ADMIN.

SALARY & WAGES 15,000.00

OTHER EXPENSE 36,000.00

110 TOWNSHIP COUNCIL

SALARIES & WAGES 1,500.00

OTHER EXPENSES 0.00

120 TOWNSHIP CLERK

SALARIES & WAGES 15,000.00

OTHER EXPENSE 2,000.00

130 FINANCE

SALARY & WAGES 15,000.00

OTHER EXPENSE 3,000.00

135 AUDIT SERVICES

OTHER EXPENSE 10,000.00

145	COLLECTION OF TAXES	
	SALARY & WAGES	15,000.00
	OTHER EXPENSE	2,000.00
146	SOLID WASTE BILLING	
	SALARY & WAGES	2,000.00
	OTHER EXPENSES	1,000.00
150	ASSESSMENT OF TAXES	
	SALARY & WAGES	10,000.00
	OTHER EXPENSE	1,500.00
155	LEGAL SERVICES & COSTS	
	OTHER EXPENSE	25,000.00
165	ENGINEERING	
	OTHER EXPENSE	10,000.00
170	URBAN ENTERPRISE ZONE	
	SALARY & WAGES	10,000.00
180	PLANNING BOARD	
	SALARY & WAGES	5,000.00
	OTHER EXPENSES	1,000.00
185	ZONING BOARD OF ADJUSTMENT	
	SALARY & WAGES	10,000.00
	OTHER EXPENSES	1,000.00
195	CODE ENFORCEMENT	
	SALARY & WAGES	10,000.00
	OTHER EXPENSES	500.00
	INSURANCE	
210	OTHER INSURANCE PREMIUMS	50,000.00
215	WORKERS COMPENSATION	50,000.00
220	GROUP MEDICAL	50,000.00
225	UNEMPLOYMENT	0.00
240	POLICE	
	SALARY & WAGES	250,000.00
	OTHER EXPENSES	25,000.00
252	EMERGENCY MANAGEMENT	
	OTHER EXPENSES	500.00
254	FIRE DEPARTMENT	
	OTHER EXPENSES	1,000.00
262	AMBULANCE CONTRACT	
	OTHER EXPENSES	10,000.00
265	FIRE HYDRANT RENT	
	OTHER EXPENSES	0.00
275	PROSECUTOR	
	OTHER EXPENSE	5,000.00
290	STREETS & ROADS	
	SALARY & WAGES	20,000.00
	OTHER EXPENSES	20,000.00
300	TRAFFIC SIGNALS	
	OTHER EXPENSES	0.00
305	SOLID WASTE COLLECTION	
	OTHER EXPENSE	100,000.00
310	BUILDINGS & GROUNDS	
	SALARY & WAGES	50,000.00
	OTHER EXPENSES	15,000.00
315	FLEET MAINTENANCE	
	SALARY & WAGES	25,000.00
	OTHER EXPENSES	10,000.00
340	ANIMAL CONTROL	
	SALARY AND WAGES	15,000.00
	OTHER EXPENSES	500.00
370	RECREATION	
	SALARY & WAGES	20,000.00
	OTHER EXPENSES	5,000.00
371	SENIOR CITIZEN SERVICES	
	SALARY & WAGES	10,000.00
	OTHER EXPENSES	2,500.00
	UNCLASSIFIED	
430	ELECTRICITY	25,000.00
435	STREET LIGHTING	10,000.00
441	POSTAGE	10,000.00
446	NATURAL GAS	5,000.00
447	HEATING OIL	5,000.00

455	SEWER	1,000.00
460	GASOLINE	50,000.00
465	SOLID WASTE DISPOSAL COSTS	100,000.00
472	SOCIAL SECURITY & MEDICARE	
	OTHER EXPENSES	25,000.00
490	MUNICIPAL COURT	
	SALARY & WAGES	25,000.00
	OTHER EXPENSES	2,000.00
2010 TEMPORARY MUNICIPAL BUDGET - INCREASE BY 1/12 OF 2009 BUDGET		
		<u>1,194,000.00</u>



	WATER UTILITY FUND	
500	SALARY & WAGES	40,000.00
	OTHER EXPENSES	15,000.00
512	WATER CAPITAL OUTLAY	25,000.00
541	SOCIAL SECURITY	3,000.00
TOTAL - WATER UTILITY		

83,000.00

10. NEW BUSINESS

*b. Requests from various departments to expend funds in excess of \$2,000.00:

*1. **Public Works:** Increased amount of \$159.90 for the purchase of sand for County Co-Op contract originally approved by Council at their 1/6/10 meeting.

c. Applications submitted for memberships, licenses, permits:

*1. South Jersey Enduro Riders: Annual Motorcycle event to be held in Brendan Byrne State Forest on June 13, 2010.

*2. Special Use Permit: The Pitt Stop N Shop: Permission for 8 sidewalk sales as permitted by the code, contingent upon obtaining the necessary permits from the Inspections Office.

*11. Approval by Council required for payment of vouchers on bill list dated 1/29/10.

Mr. Prickett requested Resolution Numbers 55-2010, 56-2010, 58-2010, 60-2010 and item number 10b2 under New Business, a payment for a Stage I cultural resource survey for North Whitesbog Road, be pulled from the Consent Agenda.

Motion by Cartier and Stinney to add a payment for \$12,201 which will be payment number ten to Pierson Construction Inc., for the Presidential Lakes Dam, voucher# 20080668.

Mr. Prickett asked if a certification of funds has been received from the CFO. Mr. Vaz explained there is an original certification of funds from when the project was

first approved and added this is a payment request against that initial purchase order.

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

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

ITEMS PULLED FROM THE CONSENT AGENDA:

Resolution No. 55-2010

Mr. Prickett expressed concern with the direction that Mrs. Scull has taken with the MUA. Mr. Prickett advised he cannot support Mrs. Scull as a result of most notably the support she gave to the Greenberg farm which will eventually escalate the bills that residents pay to the Pemberton Township MUA.

Mr. Inge asked Mrs. Scull if sewage treatment regarding the Greenberg farm was discussed during Democratic Party meetings. Mrs. Scull answered no to Mr. Inge. Mrs. Scull responded to Mr. Prickett that when the MUA looks over projects presented by their engineer, they are always concerned regarding whether there is the capacity to handle additional sludge and treatment, and they have been assured that the MUA does have the capacity to handle additional sludge and treatment.

RESOLUTION NO. 55-2010

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT THE FOLLOWING INDIVIDUALS ARE HEREBY APPOINTED TO THE PEMBERTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, FOR THE TERMS INDICATED BELOW.

SHERRY SCULL	REGULAR MEMBER	TERM 2/1/10-2/1/15
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BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FILED WITH THE OFFICE OF THE SECRETARY OF STATE.

Motion by Prickett and Stinney to approve Resolution No. 55-2010. Prickett, no; Stinney, yes; Cartier, yes; Inge, yes; Scull, yes. Motion carried.

Mrs. Stinney noted that Mrs. Scull has done an outstanding job on the MUA. Mrs. Scull commented that she appreciated Mr. Prickett's support seven years ago when she was appointed to the MUA and has taken that job extremely serious and is very proud of the work the MUA has done for the residents of the Township.

Resolution No. 56-2010

Mr. Prickett asked Administration if there will be two water towers where there will be antennas erected. Mr. Vaz explained the water towers are existing that will have new antennas installed, and the Township will receive monthly payments for five years.

RESOLUTION NO. 56-2010

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE LEASE OF CELLULAR COMMUNICATION ANTENNAS AND AN EQUIPMENT SHELTER ON THE BEECH STREET WATER TOWER AND THE OAK PINES WATER TOWER WHEREAS, PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW (LLBL) N.J.S.A. 40A:12-1 ET. SEQ. A MUNICIPALITY MAY LEASE PROPERTY NOT NEEDED FOR PUBLIC USE TO THE HIGHEST BIDDER BY OPEN PUBLIC BIDDING AT AUCTION OR BY SUBMISSION OF SEALED BIDS; AND WHEREAS, THE TOWNSHIP OF PEMBERTON HAS AUTHORIZED THE ACCEPTANCE OF BIDS FOR THE LEASING OF A CELLULAR COMMUNICATION ANTENNA AND AN EQUIPMENT SHELTER ON THE BEECH STREET WATER TOWER, IDENTIFIED ON THE OFFICIAL TAX MAP OF THE TOWNSHIP AS BLOCK 117, LOT 46 AND THE OAK PINES WATER TOWER, IDENTIFIED ON THE OFFICIAL TAX MAP OF THE TOWNSHIP AS BLOCK 1110, LOT 8; AND WHEREAS, THE TOWNSHIP RECEIVED ONE BID FROM T-MOBILE NORTHEAST, LLC LOCATED AT 400 STREET ROAD, BENSALEM, PA 19020 WITH THE FOLLOWING BID TOTALS:

BEECH STREET TOWER

OPTION FEE: \$10,000.00
INITIAL TERM TOTAL (INCLUDING OPTION): \$130,000.00
FIRST RENEWAL TERM TOTAL: \$132,000.00
SECOND RENEWAL TERM TOTAL: \$145,200.00
THIRD RENEWAL TERM TOTAL: \$159,000.00
FOURTH RENEWAL TERM TOTAL: \$175,692.00

OAK PINES TOWER

OPTION FEE: \$10,000.00
INITIAL TERM TOTAL (INCLUDING OPTION): \$130,000.00
FIRST RENEWAL TERM TOTAL: \$132,000.00
SECOND RENEWAL TERM TOTAL: \$145,200.00
THIRD RENEWAL TERM TOTAL: \$159,000.00
FOURTH RENEWAL TERM TOTAL: \$175,692.00

WHEREAS, THE TOWNSHIP SOLICITOR HAS REVIEWED T-MOBILE NORTHEAST, LLC'S BID AND FINDS IT TO BE LEGALLY SUFFICIENT; AND
WHEREAS, THE ADMINISTRATION RECOMMENDS THAT THE CONTRACT BE AWARDED TO T-MOBILE NORTHEAST, LLC AS THE LOWEST QUALIFIED BIDDER SUBMITTING A CONFORMING BID.
NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE CONTRACT FOR THE LEASE OF CELLULAR COMMUNICATION ANTENNA AND EQUIPMENT SHELTER ON BEECH STREET WATER TOWER AND OAK PINES WATER TOWER BE AND HEREBY IS AWARDED TO T-MOBILE NORTHEAST, LLC, AND THAT THE MAYOR IS AUTHORIZED TO EXECUTE A CONTRACT, IN A FORM LEGALLY ACCEPTABLE TO THE TOWNSHIP SOLICITOR, BETWEEN THE TOWNSHIP OF PEMBERTON AND T-MOBILE NORTHEAST, LLC IN ACCORDANCE WITH THE BID PROPOSAL SUBMITTED BY T-MOBILE NORTHEAST, LLC; AND
BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. T-MOBILE NORTHEAST, LLC
- B. AMEEN COMMUNICATIONS COMPANY
- C. TOWNSHIP CHIEF FINANCIAL OFFICER
- D. GLUCKWALRATH LLP

Motion by Prickett and Cartier to approve Resolution No. 56-2010. Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes; Scull, yes. Motion carried.

Resolution No. 58-2010

Mr. Prickett stated he is in support of the residents that live in the trailer park and would like to put as much pressure on the landlord as possible to pay their bills on time.

RESOLUTION NO. 58-2010

A RESOLUTION DENYING THE APPLICATION OF BELAIRE PARK, INC. FOR ITS ANNUAL MOBILE HOME PARK PERMIT
WHEREAS, CHAPTER 171 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF PEMBERTON REQUIRES THAT MOBILE HOME PARKS APPLY FOR AN ANNUAL PERMIT; AND
WHEREAS, ON OR ABOUT NOVEMBER 10, 2009, BELAIRE PARK, INC. APPLIED FOR ITS ANNUAL PERMIT IN REGARD TO BLOCK 848, LOT 3.01; AND
WHEREAS, THE TOWNSHIP COUNCIL CAUSED TO BE MADE A THOROUGH INVESTIGATION UPON THE INFORMATION CONTAINED IN THE APPLICATION AND OTHER INFORMATION WHICH WAS PROVIDED BY TOWNSHIP ADMINISTRATION; AND
WHEREAS, IT HAS BEEN DETERMINED THAT BELAIRE IS IN ARREARS IN WATER AND SEWER PAYMENTS IN THE FOLLOWING AMOUNTS:

2009 WATER: \$73,216.93 AND 2009 SEWER: \$75,727.49

WHEREAS, TOWNSHIP COUNCIL HAS CONSIDERED ALL THE RELEVANT INFORMATION AND HAS MADE A DECISION CONCERNING BELAIRE'S PERMIT APPLICATION;
NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

1. THAT BELAIRE IS IN ARREARS IN THE TOTAL AMOUNT OF \$149,017.42 FOR WATER AND SEWER CHARGES.
2. THAT THE TOWNSHIP COUNCIL HEREBY DENIES BELAIRE'S APPLICATION ON THE BASIS OF THE AFORESAID MUNICIPAL CHARGES.
3. THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE APPLICANT; AND
4. THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE BUSINESS ADMINISTRATOR FOR PURPOSES OF TAKING ACTION IN ACCORDANCE WITH CHAPTER 171

Motion by Prickett and Cartier to approve Resolution No. 58-2010 which denies the application of Belaire Trailer Park for their annual mobile home park permit.

Mr. Cartier noted it has been brought to his attention by some residents of the Belaire Trailer Park that Belaire has started renting trailers since they can no longer sell them. Mr. Cartier inquired if that is legal and if the Township can do anything to add more pressure to them to keep their bills current and to keep them from doing that. Mr. Vaz stated he will have Code Enforcement look in to that. Mr. Cartier added if Belaire is renting, they must go through a C.O. process for rentals.

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

Resolution No. 60-2010

Mr. Vaz informed the Township received \$110,000 from the UEZ for this project and is recommending JGSC Group, LLC. Mr. Vaz advised he forwarded a certification of funds from the CFO to Mrs. Finlay for \$84,380 which is well below the \$110,000 grant. Mr. Vaz and Mrs. Scull briefly summarized what JGSC Group will be doing for the Township. Mr. Vaz informed that there will be enough funding remaining for the project to do a Branding study as a Phase II part of the project. Councilmen Inge and Prickett exchanged questions and answers with Mr. Vaz. Mr. Prickett commented he would like to review the information Administration recently received before voting on this resolution as the information received is sketchy, and he would like to receive specifics as opposed to hearing about it at a meeting. Mr. Vaz conveyed everyone has been unified on

wanting to select this particular company. Mr. Inge stated he will take the UEZ Director's word if he supports this. Mrs. Stinney agreed with Mr. Inge.

RESOLUTION NO. 60-2010

A RESOLUTION OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY, APPOINTING A CONSULTANT TO PERFORM A MARKETING AND BRANDING STUDY
WHEREAS, THE TOWNSHIP OF PEMBERTON HAS WORKED WITH A LAND USE PLANNER, RAGAN DESIGN GROUP, SINCE 2007 ON A PROJECT THAT IS FUNDED BY THE DELAWARE VALLEY REGIONAL PLANNING COMMISSION TO STUDY, DESIGN AND CREATE A VISION FOR THE REDEVELOPMENT OF DOWNTOWN BROWNS MILLS. THE WORK WILL CULMINATE IN THE ADOPTION OF THE "BROWNS MILLS DOWNTOWN STRATEGIC REVITALIZATION AND REDEVELOPMENT PLAN." THAT PLAN WILL FOCUS ON THE REVITALIZATION OF THE TOWNSHIP'S MAJOR SHOPPING DISTRICT IN BROWNS MILLS AND WILL ADDRESS THE GREAT CHALLENGES WE FACE AS A PINELANDS COMMUNITY. THE MUNICIPAL PLANNER AND STEERING COMMITTEE COMPOSED OF LOCAL RESIDENTS AND BUSINESS OWNERS HAVE PROPOSED A BRANDING CAMPAIGN FOR OUR TOWNSHIP AS PART OF AN EFFORT TO STIMULATE ECONOMIC GROWTH.

WHEREAS, IN ORDER TO FACILITATE THAT CAMPAIGN AND TO STUDY OUR MARKETING NEEDS, TOWNSHIP ADMINISTRATION ACCEPTED PROPOSALS FROM MARKETING AND BRANDING CONSULTANTS DESIGNED TO ASSIST WITH THE IMPLEMENTATION OF OUR REVITALIZATION EFFORTS, AND OUR VISION THAT BROWNS MILLS IS "FRIENDLY, SAFE, AND ECONOMICALLY VIABLE." MORE SPECIFICALLY, THE TOWNSHIP LOOKS TO REVITALIZE LOCAL RETAIL BUSINESS FOR THE MERCHANTS OF OUR COMMUNITY, WHILE ENHANCING THEIR ABILITY TO MEET THE CONSUMER NEEDS OF OUR RESIDENTS. WE SEEK TO UNDERSTAND THE NATURE OF OUR MARKETPLACE, THE VARIOUS NEEDS OF OUR SHOPPERS, MERCHANTS, DAYTIME POPULATION AND RESIDENTS, KEYS TO ATTRACTING OUT OF TOWN SHOPPERS, AND THE TYPES OF RETAIL BUSINESSES THAT WOULD BE SUSTAINABLE IN PEMBERTON TOWNSHIP. ON A BROADER SCOPE, WE ALSO SEEK TO BE INFORMED OF OTHER NON-RETAIL ECONOMIC DEVELOPMENT OPPORTUNITIES THAT CAN WORK IN COMBINATION WITH RETAIL TO FOSTER ECONOMIC GROWTH IN OUR TOWNSHIP. WHEREAS, IN LIGHT OF THE ABOVE AND BASED UPON THE RECOMMENDATION OF THE TOWNSHIP ADMINISTRATION, THE TOWNSHIP COUNCIL HAS CONCLUDED THAT WE ARE IN NEED OF A CONSULTANT TO PERFORM A MARKETING STUDY AND ENGAGE IN A BRANDING CAMPAIGN.

WHEREAS, THE TOWNSHIP'S CHIEF FINANCIAL OFFICER HAS CERTIFIED THAT FUNDS ARE AVAILABLE TO PAY FOR THESE SERVICES.

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

1. THAT THE PROPOSAL OF JGSC GROUP, LLC AT \$84,830.00 BEST SATISFIES THE NEEDS AND GOALS AND OBJECTIVES OF PEMBERTON TOWNSHIP; AND
2. THAT THE TOWNSHIP COUNCIL HEREBY APPOINTS JGSC GROUP, LLC AS THE TOWNSHIP'S MARKETING AND BRANDING CONSULTANT EFFECTIVE FEBRUARY 3, 2010.
3. THAT THE CONTRACT IS BEING AWARDED AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE (EUS) IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.
4. THAT A COPY OF THIS RESOLUTION SHALL BE PROVIDED TO THE BUSINESS ADMINISTRATOR, CHIEF FINANCE OFFICER, AND JGSC GROUP, LLC.

Mr. Petronis asked for a Point of Order in that it was mentioned that after Mr. Vaz' presentation, the public would be able to comment. Mrs. Scull clarified that is for the Federal Legislative Advocacy discussion.

Motion by Cartier and Stinney to add JGSC Group, LLC to Resolution No. 60-2010 as the contractor. Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

Motion by Cartier and Stinney to approve Resolution No. 60-2010. Cartier, yes; Stinney, yes; Prickett, no; Inge, yes; Scull, yes. Motion carried.

UNFINISHED BUSINESS ADDED TO THE AGENDA

Discussion of Federal Legislative Advocacy:

Mr. Vaz reported that at the last meeting there were a few questions and issues, and Administration has researched the information as well as receiving proposals in response to an RFQ/RFP. Mr. Vaz informed that Administration received a total of four proposals; three firms from Washington and one from New Jersey to which the New Jersey proposal was non-conforming. Mr. Vaz advised that representatives from the firm Administration is recommending are present tonight. Mr. Vaz answered the questions that had previously been received:

1. How is the consultant compensated?

Mr. Vaz informed all three firms proposed being paid on a monthly basis and not on a contingency basis. Mr. Prickett and Mr. Vaz discussed the differences of contingency fees and retainers. Mr. Vaz advised that the Lobbying Disclosure Act Database on senate.gov provides a wealth of information regarding lobbyists.

2. How will the Township fund the consultants?

Mr. Vaz noted that it will be a general expense in the operating budget, and it would be funded in the same way that professionals are funded. Mr. Vaz added that in regards to this particular consulting service, Administration can show

Council exactly where they took the \$77,000 from in the budget so that it can produce a return on investment for the projects that are needed.

3. Can the consultant guarantee success for Pemberton Township in terms of what we are setting out to do?

Mr. Vaz answered no and added that when paying the engineer, planner or grant writing consultant when applying for a grant, there is absolutely no guarantee that we will receive those grants. Mr. Vaz stated that Administration is confident Pemberton Township will have a return on investment regarding the firm being hired. Mr. Vaz elaborated on the positive responses received from various towns and organizations regarding their experiences with the lobbyists they hired.

4. Are there any other towns that have lobbyists?

Mr. Vaz informed there are not a lot of towns in New Jersey that have lobbyists, and that is a plus for Pemberton Township. There are a lot of colleges, universities, corporations and non-profit entities in New Jersey that have lobbyists in Washington seeking federal funding, and they are not in a financial position to keep their lobbyists on staff if they are not successful. Mr. Vaz provided names of various towns and counties throughout New Jersey that use lobbyists and informed that the reports will show what they sought funding for. Mr. Vaz and Mr. Prickett discussed the length of time the various towns have had a lobbyist.

5. Why are the Mayor and Business Administrator asking Council to consider this?

Mr. Vaz conveyed that his memo provided to Council had a lot of detail regarding the particular problems with the dams. Administration was recently informed that the potential cost for the dam project is approximately \$6 million dollars. Mr. Vaz spoke of the wells within the Township that need attention and depending on the particular fix; the costs are upwards of \$1 million dollars or more. Mr. Vaz mentioned the downtown Browns Mills revitalization project and the need for a new bus for the seniors. Mr. Vaz explained that Administration is focused on this because it is “free” money, and it’s “no strings attached” money in the sense of having to pay it back and it’s different from a zero percent interest loan. Mr. Vaz conveyed the only option left at this time regarding the dam project is a loan as reported to Administration via John Ritchie from the Bureau of Dam Safety.

6. I am philosophically opposed to hiring a lobbyist because all they do is contribute to a system that wastes taxpayers’ money. Shouldn’t we take a stand and say “no” to Washington’s money?

Mr. Vaz conveyed that Administration respects those opinions and added that many agree and feel that Washington has its very severe problems. Mr. Vaz commented that Washington is going to spend the money whether we are in line for it or not. The system will continue until there is a very deep, deep change in the system that a decision not to do this is not going to change.

7. What is the next step?

The first step is for Council to decide to move forward on this project. Mr. Vaz reminded that there are two deadlines, February 23rd and February 26th, for earmark requests. Mr. Vaz summarized the federal government budget timelines and reiterated that Council needs to make a decision as soon as possible. Mr. Vaz reminded that Council made a commitment to the Country Lakes homeowners to do the dam project. Two of the dams have been deemed to be in

poor condition. Mr. Vaz spoke of additional projects needed to be completed throughout the Township. Mr. Vaz explained there is a relatively untapped source of funds where we would be able to get this money and put it in to these various projects. Administration is recommending this is at least a way to tackle that angle on approaching the problem while still trying to obtain funding from other sources if available.

Mr. Vaz introduced Carl Holshouser and Mimi Branniff from Capitol Partners, Inc.

Mr. Cartier asked if Capitol Partners, Inc., gives preferential treatment to another client over Pemberton Township. Mr. Holshouser advised that Capital Partners, Inc., makes a commitment in their contracts, and they are very client focused. Mr. Holshouser stated that they are the principles and service Pemberton Township directly. To ensure Pemberton Township does not fall to the bottom of the pile, Capitol Partners makes a commitment in their contract that they will not represent another entity like Pemberton Township inside of Pemberton's congressional district. Mr. Holshouser expressed that when he goes to Congressman Adler, Congressman Adler will see him as the face of Pemberton Township and will not confuse him with other municipalities or organizations. Capital Partners favors long term relationships with their clients because they like to be seen in the office as the vehicle of a particular Township, city or non-profit organization. Mr. Holshouser expressed that in doing so; Capitol Partners is putting their own integrity in to the process and becoming a daily face for Pemberton Township.

Mr. Inge stated that he did not see anything regarding this on the Township website or Channel 19 as he had specifically requested at the last Council meeting. Mr. Vaz advised it did go out to 400 people on Pemberton E-News and notices were sent to various community groups in town. Mr. Inge commented that this is the first time something like this is being considered, and the residents need to know about it.

Mrs. Stinney thanked Mr. Vaz for addressing specific questions throughout the Township. Mrs. Stinney agreed with Mr. Vaz that Council did make a commitment to the residents of Country Lakes to ensure the safety and sustainability of the dams. Mrs. Stinney thanked Mr. Vaz for his research and presentation. Mrs. Stinney expressed that she is eager to hear what the residents have to say and she is totally open minded to the situation given the economic status of our country.

Mr. Prickett commented he is supportive of fixing the dams as well as fixing the roads; as a taxpayer, he is willing to pay an increase in taxes for these projects. Mr. Prickett asked how many of our projects are aired before the groups that grant the money. Mr. Holshouser introduced Ms. Branniff who is one of the principles at Capital Partners and has been with the company for one year. Ms. Branniff came to Capital Partners as the Acting Staff Director of the Commerce Committee; the full committee in the Senate. Previous to that, she spent two years as the general counsel to the full Appropriations Committee, so she was the lawyer for the committees from which they are seeking funds for all projects. Mr. Holshouser explained that there are twelve appropriation bills so the projects are funded in different bills. Capital Partners will help Pemberton match the current projects to different bills. Mr. Holshouser responded to Mr. Prickett in that money can be requested for more than one project; funds can be requested from different bills. Mr. Holshouser spoke of Capital Partners' relationship with Round Rock, Texas. Mr. Holshouser advised Round Rock received \$750,000 for a road project; \$300,000 for their Police Department; \$300,000 for the regional water system; and \$500,000 for downtown revitalization for a total of \$1,850,000 in their first year. Mr. Holshouser suggested Pemberton Township goes after

things that they already pay for that are on the books. By working in a contractual yearly contract, Capital Partners has been hard at work crafting what they will go in to next year where they anticipate better success in attacking as many different projects as possible. It has also given Capital Partners the opportunity to work with their congressional delegation to see what types of things they as a delegation want to fund and bring home so they can deliver projects which are best suited to get funded at the highest levels. Mr. Prickett and Mr. Holshouser discussed the number of clients Capital Partners has as well as the average amount of years those clients have been with them. Mr. Holshouser advised that all of the clients that hired them last year have all re-retained Capital Partners for 2010. Mr. Holshouser advised one of the principles or the president of the company would be servicing the Township directly with four employees interfacing with the Township. Mr. Prickett, Mr. Holshouser and Ms. Branniff spoke of open lines of communication and tailoring a plan that would best serve the Township. Ms. Branniff briefly explained the federal appropriation process. Mr. Holshouser spoke of Capital Partners' relationships with staff members and members and commented that political consulting and public affairs consulting are a large percentage of the contract. Mr. Holshouser spoke of the application process and crafting the project correctly that when presented to that individual member, he or she takes away a view of if there is one thing they do is that, they need to get the project done for Pemberton Township.

Council President Scull opened the meeting to public comments. Those indicating a desire to be heard were: **Scott Hamilton: 1.** Commented that the presentation was good. Mrs. Scull informed that Capital Partners will represent the Township to Menendez and Lautenberg. Mr. Hamilton stated that \$80,000 is a lot of money and agrees with Mr. Prickett that it would go a long way in purchasing a new bus. He is not in favor of hiring the lobbyists because there are no guarantees of results. He does not understand why the Township doesn't have a lot of savings. **Steve Skulimoski:** Opposes the resolution. Lobbyists should be a four letter word. Tobacco companies, pharmaceutical companies, insurance companies, and banks have lobbyists. He discussed statements made as to having no effect on the budget and that money would be found in the budget. Mr. Skulimoski expressed that this is really nothing more than a crap shoot and there are no guarantees. Mr. Skulimoski and the Mayor discussed timelines for current and past dam projects. Mayor Patriarca conveyed there are a number of projects being proposed and Capital Partners will sort them out and decide which ones we will get our best return on. Mr. Vaz and Mr. Skulimoski discussed nothing resulting from hiring the consulting firm. Mr. Vaz conveyed Administration is trying to get the most they can out of different available sources, and are not just betting it all on a consultant in Washington. Mr. Skulimoski referenced the State of the Union Address in that President Obama is bent on curtailing the lobbyists, cutting appropriations and earmarks, and he doesn't understand how this would sweeten the pot for Pemberton Township especially when we have a first term Congressman. Mr. Vaz and Mr. Skulimoski discussed the application process regarding the congressmen, senators and appropriation committees. Mr. Skulimoski commented on the topic not being listed on the agenda. **Ed Tournquist:** Representing the Country Lakes Homeowner's Alliance and Safety Dam Committee. Acknowledged he was originally opposed to working with lobbyists or consultants but after meeting with Mr. Vaz, agreed this appeared to be the world reality. Mr. Tournquist suggested there should be a Plan B and suggested forming a committee of six who could storm the government ramparts with Mr. Adler. Commented on President Obama stating he will put a freeze on discretionary spending in 2011. **George Petronis:** Asked what results the Township has had asking for grant money from the consultant they already have, their local congressional representative and if those avenues have been fully explored and if they have been successful or unsuccessful or if they are still open to exploration. Mr. Vaz replied that other than Magnolia Road receiving a grant

for \$20,000+ and waiting to hear on a pending \$800,000 grant, they have not received anything. Mayor Patriarca noted that Congressman Adler is very receptive to their needs but his resources are limited. Mr. Petronis stated that he came here tonight after reading the Community News' article opposed to the idea of hiring a lobbyist because it's a waste of his tax money and it's a philosophically repugnant idea but the more he listens to what has been stated tonight, the more he is very much in two minds about this. Mr. Petronis addressed his specific questions to Mr. Holshouser and Ms. Branniff of Capital Partners. **Tony Mielie:** He is not opposed or in favor for the lobbyist. He agrees with Mr. Prickett in that he does not have enough information yet. Mr. Mielie and Mr. Vaz discussed Mr. Vaz' research. Mr. Mielie expressed concern regarding return on investment. Mr. Holshouser spoke of Capital Partners' high degree of confidence that Pemberton Township will succeed well beyond their retainer fee. **Ray Wells:** Commented on the philosophical aspect of this. He asked when communities will start to take responsibility for their community. He stated they are all depending on other people instead of themselves and that's why they are in the mess they are in now.

Mrs. Scull recessed the meeting at approximately 9:29 p.m. and reconvened the meeting at 9:42 p.m. and continued with public comments.

Sharon Armstrong: Discussed the dam projects with Mr. Vaz. She spoke of her military ties and how the military must spend the money when they receive it and cannot carry it to another year. Ms. Branniff explained congressional discretionary spending to Ms. Armstrong. Mayor Patriarca informed they are not hiring Capital Partners to get money for only the dam project but rather to get federal funds in the Township to offset what they would pay as residents.

There being no additional members of the public indicating a desire to be heard, Mrs. Scull closed the meeting to public comments.

Mr. Prickett, Mr. Holshouser and Ms. Branniff discussed earmarks and grant writing. Mr. Holshouser explained Capital Partners' process in assisting with grant writing. Mr. Prickett and Ms. Branniff discussed stipulations attached to earmarks. Mr. Prickett and Ms. Branniff spoke of regulating lobbyists. Mrs. Stinney thanked Mr. Vaz for his research based presentation. Mrs. Stinney also thanked Capital Partners for their well prepared presentation to the residents of Pemberton Township and the Council. Mr. Inge stated one of the biggest things he has heard tonight is the residents will be paying for this. Mr. Inge reiterated his concerns regarding the residents not being made aware of the presentation tonight. He commented that Council should not make a decision when the residents were not fully informed of what was going to take place tonight. Mr. Inge would be more in favor of going forward with this if they would remove some of the line items approved in the December budget. Mr. Cartier and Ms. Branniff discussed constitutional law regarding Congress appropriating funds and the President spending those funds as appropriated. Mr. Cartier stated hiring Capital Partners would be a new way to bring new money to the Township. Mrs. Scull commented on various projects throughout the Township as well as Abbott funding. Mrs. Scull expressed she wasn't sold on this from the beginning and she would rather see the money come to Pemberton Township rather than another place. She spoke of the usual attendance at Township meetings; people in the community knew this was going to be discussed tonight. She conveyed that Council was elected to look out for 28,000 people, and she was not elected to just listen to the ten or twenty that show up because they are opposed to something. Mr. Inge conveyed that Council received the information in their Friday packets marked closed session and stipulated that it was confidential; therefore, Council could not talk to any residents regarding the information Council had in the closed session packet. Mr. Inge expressed that by not having this on the agenda it does take away from what Council is here for. Mrs. Scull agreed that it's a

shame it wasn't on the agenda and as stated earlier it was not any attempt to keep the public from being here. Mrs. Scull expressed the subcommittee's recommendation is to hire Capital Partners.

Motion by Cartier and Stinney to add Resolution No. 61-2010, noting Capital Partners, Inc., to the agenda. Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

Mr. Inge stated there is \$30,000 set aside for grant writers from the last budget and asked if Council will consider in the budget of 2010 that we are not only hiring them as liaisons for the Township but are also hiring them as a grant writing tool. Mr. Cartier stated they are not grant writers. Mrs. Scull expressed they will work with us to make sure our grants are well written. Mayor Patriarca informed there is not \$30,000 left over from the 2009 budget and there is nothing in the budget for 2010 because Council has not gotten a budget from Administration but when they do get the budget, depending on how things go tonight will determine whether they will put money in for a grant writer or not. If things don't go the way they hope it will tonight, they have to look at other resources so that they may fund depending on the budget, a grant writer. Mr. Prickett clarified the motion was just to add the resolution to the agenda.

Motion by Cartier and Stinney to approve Resolution No. 61-2010. Cartier, yes; Stinney, yes; Prickett, no; Inge, yes; Scull, yes. Motion carried.

Ms. Braniff thanked Council for providing the opportunity for them to discuss and approve their proposal. Mr. Holshouser stated Capital Partners will work very hard to earn Council's trust going forward and are very pleased that Council has hired them and thanked everyone in the town for putting their trust in Capital Partners.

10. NEW BUSINESS

a. Review of draft towing ordinance.

Mayor Patriarca advised the fees are regulated by the state on what can be charged by a towing outfit. Mr. Inge and Mrs. Scull asked Ms. Colella to look in to whether the Township can require towing facilities to be open seven days a week so that individuals can get their vehicles out and not pay storage fees for when the facility is closed. Ms. Colella advised she worked with the Chief of Police in putting the ordinance together. Council agreed to put the ordinance on the next meeting agenda for introduction.

***b. Requests from various departments to expend funds in excess of \$2,000.00:**

***2. Administration:** Payment to R. Alan Mounier, PH.D for Stage I cultural resources survey for North Whitesbog Road in the amount of \$3,643.00.

Ms. Willis explained the project has been designed and sent to the Pinelands and that is where the cultural resource survey has come from. Ms. Willis added that generally this is waived but because the site is southeast of the historic Hanover Furnace, Dr. Barry Brady of the Pinelands required the cultural resource survey be done to ensure that any artifacts are going to remain untouched and unharmed. Mr. Prickett asked if the requested \$3,643.00 is above the initial agreed amount of \$160,000. Ms. Willis advised that would be the choice of Council. ARH has designed the project in a way that there is a base project with alternatives. There are limits a little smaller than the agreed upon limits so if the project at a base bid comes in below the approved amount, the base bid can be approved and

incrementally increase using the alternates. Council has the ability to approve the project as a whole or the project which meets the budget.

Motion by Prickett and Cartier to approve payment to R. Alan Mounier, PH.D for Stage I cultural resources survey for North Whitesbog Road in the amount of \$3,643.00. Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes; Scull, yes. Motion carried.

GENERAL PUBLIC COMMENTS:

Council President Scull opened the meeting for general public comments. Those indicating a desire to be heard were: **Ray Wells:** **1.** Stated Mrs. Scull and Mr. Cartier's meeting with the businesses was a great meeting. **2.** Invited everyone to attend Disney's High School Musical play at the Helen Forte Middle School on Friday. **3.** Attended a meeting by the New Jersey State School Board. Spoke of resources being offered and budgets. The Governor is looking at a \$3 billion shortfall in the state. Revenues are coming in much slower than anticipated last year. There is one more year of Abbott funding. Looking at potentially major cuts. There are currently eleven schools and adding one more in 2011 and taking Haines School off. 75% of the school budget, \$120 million, is salary. **Steve Skulimoski, Jr.:** **1.** Informed he spoke with Mr. Vester of the MUA regarding the sludge fields. He advised that Mr. Vester informed that the MUA is currently maxed out on sludge fields and is looking to purchase more land to use as sludge fields. He noted Mrs. Scull commented earlier that the MUA has the capacity to expand and develop on the sludge fields. Mrs. Scull clarified that the MUA has capacity when it comes to treatment, facilities and handling more sludge. Mr. Skulimoski stated there is not enough room for the sludge itself. Mrs. Scull advised that the Board has not been informed of that. **2.** Asked what areas of Browns Mills Well #11 services. Mayor Patriarca answered once a well enters into the system, it feeds the entire system. Mr. Skulimoski asked why a notice was not distributed when the levels were increased in the last half of 2009 and if there were any fines. Mr. Vaz explained it was determined during a meeting with the DEP to do it during this notice and there were not any fines. Mr. Skulimoski asked if there is a contingency plan for the summer when the water usage increases. Mr. Vaz remarked the temporary solution is to increase the pump capacity in the other wells. Mr. Skulimoski asked if the public will find out about this in reading public notices in the paper or if this will continue to be maintained on the website and letters to the public. Mr. Vaz noted he has promised that the Township will give notice if Well #11 is turned back on. **Sharon Troia:** Advised she has found there are several towns near Pemberton Township that do have rent control based on C.P.I. She mentioned recent rent increases at Belaire Trailer Park. She conveyed she was informed at the trailer park office that it doesn't matter what she does because there is no rent control in the Township. Ms. Troia advised there is a section in their lease that states if the Township decides to force them to make any kind of improvements or adjustments, the tenants may be subject to additional rent increases to cover the costs of those expenses. Ms. Troia stated a rent control board is needed to regulate this. Mr. Vaz conveyed that Administration and Mr. Bayer's office are working on finding out if there was a settlement agreement that put some burden on the tenants and the Township. Ms. Troia stated many residents are afraid to get involved and come forward. Mr. Vaz advised that Mr. Bayer suggested the Township needs a rent control board. Mr. Inge reminded he advised at the last meeting that Belaire is also renting out trailers. Mr. Cartier informed the license allows her to be able to sell the mobile homes and it has nothing to do with renting. Mrs. Scull conveyed to Ms. Troia that she has brought forward a big concern from the residents and she will be getting back to her. **Jim Smollouk:** **1.** Asked for the location of Well #11. Mayor Patriarca advised it is on Trenton Road by the schools, across from Deborah Hospital. **2.** Has a copy of the lease at Belaire Trailer Park and has his lawyers checking in to it. **George Petronis:** **1.** Agrees with Mr. Inge in that there was no information on the Township website that the lobbying issue would be discussed tonight. He

expressed that the primary resource for most people knowing what is going on at a meeting is the website. He came here tonight convinced it was a bad idea but what he heard tonight brought him around to agreeing it is something that needs to be done. He noted that people that didn't have the opportunity to hear the presentation lost out and the Township lost out. Mr. Vaz accepted responsibility for it not being on the agenda. Mr. Vaz relayed he will work with Mrs. Jarvis in the Clerk's office to put the audio portion of the presentation on the website. **2.** Has a rental property in Browns Mills and cautioned Council as they craft a rent control ordinance that there is almost nothing except raising the rent to get an undesirable tenant out; a landlord cannot tell a tenant at the end of their lease that you simply don't want to continue renting to them. He commented that he did not know his tenants were not paying the water bill until he received a notice to pay the water bill or his property would go up for sheriff's sale. Mr. Petronis asked why the Belaire problem cannot be solved in the same way. **3.** Regarding the marketing and branding study, he suggested they should be working on an economic development plan and not a business redevelopment plan. An anti-business attitude in their surrounding Townships is an advantage for them. He expressed they shouldn't be looking at only what their residents need as businesses but what the surrounding businesses would reward if those businesses were here. He further noted that they should be looking for ways to bring the money from those surrounding Townships and encourage those people to come here and leave that money to create jobs, pay for services, cover tax bills and increase the prosperity of town. Mr. Petronis encouraged everyone who is involved with monitoring the work done on this branding and marketing study to encourage those people to conduct a regional study and not just a Township study. He suggested that with all of the financial issues they deal with in this town, if they look at the region and at businesses as partners and not only as ratables, they can contribute to the prosperity of the town. **Jim Smollouk:** Agrees with comments regarding rent control.

There being no additional members of the public indicating a desire to speak, Council President Scull closed the meeting to public comments.

SOLICITOR'S REPORT:

Dave Clark: Lake Valley Association had filed litigation challenging the town's landlord registration ordinance, which the Township won at the trial level. Lake Valley appealed, and they received a decision on Monday that the appellate division upheld the trial court's decision and upheld the Township's landlord registration ordinance. It is unknown if Lake Valley will appeal at the Supreme Court level.

ENGINEER'S REPORT:

Kelly Willis: Nothing to report.

MAYOR'S REPORT:

David A. Patriarca: **1.** Poured the pad for the gazebo at Imagination Kingdom. **2.** Encouraged everyone to be careful for the anticipated snow this weekend. Mr. Prickett confirmed with the Mayor that there will be a preliminary application before the Planning Board on the Bob White development; the Danitom property. Mayor Patriarca advised there are 53 homes proposed by the developer. Mr. Prickett stated the Township recently submitted their wastewater management plan to the County and noted there are 53 houses at Bob White, 578 at Lakehurst, 270 at the Greenberg Farm which equals over 900 houses, and inquired if they have the capacity to treat the effluent for 900 houses or if they can treat all of the wastewater in their plan that was forwarded to the County. Mayor Patriarca replied in his meetings with Mr. Vestor that those projects were discussed along with servicing Presidential Lakes and Lebanon Lakes. The Mayor expressed he was assured that they do have the capacity or the ability to create the capacity with expansion within their current system. Mr. Prickett asked if there are 1800 homes

they are applying for. The Mayor responded that is what the capacity would take them to with those projects and added there are additional development opportunities within the Township. Mr. Prickett asked when that plan will be available to the public. Mayor Patriarca answered that he did not know.

BUSINESS ADMINISTRATOR:

Chris Vaz: 1. Announced that Live Where You Work is being rolled out tomorrow. Council President Scull, Mayor Patriarca and the Executive Director from the agency will be present as well. He noted they will be able to start accepting applications. Mrs. Scull advised there is an additional \$4,000 that can be applied for through the federal government.

COUNCIL MEMBERS' COMMENTS:

Diane Stinney: 1. Thanked the public for coming out and commenting. 2. Mrs. Stinney stated that she understands where Mr. Inge is coming from, but sometimes no matter how often you tell people to come out, it doesn't always happen. 3. Thanked Council President Scull for a wonderful meeting.

Rick Prickett: 1. Advised Council President Scull that the Council President puts the agenda together. The agenda is presented to the Council President by the Clerk, and the Council President reviews and updates the agenda as necessary. 2. Expressed hope that Administration is correct regarding the lobbyists. 3. While Mr. Prickett was recently cleaning out his hedgerow, he found an empty hornet's nest which he brought in tonight. Mr. Prickett presented the hornet's nest to Mr. Inge, and stated he hoped the Hornet's Nest would be open soon and wanted to see it there as the first real hornet's nest. 4. Wished everyone a goodnight and looks forward to seeing them at the next meeting.

Tom Inge: 1. Conveyed there have been a lot of discussions regarding the lobbyists. He acknowledged that when he first heard about it, he was totally against it, and he is still against it. Mr. Inge recalled statements from the Auditor during the budget hearings last year that in 2010 they should be okay; 2011 and 2012 the Township will have a hard time financially with keeping employees and cutting a lot of projects that residents have been enjoying for the past 20-30 years. He expressed that this is a gamble and he is not a gambler. He reiterated that he would have liked the residents that he spoke with over the last two weeks to have been given the opportunity to come out tonight and listen to the presentation. Mr. Inge stated he is not sure if other Townships will follow suit. He agreed with Lumberton Township refusing to join the League of Municipalities and thinks Pemberton Township should follow suit, and try to get government back to the people where it should be. He questioned if they should do what is the right thing or try to save jobs for Township employees and save things for the residents and to be able to look forward to living in this Township. He noted that \$84,000 is basically two laborers' jobs in Public Works. He reminded that last year there was talk regarding laying off almost 11 employees. He expressed that it's a bit of a gamble but if it does pan out, the Township will hopefully save jobs and some of the things that the residents look forward to in the Township, however it's not something that he wants to vote for. He advised that he is still totally against it but it is something that he had to do. 2. Hopes everyone has a good night.

Ken Cartier: 1. Thanked Mr. Wells for his comments regarding the business meeting at the library. Mr. Cartier advised that approximately 15-20 residents and business owners attended. Mr. Cartier acknowledged that Mr. Rivas is probably the closest business owner to Fort Dix, and he was pretty adamant with some of his concerns. Attendees expressed concern regarding board fees for applications. Mr. Cartier informed that several suggestions were made at the meeting such as: 1. A sub-committee from the Planning Board, Zoning Board and Council to help guide applications coming in; 2. A planning advocate to guide applicants through the application process so they are more prepared and not spending months in front of

the boards; and **3.** A pamphlet of the planning process; a step by step guide to help streamline the planning process. Mr. Cartier advised that Mr. Owen McCabe of Ragan Design Group has volunteered at no cost to the Township to prepare that pamphlet. The next meeting is scheduled for February 23rd.

Sherry Scull: **1.** Spoke of the recent business meeting and commented that there is plenty of blame to go around. She noted one issue discussed was having staff better trained so that when people come in to the office they get the correct information. It was mentioned to have one board instead of two (Planning and Zoning). She expressed that it was a very productive meeting. She realized after meeting with the new marketing and branding firm and after the revitalization meeting, it's all coming together at the same time. They will be able to look at their ordinances that are not pro-business that are a problem and make suggestions because they are an expert in this type of an area. **2.** Thanked everyone for coming out. **3.** Agreed with Mr. Inge that this was not something that anyone on Council was 100% in favor of. She noted that the Mayor had met with a Federal Legislative Advocacy a few years ago and it wasn't the right time but it is the right time now. She expressed that they can only hope they are doing the right thing. Mrs. Scull reiterated that Council would have been irresponsible if they didn't at least try when they know they have so many obstacles ahead of them. **4.** Remarked to Mr. Prickett that she does unfortunately take his comments personally that he made earlier regarding the MUA. Mrs. Scull stated unfortunately the Greenberg property was voted on and is part of the master plan and every meeting Mr. Prickett seems to work that into a conversation which is not the way Roberts Rules works. Mrs. Scull continued that Mr. Prickett might want to lecture her about being President, and she can also comment that it is not appropriate. Mrs. Scull recalled many meetings she attended when Mr. Prickett was on the Planning Board and discussions were held regarding over 500 homes on Lakehurst Road. Those homes would have been fed in to the same sewer situation. Mrs. Scull recalled that Mr. Prickett was not opposing those homes but supported that project because it wasn't on his side of town. Mrs. Scull didn't want the project on Lakehurst Road and Mr. Prickett did not want the project on Greenberg's farm. Neither projects have come to fruition but they need to get over it and move forward. Mrs. Scull stated she is very capable on the MUA and is an asset. **5.** Thanked everyone for coming out.

The meeting was adjourned at 11:33 p.m.

Respectfully submitted:

Mary Ann Finlay, MMC
Township Clerk