

TOWNSHIP OF PEMBERTON

REGULAR MEETING

APRIL 7, 2010

6:30 P.M.

1. Mrs. Cosnoski 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

Richard Prickett
Diane Stinney (arrived at 7:00 p.m.)
Ken Cartier
Tom Inge

ABSENT

Sherry Scull

Also present: Mayor David Patriarca, Business Administrator Chris Vaz, Township Solicitor Representative Dave Clark, Township Engineer Chris Rehmann and Kelly Willis, Deputy Township Clerk Amy Cosnoski

2. Mrs. Cosnoski called the meeting to order at 6:30 p.m.

Mrs. Cosnoski opened the floor for nominations for temporary Council President for tonight's meeting. Mr. Prickett nominated Mr. Cartier. Mr. Inge seconded the nomination. There being no additional nominations, Mrs. Cosnoski closed the floor for nominations.

Motion by Prickett and Inge for Mr. Cartier to be temporary Council President for tonight's meeting. Prickett, yes; Inge, yes; Cartier, yes. Motion carried.

3. Closed Session Res. No. 88-2010

Acting Council President Cartier advised that there are no items for Closed Session. He recessed the meeting at approximately 6:32 p.m. and reconvened the meeting at approximately 7:01 pm.

- *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.**

Acting Council President Cartier informed that Administration requested the following items be added to the Consent Agenda:

1. Police Department request to approve expenses in advance for Officer Bartholomew to attend the G.R.E.A.T. Conference in Boston, MA at the per diem rate total of \$248.50.

Motion by Prickett and Stinney to add the Police Department request for Officer Bartholomew to the Consent Agenda. Prickett, yes; Stinney, yes; Inge; Cartier, yes. Motion carried.

2. The Finance Department requests that the second payment of \$30,387.35 for the contract for the 2008 Road Program be added to the bill list.

Motion by Prickett and Stinney to add the second payment of \$30,387.35 for the 2008 Road Program to the bill list on the Consent Agenda. Prickett, yes; Stinney, yes; Inge, yes; Cartier, yes. Motion carried.

3. Add Resolution No. 87-2010 which memorializes the introduction of the municipal budget last Wednesday to the Consent Agenda.

Motion by Stinney and Prickett to add Resolution No. 87-2010 to the Consent Agenda. Stinney, yes; Prickett, yes; Inge, yes; Cartier, yes. Motion carried.

6. Public comments on consent agenda items only.

Acting Council President Cartier opened the meeting to public comments on Consent Agenda items only. There being no members of the public indicating a desire to be heard, Acting Council President Cartier closed the meeting to public comments.

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

- *a. Regular Meeting, March 17, 2010.

***9. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 89-2010

RESOLUTION REQUESTING THE PINELANDS COMMISSION TO ADOPT REGULATIONS TO PERMIT THE INSTALLATION OF SOLAR ARRAYS AND WIND ENERGY SYSTEMS AS PRIMARY USE IN RURAL, AGRICULTURAL AND FOREST LAND MANAGEMENT AREAS

WHEREAS, THE TOWNSHIP OF PEMBERTON IS ONE OF 53 MUNICIPALITIES WITHIN THE NEW JERSEY PINELANDS; AND WHEREAS, DEVELOPMENT WITHIN THE PINELANDS MUNICIPALITIES ARE GOVERNED BY THE RULES ESTABLISHED BY THE NJ PINELANDS COMMISSION IN THE NJ PINELANDS COMPREHENSIVE MANAGEMENT PLAN; AND WHEREAS, THE PINELANDS COMMISSION DOES NOT PERMIT THE CONSTRUCTION OF SOLAR ARRAYS OR WIND ENERGY SYSTEMS AS A PRIMARY USE IN THE RURAL, AGRICULTURAL AND FOREST LAND MANAGEMENT AREAS; AND WHEREAS, THE GOVERNING BODY OF PEMBERTON TOWNSHIP HAS DETERMINED THE FOLLOWING:

1. WIND AND SOLAR ENERGY ARE AN ABUNDANT, RENEWABLE AND NONPOLLUTING ENERGY RESOURCE.
2. CONVERTING WIND AND SOLAR RAYS TO ELECTRICITY WILL REDUCE OUR DEPENDENCE ON NONRENEWABLE ENERGY RESOURCES, AND DECREASE AIR AND WATER POLLUTION THAT RESULTS FROM THE USE OF CONVENTIONAL ENERGY SOURCES.
3. DISTRIBUTED SMALL WIND ENERGY SYSTEMS WILL ALSO ENHANCE THE RELIABILITY AND POWER QUALITY OF THE POWER GRID, REDUCE PEAK POWER DEMANDS, AND HELP DIVERSIFY THE STATE'S ENERGY SUPPLY PORTFOLIO.
4. SMALL WIND ENERGY SYSTEMS AND SOLAR ENERGY SYSTEMS MAKE ELECTRICITY SUPPLY MORE COMPETITIVE BY PROMOTING CUSTOMER CHOICE; AND

WHEREAS, NEW JERSEY'S RENEWABLE PORTFOLIO STANDARDS (RPS) REQUIRE EACH SUPPLIER/PROVIDER, AS DEFINED AT N.J.A.C. 14:8-1.2, THAT SELLS ELECTRICITY TO RETAIL CUSTOMERS IN NEW JERSEY TO PROVIDE A PERCENTAGE OF THEIR RETAIL ELECTRICITY SALES FROM RENEWAL ENERGY SOURCES, BEGINNING AT 3.5 PERCENT IN 2004 AND INCREASING TO 22.5 PERCENT BY 2021; AND

WHEREAS, THE MUNICIPAL LAND USE LAW (NJSA 40:55D-2.N) PROVIDES THAT TO PROMOTE UTILIZATION OF RENEWAL ENERGY RESOURCES IS A PURPOSE OF ZONING; AND

WHEREAS, THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON RECOGNIZES AN IMPORTANCE OF PROVIDING ALTERNATIVE ENERGY SOLUTIONS IN ALL AREAS OF THE PINELANDS, ESPECIALLY ON EXISTING FARMS, LANDFILLS OR OTHER SIMILARLY DISTURBED AREAS.

NOW THEREFORE BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON REQUESTS THE PINELANDS COMMISSION TO ADOPT REGULATIONS THAT WOULD PERMIT THE INSTALLATION OF SOLAR ARRAYS AND WIND ENERGY SYSTEMS AND A PRIMARY PERMITTED USE IN THE RURAL, AGRICULTURAL, AND FOREST LAND MANAGEMENT AREAS.

BE IT FURTHER RESOLVED, COPIES OF THIS RESOLUTION ARE FORWARDED TO THE PINELANDS COMMISSION, PINELANDS MUNICIPAL COUNCIL AND PINELANDS MUNICIPALITIES.

RESOLUTION NO. 90-2010

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

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

WHEREAS, IT HAS BEEN DETERMINED BY THE TAX ASSESSOR THAT PROPERTY KNOWN AS BLOCK 630 LOT 14, 205 MANAHAWKIN TR. OWNED BY LUIS & MARIA NEGRON QUALIFIES FOR A VETERANS' PROPERTY TAX EXEMPTION AS OF MARCH 1, 2010; AND

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

WHEREAS, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL PROPERTY TAXES ON BLOCK 630 LOT 14 AS A RESULT OF THE GRANTED EXEMPTION; AND

WHEREAS, THE TAXES DUE ON THE PROPERTY FROM JANUARY 1, 2010 TO FEBRUARY 28, 2010 IS \$477.31; AND

WHEREAS, TAXES LEVIED ON THE FIRST HALF OF 2010 IS IN THE AMOUNT OF \$1,454.46 ON BLOCK 630 LOT 14, 1ST QUARTER IN THE AMOUNT OF \$722.72 HAS BEEN PAID OF WHICH \$477.31 IS DUE, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL BALANCE OF FIRST HALF TAXES IN THE AMOUNT OF \$731.74 ON THE PROPERTY, AND ISSUE A REFUND TO HOMEOWNER IN THE AMOUNT OF \$245.41.

WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES ON SAID PROPERTY AS OF MARCH 1, 2010.

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

1. THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO CANCEL 2010 PROPERTY TAXES ON BLOCK 630 LOT 14 AS OF MARCH 1, 2010, AS SAID PROPERTY HAS BEEN DETERMINED TO QUALIFY FOR A VETERANS' PROPERTY TAX EXEMPTION UNDER N.J.S.A. 54:4-3.30.
2. THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES IN THE AMOUNT OF \$731.74 AND ISSUE A REFUND TO: LUIS & MARIA NEGRON, 205 MANAHAWKIN TR., BROWNS MILLS, NJ 08015 IN THE AMOUNT OF \$245.41.
3. THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE TAX COLLECTOR, TAX ASSESSOR AND CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF PEMBERTON AND THE BURLINGTON COUNTY BOARD OF TAXATION.

RESOLUTION NO. 91-2010

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

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

WHEREAS, IT HAS BEEN DETERMINED BY THE TAX ASSESSOR THAT PROPERTY KNOWN AS BLOCK 725 LOT 18, 215 COLORADO TR. OWNED BY CHARLES E JR. & HELENA TAYLOR QUALIFIES FOR A VETERANS' PROPERTY TAX EXEMPTION AS OF MARCH 16, 2010; AND

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

WHEREAS, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL PROPERTY TAXES ON BLOCK 725 LOT 18 AS A RESULT OF THE GRANTED EXEMPTION; AND

WHEREAS, THE TAXES DUE ON THE PROPERTY FROM JANUARY 1, 2010 TO MARCH 15, 2010 IS \$648.24; AND

WHEREAS, TAXES LEVIED ON THE FIRST HALF OF 2010 IS IN THE AMOUNT OF \$1,575.41 ON BLOCK 725 LOT 18, 1ST QUARTER IN THE AMOUNT OF \$787.71 HAS BEEN PAID OF WHICH \$648.24 IS DUE, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL BALANCE OF FIRST HALF TAXES IN THE AMOUNT OF \$787.70 ON THE PROPERTY, AND ISSUE A REFUND TO HOMEOWNER IN THE AMOUNT OF \$139.47.

WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES ON SAID PROPERTY AS OF MARCH 16, 2010.

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

3. THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO CANCEL 2010 PROPERTY TAXES ON BLOCK 725 LOT 18 AS OF MARCH 16, 2010, AS SAID PROPERTY HAS BEEN DETERMINED TO QUALIFY FOR A VETERANS' PROPERTY TAX EXEMPTION UNDER N.J.S.A. 54:4-3.30.
4. THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES IN THE AMOUNT OF \$787.70 AND ISSUE A REFUND TO: CHARLES E. JR & HELENA TAYLOR, 215 COLORADO TR., BROWNS MILLS, NJ 08015 IN THE AMOUNT OF \$139.47.
4. THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE TAX COLLECTOR, TAX ASSESSOR AND CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF PEMBERTON AND THE BURLINGTON COUNTY BOARD OF TAXATION.

RESOLUTION NO. 92-2010

RESOLUTION AUTHORIZING THE DISCHARGE OF A MORTGAGE AND NOTE FOR 411 NORTH CAROLINA TRAIL, BROWNS MILLS, NEW JERSEY

WHEREAS, THE TOWNSHIP OF PEMBERTON ("TOWNSHIP") HAS ESTABLISHED A HOUSING AND REHABILITATION PROGRAM FUNDED THROUGH THE TOWNSHIP'S PARTICIPATION IN A REGIONAL CONTRIBUTION AGREEMENT WITH OTHER MUNICIPALITIES AND, THROUGH THAT PROGRAM, HAS MADE LOANS TO ITS RESIDENTS FOR THE REHABILITATION OF EXISTING LOW AND MODERATE INCOME HOUSING WITHIN THE TOWNSHIP'S BORDERS IN ACCORDANCE WITH REGULATIONS PROMULGATED BY THE COUNCIL ON AFFORDABLE HOUSING (COAH); AND

WHEREAS, THROUGH THIS HOUSING AND REHABILITATION PROGRAM, THE TOWNSHIP MADE A LOAN IN THE AMOUNT OF \$21,200.00 TO EDWARD DEWITT, OWNER OF PROPERTY LOCATED AT 411 NORTH CAROLINA TRAIL IN BROWNS MILLS, NEW JERSEY (THE "PROPERTY"), WHICH WAS SECURED BY A MORTGAGE AND NOTE IN FAVOR OF THE TOWNSHIP; AND

WHEREAS, THIS HOME HAS BEEN SOLD TO A INDIVIDUAL WHO DOES NOT QUALIFY AS LOW TO MODERATE INCOME; AND

WHEREAS, THE OWNER HAS REQUESTED THAT THE TOWNSHIP DISCHARGE ITS MORTGAGE AND NOTE AGAINST THE PROPERTY IN CONSIDERATION FOR THE PAYMENT IN THE AMOUNT OF \$21,200; AND

WHEREAS, THE TOWNSHIP COUNCIL FINDS IT IN THE BEST INTERESTS OF THE TOWNSHIP AND ITS RESIDENTS TO DISCHARGE ITS MORTGAGE AND NOTE AGAINST THE PROPERTY FOR THIS AMOUNT.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO DISCHARGE THE MORTGAGE AND NOTE AGAINST THE PROPERTY CONDITIONED UPON THE TOWNSHIP RECEIVING THE AMOUNT OF \$21,200.00 AT CLOSING.

RESOLUTION NO. 93-2010

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:

CCTS TAX LIENS I LLC, \$39.38, PAYMENT RECEIVED AFTER LIEN RELEASED, BLOCK 673, LOT 7
DAVID & LINDA BURMASTER, \$1,155.84, OVERPAYMENT OF PROPERTY TAXES, BLOCK 645, LOT 3

RESOLUTION NO. 94-2010

RESOLUTION APPOINTING CERTIFYING OFFICER FOR PFRS AND PERS PENSION SYSTEM

WHEREAS, PURSUANT TO N.J.A.C. 17:2-1.5 AND N.J.A.C. 17:4-1.5, THE GOVERNING BODY OF A MUNICIPALITY MUST APPOINT BY RESOLUTION A CERTIFYING OFFICER TO CERTIFY THE ACCURACY AND VALIDITY OF ALL DOCUMENTS AND FORMS SENT TO THE NEW JERSEY DIVISION OF PENSIONS AND BENEFITS.

NOW, THEREFORE BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT CHRISTOPHER J. VAZ IS HEREBY APPOINTED CERTIFYING OFFICER FOR PFRS AND PERS FOR A ONE-YEAR TERM TO EXPIRE 12/31/2010.

RESOLUTION NO. 95-2010

RESOLUTION OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY, REQUESTING THE SUPPORT OF THE STATE LEGISLATURE TO PRESERVE THE BENEFITS OF THE URBAN ENTERPRISE ZONE PROGRAM

WHEREAS, THE URBAN ENTERPRISE ZONE AUTHORITY HAS BEEN A SIGNIFICANT ECONOMIC DEVELOPMENT TOOL FOR THE PEMBERTON TOWNSHIP BUSINESS COMMUNITY, CREATES BENEFITS THAT HELP GENERATE NEW FULL AND PART-TIME JOBS, AND RETURNS VALUABLE FUNDING TO PEMBERTON TOWNSHIP AND OTHER MUNICIPALITIES SO THAT UEZ TOWNS MAY CREATE ECONOMIC DEVELOPMENT PROJECTS; AND

WHEREAS, THE UEZ OPERATES BY ALLOWING UEZ BUSINESSES TO CHARGE ONE-HALF OF THE MANDATED NEW JERSEY SALES TAX THAT IS THEN RETURNED TO THE COMMUNITY FOR ECONOMIC DEVELOPMENT PROJECTS AND ADMINISTRATIVE COSTS; AND

WHEREAS, THE FISCAL YEAR 2011 BUDGET THAT WAS TRANSMITTED TO THE STATE LEGISLATURE BY GOVERNOR CHRIS CHRISTIE PROPOSES TO DIVERT TO THE STATE'S GENERAL FUND ALL OF THE SALES TAX RECEIPTS THAT ARE GENERATED BY EACH UEZ PROGRAM, INCLUDING THE PEMBERTON TOWNSHIP UEZ PROGRAM; AND

WHEREAS, IN THE PAST THESE FUNDS HAVE BEEN USED BY PEMBERTON TOWNSHIP TO CREATE JOBS, BUILD INFRASTRUCTURE, AND SPAWN ECONOMIC ACTIVITY IN OUR COMMUNITY INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:

- THE PURCHASE OF TWO POLICE VEHICLES
- PAYMENT OF SALARIES AND EQUIPMENT COSTS FOR TWO POLICE OFFICERS FOR TWO YEARS

- THE PURCHASE OF A STREET SWEEPER TO MAINTAIN THE STREETS LOCATED WITHIN THE UEZ
- PAYMENT OF SALARIES FOR TWO UEZ CLEAN TEAM EMPLOYEES WHO ARE DEDICATED TO CLEANING THE UEZ AREAS FOR A YEAR
- THE PURCHASE OF CLEANING TOOLS, EQUIPMENT AND VEHICLES FOR THE CLEAN TEAM.
- TO PROVIDE FUNDING FOR SIGNAGE AND FAÇADE GRANTS THAT HAVE BEEN DISTRIBUTED TO CERTIFIED UEZ BUSINESSES IN THE AMOUNT OF \$120,000
- THE PURCHASE OF MARKETING MATERIALS SUCH AS, "IT'S TIME FOR PEMBERTON" AND "GOOD FOR BUSINESS" THAT ARE USED TO ATTRACT SHOPPERS AND VISITORS
- THE PURCHASE AND INSTALLATION OF "WELCOME TO PEMBERTON TOWNSHIP" AT ENTRY POINTS INTO PEMBERTON TOWNSHIP
- TO HELP ATTRACT/ FUND THE DEVELOPER AND CONSTRUCTION OF THE PINE GROVE SHOPPING CENTER THAT CREATED MORE THAN 100 JOBS
- TO HIRE THE SERVICES OF A MARKETING AND BRANDING CONSULTANT WHO IS PRESENTLY ASSISTING THE UEZ WITH THE REVITALIZATION OF DOWNTOWN BROWNS MILLS.

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. THAT THE STATE LEGISLATURE NOT APPROVE THE 2011 STATE BUDGET UNLESS IT FULLY RESTORES THE UEZ PROGRAM AND INCENTIVES TO BUSINESSES.
2. THAT GOVERNOR CHRIS CHRISTIE PROMPTLY MEET AND WORK WITH THE UEZ STATE OFFICE AND LOCAL UEZ REPRESENTATIVES TO ADDRESS THE FUTURE OF THE PROGRAM.

RESOLUTION NO. 96-2010

A RESOLUTION OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY CONCERNING THE BURLINGTON COUNTY RECYCLING PROGRAM AND THE ACQUISITION OF AUTO CART CONTAINERS

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS ENTERED INTO YEARLY AGREEMENTS, CALLED SOLID WASTE SERVICE CONTRACTS, WITH THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS PURSUANT TO WHICH THE BOARD HAS AGREED TO PROVIDE FOR THE COLLECTION AND DISPOSITION OF RECYCLABLE MATERIALS GENERATED BY THE TOWNSHIP'S RESIDENTS; AND

WHEREAS, THE COUNTY HAS DETERMINED TO IMPLEMENT A "CART PROGRAM" BY WHICH RESIDENTS WOULD USE CARTS FOR THE RECYCLING OF PAPER AND CARDBOARD THAT CAN BE EMPTIED INTO COLLECTION VEHICLES BY SPECIALIZED EQUIPMENT BECAUSE USE OF THESE CARTS (A) HAS BEEN FOUND TO IMPROVE RECYCLING PARTICIPATION AND MUNICIPAL RECYCLING RATES AND (B) RESULTS IN FINANCIAL SAVINGS AND OTHER BENEFITS TO THE COUNTY AND MUNICIPALITIES; AND

WHEREAS, THE COUNTY HAS DETERMINED TO SOLICIT OR ARRANGE FOR THE SOLICITATION OF BIDS FOR ITS PURCHASE OF AUTO CARTS FOR PAPER RECYCLABLES IN 2010 FOR AND ON BEHALF OF BURLINGTON COUNTY MUNICIPALITIES THAT ARE INTERESTED IN IMPLEMENTING USE OF AUTO CARTS; AND

WHEREAS, THE COUNTY WILL BASE THE NUMBER OF AUTO CARTS IT PURCHASES ON COMMITMENTS FOR CART PURCHASES MADE TO IT BY PEMBERTON TOWNSHIP AND OTHER MUNICIPALITIES THAT ARE SERVED BY THE COUNTY'S RECYCLING PROGRAM; AND

WHEREAS, THE TOWNSHIP HAS DETERMINED TO MAKE A COMMITMENT TO THE COUNTY TO PURCHASE UP TO 2,100 ADDITIONAL CARTS THROUGH THE COUNTY'S 2010 (SPRING) SOLICITATION IN A TOTAL AMOUNT NOT TO EXCEED \$51,000, WITH SIX ANNUAL PAYMENTS COMMENCING ON APRIL 1, 2011.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF PEMBERTON TOWNSHIP, LOCATED IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE GOVERNING BODY HEREBY EXPRESSES IT SUPPORT FOR THE COUNTY'S AUTO CART CONTAINERS PROGRAM AND RECOGNIZES THE BENEFITS IT OFFERS TO PEMBERTON TOWNSHIP RESIDENTS.

BE IT FURTHER RESOLVED BY THE TOWNSHIP COUNCIL THAT THE MAYOR AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE GRANT AGREEMENT, SUBJECT TO THE AVAILABILITY OF FUNDS FOR THE NEXT SUCCEEDING SIX FISCAL YEARS.

***13.** Approval by Council required for payment of vouchers on bill list dated 4/1/10.

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

10. ORDINANCES FOR INTRODUCTION

a. ORDINANCE NO. 4-2010 (Title Read By Mr. Cartier)

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 145 OF THE CODE OF THE TOWNSHIP OF PEMBERTON ENTITLED "PROPERTY MAINTENANCE"

Motion by Prickett and Stinney to introduce Ordinance No. 4-2010 with a public hearing on April 21, 2010. Prickett, yes; Stinney, yes; Inge, yes; Cartier, yes. Motion carried.

b. ORDINANCE NO. 5-2010 (Title Read by Mr. Cartier)

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE BROWNS MILLS TOWN CENTER REDEVELOPMENT AREA

Mr. Cartier explained that the ordinance is adding the two areas recommended by the Planner along with a few minor amendments. Mr. Clark noted they have been reviewed and recommended by the Planning Board.

Motion by Stinney and Prickett to introduce Ordinance No. 5-2010 with a public hearing on May 5, 2010. Stinney, yes; Prickett, yes; Inge, yes; Cartier, yes. Motion carried.

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

a. ORDINANCE NO. 3-2010 (Title Read By Mr. Cartier)

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

Acting Council President Cartier opened the meeting to the public for public comments. There being no members of the public indicating a desire to be heard, Acting Council President Cartier closed the meeting to public comments.

Motion by Stinney and Prickett to adopt Ordinance No. 3-2010. Stinney, yes; Prickett, yes; Inge, yes; Cartier, yes. Motion carried.

12. NEW BUSINESS

a. Purchases over \$3,150.00:

1. Public Works Dept.: 501 (25 gallon) recycling buckets from state contract vendor TM Fitzgerald & Associates, in the amount of \$6,262.50.

Motion by Prickett and Stinney to approve the purchase of 501 recycling buckets in the amount of \$6,262.50 for Public Works. Prickett, yes; Stinney, yes; Inge, yes; Cartier, yes. Motion carried.

b. Permission requested from Country Lakes Vol. Fire Company to expend funds in an amount up to \$50,000.00 for which they intend to borrow in order to repair their parking lot.

Motion by Stinney and Prickett to approve the request from Country Lakes Vol. Fire company to expend funds in an amount up to \$50,000 for which they intend to borrow to repair their parking lot. Stinney, yes; Prickett, yes; Inge, yes; Cartier, yes. Motion carried

c. Review of storm water management and recycling ordinance amendments.

Mr. Rehmann advised of the new requirements issued by the State. Mr. Clark informed that he will have drafts regarding the mandatory and voluntary involvement for the next meeting. Mr. Rehmann suggested Council thoroughly read through the requirements and suggested the ordinance be made more “people friendly”. Mr. Rehmann added ARH will review the ordinance and make some recommendations at no charge.

GENERAL PUBLIC COMMENTS:

Acting Council President Cartier opened the meeting to general public comments. There being no members of the public indicating a desire to be heard, Acting Council President Cartier closed the meeting to public comments.

SOLICITOR’S REPORT:

Mr. Dave Clark: Commented on the Lake Valley apartment complex litigation in that they have filed a petition for certification to the Supreme Court. They are in the process of filing a responsive brief opposing the petition. The Supreme Court will look at the case and decide if they will hear it.

ENGINEER'S REPORT:

Mr. Chris Rehmann: **1.** Noted that the NJ Department of Transportation and the Federal Highway Administration have authorized funding of \$339,000 for the North Pemberton Train Station Project. They will be going out to bid to start the project. **2.** The contractor is putting the play surface on Imagination Kingdom. **3.** Holding off the contractor on Lemmon Avenue, Phase I due to the high levels of ground water. **3.** Still waiting on the final draft of the Administrative Consent Order regarding Well #11 and radium issues. They are looking for additional capacity in present water supply system to handle summer usage. Pump tests have been performed on Well #13 and submitted to the State to increase the well's capacity. There is still a disputed contract with Tiger Construction Company regarding Well #12. They anticipate resolving the contract, and getting Well #12 on line which would have similar capacity to Well #11. This would resolve most of the water problems they are anticipating. Mr. Cartier asked about the affects of the high water table on their roadways. Mr. Rehmann responded it depends on what the sub-base is made of and noted that it has not been good weather for their roads.

MAYOR'S REPORT:

Mayor David Patriarca: **1.** The rubber surface is being put down at Imagination Kingdom, and DPW is working on the landscaping and decorative fencing. The gazebo has been delivered and will be installed starting tomorrow. **2.** Monday, April 12th will be the first scheduled court date in the renovated court room. **3.** Leaf pick up will begin April 19th.

COUNCIL MEMBERS' COMMENTS:

Richard Prickett: **1.** Stated that Spring is definitely here as he saw a bald eagle catch a groundhog in a field across from his home. **2.** Looking forward to the Senior Prom next week. **3.** Wished everyone a good night. Glad to see everyone tonight.

Mayor David Patriarca: Advised the Fire Chief requested Administration let the public know this is a red flag time frame for fires.

Diane Stinney: **1.** She and her husband and are looking forward to the Senior Prom scheduled for Wednesday. **2.** Commented on her experience at Deborah Hospital, and cannot speak enough regarding the emergency room. **3.** Thanked everyone for coming out and hopes to see everyone on April 21st and the Prom.

Tom Inge: **1.** Thanked everyone for coming out, and wished everyone a safe trip home.

Ken Cartier: **1.** Thanked everyone for coming out, and wished everyone a safe trip home.

The meeting was adjourned at approximately 7:40 p.m.

Respectfully submitted:

Amy P. Cosnoski, RMC
Deputy Township Clerk