

TOWNSHIP OF PEMBERTON

REGULAR MEETING

MAY 19, 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, Solicitor Andy Bayer, Township Engineers Kelly Willis and Joe Pantalone, Township Clerk Mary Ann Finlay

2. Meeting called to order.

Council President Scull called the meeting to order at approximately 6:30 pm.

3. Closed Session Res. No. 114-2010

RESOLUTION NO. 114-2010

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 HEREINAFTER SPECIFIED MATTERS.
2. THE GENERAL NATURE OF THE SUBJECT MATTERS TO BE DISCUSSED IS AS FOLLOWS:
PBA CONTRACT
SHARED SERVICES BETWEEN THE BOARD OF EDUCATION AND PEMBERTON TOWNSHIP
3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE-STATED SUBJECT MATTERS WILL BE MADE PUBLIC WHEN THE MATTERS HAVE BEEN RESOLVED.

Motion by Cartier and Stinney to approve Resolution No. 114-2010.
Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; 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 6:32 pm for Council to go in to Closed Session and reconvened the meeting at approximately 7:00 pm.

5. Formal action as necessary pursuant to closed session.

Motion by Cartier and Stinney to add Resolution No. 123-2010 to the agenda.

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

Mr. Bayer advised Resolution No. 123-2010 authorizes the Mayor to execute an agreement with the PBA with the terms and conditions substantially similar to that proposed by Administration.

RESOLUTION NO. 123-2010

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE PBA UNDER TERMS AND CONDITIONS SUBSTANTIALLY SIMILAR TO THOSE PROPOSED BY ADMINISTRATION

WHEREAS, THE TOWNSHIP OF PEMBERTON ("TOWNSHIP") AND MEMBERS OF THE PBA LOCAL 260 HAVE MET ON NUMEROUS OCCASIONS IN ORDER TO NEGOTIATE A COLLECTIVE BARGAINING AGREEMENT; AND

WHEREAS, AN AGREEMENT HAS BEEN PREPARED AND REVIEWED BY THE TOWNSHIP COUNCIL; AND

WHEREAS, TOWNSHIP ADMINISTRATION HAS CLARIFIED OUTSTANDING ISSUES WITH THE TOWNSHIP COUNCIL AND HAS OTHERWISE EXPLAINED THE TERMS OF THE AGREEMENT; AND

WHEREAS, THE TOWNSHIP COUNCIL HAS APPROVED THE AGREEMENT IN ITS CURRENT FORM AND DESIRES THAT IT BE RATIFIED.

NOW THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, MAYOR IS HEREBY AUTHORIZED TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH THE PBA LOCAL 260 UNDER TERMS AND CONDITIONS SUBSTANTIALLY SIMILAR TO THOSE PROPOSED BY TOWNSHIP ADMINISTRATION.

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

- A. PBA LOCAL 260
- B. TOWNSHIP ADMINISTRATOR
- C. GLUCKWALRATH LLP

Motion by Cartier and Prickett to approve Resolution No. 123-2010.
Cartier, yes; Prickett, yes; Stinney, yes; Inge, yes; Scull, yes. Motion carried.

6. Public comments on consent agenda items only.

Council President Scull opened the meeting to public comments on Consent Agenda items. There being no 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**

Regular meeting, April 21, 2010; Regular meeting, May 5, 2010.

***9. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 115-2010

WHEREAS, BROWNS MILLS FIRE COMPANY DESIRES THAT, PURSUANT TO THE PROVISIONS OF N.J.S.A. 15:8-4, CERTAIN PERSONS BE APPOINTED TO PERFORM PERMITTED POLICE DUTIES AT FIRES AND FIRE DRILLS;

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT THE BELOW LISTED MEMBERS BE APPOINTED AND DESIGNATED AS FIRE POLICE OFFICERS FOR A TERM OF FIVE YEARS FROM THE DATE OF THIS APPOINTMENT TO PERFORM DUTIES AS PRESCRIBED IN N.J.S.A. 15:8-4 UPON TAKING APPROPRIATE OATH BEFORE THE TOWNSHIP CLERK, A COPY OF WHICH IS TO BE FILED WITH THE CLERK AND ALSO THE SECRETARY OF THE FIRE COMPANY.

KEN VANBRAMER
KRIS VANBRAMER

RESOLUTION NO. 116-2010

WHEREAS, BY RESOLUTION NO. 53-2010, ADOPTED JANUARY 20, 2010, THE TOWNSHIP COUNCIL AWARDED A CONTRACT TO LEXA CONCRETE, LLC, FOR \$136,720.25, FOR THE LEMMON AVENUE RECONSTRUCTION PROJECT; AND WHEREAS, A COPY OF CHANGE ORDER NO. 1 IS ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION, WHICH CHANGE ORDER REPRESENTS A TOTAL INCREASE IN THE CONTRACT PRICE BY \$26,950.00, 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 \$163,670.25; AND

WHEREAS, THE ENGINEER AND THE BUSINESS 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 A CHANGE ORDER 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 BUSINESS 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 THIS CONTRACT IN THE AMOUNT OF \$26,950.00, IN LINE ITEM # 04-2009-200913-4020-3-96202; 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. 117-2010

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:

MOYER ELECTRIC, \$75.00, OVERCHARGE FOR CONSTRUCTION PERMIT, BLOCK 1124, LOT 8

JERRY SCHULTZ, \$588.00, REFUND FOR FIRE REPAIRS, BLOCK 681, LOT 20

ED & PALMA S SANKS, \$853.44, OVERPAYMENT OF PROPERTY TAXES DUE TO TOTAL DISABLED VETERAN STATUS, BLOCK 219, LOT 46

ARLEE S. JR. & ALICE S. CANE, \$2,776.75, OVERPAYMENT OF PROPERTY TAXES DUE TO TOTAL DISABLED VETERANS STATUS, BLOCK 686, LOT 5

RESOLUTION NO. 118-2010

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 602 LOT 8, 401 RED FEATHER TR. OWNED BY SAMUEL & MARIE GUERRERO QUALIFIES FOR A VETERANS' PROPERTY TAX EXEMPTION AS OF MAY 3, 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 602 LOT 8 AS A RESULT OF THE GRANTED EXEMPTION; AND

WHEREAS, THE TAXES DUE ON THE PROPERTY FROM JANUARY 1, 2010 TO MAY 2, 2010 IS \$1,172.04; AND

WHEREAS, TAXES LEVIED ON THE FIRST HALF OF 2010 IS IN THE AMOUNT OF \$1,729.68 ON BLOCK 602 LOT 8, OF WHICH \$ 1,172.04 HAS BEEN PAID, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL BALANCE OF FIRST HALF TAXES ON THE PROPERTY, IN THE AMOUNT OF \$557.64.

WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES ON SAID PROPERTY AS OF MAY 3, 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 602 LOT 8 AS OF MAY 3, 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 \$557.64 WHICH IS THE BALANCE OF FIRST HALF 2010.
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. 119-2010

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 1092 LOT 12, 219 UNIVERSITY AVE. OWNED BY RAMON A & CARMEN L COLON QUALIFIES FOR A VETERANS' PROPERTY TAX EXEMPTION AS OF MAY 5, 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 1092 LOT 12 AS A RESULT OF THE GRANTED EXEMPTION; AND

WHEREAS, THE TAXES DUE ON THE PROPERTY FROM JANUARY 1, 2010 TO MAY 4, 2010 IS \$1,139.00; AND

WHEREAS, TAXES LEVIED ON THE FIRST HALF OF 2010 IS IN THE AMOUNT OF \$1,653.76 ON BLOCK 1092 LOT 12, HAS BEEN PAID OF WHICH \$1,139.00 IS DUE, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL BALANCE OF FIRST HALF TAXES ON THE PROPERTY, AND ISSUE A REFUND TO HOMEOWNER IN THE AMOUNT OF \$514.76.

WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES ON SAID PROPERTY AS OF MAY 5, 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 1092 LOT 12 AS OF MAY 5, 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 \$514.76 AND ISSUE A REFUND TO: RAMON A & CARMEN L COLON, 219 UNIVERSITY AVE, PEMBERTON, NJ 08068 IN THE AMOUNT OF \$514.76.
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. 120-2010

WHEREAS, AUTO ZONE HAD PREVIOUSLY POSTED A PERFORMANCE BOND, FOR CERTAIN IMPROVEMENTS FOR PROPERTY KNOWN AS BLOCK 530, LOT 11.10; WHICH GUARANTEE WAS POSTED IN THE AMOUNT OF \$428,218.50; AND WHEREAS, THOSE IMPROVEMENTS HAVE BEEN COMPLETED; AND

WHEREAS, THE TOWNSHIP ENGINEER HAS RECOMMENDED THE RELEASE OF THE PERFORMANCE BOND IN THE AMOUNT OF \$428,218.50, CONTINGENT UPON THE PROPER POSTING OF THE REQUIRED TWO-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$64,230.00; AND

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE PERFORMANCE BOND 105237338 IN THE AMOUNT OF \$428,218.50, BLOCK 530, LOT 11.10 IS HEREIN AUTHORIZED TO BE RELEASED UPON RECEIPT OF A TWO-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$64,230.00.

RESOLUTION NO. 121-2010

A RESOLUTION OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF SURPLUS FIRETRUCKS TO MICHAEL GALLAGHER, AN INDIVIDUAL

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS DETERMINED THAT A 1985 3D PUMPER (VIN #1FDYD80UXFVA62506) THAT WAS FORMERLY USED BY THE BROWNS MILLS FIRE COMPANY AND A 1988 E-ONE PUMPER (VIN #1FDYD80U8JVA10980) THAT WAS FORMERLY USED BY THE MAGNOLIA ROAD FIRE COMPANY THAT IS NO LONGER NEEDED FOR PUBLIC USE; AND

WHEREAS, THE TOWNSHIP ATTEMPTED TO SELL THE VEHICLE ON TWO OCCASIONS USING AN APPROVED ONLINE AUCTION METHOD, BUT ON BOTH OCCASIONS THE MINIMUM ADVERTISED BID WAS NOT SATISFIED; AND

WHEREAS, ON APRIL 22, 2010, THE TOWNSHIP RECEIVED A WRITTEN OFFER FOR THE VEHICLE FROM MICHAEL GALLAGHER IN THE AMOUNT OF \$3,500 FOR BOTH TRUCKS; AND

WHEREAS, IN ACCORDANCE WITH N.J.S.A. 40A:11-36(2), THE TOWNSHIP MAY SELL PERSONAL PROPERTY THAT IS NOT NEEDED FOR PUBLIC USE AT A PRIVATE SALE, RATHER THAN AT PUBLIC AUCTION OR THROUGH SEALED BID, IN THE CASE OF A SALE TO ANOTHER CONTRACTING UNIT, INCLUDING A COUNTY GOVERNMENTAL UNIT.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE PEMBERTON TOWNSHIP VOLUNTEER FIRE DEPARTMENT IS HEREBY AUTHORIZED TO SELL THE ABOVE-MENTIONED SURPLUS FIRE TRUCKS TO MICHAEL GALLAGHER BY WAY OF PRIVATE SALE FOR THE SUM OF \$3,500; AND BE IT FURTHER RESOLVED, THAT THE SURPLUS PROPERTY SHALL BE SOLD "AS IS" WITHOUT EXPRESS OR IMPLIED WARRANTIES; AND

BE IT FURTHER RESOLVED, THAT THE MAYOR IS AUTHORIZED TO SIGN AND THE TOWNSHIP CLERK IS AUTHORIZED TO WITNESS ANY AND ALL DOCUMENTS NECESSARY TO COMPLETE THIS TRANSACTION; AND

BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THE WITHIN RESOLUTION BE FORWARDED BY THE TOWNSHIP CLERK TO THE FOLLOWING:

1. BUSINESS ADMINISTRATOR
2. FIRE CHIEF
3. CHIEF FINANCIAL OFFICER
4. MICHAEL GALLAGHER

RESOLUTION NO: 122-2010

WHEREAS, N.J.S. 40A:4 - 87 PROVIDES THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES MAY APPROVE THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY WHEN SUCH ITEM SHALL HAVE BEEN MADE AVAILABLE BY LAW AND THE AMOUNT WAS NOT DETERMINED AT THE TIME OF ADOPTION OF THE BUDGET: AND

WHEREAS, THE TOWNSHIP OF PEMBERTON DID RECEIVE NOTICE OF SUCH AN AWARD FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION FOR LEMMON AVENUE PHASE I IN THE AMOUNT OF \$196,915.00 AND EXECUTED ON DECEMBER 2, 2009 RESOLUTION NUMBER 253-2009 FOR THE INSERTION OF THIS SPECIAL REVENUE & APPROPRIATION.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY, HEREBY REQUESTS THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO DISSOLVE THE ABOVE SPECIAL ITEM OF REVENUE & APPROPRIATION.

THE PURPOSE OF THIS REQUEST IS TO "AMEND AND SUPPLEMENT BOND ORDINANCE NUMBER 13-2009, TO INCREASE THE APPROPRIATION AND AUTHORIZATION OF BONDS AND NOTES TO PROVIDE FOR THE RECEIPT OF GRANTS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND ADDITIONAL COSTS RELATING TO IMPROVEMENTS AT LEMMON AVENUE."

BE IT FURTHER RESOLVED, THAT THE LIKE SUM(S) OF \$ 196,915.00 IS HEREBY REPEALED FROM THE APPROPRIATED UNDER THE CAPTION:

GENERAL REVENUE:

MISCELLANEOUS REVENUES: SECTION F SPECIAL ITEMS ANTICIPATED WITH PRIOR WRITTEN CONSENT OFFSET WITH APPROPRIATIONS:

1. STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION
FISCAL YEAR 2009, LEMMON AVENUE
\$196,915.00

BE IT FURTHER RESOLVED THAT THE SAME AMOUNTS BE APPROPRIATED TO THE TOWNSHIP OF PEMBERTON ORDINANCE NO. 2-2010.

11. NEW BUSINESS

***b. Purchases at or over \$3,150.00:**

***1. Public Works Dept.:** An enclosed trailer from Hecht Trailers, LLC, in the amount of \$3,667.00, for Clean Communities.

***12.** Approval by Council required for payment of vouchers on bill list dated 5/14/10.

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

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

a. ORDINANCE NO. 8-2010 (Title Read By Mrs. Scull)

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 147 ("RECYCLING") OF THE TOWNSHIP CODE TO COMPLY WITH COUNTY AND STATE REGULATION

Council President Scull opened the meeting to public comments on Ordinance No. 8-2010. There being no members of the public indicating a desire to be heard, Mrs. Scull closed the meeting to public comments.

Mr. Prickett expressed concern that the ordinance will not change the amount of the fines. Mr. Prickett stated he would like to see a schedule or some type of basis for the fines and asked who determines what the fine is going to be for a violation. Mr. Bayer informed that the Municipal Judge will determine the fines, and the Code Enforcement Officer does not impose the penalty. Mr. Cartier confirmed the Ordinance will become effective October 1st.

Motion by Cartier and Stinney to adopt Ordinance No. 8-2010. Cartier, yes;

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

11. NEW BUSINESS

a. Applications submitted for memberships, licenses, permits:

1. Parade Permit Application: (***PUBLIC HEARING REQUIRED***): Big Brothers/Big Sisters of Burlington County: Cycle and Walk For Kids Sake event, through Burlington Township and surrounding towns starting and ending from Masonic Home, 8/28/10, from 7:30 AM-12:00 PM.

Council President Scull opened the meeting to public comments regarding the Big Brothers/Big Sisters of Burlington County parade permit application. There being no members of the public indicating a desire to be heard, Mrs. Scull closed the meeting to public comments.

Motion by Cartier and Stinney to approve the parade permit application for Big Brothers/Big Sisters of Burlington County. Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

Motion by Cartier and Stinney to add Resolution No. 124-2010 and Resolution No. 125-2010 to the agenda. Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

RESOLUTION NO. 124-2010

RECOMMENDATION OF AWARD TO AC SCHULTES FOR EMERGENCY ACTION SERVICES FOR VARIOUS WATER SYSTEM IMPROVEMENTS

WHEREAS, TOWNSHIP OF PEMBERTON (THE "TOWNSHIP") IS RESPONSIBLE FOR THE OVERSIGHT OF WATER UTILITY WITHIN THE TOWNSHIP; AND

WHEREAS, SINCE IT HAS BEEN DISCOVERED THAT RADIUM CONTAMINATION EXISTS AT WELL #11 LOCATED ON TRENTON ROAD IN THE TOWNSHIP, THE TOWNSHIP AUTHORIZED ADAMS, REHMANN & HEGGAN (THE "TOWNSHIP ENGINEER") TO PERFORM A DETAILED ANALYSIS OF THE ENTIRE WATER SYSTEM IN ORDER TO GENERATE A STRATEGIC PLAN FOR IMMEDIATE ACTION; AND

WHEREAS, SAID PLAN WAS CREATED UNDER A PROPOSAL DATED JANUARY 18, 2010 AND WHICH SCOPE WILL ALLOW FOR THE ABILITY TO INCREASE THE YIELD OF THE EXISTING WELLS AS EXPEDITIOUSLY AS POSSIBLE WITH A GOAL TO MINIMIZE THE NEED AND DURATION OF HAVING TO RE-ACTIVATE WELL #11 TO MEET SYSTEM DEMANDS; AND WHEREAS, ONE OF THE TOWNSHIP ENGINEER'S FINDINGS RESULTED IN THE RECOMMENDATION TO ENHANCE THE YIELD AT WELLS #6 AND #7 WHICH BOTH ARE PERMITTED TO YIELD 500 GALLONS PER MINUTE (GPM) BUT IN ACTUALITY ARE DELIVERING LESS THAN 190 GPM; AND

WHEREAS, TO EXPEDITE THE PROCESS OF INCREASING THE YIELD AT EACH FACILITY TO ACHIEVE A RELIABLE WATER SUPPLY AND MINIMIZE THE NEED TO RELY ON WELL #11, THE TOWNSHIP ISSUED A REQUEST FOR QUOTATIONS TO QUALIFIED WELL DRILLERS SEEKING TO PROVIDE THE ADDED YIELD AS SOON AS POSSIBLE; AND WHEREAS, THE LOWEST RESPONSIBLE QUOTE FOR THE WELL #6 ENHANCEMENT IS AC SCHULTES IN THE AMOUNT OF \$9,050.00; AND

WHEREAS, THE QUOTES RECEIVED FOR THE WELL #7 ENHANCEMENT WERE SUBMITTED WITH CAVEATS BY THE BIDDERS WHICH EXPRESSED THEIR OPINION THAT THE IMPROVEMENTS SOUGHT WOULD NOT YIELD THE DESIRED OUTCOME BY THE TOWNSHIP, AND THEREFORE A DECISION NOT TO APPROVE ACTION ON WELL #7 IS RECOMMENDED BY THE TOWNSHIP ENGINEER; AND

WHEREAS, ANOTHER TASK OF THE TOWNSHIP ENGINEER WAS TO OBTAIN THE PERMIT TO OPERATE WELL #13 WHICH WAS DRILLED IN 2000 BUT WAS NOT PERMITTED TO OPERATE; AND

WHEREAS, AT THE TIME OF THIS RESOLUTION ONE REMAINING CONDITION EXISTS PREVENTING THE RELEASE OF THE PERMIT; AND

WHEREAS, WHEN THE WELL WAS DRILLED IN 2000, THE WELL RECORD ON FILE WITH THE NJDEP DID NOT ADEQUATELY DEMONSTRATE AN IMPORTANT AND NECESSARY ELEMENT TO THE RECORD; AND

WHEREAS, TO ADDRESS THE PENDING ISSUE AND PROVIDE THE INFORMATION TO THE NJDEP, A WELL DRILLER MUST PULL THE WELL AND PERFORM A MEASUREMENT OF WHAT IS KNOWN AS THE GRAVEL PACK ABOVE THE WELL SCREEN; AND

WHEREAS, IF THE GRAVEL PACK IS NOT OF SUFFICIENT DEPTH, THE WELL DRILLER WILL NEED TO INCREASE THE DEPTH; AND

WHEREAS, AC SCHULTES HAS PROVIDED A COST OF \$5,500.00 TO PERFORM THE MEASUREMENT OF THE GRAVEL PACK AND A PRICE OF \$35.00 PER BAG OF GRAVEL IN THE EVENT THEY NEED TO INCREASE THE GRAVEL PACK BEYOND WHAT EXISTS; AND

WHEREAS, ALL OF THE ABOVE ACTIVITY IS PART OF A COMPREHENSIVE STRATEGY TO INCREASE THE ABILITY OF THE TOWNSHIP TO SERVICE ITS CUSTOMERS WITHOUT RELIANCE ON WELL #11; AND

WHEREAS, THIS ACTION IS TAKEN UNDER EMERGENCY PROVISIONS DUE TO THE IMPACT ON THE HEALTH AND SAFETY OF THE WATER CUSTOMERS OF THE TOWNSHIP.

NOW THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT THE CONTRACTS FOR ENHANCEMENTS TO WELL # 6, AND THE GRAVEL PACK SCOPE OF WORK ASSOCIATED WITH WELL #13 ARE HEREBY AWARDED TO AC SCHULTES AND THE MAYOR IS AUTHORIZED TO EXECUTE ALL DOCUMENTS IN AN AMOUNT NOT TO EXCEED \$15,000.00; AND

BE IT FURTHER RESOLVED, THAT THE AWARD OF THIS RFQ IS SUBJECT TO:

1. CERTIFICATION AS TO THE AVAILABILITY OF FUNDS FROM THE TOWNSHIP'S CHIEF FINANCIAL OFFICER.
2. ISSUANCE OF A PURCHASE ORDER BY THE FINANCE DEPARTMENT ENCUMBERING FUNDS PRIOR TO THE INITIATION OF THIS WORK IN ACCORDANCE WITH N.J.A.C 5:30-5.4.
3. THE CONTRACTOR'S ADHERENCE TO THE CONSTRUCTION COMPLETION SCHEDULE SET FORTH IN THE RFQ.

RESOLUTION NO. 125-2010

AUTHORIZE ADAMS, REHMANN & HEGGAN TO PREPARE THE DESIGN AND BEGIN THE PERMITTING PROCESS FOR THE INTERIM ACTION PLAN ASSOCIATED WITH WELL #12

WHEREAS, TOWNSHIP OF PEMBERTON (THE "TOWNSHIP") IS RESPONSIBLE FOR THE OVERSIGHT OF WATER UTILITY WITHIN THE TOWNSHIP; AND

WHEREAS, SINCE IT HAS BEEN DISCOVERED THAT RADIUM CONTAMINATION EXISTS AT WELL #11 LOCATED ON TRENTON ROAD, THE TOWNSHIP AUTHORIZED ADAMS, REHMANN & HEGGAN (THE "TOWNSHIP ENGINEER") TO PERFORM A DETAILED ANALYSIS OF THE ENTIRE WATER SYSTEM TO GENERATE A STRATEGIC PLAN FOR IMMEDIATE ACTION; AND

WHEREAS, SAID PLAN WAS CREATED UNDER A PROPOSAL DATED JANUARY 18, 2010 AND WHICH SCOPE WILL ALLOW FOR THE ABILITY TO INCREASE THE YIELD OF THE EXISTING WELLS AS EXPEDITIOUSLY AS POSSIBLE WITH A GOAL TO MINIMIZE THE NEED AND DURATION OF HAVING TO RE-ACTIVATE WELL #11 TO MEET SYSTEM DEMANDS; AND

WHEREAS, ONE OF THE TOWNSHIP ENGINEER'S FINDINGS RESULTED IN OBTAINING EMERGENCY APPROVAL TO CONVERT WELL #12 LOCATED ON RIDGE ROAD FROM A TEST WELL TO A PRODUCTION WELL; AND

WHEREAS, WELL #11 IS RATED AT 400 GALLONS PER MINUTE (GPM); AND

WHEREAS, THE EMERGENCY PERMISSION SOUGHT FROM NJDEP TO TRANSFER THE DIVERSION RIGHTS FROM WELL #11 TO WELL #12 HAS BEEN ACCEPTED IN CONCEPT; AND

WHEREAS, WELL #12 WAS DRILLED IN 2000 AND THE CONTRACT TO COMPLETE SAME WAS NOT FINALIZED FOR VARIOUS REASONS; AND

WHEREAS, THE 2000 DESIGN PLAN FOR WELL #12 WAS PROPOSED TO CONSTRUCT A FACILITY THAT WOULD YIELD 200 GPM; AND

WHEREAS, TO ACHIEVE A REPLACEMENT VALUE AT WELL #12 TO SUBSTITUTE THE YIELD AT WELL #11, WELL #12 NEEDS TO BE CONSTRUCTED TO YIELD 400 GPM; AND

WHEREAS, THE STRATEGIC PLAN TO MOST EXPEDITIOUSLY CONVERT WELL #12 FROM A TEST WELL TO A PRODUCTION WELL AMONG THE ALTERNATIVES INVESTIGATED BY THE TOWNSHIP ENGINEER AND AGREED TO BY THE NJDEP IS TO INCREASE THE PUMPING EQUIPMENT PROPOSED FOR WELL #12 AND TO UTILIZE THE EXISTING BUILDING AND TREATMENT CAPABILITIES AT WELL #8A WHICH IS LOCATED ON THE SAME SITE AS WELL #12; AND

WHEREAS, TO COMPLETE THE ACTUAL DESIGN AND PERMITTING OF THE INTERIM SOLUTION WHILE ADDRESSING THE LONG TERM PERMITTING REQUIREMENTS OF SAID CONVERSION, THE TOWNSHIP ENGINEER MUST DESIGN THE INTERIM FACILITIES; AND

WHEREAS, THE JANUARY 18, 2010 PROPOSAL ONLY ADDRESSED THE IDENTIFICATION OF ALTERNATIVES AND EXCLUDED ANY DESIGN FOR EITHER WELL #11 OR WELL #12; AND

WHEREAS, THE COST OF THIS INTERIM DESIGN IS PROPOSED TO BE \$9,500.00; AND

WHEREAS, CERTAIN ASPECTS OF THE JANUARY 18, 2010 PROPOSAL WERE NOT FULLY EXPENDED AND HAVE BEEN FINALIZED RESULTING IN THE ABILITY TO PROVIDE A CREDIT AGAINST THE WELL #12 INTERIM DESIGN; AND

WHEREAS, SAID CREDIT FROM THE JANUARY 18, 2010 PROPOSAL AGAINST THE INTERIM DESIGN AND PERMITTING TASKS IS \$3,000.00, RESULTING IN A NET EXTRA WORK DESIGN VALUE OF \$6,500.00; AND

WHEREAS, ALL OF THE ABOVE ACTIVITY IS PART OF A COMPREHENSIVE STRATEGY TO INCREASE THE ABILITY OF THE TOWNSHIP TO SERVICE ITS CUSTOMERS WITHOUT RELIANCE ON WELL #11; AND

WHEREAS, THIS ACTION IS TAKEN UNDER EMERGENCY PROVISIONS DUE TO THE IMPACT ON THE HEALTH AND SAFETY OF THE WATER CUSTOMERS OF THE TOWNSHIP.

NOW, THEREFORE BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT ADAMS, REHMANN & HEGGAN IS HEREBY AUTHORIZED TO PREPARE THE DESIGN AND BEGIN THE PERMITTING PROCESS FOR THE INTERIM SOLUTION ASSOCIATED WITH THE CONVERSION OF WELL #12 FROM A TEST WELL TO A PRODUCTION WELL IN THE NET AMOUNT OF \$6,500.00.

BE IT FURTHER RESOLVED, THAT THE AWARD OF THIS PROFESSIONAL SERVICES CONTRACT IS SUBJECT TO:

4. CERTIFICATION AS TO THE AVAILABILITY OF FUNDS FROM THE TOWNSHIP'S CHIEF FINANCIAL OFFICER.
5. ISSUANCE OF A PURCHASE ORDER BY THE FINANCE DEPARTMENT ENCUMBERING FUNDS PRIOR TO THE INITIATION OF THIS WORK IN ACCORDANCE WITH N.J.A.C 5:30-5.4.
6. ADVERTISEMENT OF THIS AWARD OF PROFESSIONAL SERVICES IN THE OFFICIAL PUBLICATION OF THE TOWNSHIP

Motion by Cartier and Stinney to approve Resolution No. 124-2010.
 Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

Mr. Prickett inquired if Resolution No. 125-2010 is additional money from the proposal that Council passed a few months ago for \$67,000. Mr. Pantalone explained ARH had a proposal of January 18th which was for \$67,000 which was an analysis of all water system elements. Any design work for well #11 and well #12 was excluded. After diagnostics, ARH has come up with a plan to transfer the rights of well #11 to well #12 as an expedited measure. In order to get this done as quickly as possible, this is the actual design component which was originally forecasted at \$9,500 but because of some savings in the \$67,000 proposal, albeit were savings in the 72 hour pump test task, they have credited the overall proposal by \$3,000 for a net of \$6,500 to prepare the design and forward to the state.

Motion by Cartier and Stinney to approve Resolution No. 125-2010.
 Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

GENERAL PUBLIC COMMENTS:

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

SOLICITOR'S REPORT:

Andy Bayer: 1. Reported that a decision was received from the NJ Supreme Court again upholding the Township's Landlord Registration Ordinance. The Appellate Division upheld the ordinance as valid and the NJ Supreme Court denied Lake Valley's petition for certification. The litigation is done, and the ordinance is

now final.

Mrs. Stinney conveyed that a Medford resident has submitted an OPRA request for information regarding Mr. Cartier, Mr. Inge, Mrs. Scull, the Mayor and herself but not for Mr. Prickett. Mrs. Stinney advised Mr. Bayer is going to review emails from those Council members for Township information, and asked what his fee will be. Mr. Bayer replied that Mrs. Finlay informed him there are approximately 4,000 to 6,000 emails, and he estimated 10 hours of time to review them at a cost of \$1,450. Mrs. Finlay is forwarding that information to the individual that made the request to see if they agree to pay for that time. Mr. Bayer added that ultimately he would charge the actual hours but per OPRA requirements, an estimate is required. Mrs. Stinney commented that she wanted the taxpayers to know the cost. Mr. Prickett relayed that this is the first time he has heard about this and noted that an OPRA request must be specific. Mr. Cartier replied the request was specific. Mr. Bayer conveyed he discussed the blanket request with Mrs. Finlay for all emails from Council members and the Mayor regarding Township business. The request is not objectionable; the only issue is the voluminous request and amount of time needed to produce and review the information. Mrs. Scull asked if the various offices' time involved as well as Council's time can be charged. Mr. Bayer remarked he will provide Council the legal standards by which the town is permitted to charge for administrative costs. Mrs. Stinney informed that Mrs. Finlay's office had put in seven hours to gather the information on Council and the Mayor. Mayor Patriarca commented that he has elected not to provide the information until he is sure the requesting party is going to pay the cost involved.

ENGINEER'S REPORT:

Kelly Willis: 1. Referred to a previous meeting regarding questions from the public pertaining to a drainage issue on Crescent Drive. Mrs. Willis advised ARH sent an inspector out to look at the area and met with a FEMA representative who was talking to residents to assess their damage from the previous flooding. Mrs. Willis noted ARH will follow up and keep Council updated.

MAYOR'S REPORT:

David Patriarca: 1. Complimented the Fire Services on an outstanding job of protecting the homes in Pemberton Township from the recent fire as well as the potential spread of fire up to Toms River. Mayor Patriarca asked Fire Chief Augustoni to provide a report to Council and the public. Chief Augustoni advised the fire was reported on May 8th at 12:34 pm. It was spotted by the fire observation tower at the Brendan Burn State Park. At the time of the report the winds were blowing in a south west direction at 20 – 30 mph with gusts of 50 mph. At approximately 12:51 pm, a request for assistance was made through the NJ Forest Fire Service to the Pemberton Township Fire Department where Country Lakes Fire Station, Browns Mills Fire Station, Presidential Lakes Fire & Rescue Squad and one engine from the Fort Dix Fire Department were dispatched. It was determined because of the direction of the wind that we believed there would be a structural protection problem on the Seneca, Red Feather Trail area. Chief Maahs took command of that area and ensured those properties were secured. Chief Augustoni responded to Track 70 where he established a command post. The wind switched around and there started to be exposure problems at the Track 70 complex where Presidential Lakes water tender and a unit from Lebanon Lakes were. Our teams were not only performing structural protection but they were also supporting the Forest Fire units. Chief Augustoni was very pleased with the fire fighters from Presidential Lakes and Lebanon Lakes as they protected the structures near Track 70. Our County Wildland Urban Interface Plan was activated which brought in mutual aid companies from around the county. At 1:00 pm, the wind shifted to the northwest with winds of 20-30 mph and gusts of 50 mph. The fire was being sent by the wind towards Route 70. There were a few

spot fires that jumped Route 70 but the main mission of the Forest Fire Service was to hold the line in that direction. As the Mayor indicated, if the fire had crossed Route 70, we would have had a problem with the homes on Railway and City Line Avenue. Where the fire was and where it could have been stopped was about 18,000 acres of land. At 1:00 pm on May 9th, there was 100% containment. The Pemberton Township Fire Department personnel remained on location for a total of 24 hours conducting patrols around Seneca and Red Feather reassuring our residents and ensuring if there were any fires they would not get out of control and offering support to the NJ Forest Fire Service. At 7:00 am, he relieved Chief Maahs who was the overnight incident commander for the structural end. After briefing, their companies were relieved at 7:00 am by Springfield Township Fire Department and the Hampton Lakes Fire Department which offered help to let our folks get some rest. There were approximately 46 personnel from the Pemberton Township Fire Department who expended about 1138 man hours. A total of 487 acres were burned and at the peak of the fire, there were 50 plus homes in danger. 24 fire stations and 9 EMS stations were dispatched which included 2 companies out of Ocean County and 2 Burlington County Fire Police teams. Chief Augustoni listed the various pieces of equipment on site. The American Red Cross responded with food. A total of 150 personnel responded to the scene. The NJ Forest Fire Service, the NJ State Police, the Pemberton Township Police, Burlington County Office of Emergency Management, Burlington County Fire Coordinators Office, NJ Division of Fire Safety and the NJ Department of Transportation assisted. There was one minor injury of a fire fighter unrelated to the incident. No evacuations were called for, and there were no structural losses. Chief Augustoni thanked the contributing members of the Country Lakes Fire Company who had food and water out to them within the first hour of the incident. Chief Augustoni also thanked the residents for providing food and water to the crews and also for their kind words. The Chief also thanked the neighboring fire departments and EMS units who responded so rapidly to the call for help. Most importantly, to all of the Pemberton Township First Responders for their dedication, training and professionalism which was tested that day and proven. For the next several weeks, they will be conducting a critique of the incident to what lessons were learned and what we need to do to improve. Ironically, prior to the fire, he met with personnel from the NJ Forest Fire Service and Community Wildfire Prevention Experts to discuss a CWPP, Community Wildfire Protection Plan. Within the next few months, they will be coming to Council with a resolution to support this effort. It will provide some funding for mitigation and prepare a plan to establish where our main threats are and it also puts us on the radar screen at the federal level that states we are participating in these activities. We are being proactive, not reactive and it will also give us an opportunity to get grant money if available. Mrs. Stinney suggested Council send a letter of appreciation to every fire department that was involved with saving so many homes in Pemberton Township on behalf of our Council for the heroic acts that took place. Council President Scull agreed and asked the Mayor if Administration has started anything like that to which the Mayor replied no. Mr. Prickett suggested using a resolution as a form of recognition for this great accomplishment. Mrs. Scull thanked all of the fire companies that responded and commented on the outstanding jobs our own fire departments do everyday for this community as volunteers. She saw firsthand as she lives next to Seneca. Commented on the gusting winds and it was a miracle to not have lost a house. Mrs. Scull spoke of the compliments received and how well our fire fighters responded to the residents and panicked homeowners who didn't know whether or not to leave. Mrs. Scull complimented the men and women on the fine job they did. Chief Augustoni stated it is his honor and privilege to be associated with the men and women of the fire services. The Chief commented on Mr. Vaz and the Chief of Police that came out to assist. We are fortunate the fire was where it was because if it had been in some of the sections of Browns Mills that we were concerned about with the southwesterly to northwesterly wind, we would be talking about a different scenario. Ironically in February, they went out

and pre-fire planned that block. That is why it is important to encourage the residents to attend the community wildfire program. The Pemberton Township website has a link to the NJ Forest Fire Service that will tell you how to improve your property and make it defensible so that if there is a wildfire, it tells you what to do. Unfortunately there was only one person that showed up at the program last year. Mrs. Scull recalled wanting two ways in and two ways out for the new housing development on Lakehurst Road and stated maybe people will understand now. Ten, fifteen or twenty acres can present a problem. If we have to order an evacuation, Presidential Lakes could be a problem for us. Hopefully through the CWPP, we may have an opportunity to fly that flag. Mr. Prickett compared the accomplishment the fire company made in containing this fire with a fire that took place in Pemberton Township 47 years ago in 1963. There was a fire in New Lisbon under similar conditions that burned for three days and had 14,000 acres, 7 houses and a number of deaths. If only we were around then to have contained that fire before it did the massive destruction it did in 1963. Mr. Prickett lived in Medford Lakes at the time and remembered seeing the smoke. Mrs. Stinney stood and applauded Chief Augustoni and the fire departments. Mrs. Scull asked Chief Augustoni to work with her and the Mayor to get a resolution or letter to thank everyone that participated. Chief Augustoni relayed the after action review will be available for the public to review. **2.** The Mayor stated Public Works has designed a parking lot for Imagination Kingdom to save us money. **3.** The Country Lakes Homeowners Alliance wants to do an open house of the recreation building and try to get more people involved in the program. Public Works has begun working on the exterior of that project. **3.** Lake Valley wants to do an open house for the Dominique Johnson Center also. **4.** Next week the State is recognizing our Clean Communities Committee Chairperson at a banquet in Atlantic City for the work she is doing. There are usually between 8 and 10 clean ups a year. The Environmental Commission is also trying to compete in that area and will have a clean up this Saturday on Mirror Lake. **5.** Administration is taking the situation with the wells very seriously. They are taking a very aggressive approach to fixing a neglected area. Well# 12 and #13 have been sitting idle for almost ten years. These are not issues this Administration or the previous Administration were aware of. These things came about and got put by the wayside and forgotten about and we spent a lot of money on them. Now it's time to finish the project, bring these in to production wells which we are close to doing now and strengthening our water system which we intend to do in the very near future. With the help of ARH and Mr. Pantalone, we have been working very hard on it. Mr. Cartier asked if there has been any thought given to putting a water gauge on the system across the street. Mayor Patriarca responded the water gauge was suggested, and the individual that installed that system was one of our temporary employees, and we benefited from that. The Mayor conveyed he thought it was installed, but he will find out. Mr. Cartier requested information on the magnetic doors. Mayor Patriarca added we are looking to increase production on some of the wells.

COUNCIL MEMBERS' COMMENTS:

Richard Prickett: **1.** Spring will be here tomorrow. He is looking forward to enjoying it. **2.** Wished the Environmental Commission a successful weekend because it will be sunny and dry. **3.** Expressed it is good to see familiar faces tonight and hopes to see everyone at the Memorial Day Parade and wished everyone a good night.

Ken Cartier: **1.** Looks forward to seeing everyone at the Memorial Day Parade. Wished everyone a good night.

Tom Inge: **1.** Thanked the emergency management teams not only for what they did this previous weekend but what they do for the Township all of the time. **2.**

Thanked everyone for coming out tonight.

Diane Stinney: **1.** Thanked the members and volunteers involved in saving Pemberton Township. **2.** Stated to the Mayor that he picked a winner when he went over the applications and hired Mr. Vaz who is a volunteer firefighter and an attorney, and is here at all times. Mrs. Stinney could not find the words to say of the value that he has brought to the Township and the finesse that he has brought representing Pemberton Township. She noted having sat in the audience for many years and has never experienced such a person as himself as our Business Administrator, and we have had quite a few of them. He is a highly respected man throughout the Township by many people that say kind words about him. Thanked the Mayor for bringing Mr. Vaz to Pemberton Township. **3.** Thanked everyone for coming out tonight and hopes to see them at the Memorial Day celebration for those that gave of their time and services.

Sherry Scull: **1.** The business meeting for May 25th will be in the municipal building in room 10 at 6:30 pm.

Mayor Patriarca recognized a local youngster, Kyle Slims, who is in the Scouts and as part of his Star Program he took it upon himself to go behind Lake Pemberton with a few recruits and a Scout Master and cleaned up the area off of Coleman's Bridge Road. They collected nine bags of trash and seven bags of recycling as well as some tires. Mrs. Scull suggested sending a letter of congratulations to him. The Mayor concurred. Mrs. Scull commented the State has heavily fined a couple of contractors who habitually dump on Coleman's Bridge Road.

Mrs. Scull thanked everyone for coming out and reiterated the announcement of the Memorial Day Parade is Monday, May 31st.

The meeting was adjourned at approximately 7:53 pm.

Respectfully submitted:

Mary Ann Finlay, MMC
Township Clerk