

TOWNSHIP OF PEMBERTON

REGULAR MEETING

MAY 5, 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 Andy Bayer, Township Engineer Chris Rehmann, Township Engineer Representative Kelly Willis, Township Clerk Mary Ann Finlay

2. Meeting called to order.

Council President Scull called the meeting to order at 6:30 p.m.

3. Closed Session Res. No. 103-2010

RESOLUTION NO. 103-2010

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
GOODWILL FIRE COMPANY CONTRACT
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 Prickett and Stinney to approve Resolution No. 103-2010. Prickett, yes; Stinney, yes; Cartier, yes; Inge, yes; Scull, yes. Motion carried.

4. CLOSED SESSION

Council President Scull recessed the meeting at 6:32 pm and reconvened the meeting at 7:01 pm.

5. Formal action as necessary pursuant to closed session.

Motion by Cartier and Prickett to add Resolution No. 110-2010, a resolution authorizing the execution of an agreement with the Borough of Pemberton for provision of fire protection services by Goodwill Fire Company No. 1. Cartier, yes; Prickett, yes; Stinney, yes; Inge, yes; Scull, yes. Motion carried.

RESOLUTION NO. 110-2010

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE BOROUGH OF PEMBERTON FOR PROVISION OF FIRE PROTECTION SERVICES BY GOOD WILL FIRE COMPANY NO. 1

WHEREAS, THE BOROUGH OF PEMBERTON ("BOROUGH") HAS CONTRACTED PURSUANT TO N.J.S.A.40A:14-68 WITH GOOD WILL FIRE COMPANY ("GOOD WILL") FOR THE PURPOSE OF EXTINGUISHING FIRES; AND
WHEREAS, GOOD WILL HAS HISTORICALLY PROVIDED FIRE PROTECTION TO RESIDENTS OF THE BOROUGH AND TO RESIDENTS OF THE TOWNSHIP OF PEMBERTON ("TOWNSHIP") RESIDING IN THE AREA REFERRED TO AS THE "WEST END;" AND
WHEREAS, THE TOWNSHIP DESIRES TO RETAIN THE EMERGENCY SERVICES OF THE GOOD WILL IN THE WEST END AS A NECESSARY AND PROPER MEASURE FOR THE SECURITY OF THE PUBLIC HEALTH AND WELFARE; AND
WHEREAS, THE GOVERNING BODIES OF BOTH THE BOROUGH AND THE TOWNSHIP DETERMINE THAT IT IS IN THEIR MUTUAL INTEREST TO ENTER INTO AN AGREEMENT (THE "AGREEMENT") FOR THE PROVISION OF FIRE PROTECTION BY GOOD WILL SO AS TO BENEFIT FROM THE COST SAVINGS INHERENT IN THE SHARING OF NECESSARY GOVERNMENTAL SERVICES; AND
WHEREAS, THE TOWNSHIP IS AUTHORIZED BY N.J.S.A. 40A:14-35 TO APPROPRIATE FUNDS TO BE GRANTED TO A VOLUNTEER FIRE COMPANY IN AN ADJOINING MUNICIPALITY, AND WILL ACCORDINGLY PAY TO THE BOROUGH THE FEES SET FORTH IN FURTHER DETAIL IN THE AGREEMENT.
NOW THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, AND THAT THE MAYOR IS AUTHORIZED TO EXECUTE A CONTRACT, REVIEWED BY THE TOWNSHIP SOLICITOR AND ATTACHED HERETO, BETWEEN THE TOWNSHIP OF PEMBERTON AND THE BOROUGH OF PEMBERTON FOR THE PROVISION OF FIRE PROTECTION SERVICES BY GOOD WILL FIRE COMPANY NO. 1; AND
BE IT FURTHER RESOLVED, THAT THE CHIEF FINANCIAL OFFICER HAS EXECUTED A CERTIFICATION OF FUNDS FOR THIS CONTRACT, WHICH IS ATTACHED HERETO, AND THAT SUFFICIENT FUNDS ARE AVAILABLE FOR SAID CONTRACT FROM ACCOUNT NUMBER _____; AND
BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. GOOD WILL FIRE COMPANY NO. 1
- B. TOWNSHIP ADMINISTRATOR
- C. TOWNSHIP CHIEF FINANCIAL OFFICER
- D. BOROUGH ADMINISTRATOR
- E. GLUCKWALRATH LLP

Motion by Cartier and Prickett to approve Resolution No. 110-2010, a resolution authorizing the execution of an agreement with the Borough of Pemberton for provision of fire protection services by Goodwill Fire Company No. 1 contingent upon approval of funds by the CFO. 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 only. 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. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 104-2010

WHEREAS, THE 2010 SUMMARY MUNICIPAL BUDGET OF THE TOWNSHIP OF PEMBERTON WAS POSTED ON THE OFFICIAL BULLETIN BOARD IN THE MUNICIPAL BUILDING FOR A PERIOD OF AT LEAST ONE FULL WEEK PRIOR TO THE PUBLIC HEARING SCHEDULED FOR SAME; AND
WHEREAS, FULL COPIES OF THE 2010 MUNICIPAL BUDGET WERE MADE AVAILABLE FOR EVERY PERSON REQUESTING THE SAME DURING SAID WEEK PRIOR TO THE PUBLIC HEARING AND ARE NOW AVAILABLE TO ALL PERSONS ATTENDING SAID HEARING; AND
WHEREAS, IN ACCORDANCE WITH N.J.S.A. 40:4-8, AS AMENDED BY CH. 259 PL 1995, THE MUNICIPAL CLERK HAS CERTIFIED BY SCHEDULE A ATTACHED TO AND MADE A PART OF THIS RESOLUTION, THAT COPIES OF THE 2010 MUNICIPAL BUDGET WERE DELIVERED TO, AT MINIMUM, THE BURLINGTON COUNTY LIBRARY IN WESTAMPTON TWP., NEW JERSEY; TO THE BRANCH LOCATION OF THE BURLINGTON COUNTY LIBRARY; LOCATED IN PEMBERTON TOWNSHIP; THE BURLINGTON COUNTY COLLEGE LIBRARY LOCATED IN PEMBERTON TOWNSHIP; AS WELL AS POSTED ON THE TOWNSHIP'S OFFICIAL WEB SITE;
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE CONDITIONS SET FORTH IN N.J.S.A. 40A:4-8; HAVE BEEN MET, AND IT IS HEREBY DETERMINED THAT THE 2010 MUNICIPAL BUDGET SHALL BE READ BY TITLE ONLY.

RESOLUTION NO. 106-2010

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. 54:4-3.30B PROVIDES FOR AN EXEMPTION FROM TAXES ON CERTAIN PROPERTY OWNED BY A SURVIVING SPOUSE OF A TOTALLY DISABLED VETERAN; AND
WHEREAS, IT HAS BEEN DETERMINED BY THE TAX ASSESSOR THAT PROPERTY KNOWN AS BLK 1103 LOT 6, 239 AMHERST AVE., PEMBERTON, NJ, OWNED BY WILLIAM J & GLADYS M DUDLEY QUALIFIES FOR A DISABLED VETERAN'S PROPERTY TAX EXEMPTION AS OF APRIL 7, 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 1103 LOT 6 AS A RESULT OF THE GRANTED EXEMPTION; AND
WHEREAS, THE TAXES DUE ON THE PROPERTY FROM JANUARY 1, 2010 TO APRIL 6, 2010 ARE \$929.00 OF WHICH \$870.98 HAS BEEN PAID LEAVING A BALANCE STILL DUE AND PAYABLE TO THE TOWNSHIP IN THE AMOUNT OF \$58.02 AND

WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES ON SAID PROPERTY AS OF APRIL 7, 2010 AND AUTHORIZE THE CANCELLATION OF \$812.95 WHICH REPRESENTS TAXES DUE FROM APRIL 7, 2010 TO JUNE 30, 2010.

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

THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO CANCEL 2010 PROPERTY TAXES ON BLOCK 222 LOT 1 AS OF APRIL 7, 2010, AS SAID PROPERTY HAS BEEN DETERMINED TO QUALIFY FOR A TOTALLY DISABLED VETERAN'S PROPERTY TAX EXEMPTION UNDER N.J.S.A. 54:4-3.30B.

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. 107-2010

WHEREAS, PRESIDENTIAL LAKES FIRE & RESCUE 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.

CAROL WILLIAMS
STUART WILLIAMS

RESOLUTION NO. 108-2010

PEMBERTON TOWNSHIP FINAL APPROVAL OF FARMLAND APPLICATION(S)

WHEREAS, THE TOWNSHIP OF PEMBERTON IS COMMITTED TO PRESERVING, TO THE EXTENT POSSIBLE, FARMLAND WITHIN THE TOWNSHIP FOR THE BENEFIT OF THE CITIZENS OF THE TOWNSHIP OF PEMBERTON AS WELL AS FOR THE COUNTY OF BURLINGTON AND FOR THE STATE OF NEW JERSEY; AND

WHEREAS, THE BURLINGTON COUNTY AGRICULTURE DEVELOPMENT BOARD IS PROCEEDING WITH THE PRESERVATION OF THE FOLLOWING FARMS: GRIFFIN FARM BLOCK 839.01, LOTS 4.01 & 10 THROUGH THE FARMLAND PRESERVATION EASEMENT PURCHASE PROGRAM; AND

WHEREAS, THE COUNTY REQUESTS THAT THE TOWNSHIP RECOGNIZE THAT IN THIS INSTANCE, THE 20% MUNICIPAL COST-SHARE IS NOT REQUIRED; AND

WHEREAS, IT IS IN THE BEST INTERESTS OF THE CITIZENS OF THE TOWNSHIP OF PEMBERTON TO GIVE FINAL APPROVAL ON THE COUNTY'S ACQUISITION OF DEVELOPMENT EASEMENTS FOR THE ABOVE FARM THROUGH THE FARMLAND PRESERVATION EASEMENT PURCHASE PROGRAM;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY THAT THEY GRANT FINAL APPROVAL FOR THE ACQUISITION OF DEVELOPMENT EASEMENTS ON THE AFOREMENTIONED PROPERTY THROUGH BURLINGTON COUNTY FARMLAND PRESERVATION PROGRAM.

RESOLUTION NO. 109-2010

A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A FEDERAL AID AGREEMENT IN REGARD TO THE NORTH PEMBERTON RAILROAD STATION IMPROVEMENT PROJECT

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS BEEN AWARDED \$311,100 FOR CONSTRUCTION RELATED COSTS AND \$28,500 FOR CONSTRUCTION ADMINISTRATION, MANAGEMENT AND INSPECTION RELATED COSTS, TOTALING \$339,600 FOR THE NORTH PEMBERTON RAILROAD STATION IMPROVEMENT PROJECT; AND

WHEREAS, THE GRANT FUNDS ARE BEING RECEIVED THROUGH THE TRANSPORTATION ENHANCEMENT PROGRAM ADMINISTERED BY THE FEDERAL HIGHWAY ADMINISTRATION AND NEW JERSEY DEPARTMENT OF TRANSPORTATION.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE MAYOR AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE ATTACHED FEDERAL AID AGREEMENT IN REGARD TO THIS IMPROVEMENT PROJECT.

***14. Approval by Council required for payment of vouchers on bill list dated 4/30/10.**

Motion by Cartier and Stinney to add to the bill list Goodwill Fire Company's 2009 payment in the amount of \$25,000 and Magnolia Road Fire Company's 2009 allocation in the amount of \$25,000 less any payments already made; contingent upon approval of funds by the CFO. 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.

9. OTHER RESOLUTIONS

87-2010A Authorizes final adoption of 2010 municipal budget.
(PUBLIC HEARING REQUIRED AS ADVERTISED. MUST HAVE RECEIVED STATE APPROVAL IN ORDER TO ADOPT TONIGHT)

Mr. Vaz advised state approval has been received. Council President Scull opened the meeting to public comments. 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 adopt Resolution No. 87-2010A. Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

10. ORDINANCES FOR INTRODUCTION

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 REGULATIONS

Council, Mr. Bayer and Mr. Vaz discussed notification to the business owners as well as the effective date of the ordinance. Mr. Bayer advised he will confirm that the fines listed in the ordinance are what are required under state law. Mr. Cartier suggested an effective date of October 1st. Mr. Vaz advised that a mailer can go out with the tax bills as notification.

Motion by Cartier and Stinney to introduce Ordinance No. 8-2010 with a public hearing on May 19, 2010. Cartier, yes; Stinney, yes; Prickett, no; Inge, yes; Scull, yes. Motion carried.

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

a. ORDINANCE NO. 5-2010 (Title Read By Mrs. Scull)

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

Mr. McCabe provided background information for the redevelopment plan utilizing maps. Mr. McCabe explained the Workable Relocation Assistance Program (WRAP) in regard to land acquisition. Mr. McCabe spoke of acquisitions within the redevelopment plan. COAH was also discussed. Mr. McCabe informed a grant was received from the Delaware Valley Regional Planning Commission which helped start the visioning process for the revitalization plan to redo the entire redevelopment plan to bring it up to current market standards. Mr. McCabe spoke of the advantages to homeowners that are near a redevelopment area. Council President Scull opened the meeting to public comments. 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 adopt Ordinance No. 5-2010. Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

b. ORDINANCE NO. 6-2010 (Title Read By Mrs. Scull)

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING
CHAPTER 152 “SOLID WASTE”, ARTICLE II “COLLECTION AND
DISPOSAL” TO COMPLY WITH NJDEP MANDATES REGARDING
THE MUNICIPAL STORMWATER REGULATION PROGRAM

Council President Scull opened the meeting to public comments. 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 adopt Ordinance No. 6-2010.

Council discussed various ways to provide notice to residents. Mayor Patriarca advised it will be posted on the website and advertised in the newspaper, but there are not funds available for any type of mailing. The Mayor added that a flyer can be sent out with the tax bills that will incorporate all of the changes to the ordinances tonight along with the potential fines, and he can instruct Code Enforcement not to enforce this ordinance until a specific time if that is Councils’ desire. Mr. Rehmann advised that this ordinance does not apply to domestic, residential trash containers. It was suggested that Mr. Jones, UEZ Coordinator, email the businesses to notify them.

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

c. **ORDINANCE NO. 7-2010 (Title Read By Mrs. Scull)**

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 185 “WASTE DISPOSAL TO SEWER SYSTEM”, ARTICLE I “STORM SEWER SYSTEM PROHIBITIONS” IN ACCORDANCE WITH NJDEP UPDATES TO THE TOWNSHIP’S TIER A STORMWATER PERMIT

Council President Scull opened the meeting to public comments. There being no members of the public indicating a desire to be heard, Mrs. Scull closed the meeting to public comments. Mr. Rehmann explained that the DEP is trying to get commercial facilities that have a stormwater collection system on site to put in new inlet grates so trash can’t be carried to the streams. Mr. Prickett and Mr. Rehmann discussed the scenario of a business draining their sump pump into the stormwater system. Mr. Rehmann will get back to Council regarding the necessity to clarify their discussion in the ordinance. Mr. Cartier and Mr. Prickett informed on two typographical errors.

Motion by Cartier and Stinney to adopt Ordinance No. 7-2010. Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

12. **NEW BUSINESS**

a. Applications submitted for memberships, licenses, permits:

1. Parade Permit Application: (***PUBLIC HEARING REQUIRED***):

Tabernacle of Praise of the Hands of God Ministries: Church outreach ministry with singing, youth activities, food, to be held at the Nesbit Center, 6/5/10, from 8AM-5PM.

Council President Scull opened the meeting to the public. 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 approved the Parade Permit Application for Tabernacle of Praise of the Hands of God Ministries. Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

2. Annual Trailer Park License: Belaire Trailer Park.

Mr. Cartier asked if Belaire Trailer Park is up to date on their fees. Mr. Vaz replied yes and asked that Council make the license effective today. Mr. Vaz explained that the Zoning Officer issued a summons for operating without a permit a few weeks ago. Mr. Cartier asked what has been done to ensure Belaire remains current. Mr. Vaz relayed that there is not a lot that can be done; Council’s authority is to not issue the permit if fees are not paid and then the next step is enforcement. Mrs. Scull asked if anyone from the public would like to comment and no one came forward.

Motion by Prickett and Cartier to approve the Annual Trailer Park License for Belaire Trailer Park, effective May 5, 2010 through December 31, 2010. Prickett, yes; Cartier, yes; Stinney, yes; Inge, yes; Scull, yes. Motion carried.

GENERAL PUBLIC COMMENTS:

Council President Scull opened the meeting to public comments. Those indicating a desire to be heard were: **Bob Cushmeyer:** Commented that the Greenberg farm

has been pumping their ponds dry on to North Pemberton Road into a tributary of Indian Run or by the Airport. Mr. Cushmeyer noted that generally that water should be tested because there are chemicals and fertilizer used on the ground. Mr. Cushmeyer asked if this is allowable in Ordinance No. 7-2010. Mr. Rehmann deferred to Mr. Bayer, noting it would fall under the NJDEP. Mr. Bayer agreed and commented that it would also create other issues. **Pat Perrine:** Thanked Council for Imagination Kingdom. She asked if North Whitesbog Road is still in the budget to be paved. Council President Scull answered yes. Mr. Vaz confirmed it is a priority. Mrs. Scull commented that the Engineer's Report noted that the preliminary design has received a certificate of filing from the Pinelands Commission and ARH is currently preparing a submission for the Burlington County Soil Conservation District and will be submitting a proposal to Administration for bidding and construction management. Mrs. Perrine spoke of the grading issue on Margaret Street. Public Works has done one side but she still has lots of potholes and the swale is still there. Mayor Patriarca informed that the grader is on the road and Public Works is catching up on a lot of the roads that have fallen behind. Mrs. Scull asked that the County be asked to fill in the potholes on County roads such as Coleman's Bridge Road, City Line Avenue and Whitesbog Road. **Rich Koster:** Apologized for his previous comments when asking Council not to push the school budget through. His numbers reflected the Township and Boro combined. There was an increase in the school budget and asked who on Council has been addressing this. Council President Scull informed there is a meeting scheduled for next Wednesday evening for Council to address the school budget. Mr. Koster asked if it is intended to trim the budget in the salary area when there was an increase there. Mrs. Scull expressed that Council can make recommendations but it is the Board and school administration that will ultimately decide. Mr. Koster asked if Council will suggest making any cuts. Mrs. Scull replied that is something for the board to discuss and there is a proposal from the school board that will be the entire topic of next Wednesday's meeting. Mrs. Scull informed she will be recusing herself from that meeting even though there has been a doctrine of necessity invoked. There being no additional members of the public indicating a desire to be heard, Council President Scull closed the meeting to public comments.

SOLICITOR'S REPORT:

Andy Bayer: Nothing to report in open session.

ENGINEER'S REPORT:

Chris Rehmann: **1.** The reconstruction of Lemmon Avenue will begin May 17th. Will be submitting for the \$75,000 reimbursement of the grant early to save interest money on the cash flow. **2.** A reptile specialist was consulted regarding the Pine Snake at North Whitesbog Road. The Pinelands Commission has been satisfied that it is not a prevalent situation. There being no additional members of the public indicating a desire to be heard, Council President Scull closed the meeting to public comments.

MAYOR'S REPORT:

David Patriarca: **1.** Commented that the Imagination Kingdom opening was phenomenal with approximately 500 children attending. One minor injury was reported and it is not sure if that was a result of the park. **2.** Public Works has been painting the Dominique Johnson building to match the newly added front facade. **3.** Public Works is continuing with leaf pick up. There have been a lot of complaints regarding brush not being picked up. All Public Works personnel are handling leaf pick up and are not picking up brush at this time. Residents can be patient or bring their brush to the yard at the municipal building. **4.** Dealing with sink hole issues at Concord and Coville and in the Lake Valley area. **5.** The grader is on line to catch up on all of the back calls for the unimproved roadways. **6.** Public Works Building and Grounds are catching up on the grass cutting which had fallen behind. With the adoption of the budget, they are hoping to go out to

bid and maybe get some of the grass cutting done from a contractor. There is a provision in the budget to allow for a certain amount of the grass to be cut by a private contractor which will relieve some of their personnel for other projects. 7. they are making progress in the Water Department. The Well #6 and Well #12 will be addressed. An additional saturation time is to be added to Well #6 which will be put out to bid and converting Well #12 to a production well.

Mr. Inge asked if the coaches were notified to not allow children on Imagination Kingdom when they have their cleats on. Mayor Patriarca noted they will continue to remind Mr. Balas regarding cleats as well as no chewing gum. The Mayor acknowledged there is a sign, but Administration is working on providing graphic signs. Mr. Prickett spoke of a meeting with the DEP yesterday regarding Well #11 and the Township failed monitoring the well in the first quarter of 2009 after the fact of the high radium level in the last quarter of 2008 being three times the acceptable level. Mr. Prickett asked if the Township is anticipating being fined again for this violation. Mayor Patriarca answered there is no indication that there will be any fines imposed on the Township for any actions that have occurred since the last notice. Mr. Prickett then asked if the Mayor's statement applies to all wells or specific wells. Mr. Vaz informed when a notice is received it provides items to be done that will result in no fines and then they are deemed to be in compliance; if they don't do those items, then that would be the next step. Mr. Prickett asked if that is what the negotiations are about. Mr. Vaz conveyed that in the big picture with the ACO that is being negotiated by ARH, yes. The meeting was very productive and the DEP is very sympathetic to their situation. They are aware that the issue with the radium is out of the control of human beings and they are aware that they are trying to address this. Unfortunately they are having to address it when their peak usage is going to go up in June and July. They have all been working very hard and with a little bit of sympathy from the DEP and the Pinelands, they all seem willing to work very hard to get things done in a very quick timeframe for them. Mr. Prickett confirmed with Mr. Vaz that he brought the report promised to the public and Council from the last meeting regarding PePe's island. The Mayor and Mr. Prickett discussed making the information available to the public. Mayor Patriarca stated if someone requests the information, they will be provided with it. Council President Scull commended the Mayor on the budget. She reflected that last year they were worried about what this year would bring. She expressed that Administration has done a fine job of watching their money. Mrs. Scull expressed concern regarding ambulance service and the billing of the residents. Mrs. Scull recalled in earlier meetings that Monoc was not going to go after residents for an unpaid balance from insurance companies. She has had a conversation with the Mayor this week because several residents have complained to her that if the Browns Mills ambulance transports them they don't have to worry about a bill but if Monoc does, they could receive a bill for \$300 to \$400 if they don't have insurance. Council President Scull, Mr. Inge, Mr. Prickett and Mr. Vaz discussed Monoc billing residents for ambulance services when they do not insurance. Mr. Vaz clarified it was noted to look at this during the next contract which expires at the end of August. Mrs. Scull stated she will not vote for a contract that does that to their residents, especially their senior citizens. Mr. Vaz added it may not be permitted to state that in the contract and may be more of a practice to be agreed upon with the company.

COUNCIL MEMBERS' COMMENTS:

Ken Cartier: 1. Expressed it was nice to see everyone and wished everyone a good two weeks.

Tom Inge: 1. Thanked everyone for coming out. 2. He noted everyone was able to go to Imagination Kingdom last Friday night. He expressed it's probably the only one the Township will ever see again. The residents have to look out for that playground and remind children to take their cleats off. He pointed out that

children are coming from other Townships to play sports and might not know to take their cleats off. It's very important that the residents look out for Imagination Kingdom. Residents can't expect Administration, the Council or Township employees to keep that property up. It's up to all of the residents in the Township; especially the ones that use it. Mr. Inge suggested calling the Police if something is said to someone and they won't listen.

Diane Stinney: 1. Recalled Mrs. Jenkins coming forward last week and stating Imagination Kingdom could be the Disney World that some kids don't get to go to. Mrs. Stinney agreed with that and commented on the children at the grand opening. Mrs. Stinney suggested putting a photo of the children on the website. Mr. Vaz informed it is on You Tube. She stated that during the Mayor's opening statement for the grand opening he mentioned Mr. Inge working so hard on Imagination Kingdom. Mrs. Stinney referred to Mr. Inge as the ever-ready battery in that not only did he work all day but he joined the Lions' Club and served the residents with the food that was supplied by the Lions' Club; working all day and serving at night. Mrs. Stinney thanked Mr. Inge for all of his hard work. She relayed that there were many, many people who contributed to the playground with their hard work. Mrs. Stinney thanked the residents of Pemberton Township, the military who stepped up to the plate when asked to contribute and everyone who had a part in the playground. Mrs. Stinney commented on the thank you's from the children displayed in the hallway of the municipal building. 2. Thanked everyone for coming out. 3. Spoke of a photo in the newspaper.

Richard Prickett: 1. Commented that Imagination Kingdom was a wonderful event. He observed not only the kids having a great time but their parents as well. There were smiles everywhere and it was a safe event. It's good healthy fun and something that is needed in Pemberton Township. He missed hearing Mrs. Stinney sing at the grand opening and suggested having a follow up at the Imagination Kingdom. 2. A clean up was scheduled at Presidential Lakes a few weeks ago through Clean Communities. It was evident that there was a clean up going on. A number of residents including the Mayor were out along Route 70 at the entrance as well as at the beach. He expressed it was nice to socialize with the residents of the town and also see the work that was done over the years having an impact. 3. Thanked everyone for coming out tonight and hopes to see everyone at the next Clean Communities clean up.

Sherry Scull: 1. Announced that tomorrow afternoon at Helen Fort Middle School, the Live Where You Work Program will be kicked off. Realtors will be out as well as Bank of America, Sun Bank and a company that works very closely with the program in Trenton. It is a program approved last year that gives individuals who want to buy a home in the community and work here an opportunity to purchase a home. She reflected that they have a lot of for sale signs and Pemberton provides a better "bang for your buck". She noted they have a lot of individuals who work in the Township, for the Township, the schools, Deborah, Buttonwood, the College, the County facilities and local businesses. They will even accept mortgage applications for homes from individuals who work on Fort Dix and the prison. They provide a 5% down payment and if one lives there for seven years, they don't have to pay the 5% back. She expressed it is a great opportunity for younger families to buy a home in the community with a little bit of a break. She expressed that Pemberton Township houses are reasonably priced when looking around the county. Council is hoping this program will help spur some house sales in the Township. They will be at the Helen Fort Middle School auditorium from 3:00 to 7:00. If anyone knows of someone that is interested in looking for a home and they work in the Township somewhere, this is a great opportunity for them. Mrs. Scull encouraged everyone to come out and help sell some of their homes in the community. 2. Commented on what a great job was done by everyone involved in Imagination Kingdom. Police, teachers, businessmen from the community, volunteers and it was a very rewarding feeling

from the beginning. Nothing can pass what everyone went through at the grand opening and the picture in the Burlington County Times. It was an awesome picture of the excitement on the faces of their children running into the playground. She thanked Mr. Vaz for all of his dedication and help with making it happen. Most of Council was there at some point or another. She commented on volunteers that worked from sun up until sun down and were so dedicated, noting it's a wonderful thing to see that type of event happen in their community. The Lions Club went through 500 hotdogs. It's a pleasure to see something that positive in our community. Agrees 100% with Mr. Inge in that we have to make sure it is taken care of. **3.** Thanked everyone for coming out noting that she appreciates their time. She announced that the next Council meeting will be May 19th and they are trying to schedule another Business Meeting on the last Tuesday of the month to get it back on track. **4.** She also announced that there will be a special meeting next Wednesday night on the school budget at 6:30 p.m. and encouraged everyone to come out.

The meeting was adjourned at approximately 9:32 pm.

Respectfully submitted:

Mary Ann Finlay, MMC
Township Clerk