

TOWNSHIP OF PEMBERTON

**MEETING MINUTES
OF
REGULAR MEETING**

FEBRUARY 2, 2011

6:30 P.M.

FLAG SALUTE

Council President Cartier led the assembly in the Pledge of Allegiance, announced that notice of the meeting was given in accordance with the Open Public Meetings Act, and followed by roll call.

ROLL CALL

PRESENT

Jason Allen

Ken Cartier

Richard Prickett

Sherry Scull

Diane Stinney (arrived at 6:35 p.m.)

ABSENT

Also present: Mayor David Patriarca, Business Administrator Chris Vaz, Township Solicitor Andy Bayer, Township Engineer Chris Rehmann, and Township Clerk Mary Ann Finlay.

CALL TO ORDER

Council President Cartier called the meeting to order at 6:30 PM.

CLOSED SESSION

RESOLUTION NO. 53-2011

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:
CONTRACT NEGOTIATIONS WITH PBA
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 Scull to approve Resolution No. 53-2011.

Prickett, yes; Scull, yes; Allen, yes; Cartier, yes. Motion carried.

Council President Cartier recessed the open meeting at approximately 6:30 PM to go into closed session, and then reconvened the open meeting at approximately 7:00 PM.

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

Council President Cartier reported that there would be no formal action necessary pursuant to closed session.

CONSENT AGENDA

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.

Council President Cartier informed those present of a correction to the consent agenda, New Business Item A was not part of the consent agenda.

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, Council President Cartier closed the meeting to public comments on consent agenda items.

Councilman Prickett requested that Res. 61-2011 be pulled from the consent agenda. .

***MINUTES FILED BY MUNICIPAL CLERK**

Regular Meeting, January 19, 2011.

***CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 54-2011

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:

GIORDANO CONSTRUCTION, \$52.00, BUILDING PERMIT CANCELLED, BLOCK 670.02, LOT 7.02
BAC TAX SERVICES CORP., \$928.23, OVERPAYMENT OF 4TH QUARTER PROPERTY TAXES, BLOCK 17, LOT 13
SENATE ABSTRACT, \$1,024.73, OVERPAYMENT OF 4TH QUARTER PROPERTY TAXES, BLOCK 1096, LOT 5

RESOLUTION NO. 55-2011

WHEREAS, JO-ANN LAKE HAS SERVED THE TOWNSHIP OF PEMBERTON FOR TWENTY SIX YEARS, AND WHEREAS, JO-ANN LAKE, DURING HER TENURE WITH PEMBERTON TOWNSHIP HAS GIVEN OF HER TIME AND KNOWLEDGE IN SERVICE TO THE RESIDENTS OF THE TOWNSHIP OF PEMBERTON;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, ASSEMBLED IN PUBLIC SESSION ON THIS 2ND DAY OF FEBRUARY, 2011, THAT THE TOWNSHIP COUNCIL DOES HEREBY COMMEND JO-ANN LAKE FOR HER CONTRIBUTIONS AND DEDICATED SERVICE TO THE TOWNSHIP OF PEMBERTON, AND

RESOLUTION 56-2011

BE IT FURTHER RESOLVED THAT A COPY OF THIS RESOLUTION SHALL BE PRESENTED TO JO-ANN LAKE ON BEHALF OF THE TOWNSHIP COUNCIL.

WHEREAS, THE TOWNSHIP OF PEMBERTON WISH TO ENTER INTO AN AGREEMENT WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.; AND

WHEREAS, THE PURPOSE OF THIS AGREEMENT IS TO ESTABLISH THE RELATIONSHIP BETWEEN, AND SET THE RESPONSIBILITIES OF, THE PARTIES OF THE AGREEMENT (A) BY THE COMMISSION'S ASSESSING THE AGENCY'S COMPLIANCE WITH APPLICABLE STANDARDS ESTABLISHED BY THE COMMISSION IN ORDER FOR THE COMMISSION TO DETERMINE IF THE AGENCY IS ELIGIBLE FOR DESIGNATION AS RECOGNIZED, AND (B) BY THE AGENCY'S MAINTAINING COMPLIANCE WITH THOSE STANDARDS BY WHICH THEY WERE RECOGNIZED; AND

NOW, THEREFORE, BE RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE MAYOR AND/OR HIS DESIGNEE IS HEREBY AUTHORIZED TO EXECUTE THE AGREEMENT BETWEEN THE TOWNSHIP OF PEMBERTON AND THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.; AND

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

- A. PEMBERTON TOWNSHIP POLICE DEPARTMENT
- B. COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.
- C. GLUCKWALRATH, LLP

RESOLUTION 57-2011

WHEREAS, THE PEMBERTON TOWNSHIP URBAN ENTERPRISE ZONE COORDINATOR HAS PREPARED A PROPOSAL FOR SUBMISSION TO THE NEW JERSEY URBAN ENTERPRISE AUTHORITY FOR THE FOLLOWING PROJECT: UEZ CLEAN TEAM- PHASE II; AND

WHEREAS, SAID PROJECT IS CONSIDERED TO BE AN ELIGIBLE MUNICIPAL SERVICES PROJECT; AND WHEREAS, SAID PROJECT WILL FUND 80% OF THE COSTS ASSOCIATED WITH THE EMPLOYMENT OF TWO (2) PUBLICS WORKS EMPLOYEES WHO WILL WORK EXCLUSIVELY WITHIN THE UEZ ZONE; AND

WHEREAS, PEMBERTON TOWNSHIP WILL CONTRIBUTE 20% (\$20,725), AND

WHEREAS, FUNDS ARE AVAILABLE TO SUPPORT THIS PROGRAM IN PEMBERTON TOWNSHIP'S UEZ ZONE ASSISTANCE FUND;

NOW, THEREFORE, BE IT RESOLVED, THAT THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, DOES HEREBY AUTHORIZE THE SUBMISSION OF THIS PROPOSAL OF \$103,625 TO THE STATE OF NEW JERSEY UEZA FOR APPROVAL.

BE IT FURTHER RESOLVED, THAT THE TOWNSHIP CLERK SHALL FORWARD CERTIFIED COPIES OF THIS RESOLUTION TO THE URBAN ENTERPRISE ZONE COORDINATOR AND THE NEW JERSEY URBAN ENTERPRISE AUTHORITY.

RESOLUTION NO. 58-2011

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS ENTERED INTO A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS; AND

WHEREAS, THE GRANT AGREEMENT REQUIRES THE TOWNSHIP OF PEMBERTON TO COMPLY WITH ALL FEDERAL REGULATIONS WITH RESPECT TO CITIZEN PARTICIPATION; AND

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS REVIEWED THE CITIZEN PARTICIPATION PLAN PREPARED FOR SMALL CITIES CDBG GRANTEEES;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, THAT:

1. THE CITIZEN PARTICIPATION PLAN DEVELOPED BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS, SMALL CITIES CDBG PROGRAM, IS ADOPTED BY THE TOWNSHIP OF PEMBERTON; AND
2. THE TOWNSHIP OF PEMBERTON WILL FOLLOW ALL REGULATIONS SET FORTH IN THAT DOCUMENT THROUGHOUT THE TERM OF THE GRANT AGREEMENT CITED ABOVE.

RESOLUTION NO. 59-2011

WHEREAS, THE TOWNSHIP OF PEMBERTON, PURSUANT TO N.J.S.A. 40A:11-10 AND N.J.A.C. 5:34-7.21, MAY BY RESOLUTION AND WITHOUT ADVERTISING FOR BIDS, PURCHASE ANY GOODS OR SERVICES THROUGH A COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM; AND

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS THE NEED TO PURCHASE 500 TONS OF ROCK SALT FOR THE DEPARTMENT OF PUBLIC WORKS.

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

1. THAT THE MAYOR IS AUTHORIZED TO PURCHASE 500 TONS OF ROCK SALT IN THE AMOUNT OF \$28,270 FROM OCEANPORT, LLC AND THE MAYOR AND TOWNSHIP CLERK ARE HEREBY

- AUTHORIZED TO EXECUTE ANY DOCUMENTS, IF ANY, NECESSARY TO COMPLETE THAT PURCHASE INCLUDING ANY CONTRACT; AND
2. THAT THE PURCHASE IS AUTHORIZED TO BE MADE UNDER BURLINGTON COUNTY CONTRACT #4-BUCCP-09085; AND
 3. THAT WE FIND THAT THIS CONTRACT BEST MEETS THE REQUIREMENTS OF THE TOWNSHIP OF PEMBERTON AND FULFILLS OUR GOAL OF MAINTAINING A SUFFICIENT AMOUNT OF ROCK SALT ON HAND.

BE IT FURTHER RESOLVED, THAT THIS CONTRACT IS SUBJECT TO A CERTIFICATION OF AVAILABILITY OF FUNDS BEING EXECUTED BY THE CHIEF FINANCE OFFICER.

RESOLUTION NO. 60-2011

WHEREAS, THE TOWNSHIP OF PEMBERTON IS REQUIRED TO ANNUALLY INSPECT, TEST, AND CERTIFY AERIAL DEVICES (FIRE SERVICE LADDER TRUCKS) IN ACCORDANCE WITH NFPA STANDARD 1911; AND WHEREAS, THE PUBLIC WORKS DEPARTMENT HAS RECEIVED A QUOTATION IN THE AMOUNT OF \$2,150 FOR THOSE SERVICES; AND

WHEREAS, THE VENDOR HAS REQUESTED THAT THE TOWNSHIP ENTER INTO AN AGREEMENT FOR SAID SERVICES THAT IS COMPRISED OF THE COMPANY'S FORM GLOBAL SERVICES AGREEMENT AND RIDER FOR FIRE EQUIPMENT SERVICES.

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

1. THAT THE MAYOR IS AUTHORIZED TO SIGN AND THE TOWNSHIP CLERK IS AUTHORIZED TO ACKNOWLEDGE AND/OR WITNESS A CONTRACT WITH UNDERWRITER LABORATORIES, INC., INC. FOR FIRE APPARATUS LADDER INSPECTION, TESTING, AND CERTIFICATION SERVICES; AND
2. THAT THE PURCHASE IS UNDER BOTH THE QUOTATION AND BID THRESHOLDS; AND
3. THAT WE FIND THAT THIS CONTRACT BEST MEETS THE REQUIREMENTS OF THE TOWNSHIP OF PEMBERTON.

BE IT FURTHER RESOLVED, THAT THIS CONTRACT IS SUBJECT TO A CERTIFICATION OF AVAILABILITY OF FUNDS BEING EXECUTED BY THE CHIEF FINANCE OFFICER.

*Approval by Council of vouchers on bill list dated 1/28/11.

Motion by Prickett and Scull to adopt consent agenda as amended. Prickett, yes; Scull, yes; Allen, yes; Stinney, yes; Cartier, yes. Motion carried.

OTHER RESOLUTIONS

RESOLUTION NO. 61-2011

WHEREAS, THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP") ISSUED AN INVITATION TO BID ON GEOTECHNICAL SERVICES AT COUNTRY LAKES DAMS #1, #2 AND #3 (THE "PROJECT") IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1, ET SEQ. AND INSTRUCTED ALL BIDDERS TO SUBMIT A BASE BID AS WELL AS A SCHEDULE FOR ESTIMATED TIME OF COMPLETION; AND

WHEREAS, FIVE BIDDERS SUBMITTED BIDS FOR THE PROJECT; AND

WHEREAS, THE TOWNSHIP HAS DETERMINED THAT THE LOWEST RESPONSIBLE BIDDER IS PRINCETON HYDRO WITH A BASE BID OF \$93,933.95 AND A SCHEDULED COMPLETION TIME OF 11 WEEKS; AND

WHEREAS, THE TOWNSHIP HAS ELECTED TO ACCEPT PRINCETON HYDRO'S BASE BID; AND

WHEREAS, THE TOWNSHIP SOLICITOR HAS REVIEWED PRINCETON HYDRO'S BID AND FINDS IT TO BE LEGALLY SUFFICIENT.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE CONTRACT FOR GEOTECHNICAL SERVICES AT COUNTRY LAKES DAMS #1, #2 AND #3 IS HEREBY AWARDED TO PRINCETON HYDRO AND THAT THE MAYOR IS AUTHORIZED TO EXECUTE A CONTRACT, IN A FORM LEGALLY ACCEPTABLE TO THE TOWNSHIP SOLICITOR, BETWEEN THE TOWNSHIP OF PEMBERTON AND PRINCETON HYDRO IN AN AMOUNT NOT TO EXCEED \$93,933.95; AND

BE IT FURTHER RESOLVED, THAT THE CHIEF FINANCIAL OFFICER HAS EXECUTED A CERTIFICATION OF FUNDS WHICH IS ATTACHED HERETO, AND THAT SUFFICIENT FUNDS ARE AVAILABLE FOR SAID CONTRACT FROM ACCOUNT NUMBER 04-1000-200511-91211-4-9130; AND

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

- A. PRINCETON HYRDO
- B. TOWNSHIP ADMINISTRATOR
- C. TOWNSHIP CHIEF FINANCIAL OFFICER
- D. GLUCKWALRATH LLP

Councilman Prickett questioned the Engineers on what testing needed to be done on the dams. Mr. Rehmann advised that the company will be doing boring analysis, soil analysis, and soil bearing studies among other tests to determine if the soil currently under the dam can be used in the design of the repairs for the dams.

Motion to by Prickett and Scull to adopt Res. 61-2011. Prickett, yes; Scull, yes; Allen, abstain; Stinney, yes; Cartier, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 4-2011 (Title read by Council President Cartier)

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON ESTABLISHING REQUIREMENTS FOR THE PROPER HANDLING OF LEAVES AND OTHER YARD DEBRIS

Council President Cartier noted there was a correction on the ordinance in section 81-15, Enforcement, paragraph 1. "Provisions of this ordinance shall be enforced by representatives of the Division of Code Enforcement." not the Department of Code Enforcement.

Motion by Scull and Stinney to introduce Ordinance 4-2011, with a public hearing on February 16th, 2011. Scull, yes; Stinney, yes; Prickett, yes; Allen, yes; Cartier, yes. Motion carried.

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

ORDINANCE NO. 3-2011(Title read by Council President Cartier)

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE II, ENTITLED "NONPROFIT ORGANIZATIONS," OF THE ORDINANCES OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, IN ORDER TO REQUIRE CONTRACTUALLY BASED STANDARDS AND CONDITIONS IN CASES OF CONTRIBUTIONS TO VOLUNTEER FIRST AID OR EMERGENCY MEDICAL SERVICES ORGANIZATIONS UNDER N.J.S.A. 40:5-2.

Mr. Vaz noted that he had requested Council to postpone the public hearing and that was noted on the agenda. He explained that he had met with Browns Mills EMS and should be meeting with Pemberton First Aid Squad so there may be some minor changes. Councilwoman Scull asked if Mr. Vaz had reached out to Presidential Lakes and Mr. Vaz advised that Presidential Lakes is no longer running EMS calls anymore. Mr. Bayer asked if the changes would be substantive. Mr. Vaz explained there may be some deletions and it may ultimately require a re-advertisement.

Motion by Prickett and Allen to continue the ordinance adoption until February 16th. Prickett, yes; Allen, yes; Scull, yes; Stinney, yes; Cartier, yes. Motion carried.

NEW BUSINESS

Mr. Vaz explained that he and the Mayor had looked at the present ordinance regarding the office structures. They proposed moving some offices into one department called the Department of Community Development, to include Construction, Inspections, Code Enforcement, Zoning, Grant Administration, UEZ and Planning and Zoning. Mr. Vaz advised that one person would be designated as Department Head as the supervisor of all the departments that fall within it. Mr. Vaz further explained that there are situations right now where they have either poor supervision or no supervision at all. In addition Mr. Vaz explained that they are looking to have a Department of Revenue Collections and the Tax Collector would head that department as she is doing most of those functions now. It was explained that they are looking to make the operations tighter and hold people accountable for their own offices. Councilman Prickett asked about the Grant Administration and Mr. Vaz explained that it would go under the new Department of Community Development, since it is currently done all over the place and this would be where grants could be tracked and deadlines met. Councilman Prickett questioned if the Tax Assessor's office would be under Revenue Collection. Mr. Vaz advised that the Tax Assessor's office by statute is not allowed to be in a department, it is just noted under Administration for supervision purposes. Councilman Prickett asked if this would decrease the number of desk audits done in our township. Mr. Vaz advised that they had some desk audits that were done in 2010 however they had been started in 2009. Mr. Vaz also noted that he does not see this really affecting individual employees' job functions, this is meant to put individuals into a chain of command where there will responsibility for getting their work done and a Department Head in charge and this will make sure things don't fall through the cracks. Councilman Prickett asked if this would result in individuals need to be paid more due to greater responsibility. Council President Cartier asked if there would be any new Department Heads under this structure. Mr. Vaz advised that there would be one new Department Head for the Department of Community Development; however the plan is to have someone already employed by the Township move into that position. Questions were raised regarding the need for additional salaries due to added responsibilities. Mr. Vaz advised that they do not plan to hire an outside person but to move someone from the inside into that position and they would not just be the Director of the

department; they would also have other assigned duties. Council President Cartier noted his concern that with the additional responsibilities, that person would want additional compensation for the work performed and he would like to see assurances in the ordinance that no additional salaries would be created. Mayor Patriarca noted that they have the right to ask for additional compensation but the intention is to fill the Director's position from the titles that exist in that department and the only new employee in that department would be the Zoning Officer which is vacant at the moment. Mr. Vaz additionally explained that many of their employees have peak work times where their work flow increases however there are other periods where their work load is low so this could take an employee whose work load is not where it should be. Council was of a consensus to have the ordinance written and something come back in the beginning of March.

GENERAL PUBLIC COMMENTS:

Council President Cartier opened the meeting to general public comments. Those indicating a desire to be heard were:

Scott Hamilton, 140 Medford Street, Browns Mills – **1.** Read the following statement into the record. “The basic purpose of our democratically elected government, local, county, state and federal has three mandates, the first is to establish order, create and maintain laws with the consent of the governed and to provide a defensible frame work for a free society to prosper. Our current government has gone well beyond their basic purpose, for far too long we assume government had been conducting itself with the best interest and so many of us are willing to be taxed more to help those in need while creating a better society. Sadly the truth we are facing today is that our governments, unchecked, especially over the last decade are wildly inefficient and corruptive patronage even remaining so until they have run out of resources and give up on their mandated purposes. Increasingly expanding government demands perpetually higher taxes to operate until eventually, as we have seen during this economic crisis, the governed become unable and unwilling to pay higher tax rates to offset this failure. The answer to many was to simply increase debt and spending while taxing the rich more instead of holding government accountable. However when citizens and businesses become frustrated and decide to leave as seen in New Jersey over this past decade, we that remained then have to shoulder more of the burden in an endless cycle of higher tax rates and economic exodus. The concept of thrift efficiency, responsibility and limited government are not just a political rallying cry but should have been and now must become the basis from which we demand our government to operate”. Mr. Hamilton noted that he is not directing that at anybody in particular and these concepts are not republican or democrat. He expressed his concern over the public being less protected due to the lay offs of Police Officers across the state. **2.** Commented on employees' responsibilities being dictated by contract as is their pay.

Tony Miehle, Browns Mills – **1.** Commented on the new Director Position and expressed that it should be put in the description that there is no additional salary. **2.** Noted that he would like to see some more details in the EMS ordinance such as minimum standards for call and cautioned that this is something that could cause the end to the volunteer EMS and could end up costing the Township more money.

John Shaw, Browns Mills – **1.** Complained about the snow removal on his street being inadequate and how the trash company will not come up the hill to his and his neighbor's house to pick up the trash. He reflected that he and his neighbors are paying for the service and are not getting it. Mayor Patriarca asked Mr. Shaw if he had called the Township to let them know his trash was not being picked up and he acknowledged that he had not. The Mayor advised if he could call to please do so, so they could send the truck back out that day.

George Petronis, Browns Mills – **1.** Commented that he would also like to see more detail on the standards in the EMS ordinance. **2.** Questioned why Mr. Fox did not show up for the presentation and it was explained that the presentation was confirmed and the Township also expected Mr. Fox to show up. **3.** Requested that Administration make a public presentation on the reorganization proposal. **4.** Asked the Engineer if they would consider incorporating hydro electric power in the design for the Country Lakes Dams. Mr. Rehmann explained that the flow and drop in the water was not enough to make it an economical consideration in the design.

Michele Forman, Browns Mills – **1.** Questioned Administration if they knew about the heat problems in the library. Mayor Patriarca explained that they were aware of the heat issues and it

was an ongoing issue that they have been working on and Public Works advised him that it has been a problem for more than four years. Mayor Patriarca additionally advised that he had requested the County to take over the library, but they don't want the building. He commented on the expense of running the building and Ms. Forman questioned the Mayor if that meant he would close the building. Mayor Patriarca advised that he had no intention of closing the building but he could not predict the future noting that budgets are getting tighter.

Claire Wadsworth, Browns Mills – **1.** Agreed with Mr. Petronis on looking at renewable energy projects and suggested the Township look into a program called Greenbacks To Go Green. Advised Council that group will come out and do an energy audit of all of the buildings for free and suggest the best form of renewable energy for each building. She advised that Medford Township is going green using biodiesel buses and Evesham is following Medford's lead.

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

SOLICITOR'S REPORT

Andy Bayer: No report.

ENGINEER'S REPORT

Chris Rehmann: 1. Reported that the township has been put in the third round of funding for the New Jersey Environmental Trust Organization and that funding is normally a low interest loan, however this time they are also awarding 20% in a grant. **2.** Councilwoman Scull asked the Engineer to clear up some rumors she has been hearing regarding the train station. Mr. Rehmann advised that they have not asked the contractor to ignore anything in the specifications, however some items in the specifications which were done in 2006 were not available and that any required changes were approved by the necessary agencies. Ms. Willis further advised that all the hardware being used was according to the specifications and in places where the Engineer's office found that they were not; they had the contractor put the specified hardware in next to it. Councilwoman Scull asked about the handicapped accessibility to the trail and to the sidewalk. Ms. Willis noted that the changes made to the handicapped accessibility went through approval at the NDOT and the State Historic Preservation office and the trail and platform are handicapped accessible. Ms. Willis added that she wanted to bring to everyone's attention that the roof drain change order is being held up at the State level until they receive a letter from the Historic Trust. Councilwoman Scull questioned why they need a letter from the Historic Trust when the building is owned by the Township. Ms. Willis noted that the State Historic Preservation Office has requested the letter due to the phone calls and threat of litigation they have been receiving and they feel they need to have everything also approved through the Trust. Mr. Rehmann offered for him or Ms. Willis to attend a Historic Trust meeting at no cost to the Township. Councilwoman Scull asked if the contractor has been in the building and taken anything off the stairways to the basement. Ms. Willis advised that the Contractor was in the building twice to perform work related to the contract and were supervised in both instances.

MAYOR'S REPORT

Mayor Patriarca: **1.** Reported on receiving the NJDOT Municipal Aid grant for Phase III of the Lemmon Avenue project and noted that this will finish up that project started several years ago. **2.** Commented that they had a Redevelopment meeting and he is impressed with the progress the Planners are making with the form based code and he encourages residents to come out and participate and see what is happening. **3.** Expressed that the Public Works employees are doing a phenomenal job on the roads, they do occasionally run into issues and if a resident's road is missed he asked them to call and they will come back out. He reflected that he has seen the roads in other towns and the Township's roads are much better. He advised that most of their complaints are due to the County roads and they will be requesting a meeting with the County to discuss this. **4.** Advised that he attended the Joint Land Use meeting which was an update on what has been going on and to get things started again, they are working on the traffic study and hope to have that done by the end of next month.

BUSINESS ADMINISTRATOR'S REPORT

Mr. Vaz: **1.** Advised that the Army Corp of Engineers is sending a couple of representatives in two weeks on February 14th to discuss the Country Lakes Dams and visit the site and see if there is federal funding available. It was noted that they are very interested in helping the Township

along with two United States Senators. **2.** Expressed that he would be happy to set up a meeting to go over the realigning of the table of organization but he wants to emphasize that this will not change how anybody does business with Pemberton Township, it is an internal structure of accountability, no employees can be forced to do jobs they are not required to do, however for an employee interested in being a director there are internal opportunities. **3.** Commented that the EMS ordinance was drafted that way intentionally so that the details could be worked out in the contract process because that process is more flexible than the ordinance process. He further advised that the Browns Mills EMS was asked to come up with the concept of the first contract and that this is being done because Pemberton, along with other towns are under an enormous amount of pressure from the Joint Insurance Fund and the MEL to bring some standards to insuring the volunteer firefighters and EMS. The contracts would set standards for them to meet in order to obtain public funds. Mr. Vaz advised that there was a recent theft of funds from one their EMS organizations and they were already taking the steps to remedy it and put in a system of a checks and balance.

Mayor Patriarca commented again on the proposed table of organization noting that he comes from a very strict chain of command organization and this is proposed to improve accountability and keep control over operations. He informed that regarding the Joint Land Use meeting, they discussed waste water and growth management and will be looking for help from the surrounding towns that have systems that could be the solution to their limits and they would need to look at their future needs before committing to them.

Councilwoman Scull commented that she was not aware that Presidential Lakes no longer has EMS services and she is concerned about the services to that remote location of the township. Mr. Vaz advised that Lourdes is covering them and it could be looked at to have Lebanon Lakes provide coverage if needed. Mrs. Scull noted having requested to have a monthly report from Administration to keep Council abreast of things going on and Mr. Vaz advised they would have one at the next meeting. Council President Cartier noted that he and the Township Clerk discussed keeping track of retirements and things of that nature with Administration.

PLANNER'S REPORT

Owen McCabe from the Planner's Office was present at the meeting for the presentation, he advised Council that he had reviewed the County's report and it was consistent with their Master Plan and Redevelopment Plan and further advised that there will be a work shop meeting with the Planning Board in March where they will be discussing the form based code and give an update on the redevelopment plan.

COUNCIL MEMBERS' COMMENTS

Rick Prickett: **1.** Commented on this Friday being the 100 year anniversary of the domesticated blueberry being developed at Whitesbog and domesticated blueberries are now world wide and it is something Pemberton Township can be proud of. **2.** Advised that there is a possibility of the preschool being reduced to a half day program which he believes would be a big mistake as the full day preschool program is a great benefit to the Township. He urged the residents to contact their legislators and wished everyone a good night.

Diane Stinney: **1.** Commented on the preschool program noting that it was a proven fact that the 3 and 4 year olds prosper from the full day program and cutting that in half would be devastating for Pemberton Township, and she also urged the residents to contact their legislators. **2.** Thanked the Mayor for being at the table with the Military and believes their Township benefits from that. She thanked everyone for coming and all for their comments.

Jason Allen: **1.** Thanked everyone for coming out and encouraged everyone to drive safe. He asked Administration to have the redevelopment meeting information on the website so the public has that information.

Sherry Scull: **1.** Noted that at one of the first meetings they had 4 years ago she had brought up using solar energy for the street lights to help save money and everyone laughed and 6 months later a company contacted them about that same thing. She believes they should be putting solar energy in their schools and municipal buildings. **2.** She noted that she and her secretary had been eating blueberries today from Chile and noted that they would not have had them all year round had it not been for Elizabeth White and what happened in Browns Mills 100 years ago. **3.**

Commented on the possible half days for preschool and expressed that they would be taking away something that has been very beneficial. President Obama used New Jersey schools as an example of something being done right. She noted that two things that help strengthen the economy are investing in education and infrastructure so she feels this would be the wrong direction to go in. She also reflected on the school voucher system and explained that she believes that will only work for those that already have funding to send their children to private schools and that once a child is sent to a charter school, if they are sent back to the Township schools, they do not get the money until the following year.

Ken Cartier: 1. Thanked everyone for coming, hopes this is one of the times that Phil forecasts correctly and spring is right around the corner. He asked everyone to be safe out there and noted that they have 2 more storms on the horizon, one this Saturday and one next Tuesday. He acknowledged that Public Works is doing the best that they can and they have to get on top of the County to do their roads. He noted there was a tragic accident on 537 involving one of their military personnel and cautioned that just because it is just raining does not mean it is not treacherous. He wished everyone a good night.

The meeting was adjourned at approximately 8:49 pm.

Respectfully submitted:

Mary Ann Finlay, MMC
Township Clerk