

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
OCTOBER 3, 2012
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

Sherry Scull
Diane Stinney
Jason Allen
Ken Cartier
Richard Prickett

ABSENT

Also present: Mayor David Patriarca, Business Administrator Dennis Gonzalez, Township Solicitors Andrew Bayer, Jaclyn Baker, Township Engineers Chris Rehmann and Kelly Willis, Township Planner Rick Ragan, 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. 201-2012

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:
REDEVELOPMENT – BROWNS MILLS SHOPPING CENTER
LITIGATION – UTHMAN VS. PEMBERTON TOWNSHIP
LITIGATION – BUSTERS VS. 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 Allen and Prickett to approve Resolution No. 201-2012. Allen, yes; Prickett, yes; Scull, yes; Stinney, yes; Cartier, yes. Motion carried.

Council President Cartier recessed the open meeting at approximately 6:31 PM to go into closed session and 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)

President Cartier advised the public that there was no formal action necessary pursuant to closed session.

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.

President Cartier announced that there were two resolutions being requested to be added to the consent agenda. Res. 207-2012 authorizing discharge of

RCA mortgage at 9 Sherman Terrace, and RES. 208-2012 authorizing approval of submission of grant application with NJDOT for the North Lakeshore Drive Improvements Project.

Motion by Prickett and Stinney to add Resolution Nos. 207-2012 and 208-2012 to the consent agenda. Prickett, yes; Stinney, yes; Allen, yes; Scull, yes; Cartier, yes. Motion carried.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY.

Council President Cartier opened the meeting to the public for comments on Consent Agenda items only. Those members of the public commenting were:

Bob Pelletier, Pemberton – **1.** In regards to Res. 203-2012 concerning the liens he questioned how the lists are derived. Mr. Gonzalez explained the process wherein Code Enforcement issues violations after non compliance after being put on notice and that public works does the work in-house then the liens are imposed. **2.** In regards to Res. 205-2012 concerning the RCA mortgage, questioned if the Township is still in the program, if they still get monies from other towns and if it was successful when it was being utilized. Mayor Patriarca expressed that it was successful inasmuch as the improvements that were made with the monies but that the program itself but felt there were deficiencies in the program itself as far as how it was run. He noted that they are now finding monies leftover from the program but that they are no longer receiving monies from other towns.

Lisa Vandergrift, Browns Mills – **1.** Began to question the RCA program status and President Cartier explained that was not a consent agenda item discussion.

There being no other members of the public indicating a desire to comment on the consent agenda, President Cartier closed the meeting to public comments on the consent agenda items.

Mr. Allen requested to pull Resolution numbers 202-2012 and 205-2012. Mrs. Scull requested to pull New Business item a.3. (1. & 2.).

CONSENT AGENDA ITEMS:

MINUTES FILED BY TOWNSHIP CLERK

Regular meeting, September 5, 2012.

CONSENT AGENDA RESOLUTIONS

RESOLUTION NO. 203-2012

WHEREAS, THE PROPERTY OWNERS ON THE ATTACHED SCHEDULES A THROUGH E WERE IN VIOLATION OF CHAPTER 145 OF THE CODE OF THE TOWNSHIP OF PEMBERTON ESTABLISHING REGULATIONS FOR PROPERTY MAINTENANCE; AND WHEREAS, THE TOWNSHIP OF PEMBERTON, AFTER SERVING THE REQUIRED NOTICES, AND HAVING RECEIVED NO RESPONSE, PROCEEDED WITH THE NECESSARY ACTION THROUGH THE CODE ENFORCEMENT OFFICE TO ABATE THE VIOLATIONS; AND

WHEREAS, THE CODE ENFORCEMENT OFFICIAL HAS CERTIFIED THE COSTS OF THE AFOREMENTIONED ACTION AS SET FORTH IN THE ATTACHED SCHEDULES A THROUGH E.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE TAX COLLECTOR IS HEREBY AUTHORIZED AND DIRECTED TO IMPOSE A LIEN UPON THE PROPERTY(S) SET FORTH IN THE ATTACHED SCHEDULES A THROUGH E.

RESOLUTION NO. 204 -2012

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:

LINDA ROTTLOFF FOR REFUND FOR \$55.00 FOR PILATES & YOGA MIX CLASS. UNABLE TO ATTEND DUE TO EXTREME LOWER BACK PAIN.

RESOLUTION NO. 206 -2012

RESOLUTION AUTHORIZING ADAMS, REHMANN & HEGGAN TO PERFORM VARIOUS ENGINEERING AND SURVEYING SERVICES AND TO SOLICIT PUBLIC BIDS FOR CONSTRUCTION OF A FUEL FACILITY AT THE TOWNSHIP MUNICIPAL BUILDING IN AN AMOUNT NOT TO EXCEED \$29,975.00.

WHEREAS, AFTER CONDUCTING A FAIR AND OPEN COMPETITIVE PROCUREMENT PROCESS IN ACCORDANCE WITH APPLICABLE LAW, IN JANUARY 2012, THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP") APPOINTED CHRIS R. REHMANN, P.E. AND ADAMS, REHMANN & HEGGAN ("ARH") TO SERVE AS THE TOWNSHIP ENGINEER FOR THE CALENDAR YEAR 2012; AND

WHEREAS, AS TOWNSHIP ENGINEER, ARH PROVIDES A VARIETY OF PROFESSIONAL SERVICES TO THE TOWNSHIP WHICH ARE AUTHORIZED ON A PROJECT-BY-PROJECT BASIS; AND
WHEREAS, THE TOWNSHIP INTENDS TO CONSTRUCT A NEW ABOVEGROUND STORAGE TANK FUEL FACILITY AND EMERGENCY GENERATOR AT THE TOWNSHIP'S MUNICIPAL BUILDING (THE "PROJECT"); AND
WHEREAS, ARH PREVIOUSLY TESTED THE ENVIRONMENTAL INTEGRITY OF THE SOILS LOCATED IN THE PROJECT AREA AND FOUND IT TO BE FREE OF CONTAMINANTS; AND
WHEREAS, ARH HAS PRESENTED THE TOWNSHIP WITH A PROPOSAL FOR ENGINEERING SERVICES INCLUDING APPLICATION FOR ALL NECESSARY REGULATORY PERMITS, SOLICITATION OF PUBLIC BIDS, AND CONSTRUCTION MANAGEMENT FOR THE PROJECT IN THE AMOUNT OF \$29,975.00; AND
WHEREAS, FUNDS HAVE BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP TO BE AVAILABLE PURSUANT TO BOND ORDINANCE NUMBER 12-2012, WHICH WAS ADOPTED BY THE TOWNSHIP COUNCIL ON SEPTEMBER 5, 2012; AND
WHEREAS, THE TOWNSHIP COUNCIL WISHES TO AUTHORIZE ARH TO PERFORM ENGINEERING SERVICES INCLUDING APPLICATION FOR NECESSARY REGULATORY PERMITS, SOLICITATION OF PUBLIC BIDS, AND CONSTRUCTION MANAGEMENT FOR THE PROJECT IN AN AMOUNT NOT TO EXCEED \$29,975.00.
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 ADAMS, REHMANN & HEGGAN IS HEREBY AUTHORIZED TO PERFORM ENGINEERING SERVICES INCLUDING APPLICATION FOR NECESSARY REGULATORY PERMITS, SOLICITATION OF PUBLIC BIDS, AND CONSTRUCTION MANAGEMENT FOR CONSTRUCTION OF AN ABOVEGROUND STORAGE TANK FUEL FACILITY AND EMERGENCY GENERATOR AT THE TOWNSHIP'S MUNICIPAL BUILDING IN AN AMOUNT NOT TO EXCEED \$29,975.00; 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 C-04-12-945-900; AND
BE IT FURTHER RESOLVED, THAT THIS RESOLUTION SHALL TAKE EFFECT ON OCTOBER 3, 2012; AND
BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. ADAMS, REHMANN & HEGGAN
- B. TOWNSHIP ADMINISTRATOR
- C. TOWNSHIP CHIEF FINANCIAL OFFICER
- D. GLUCKWALRATH LLP

RESOLUTION NO. 207-2012

RESOLUTION AUTHORIZING DISCHARGE OF RCA SECOND MORTGAGE

WHEREAS, THE TOWNSHIP OF PEMBERTON ENTERED INTO A MORTGAGE LOAN DATED APRIL 23, 2001, FOR THE ESTATE OF DOROTHY CLINE AT 9 SHERMAN TERRACE, FOR PURPOSES OF PROVIDING A LOAN IN THE AMOUNT OF \$7,612.00 PURSUANT TO THE TOWNSHIP'S REGIONAL CONTRIBUTION AGREEMENT ("RCA") PROGRAM. WHICH MORTGAGE SECURED THE MONIES EXPENDED BY THE TOWNSHIP TO IMPROVE THE PROPERTY IN ACCORDANCE WITH THE RCA PROGRAM RULES AND REGULATIONS; AND

WHEREAS, GIVEN THAT MORE THAN TEN (10) YEARS HAVE ELAPSED SINCE THE LOAN WAS GIVEN AND THE PURPOSE FOR WHICH THE MONIES WERE LENT HAS BEEN ACCOMPLISHED, THE TOWNSHIP COUNCIL DETERMINES TO GRANT THE REQUEST TO RELEASING SAID MORTGAGE.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE MAYOR AND CLERK BE AND ARE HEREBY AUTHORIZED TO EXECUTE THE DISCHARGE OF MORTGAGE PAPERS WITH REGARD TO THE PROPERTY KNOWN AS 9 SHERMAN TERRACE, BROWNS MILLS, NJ 08015.

RESOLUTION NO. 208-2012

RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE NORTH LAKESHORE DRIVE IMPROVEMENT PROJECT

WHEREAS, THE PEMBERTON TOWNSHIP DEPARTMENT OF PUBLIC WORKS, STREETS AND ROADS DIVISION, COMPLETED A ROAD IMPROVEMENT RATING PROJECT IN WHICH OVER 500 LOCAL ROADS WERE EVALUATED AND RATED; AND WHEREAS, NORTH LAKESHORE DRIVE WAS RECOMMENDED FOR MAJOR RECONSTRUCTION; AND WHEREAS, FUNDING REQUESTED BY THE TOWNSHIP UNDER THE STATE'S FISCAL YEAR 2013 MUNICIPAL AID APPLICATION PROCESS WILL OFFER THE TOWNSHIP AN OPPORTUNITY TO COMPLETE THE RECONSTRUCTION OF NORTH LAKESHORE DRIVE INCLUDING MILL/OVERLAY; SIGNAGE AND ROADWAY MARKING REPLACEMENT AS NEEDED; INSTALLATION, REPAIR AND/OR REPLACEMENT OF STORM SEWER AS REQUIRED; AND MODIFICATIONS TO EXISTING INLET STRUCTURES, IF ANY, TO COMPLY WITH EXISTING STATE OF NEW JERSEY STORMWATER MANAGEMENT REGULATIONS; AND

WHEREAS, THE MAYOR STRONGLY RECOMMENDS THAT PEMBERTON TOWNSHIP SEEK FUNDING FOR THIS PROJECT UNDER THE MUNICIPAL AID PROGRAM ADMINISTERED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION.

NOW, THEREFORE, BE IT RESOLVED THAT COUNCIL OF THE TOWNSHIP OF PEMBERTON, FORMALLY APPROVES THE GRANT APPLICATION FOR THE ABOVE STATED PROJECT.

BE IT FURTHER RESOLVED THAT THE MAYOR IS HEREBY AUTHORIZED TO SUBMIT A GRANT APPLICATION FOR THE RECONSTRUCTION OF NORTH LAKESHORE DRIVE TO THE STATE'S FISCAL YEAR 2013 MUNICIPAL AID PROGRAM ON BEHALF OF PEMBERTON TOWNSHIP.

BE IT FURTHER RESOLVED THAT THE MAYOR AND CLERK ARE HEREBY AUTHORIZED TO SIGN THE GRANT AGREEMENT ON BEHALF OF PEMBERTON TOWNSHIP AND THAT THEIR SIGNATURE CONSTITUTES ACCEPTANCE OF THE TERMS AND CONDITIONS OF THE GRANT AGREEMENT AND APPROVES THE EXECUTION OF THE GRANT AGREEMENT.

NEW BUSINESS

***a. Purchases over \$2,000.00**

1. Police Dept: **1.** Purchase of PPE Python DX Series Ballistics Vests from Lawmen Supply, in the amount of \$10,098.00. **2.** Annual Power Suite Client License Subscription (includes policy, test, survey & training, at \$1,900.00 and 75 annual Power suite licenses, at \$1,800.00 from Power DMS.
2. Administration Dept.: Purchase of full guard renewal – server firewall from Township's IT contractor CSI, in the amount of \$4,811.84.

Approval by Council required for payment of vouchers on bill list dated 9/28/12.

Motion by Scull and Allen to approve the consent agenda as amended. Scull, yes; Allen, yes; Prickett, yes; Stinney, yes (*with an abstention on the minutes for 9/5/12 meeting that she did not attend*); Cartier, yes. Motion carried.

RESOLUTION NO. 202-2012 PULLED FROM CONSENT AGENDA

RESOLUTION NO. 202-2012

RESOLUTION AUTHORIZING THE TOWNSHIP OF PEMBERTON TO SUBMIT TWO APPLICATIONS TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FOR PARTICIPATION IN THE 2012 LOAN PROGRAM IN ORDER TO FUND THE WELL # 14 TEST WELL AND VARIOUS WATER SYSTEM REPAIRS IN THE TOWNSHIP

WHEREAS, THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP") WISHES TO SUBMIT TWO (2) APPLICATIONS TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST ("NJEIT") FOR PARTICIPATION IN THE 2012 LOAN PROGRAM IN ORDER TO FUND CONSTRUCTION OF THE WELL # 14 TEST WELL AND VARIOUS OTHER WATER SYSTEM REPAIRS IN THE TOWNSHIP; AND

WHEREAS, THE TOWNSHIP ENGINEER, ADAMS, REHMANN & HEGGAN ("ARH"), SHALL BE RESPONSIBLE FOR PREPARATION OF SUCH APPLICATIONS INCLUDING THE REQUIRED ENGINEERING REPORTS; AND

WHEREAS, THE TOWNSHIP COUNCIL BELIEVES IT TO BE IN THE BEST INTERESTS OF THE TOWNSHIP TO APPLY TO THE NJEIT FOR PARTICIPATION IN THE 2012 LOAN PROGRAM.

NOW, THEREFORE, 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 MAYOR IS HEREBY AUTHORIZED TO EXECUTE TWO (2) APPLICATIONS WITH THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FOR PARTICIPATION IN THE 2012 LOAN PROGRAM IN ORDER TO FUND CONSTRUCTION OF THE WELL # 14 TEST WELL AND VARIOUS OTHER WATER SYSTEM REPAIRS IN THE TOWNSHIP.

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

- E. ADAMS, REHMANN & HEGGAN
- F. TOWNSHIP ADMINISTRATOR
- G. GLUCKWALRATH LLP

Motion by Scull and Stinney to approve Resolution No. 202-2012. Scull, yes; Stinney, yes; Prickett, yes; Allen, abstained; Cartier, yes. Motion carried.

RESOLUTION NO. 205-2012 PULLED FROM CONSENT AGENDA

RESOLUTION NO. 205-2012

RESOLUTION AUTHORIZING SUBORDINATION OF RCA AGREEMENT

WHEREAS, THE TOWNSHIP OF PEMBERTON ENTERED INTO A MORTGAGE LOAN DATED OCTOBER 18, 2006, WITH MARILYN MARRERO, AT 207 ROBIN ROAD, FOR PURPOSES OF PROVIDING A LOAN IN THE AMOUNT OF \$23,000.00 PURSUANT TO THE TOWNSHIP'S REGIONAL CONTRIBUTION AGREEMENT ("RCA") PROGRAM. WHICH MORTGAGE SECURED THE MONIES EXPENDED BY THE TOWNSHIP TO IMPROVE THE PROPERTY IN ACCORDANCE WITH THE RCA PROGRAM RULES AND REGULATIONS; AND

WHEREAS, THE HOMEOWNER IS REFINANCING AN EXISTING MORTGAGE OF \$130,000.00 PLUS FEES OF \$3,000.00 AND A MORTGAGE SUBORDINATION AGREEMENT HAS BEEN PREPARED,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE MAYOR AND CLERK BE AND ARE HEREBY AUTHORIZED TO EXECUTE THE SUBORDINATION AGREEMENT FOR 207 ROBIN ROAD FOR HOMEOWNER MARILYN MARRERO.

Motion by Scull and Allen to approve Resolution No. 205-2012. Scull, yes; Allen, yes; Prickett, yes; Stinney, yes; Cartier, yes. Motion carried.

NEW BUSINESS ITEM (a. 3.) PULLED FROM CONSENT AGENDA

Public Works Dept.: 1. Purchase of PVC fencing replacement for rotted fence at BMIA Bldg., from Diamond Lumber, in the amount of \$3,619.00. 2. Purchase of uniforms for Streets & Roads, Buildings & Grounds, Fleet, and Water Dept. employees from A&A Sales Associates, LLC in the total amount of \$8,851.10.

Mrs. Scull asked if the whole property around the building was being fenced, if the whole building has been made handicap accessible. The Mayor advised that the fencing was for the whole property but the entire building is not handicap accessible noting the stage area. She asked if permits had been secured to which she was told that certain aspects of the property required them and they are in the process of obtaining them. Mr. Ragan is looking at the stairs to the stage and to the outside. If they are not doing anything to the stairs they don't need to make it handicap accessible. Mr. Scull noted that she wants to abstain to 3.2.

Motion by Allen and Stinney to approve a.3.1. Allen, yes; Stinney, yes; Prickett, yes; Scull, yes; Cartier, yes. Motion carried.

Motion by Allen and Stinney to approve a.3.2. Allen, yes; Stinney, yes; Prickett, yes; Scull, abstain; Cartier, yes. Motion carried.

General Public Comments

Lisa Vandergrift, Browns Mills – 1. Asked if there has been any solution to the trash cans issue which was supposed to be addressed at this meeting. President Cartier asked if she was suggesting as far as not requiring trash cans. She clarified cans, lids, and not giving people citations. President Cartier explained that its part of the Township code and Council was forwarded that ordinance but he has not heard a response back from Council as to whether they wanted to revisit that ordinance. Mr. Prickett noted that when she first came up with that idea he was concerned for a number of reasons. He noted that how much trash is collected is measured by cans, noting that two cans can be collected. He advised that he was also concerned about the possibility of contributing to more of the bug infestation. He shared that he had spoken to a neighbor who agreed that it makes a difference to her as well as far as having to pull a bag out as

opposed to a can. He commented that if they can get over the hurdle wherein it won't become a nuisance as far as bugs or dogs breaking the bags open. She informed that the trash collectors do not return the lids back with the cans and they stray down the street. Mrs. Scull assured her that although they haven't addressed it yet it does not mean that Council does not intend to look at it and expressed belief that the overall Council agrees that they will look at it. **2.** Again brought up the problem with her neighbors trash and does not believe they should be made to live like this. She suggested using some of the RCA money to do something about it. She noted it's still not known who is allowed to go inside and the exterminator won't come back. Mrs. Stinney shared information about a similar situation a few years back wherein it was said that the County Health Dept. be called. President Cartier asked if the problem has been resolved with the Health Dept. Mr. Gonzalez noted they have not resolved the problem as to the issue as to the contract they found between the Township and the County which indicates that the County serves as our Health Dept. They have to continue to look into it to determine if it's something they can do with one of their ordinances with respect to property maintenance and plan to meet with the County to discuss this issue. President Cartier noted this is the third meeting in a row that she has been here to talk about this and asked they could have some sort of resolution at the next meeting. Mr. Gonzalez advised that he can't promise a resolution by the next meeting as the problem is the relationship between the County and the Township and the services in general. President Cartier noted he mentioned Code Enforcement. Mr. Gonzalez clarified that he said that perhaps there may be something that can be done with an ordinance change with respect to property maintenance to include some of the things going on now and currently there is not anything in their ordinances that allows them to deal with this issue. President Cartier asked if Mr. Bayer could take a look at the Township codes and have an answer for them by the next meeting and if there isn't anything in the codes to have one prepared for this next meeting. Ms. Vandergrift brought up the trash her neighbor has lined up all along the outside of the house and has been trying to circumvent the system. Mr. Gonzalez explained the process of time frames to abate issues before summons are issued but he will find out if any violations have been issued.

Sheila Bertram, Browns Mills – 1. Also complained about the neighbor's horrible garbage, the pest control costs she's incurred. She noted that police are called out there over the summer. She advised that she cleans her property and she should not have to live across from this problem. She commented on the neighbors all being reimbursed for their pest control costs due to this matter.

Janice Brown, Browns Mills – 1. Advised she lives next door to the problem neighbor. She noted having told them about their trash and bugs and they are getting cockroaches from them and does not have the money for pest control. The Mayor noted there have been summons issued. If they have been issued and they have not come to court yet they can't keep issuing further violations until it has been heard. If it has then the violation still exists and they can issue another summons, and the trash outside may be better off in trash cans as opposed to bags.

Beatrice Black, Browns Mills, - 1. Noted she lives at 22 Chandler Street, next door to a different house for 35 years and nothing has ever been done regarding the property issues that exist there and expressed that it needs to be torn down. Mrs. Scull commented that they do have a new Code Enforcement Officer.

America Phillips, Presidential Lakes – 1. Spoke of comments made and if new Code Enforcement will be able to cover 64 square miles and she also noted exterminator costs and expressed that the Solicitor is not helping them and they can blame nobody but Administration. **2.** Regarding the train station, again noted she walks the trails daily and asked the Mayor what kind of legacy he will leave behind once he leaves office. The Mayor clarified that he does not hold this office for the intention of leaving a legacy and if she is admitting to trespassing on the trail continuously, which she is if she is walking on the trail and he would advise her not to do so, so she does not get arrested. She expressed if that is what will have to happen then it will and she complained that he took the resident's rights away. **3.** Expressed hope to receive an answer regarding 200 New Hampshire Rd.

Ray Wells, Pemberton – 1. Passed out the school districts current calendar. He reminded Council that 12.5 million dollars had been cut from the school and it is now time to plan how to fund that loss, noting that cuts will be made. **2.** Reminded the Mayor that he had discussed about a policy for firemen. Mr. Gonzalez explained there are statutes that limit the amount of life insurance to volunteers and depending on the structure of the firefighting service he believes that a maximum that a Township can choose to provide is approximately \$20-25,000 and in some situations no more than \$16-17,000. The Township is precluded for paying for life insurance in excess of those amounts. Mr. Wells asked what structure they would be able to cover them. He asked if Mr. Gonzalez would think it was a good situation if the volunteers organized and became paid firemen. Mr. Gonzalez asked if Mr. Wells was suggesting they

should have a paid fire department noting that their police department already costs the town about 5 million a year and paid fire department would probably cost approximately 3-4 million dollars a year added onto their current budget. Mr. Wells expressed he was uncertain why a volunteer would volunteer if he were aware that while serving next to a police officer and they were both killed in the same incident one would have all kind of benefits and the other only \$17,000. Mr. Gonzalez again explained that one is an employee and one is a volunteer and reminded him that Mr. Maahs had already advised of programs available to the firemen.

There being no other members indicating a desire to be heard, President Cartier closed the meeting to General Public Comments.

Solicitor's report

Mr. Bayer noted he had nothing to report for public session. Mr. Prickett asked who determines as to how the bill list is available to the public, noting that some towns like Manchester include their bill list with a packet that the public can access and wondered if it's legally or statutorily or what. Mr. Bayer advised that the other municipalities he represents does it like Pemberton does. As previously discussed he reiterated that it is technically not a public document until it's approved, such as resolutions. Administration and Council would have to decide as a matter of policy how they would want to handle it so it's done on a uniform bases. Mr. Prickett expressed that he would like this to be considered by the Council in the future.

Engineer's report

Kelly Willis reported: 1. They have submitted the Bayberry Street Plans to Dam Safety, FEMA, as well as Pinelands, Burlington County STD, and to the State Police Office of Emergency Management which is also part of their appeal process for the remainder of the FEMA amount they would like to have. Their office is currently working on the Country Lakes Dam 1,2 &3 plans and will be making a short presentation at their upcoming meeting with them on the 9th.

Planner's report

Richard Ragan reported: 1. The ordinances that they as a Township has been asked to upgrade for compliance with the Pinelands regulations they should be getting a draft those which should be ready for the first meeting in November: 2. The dialysis center made it through the Pinelands and scheduled on the Zoning Board agenda.

Mayor's report

Mayor Patriarca reported: 1. Saturday, October 13th is recognition of Fire Prevention Week and their will be demonstrations and events at the Imagination Kingdom between 8 a.m.-12. 2. The school district is looking at safe routes to school programs and is going to be looking into students within reasonable distance walking and riding their bikes to school as a cost cutting measure and promotion of a healthier atmosphere for the students. He believes they will be working with Cross County Connections and they will be looking into grants. He did note however the effect it may have on the municipal budget if they have to go back to funding crossing guards.

Business Administrator's report.

Mr. Gonzalez did not have anything more to report tonight. Mrs. Scull asked about the police uniforms cleaning to which he advised they expect to put the RFPs on the web site this week. He also noted that they have been looking at the towing ordinance and will hopefully bring something to Council soon.

COUNCIL COMMENTS

Diane Stinney: 1. Noted attending the recent car show a couple Saturdays ago. 2. Attended the foot ball leagues first home games of the seasons and it was awesome to see so many parents involved. 3. Expressed that it's wonderful to see everyone come out and to listen to their comments and she noted that they do their best to address them.

Jason Allen: 1. Thanked everyone for coming out and looks forward to seeing them in a couple weeks.

Sherry Scull: 1. Expressed that the Lions Club Car show was an excellent event, noting there were over a hundred vehicles many of them were Township residents. 2. Attended the MIA POW breakfast which was truly an experience and she noted there are still 44 still missing in action that have not yet come home from Korea and Vietnam from New Jersey. She expressed they are a remarkable program and everyone needs to remember what the military has done for them. 3. She shared that they brought home Ian Alden a close family friend and it was wonderful to see him come home. She commented that it bothered her that their police department was not able to provide escort service anymore. 4. She expressed that there are positive things in this community, noting that although some things can be improved they can't just focus on negativity. 5. In regards to the 12.5 million loss to their schools, she does not know where 12.5 million in cuts is going to come from. She expressed that the "walking to school" is a good thing but they have to make sure the roads are safe. She noted the sidewalks at Busansky and Emmons must be repaired or they can't have the students walking in the streets. She expressed not seeing their school district fighting that battle. She feels they can't plan 12.5 million dollars in cuts without devastating the quality education that they provide in Pemberton Township. She warned that when the residents' taxes go up that they don't blame it on the municipality but rather the school board that move the election to November. 6. Thanked everyone for coming out.

Richard Prickett: 1. Regarding the topic of walking to school, he attended a meeting representing the BMIA along with Adriene Leonard, Superintendent and Business Administrator's meeting who talked about the 12.5 million in cuts. They talked about children walking to school as opposed to the buses. He questioned how many schools are going to be involved in the walking. He was advised that at all the schools where it is feasible to have children walk. He noted that it is not going to just be one trial pilot, noting the pilot has already taken place on Ft. Dix, it's going to be a comprehensive walking plan. 2. Expressed that the Lions again did a terrific job with the car show and was great the Ian Alden and his escort drove by and they were there to be able to see that and greet him. 3. Advised that two Sundays ago the BMIA held its traditional candidates forum, noting that it has always been quite an event. He expressed that this is a different election this year typically in Pemberton over the last 18 years elections were to occur every four years with the Mayor and five Council. However, as a result of the public voting to change that to staggered terms this year there are three Council seats that are up and there are six candidates that are running in November to fill those seats. 4. Expressed that whenever there is an uncared for home in the community it affects all of them, the neighbors, the home values, moral and noted he is whole heartedly in support of changing the ordinance in any way possible to address those situations. 5. Thanked everyone and wished them a good night.

Kenneth Cartier: Thanked everyone for coming out and wished them a safe trip home.

The meeting was adjourned at approximately p.m.

Respectfully submitted by,

MARYANN FINLAY, TOWNSHIP CLERK