

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
OCTOBER 23, 2013
6:30 P.M.**

FLAG SALUTE

Council President Scull 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
Kenneth Cartier
Diane Stinney
Sherry Scull
Norma Trueblood

ABSENT

Also present: Mayor David Patriarca, Business Administrator Dennis Gonzalez, Solicitor Andrew Bayer, Township Engineer Kelly Willis, Township Planner Rick Ragan, and Township Clerk Amy P. Cosnoski.

CALL TO ORDER

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

CLOSED SESSION

Resolution 211-2013 Authorizes Council to go into Closed Session for:
Contract Negotiations/Potential Litigation –
Browns Mills Shopping Center

Motion by Cartier and Allen to approve Resolution No. 211-2013.
Cartier, yes; Allen, yes; Trueblood, yes; Scull, yes. Motion carried.

Council President Scull recessed the open meeting at approximately 6:35 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)

Council President Scull announced there would be action pursuant to Closed Session.

Motion by Stinney and Trueblood to add Resolution No. 224-2013 Approving Settlement between the Township of Pemberton and DelSole for Workers Compensation to the Consent Agenda. Stinney, yes; Trueblood, yes; Cartier, yes; Allen, yes; Scull, yes. Motion carried.

Consent Agenda: All items listed under the consent agenda are considered to be routine by the Township Council and are 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.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

Council President Scull opened the meeting to the public for comments

on the consent agenda. There being no members of the public indicating a desire to be heard, the meeting was closed to the public for comments on the consent agenda.

Councilman Allen requested to have Resolution No. 223-2013 removed from the Consent Agenda.

CONSENT AGENDA ITEMS

MINUTES FILED BY CLERK

Regular meeting, October 2, 2013.

RESOLUTIONS(one item added, one item removed)

- 212-2013 Authorizes refund of subsequent tax payment paid by lien holder on Block 1097, Lot 35 in the total amount of \$1,186.61.
- 213-2013 Cancels taxes for Block 1096, Lot 9 for property qualifying for veterans' property tax exemption for Mario Fernandez.
- 214-2013 Cancels taxes for Block 1094, Lot 31 for property qualifying for veterans' property tax exemption for Eric Fowler.
- 215-2013 Cancels taxes for Block 689, Lot 18 for property qualifying for veterans' property tax exemption and authorizes refund of balance of 2013 taxes to Charles and Susan Parker in the amount of \$73.76.
- 216-2013 Cancels taxes for Block 704, Lot 9 for property qualifying for veterans' property tax exemption and authorizes refund of balance of 2013 taxes to Gerardo A. De Los Santos in the amount of \$108.38.
- 217-2013 Cancels taxes for Block 681, Lot 36 for property qualifying for veterans' property tax exemption for Joseph Stefula.
- 218-2013 Authorizes the refunding and/or closing of various developer and treasurer's escrow sub-accounts.
- 219-2013 Approves Pemberton Township Municipal Utility Authority's 2014 Budget.
- 220-2013 Authorizes renewal of inactive 2013-14 Alcoholic Beverage License 0329-33-017-004 for Om Shree Ganeshaya Namah LLC.
- 221-2013 Authorizes purchase of ammunition under state contract from Lawman Supply in the total amount of \$8,843.95 .
- 222-2013 Authorizes a shared services agreement between the Township of Pemberton and the Township of Southampton for the rental of one rear loading trash vehicle for leaf collection.
- 223-2013 *Removed from consent agenda and considered later in meeting*
- 224-2013 *Added* Authorizes settlement in the matter entitled DelSole v. Township of Pemberton and authorizing the Mayor to execute any documents necessary to effectuate the terms of the settlement.

PURCHASES OVER \$2,000

1. Public Works Department – Two rear loading trash trucks for leaf collection from Mt. Laurel Township in the amount of \$4,000.00
2. Police/Public Works Departments – Repairs to police vehicle from Fante's Auto Body in the amount of \$2,271.20

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 10/18/2013.

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

RESOLUTIONS (pulled from consent agenda)

Resolution 223-2013 Authorizes the award of a contract to Diamond Staffing Services, Inc. in an amount not to exceed \$17,500.00 for the provision of laborers for leaf collection and snow removal in the Township.

Council President Scull noted that she requested this be pulled because she had a question about the intent and she knows this was done last year for leaf pick up but asked if snow removal was included last year. Mr. Gonzalez noted that it was but it was not used and the purpose of having snow removal is to have a back up in the event it is needed and it has always been included but never used. Council President Scull noted that was her question, she wanted to make sure this was not in place of our regular employees. Mr. Gonzalez assured it is just there in case the Township reaches the limit of what the employees are allowed to do time wise.

Motion by Allen and Stinney to approve Resolution No. 223-2013. Allen, yes; Stinney yes; Trueblood, yes; Cartier, yes; Scull, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 20-2013

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 170 OF THE TOWNSHIP CODE, ENTITLED "TOWING," IN ORDER TO REVISE THE PROVISIONS REGARDING TOW OF TOWNSHIP OWNED VEHICLES.

Council President Scull read the title of the ordinance into the record and asked if Council had any questions or discussion.

Motion by Allen and Trueblood to introduce Ordinance No. 20-2013 with a public hearing on November 6, 2013. Allen, yes; Trueblood, yes; Stinney, yes; Cartier, no; Scull, yes. Motion carried.

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

ORDINANCE NO. 18-2013

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING ORDINANCE 15-2013 IN ORDER TO REVISE THE RESIDENCY REQUIREMENTS FOR THE CONSOLIDATED PEMBERTON VOLUNTEER FIRE AND EMERGENCY SERVICES COMPANY

Council President Scull read the title of the ordinance into the record and explained the purpose of the ordinance is to revise the residency requirements. The amendment would include the surrounding towns to allow those volunteers to participate.

Council President Scull opened up the meeting to the public comments on Ordinance No. 18-2013 and those wishing to comment were:

Thomas Maah, Presidential Lakes – Commended the Council for opening up membership to such a wide area but expressed his concerns over the distance for some of those areas for response. Noted that Paragraph J needed to be clarified by specifying those members are the “current members” of the Pemberton Township Volunteer Fire and Emergency Services and not from a current member in another town’s fire company.

Seeing no other members of the public wishing to comment on Ordinance No. 18-2013, Council President Scull closed the meeting to comment on the ordinance.

Council President Scull explained that the changes in the ordinance is reflected by the underlined area and Section J is already part of the ordinance.

Motion by Cartier and Allen to adopt Ordinance No. 18-2013. Cartier, yes; Allen, yes; Trueblood, yes; Stinney, yes; Scull, yes. Motion carried.

ORDINANCE NO. 19-2013

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON ESTABLISHING CHAPTER 6 OF THE TOWNSHIP CODE IN ORDER TO ESTABLISH A LOCAL EMERGENCY PLANNING COMMITTEE IN THE TOWNSHIP AND TO PROVIDE FOR THE COORDINATION OF LOCAL EMERGENCIES AND DISASTERS

Council President Scull read the title of the ordinance into the record.

Council President Scull opened up the meeting to the public comments on Ordinance No. 19-2013 and those wishing to comment were:

Bill Hearney, Lakeshore Mobile Village – Suggest that some research be done with FEMA and their requirements for who people report to before this is adopted.

Seeing no other members of the public wishing to comment on Ordinance No. 19-2013, Council President Scull closed the meeting to comment on the ordinance.

Motion by Cartier and Stinney to adopt Ordinance No. 19-2013. Cartier, yes; Stinney, yes; Trueblood, yes; Allen, yes; Scull, yes. Motion carried.

Council President Scull commented on having a very effective Emergency Management Team and is very impressed on how they work together to make sure the town and it’s residents are taken care of.

NEW BUSINESS

Discussion and/or possible introduction of a bond ordinance providing for the acquisition and installation of Well #14 and various other capital improvements to the Water Utility, appropriating \$300,000 and authorizing the issuance of \$285,000 bonds or notes of the Township to finance part of the costs thereof.

Council President Scull read the title of the ordinance and asked the Township Engineer to explain what the current status of Well #14.

Ms. Willis gave an overview of the current status and noted this is for a

test well for Well #14 and must be within 100' of Well #4, which is not currently online and has not been contributing to the firm source capacity for a few years. Explaining as a condition of approval of bringing Well #12 online was the decommissioning of Well #4. Ms. Willis further explained there is very little room on firm source capacity they looked at rehabilitating Well #11 or bringing in a new test well and that is the direction they are recommending. They did apply for funds through the Trust and were authorized for construction costs of \$265,000 and that is at 75% of 0% loan and 25% at market. Ms. Willis advised the agreements will need to be signed next week and a funding source needs to be in place. Councilman Cartier questioned why the Township was bonding for a small amount and asked how much was in the Water Surplus. Mayor Patriarca advised he does not think there is enough in Water Surplus to cover this. It was discussed that this is just an introduction and the information on the Water Surplus would be available at the next meeting before a vote on adoption.

Motion by Trueblood and Stinney to introduce Ordinance No. 21-2013 with a public hearing to be held November 6, 2013. Trueblood, yes; Stinney, yes; Cartier, yes; Allen, yes; Scull, yes. Motion carried.

Discussion of creation of a Finance Committee as recommended in the Best Practices Survey.

Council President Scull explained she requested this be put on the agenda because we lost points on the Best Practices Survey because we do not have this committee. Councilwoman Trueblood and Councilman Carter volunteered to be on this committee. Mr. Gonzalez advised Administration would be happy to meet with the Council Subcommittee.

UNFINISHED BUSINESS

Discussion and/or possible introduction of proposed ordinance amending Ordinance No. 17-2013 regarding Chapter 190-50.1 Kennels, for consideration of Planning Board recommendations.

Mr. Ragan advised they are not recommending any changes to the proposed ordinance, explained the various boarding options which were the question of concern and saw no need for changes to the ordinance.

Council President Scull advised this ordinance would come back for introduction at the November 6, 2013 meeting.

GENERAL PUBLIC COMMENTS

President Scull opened the meeting to the public for general comments. Those commenting were:

Fred Moorehead, Browns Mills Emergency Squad – 1. Commented on the end of the Browns Mills Emergency Squad, October 6, 2013, after serving the Township for 74 years. Mr. Moorehead noted they have the opportunity to give the Township something it has never had before and explained their new corporation, Browns Mills Educational Service. Mr. Moorehead went on to explain they will provide various educational programs from their building and the building will be used for public events and they look forward to continuing serving their community.

Mr. Moorehead went on to respond to the Mayor's remarks on the Township website and explained again their reasons for not consolidating, including being treated disrespectfully by the Administration.

Council President Scull commended them for going forward in a positive route and she appreciates everything the Browns Mills Emergency Squad has done for the community.

Seeing no other residents wishing to comment, Council President Scull closed the meeting to public comment.

SOLICITOR'S REPORT:

Mr. Bayer reported: 1. No report this meeting, wished the Township Engineer well on her maternity leave.

ENGINEER'S REPORT:

Mrs. Willis reported: 1. Bayberry Street Dam is now being worked on the upstream side and the concrete block should be installed this week and the contractor is ahead of schedule. 2. They are meeting with Division of Dam Safety next week to discuss their questions on Country Lakes Dams.

PLANNER'S REPORT:

Mr. Reagan reported: 1. They are continuing the work on the zoning modifications with the Pinelands and that will be an ongoing project. 2. Dialysis center is ongoing and they are working on costs with the contractor. 3. Dollar General is continuing as long as there is not a bad winter. 4. Lakeshore Mobile Home was extended by the Planning Board. 5. Family Dollar was approved by the Planning Board.

MAYOR'S AND/OR BUSINESS ADMINISTRATOR'S REPORT

Mayor Patriarca reported: 1. Advised that Saturday, Nov. 2nd is the Fire Company Open House at Imagination Kingdom from 11am – 2pm.

COUNCIL MEMBERS' COMMENTS.

Ken Cartier – 1. Wished Diane a Happy Birthday.

Diane Stinney – 1. Noted that she attended a meeting at Deborah with Councilman Allen and he would be reporting on that further. 2. Asked that the residents bring the positives as well as the negatives. 3. Thank everyone for coming out.

Norma Trueblood – 1. No further comments.

Jason Allen – 1. Noted he and Councilwoman Stinney attended a meeting at Deborah where the hospital outlined the numbers from a survey they had done in the community. Deborah had expressed they want to work in the community and to help increase awareness on medical conditions. 2. Thanked everyone for coming out.

Sherry Scull – 1. Commented that Deborah Hospital wants to partner with the Township for Community Day. 2. Reported this Friday at the

Pemberton Township High School, the PTEA is hosting a breast cancer awareness fundraiser for Susan G. Komen and everyone is invited, starting at 4pm. 3. Noted Homecoming is this weekend and there will not be a parade this year. 4. This Saturday is the induction into the Hall of Fame and there are ten new inductees. 5. Thanked everyone for coming out.

The meeting was adjourned at approximately 7:46 p.m.

Respectfully submitted by,

Amy P. Cosnoski

Amy P. Cosnoski, RMC, Township Clerk