

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
FEBRUARY 5, 2014
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
Kenneth Cartier
Diane Stinney
Sherry Scull
Norma Trueblood

ABSENT

None

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 Cartier called the meeting to order at 6:30 p.m.

CLOSED SESSION

Resolution 48-2014 Authorizes Council to go into Closed Session.
There was no Closed Session held at this meeting, this resolution was not acted upon.

Council President Cartier recessed the open meeting at approximately 6:35 p.m. session and reconvened the open meeting at approximately 7:00 p.m.

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 Cartier 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.

Council President Cartier advised that Resolution 51-2014 was revised prior to the meeting and requested Council to review the changes. Solicitor Andrew Bayer explained the changes made and it was a consensus of Council to accept the changes to the resolution.

CONSENT AGENDA ITEMS

MINUTES FILED BY CLERK

Reorganization Meeting, January 6, 2014; Regular Meeting, January 6, 2014; and Regular Meeting, January 15, 2014.

CONSENT AGENDA RESOLUTIONS

49-2014	Authorizes various routine refunds.
50-2014	Amends Resolution 95-2012 awarding contract to Asphalt Paving Systems, Inc. for the 2011 Road Program.
51-2014	Authorizes preliminary approval for Farmland Preservation of farms located at Block 812, Lot 8.01 and Block 841 Lots 7-10, 12 13 & 31 and Block 842, Lot 59.
52-2014	Authorizes acceptance of TAG Grant in the amount of \$19,491.00

- 53-2014 Authorizes renewal of Plenary Retail Consumption License No. 0329-33-016-005, Merko Incorporated for the 2013-2014 licensing year.
- 54-2014 Rescinds actions of Resolution 149-2013 authorizing Place-to-Place Transfer for Plenary Retail Consumption License No. 0329-33-017-003, Om Shree Ganeshaya Namah, LLC.
- 55-2014 Authorizes Place-to-Place Transfer for Plenary Retail Consumption License No. 0329-33-017-003, Om Shree Ganeshaya Namah, LLC.
- 56-2014 Opposes Privatization of Toll Collection Services on the New Jersey Turnpike and Garden State Parkway.
- 57-2014 Authorizes cancellation of nonrefundable trust balances to surplus.
- 58-2014 Authorizes the refunding and/or closing of Treasurer's Escrow sub-accounts.
- 59-2014 Authorizes cancellation of Senior Citizen Chargeback for Gordon at Block 724, Lot 7.
- 60-2014 Authorizes agreement with Tetrabrazil Soccer Camps for 2014 Summer Soccer Camp Program.
- 61-2014 Authorizes settlement of Officer Shaun R. Myers' grievance dated December 27, 2013.

NEW BUSINESS

Purchases over \$2,000

1. Township Clerk Department – Codification of Ordinances for 2012 and 2013 by General Code in an amount not to exceed \$8,815.00.
2. Recreation Department – 48 Month Copier/Printer/Scanner/Fax Contract with Ricoh USA in the amount of \$4,878.24.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 1/31/2014.

Motion by Scull and Allen to adopt Consent Agenda. Scull, yes; Allen, yes; Trueblood, yes; Stinney, yes; Cartier, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 1-2014

AN ORDINANCE ESTABLISHING SALARIES, COMPENSATION, AND BENEFITS WITHIN THE TOWNSHIP OF PEMBERTON

Councilwoman Scull asked Administration why there were new positions listed on the Ordinance, Director of Public Works and Director of Recreation and Senior Services, noting those positions are in the CWA Union contract. Mr. Gonzalez advised that it is Council's authority to provide salaries and ranges for all Department Directors and there is no one being hired. Mr. Gonzalez further explained the ranges in the ordinance are the minimum and maximum reflected what is in the CWA contract and there is a pending PERC issue with that contract and this will make sure there is a mechanism in place pending the outcome of the PERC decision to be able to pay those positions. Councilwoman Scull questioned the change of the sell back sick time provision now going by the CWA contract and not the PBA contract. Mr. Gonzalez advised that the sell back sick time provision was removed from the PBA contract and it remains through 2014 for the CWA contract. Mayor Patriarca explained they believe the sell back sick time is an excess burden on the tax payers and it should be taken out of the contracts.

Motion by Scull and Stinney to introduce Ordinance 1-2014 with a public hearing on February 19th. Scull, yes; Stinney, yes; Trueblood, yes; Allen, yes; Cartier, yes. Motion carried.

ORDINANCE NO. 2-2014 (added to agenda)

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON GRANTING PSE&G AN EASEMENT INTEREST IN TOWNSHIP OWNED PROPERTY LOCATED AT BLOCK 812, LOT 9.02 FOR THE PROVISION OF UTILITY SERVICES, AND AUTHORIZING THE TOWNSHIP TO ENTER INTO A GRANT OF EASEMENT AGREEMENT WITH PSE&G

Council President Cartier noted that Administration requested to have this ordinance added to the agenda and read the title. Councilwoman Scull questioned why Council was just receiving the ordinance for consideration. Mr. Gonzalez advised it was received today and this is required to run the gas line back to the Public Works Facility for heating those buildings and provide gas for the emergency generator. Mr. Bayer explained the Engineer is working on the meets and bounds and the full ordinance will be available later this week.

Motion by Scull and Allen to introduce Ordinance 2-2014 with a public hearing on February 19th. Scull, yes; Allen, yes; Trueblood, yes; Stinney, yes; Cartier, yes. Motion carried.

NEW BUSINESS

Discussion and appointment of Council Members to Green Team Advisory Committee.

Council President Cartier expressed his interest in serving on the committee. Councilwoman Trueblood also expressed her interest in serving on the committee. Mayor Patriarca advised there has been strong interest from the Environmental Committee and noted the website for Sustainable New Jersey has additional information on the purpose of the Committee.

GENERAL PUBLIC COMMENTS

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

America Phillips, Presidential Lakes – 1. Questioned Administration if Tennessee Trail drainage would be repaired this year. Mayor Patriarca advised he did not know where it fell on the road list. 2. Noted that Public Works was at 200 New Hampshire Road and was happy to see some improvement. 3. Commented on the drainage problem on Tennessee and Kentucky Trails and they become very icy.

Scott Hamilton, Browns Mills – 1. Questioned if the contract with J&J Developers was finalized yet and Council President Cartier advised it was. 2. Asked if there were any enforcement mechanisms regarding Sustainable New Jersey for non-compliance. Mayor Patriarca noted he was not aware of any and Township Engineer Ms. Willis advised it is a volunteer program. Mr. Hamilton asked if the meeting would be open to the public. Mayor Patriarca noted he does not know if they have to be or if they will be. 3. Asked if there were negotiations with Mr. Berardi. Council President Cartier advised that negotiations had occurred with Mr. Berardi for many years.

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

SOLICITOR'S REPORT:

Mr. Bayer reported: 1. No report this evening.

ENGINEER'S REPORT:

Ms. Willis reported: 1. No additional information to report from last meeting.

PLANNER'S REPORT:

Mr. Ragan reported: 1. Advised that he, the Mayor and Mr. Benedetti will be meeting with the Pinelands Commission to go over the Redevelopment Area and to designate it a Pinelands Village.

MAYOR'S AND/OR BUSINESS ADMINISTRATOR'S REPORT

Mayor Patriarca reported: 1. Reported Mr. Berardi lost his appeal to the State Supreme Court. Mr. Bayer explained Mr. Berardi claimed that the Township's previous actions constituted and inverse condemnation. 2. Mayor Patriarca advised the temperatures are expected to drop and there is a lot of moisture asked everyone to be careful on the roads and

noted that Public Works is doing a great job. Councilwoman Scull advised she is getting a lot of complaints regarding pot holes. Mayor Patriarca explained they are doing their best to keep up with them and formulating a plan to deal with them, it is difficult in this weather. Discussion ensued on how pot holes should be reported and it was noted they could be called in and through the Township website. Councilwoman Scull echoed the thanks to Public Works for the great job they are doing on the roadways. 3. Mayor Patriarca reported the Solid Waste bids are in and they should have that for the next meeting.

Council President Cartier noted they should receive the budget from Administration on the 7th and Council needed to establish hearing dates. It was a consensus of Council to hold the Budget Hearings on February 25th and if needed on the 26th if needed, starting at 6 p.m.

COUNCIL MEMBERS' COMMENTS.

Sherry Scull – Noted she attended a fund raiser for One Lover Animal Rescue, it was very well attended, a great event and the organizers did a great job. Advised the Pinelands Short Course is going to be at Stockton College this year on March 6th, it is the 25th Annual. Thanked everyone for coming out.

Jason Allen – Advised there would be a program this Saturday, 9 a.m. until approximately 12 noon at the St. Mark's Baptist Church. A Corrections Officer will discuss the realities of prison. Thanked everyone for coming out.

Norma Trueblood – Thanked everyone for coming out and asked everyone to drive home safely.

Diane Stinney – Wanted to publicly thank Sheriff Jean Stanfield shared a grant for at risk districts through summits for young ladies and young men. Noted Public Works and all those involved in the snow removal are doing a great job. Thanked Administration for all the updates and thanked everyone for coming out.

Ken Cartier – Wished everyone a safe trip home.

The meeting was adjourned at approximately 7:37 p.m.

Respectfully submitted by,

Amy P. Cosnoski

Amy P. Cosnoski, RMC, Township Clerk