

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
March 19, 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
Sherry Scull
Diane Stinney
Norma Trueblood

ABSENT

Also present: Mayor David Patriarca, Solicitor Andrew Bayer, Township Engineer Kelly Willis, 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 80-2014 Authorizes Council to go into Closed Session.

Councilwoman Stinney requested Pending Litigation of Browns Mills Shopping Center and Litigation with Pemberton First Aid, Browns Mills Emergency Squad and Presidential Lakes Fire and Rescue.

Motion by Allen and Stinney to adopt Resolution 80-2014. Allen, yes; Stinney, yes; Trueblood, yes; Scull, yes; Cartier, yes. Motion carried.

Council President Cartier 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 Cartier advised there would be no formal action pursuant to Closed Session.

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.

Councilwoman Stinney pulled PO 14-00691 for Historic Trust Litigation in the amount of \$942.55 from the Bill List. Councilwoman Scull pulled Resolution 85-2014, from the Consent Agenda.

CONSENT AGENDA ITEMS

MINUTES FILED BY CLERK

Special Budget Meeting, February 25, 2014 and Regular Meeting, March 5, 2014.

CONSENT AGENDA RESOLUTIONS

81-2014 Authorizes workers compensation settlement in the matter entitled Thelma

Major v. Township of Pemberton.

- 82-2014 Authorizes execution of agreement with Burlington County Bd. Of Chosen Freeholders and Colonial Village Catering for provision of lunches for the Pemberton Township Senior Center lunch program.
- 83-2014 Authorizes transfer of funds from 2013 Budget.
- 84-2014 Appoints Alternate Fund Commissioner for BCJIF
- 85-2014 *Pulled from Consent Agenda and considered later in the meeting.*
- 86-2014 Authorizes a contract for the provision of tack truck services.
- 87-2014 Authorizes the purchase of hot mix asphalt from American Asphalt Company Inc. under Burlington County Cooperative Contract No. BUCCP-13039.
- 88-2014 Authorizes acceptance of \$25,000.00 to satisfy outstanding workers' compensation lien pursuant to N.J.S.A. 34:15-40 generated as a result of order approving settlement in the mater entitled Peter Glendon v. Township of Pemberton.
- 89-2014 Authorizes payment of \$35.00 in bank charges to David and Linda Miller, due to property tax error by the Township on 251 Pemberton Blvd.

NEW BUSINESS

Purchases over \$2,000

1. Public Works Department – Purchase of 80 Gallon Water System from Road Hog Model 48200 from Giles & Ransome in the amount of \$3,200.
2. Police Department – Purchase of 11 Refurbished Panasonic Toughbooks from Bob Johnson's Computer Stuff in the amount of \$9,124.89.

Annual Used Car License Applications:

Skipper's Trailer Park
Garden Homes Mgt. T/A Lakeshore Mobile Village
Hilltop Mobile Village
Stanley Danley's Used Auto Sales
Andy's Pro Auto Repair, Inc.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 3/14/2014.

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

OTHER RESOLUTIONS

- 85-2014 Authorizes the lease of a truck-mounted spray-injection patching system under State Contract No. 80361 *Pulled from Consent Agenda*

Councilwoman Scull questioned when the Township would be getting the truck and having all the potholes repaired. Mayor Patriarca noted we are looking to get it as soon as possible however it depends on the availability of the truck. Mayor Patriarca further explained the company would supply a day of training to our operators and gave a brief explanation of how the truck works. Councilwoman Scull asked if we would be fixing holes that our employees have already fixed while waiting for the truck. Mayor Patriarca expressed he is confident we will have plenty of potholes that will need repair and we will need the truck for an entire month. Councilman Allen asked about the process for locating the potholes. Mayor Patriarca advised they are putting together a list from those reported on the website, and reported through our residents and employees. Councilwoman Stinney asked about the quality of the tar they will use and asked if it would perform better than the produce the Township has been using. Mayor Patriarca advised it is a water based project and it is supposed to be environmentally friendly, further noting they have gotten ten years out of a patch. Engineer Kelly Willis explained the material currently used by the Township is a cold patch and this material used on the truck is a hot patch and is designed to be used in the current weather conditions.

Motion by Scull and Allen to adopt Resolution 85-2014. Scull, yes; Allen, yes; Trueblood, yes; Stinney, yes; Cartier, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 3-2014

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY (THE "TOWNSHIP") AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE LEASE AGREEMENTS BY AND BETWEEN THE TOWNSHIP AND THE BURLINGTON COUNTY BRIDGE COMMISSION (THE "COMMISSION") IN CONNECTION WITH THE REFINANCING OF CERTAIN BONDS OF THE COMMISSION PREVIOUSLY ISSUED TO FINANCE A PROJECT FOR THE TOWNSHIP UNDER THE COMMISSION'S 2004 AND 2005 GOVERNMENTAL LEASING PROGRAMS

Council President Cartier read the ordinance by title.

Motion by Stinney and Allen to introduce Ordinance No. 3-2014 with the public hearing to be held April 2, 2014. Stinney, yes; Allen, yes; Scull, yes; Trueblood, yes; Cartier, yes. Motion carried.

BILL LIST

PO 14-00692 Historic Trust \$942.55 *Pulled from Consent Agenda*

Councilwoman Stinney questioned what litigation we have with the Historic Trust. Mr. Bayer advised this is not new litigation, it involves finalizing items with the court appointed receiver for the ongoing litigation and noted it is approximately 99% complete.

Motion by Stinney and Trueblood to approve PO 14-00692 in the amount of \$942.55. Stinney, yes; Trueblood, yes; Allen, yes; Scull, abstain; Cartier, yes. Motion carries.

GENERAL PUBLIC COMMENTS

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

Scott Hamilton, Browns Mills – 1. Commented on the debt statement on the website not being current and questioned what the current debt load the Township is carrying. Mayor Patriarca advised he would get the current debt statement posted on the website. Mr. Hamilton further commented according to the 2012 statement the Township is carrying just short of \$30 million in debt and asked if that included any medical payments for retirees. It was noted that those expenses are accounted for in the current budget. 2. Commented on the bad road conditions and the numerous potholes including the one pointed out by Councilwoman Stinney on Brewster at the end of Lester. Mr. Hamilton noted the problems with potholes occurs deeper under the road surface and explained how a road should be paved to help prevent the problems. Mr. Hamilton noted he believes the paver that was purchased is not large enough for this town and something of heavier quality should have been purchased. Councilman Allen asked the Mayor if he could have the Department of Public Works come in and give an overview of what they are going to do for the residents.

Henry Gilyard, Lake Valley – 1. Commented on the issues they are having with the MUA blowing out the lines and causing sewage to come back up into their bathroom. Noted the MUA advised them they should have gotten a letter advising them to put a flap in to prevent the back flow into their homes, however he has never received a letter. Councilwoman Scull noted the MUA has received many complaints about this but it is the homeowner's responsibility to put in a backflow preventer and advised that the MUA meets the first Tuesday of the month at 6:30 p.m.

Justine Miller, Country Lakes – 1. Expressed her concern over the closing of the Charter School in June and the hardship it would cause the many families that send their children there. Ms. Miller further explained their confusion over the closing as they had not been given sufficient time to correct the deficiencies that were noted and there were other charter schools with lower scores that were given probation and another chance and their charter school outranked them. Councilwoman Trueblood noted there is a waiting list to get into the school and Ms. Miller noted there are 93 students on the waiting list. Councilwoman Scull noted she was surprised hearing of

the closures as the Governor supports them and wondered if it is more than test scores the closures are being based on. Ms. Miller had noted they spoke with the Governor and Council President Cartier advised he believes they are on the right track with going to the Governor.

William Hearney, Lakeshore Mobile Village – 1. Questioned the criteria for the Lakeshore Mobile Park getting their license renewed. Township Clerk, Amy Cosnoski, advised of the procedure for license renewal. Mr. Hearney noted there are two junkyards operating in the park and Council President Cartier asked if he addressed the issues with Administration. Mr. Hearney advised he has many times. Councilwoman Scull asked about the new trailers going in and Mr. Hearney advised they have only put new ones on existing pad site. Ms. Willis explained they have not received final approvals yet for the new sites. Mr. Bayer asked if the code violations have gone to municipal court. Mr. Hearney was not aware if they had. Councilwoman Stinney asked the Mayor if this is something that could be looked into and it was noted that Mr. Benedetti would know the status of the violations.

Henry Gilyard, Lake Valley – 1. Commented on having four empty properties next to his home and he has spoken with the Mayor regarding them. Mayor Patriarca advised that he has looked into them, noting one has a lien holder on it that can foreclose on the property in September. Mr. Bayer noted the properties should be monitored through the abandoned property ordinance with Code Enforcement.

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

SOLICITOR'S REPORT:

Mr. Bayer reported: 1. Mr. Bayer had no report this meeting.

ENGINEER'S REPORT:

Ms. Willis reported: 1. Ms. Willis reported she is working with the Country Lakes Homeowners Association to create flyers to hold informational meeting on the dam construction. Noting the meeting will be held at the Country Lakes Fire House on March 29th at 10 a.m.

MAYOR'S AND/OR BUSINESS ADMINISTRATOR'S REPORT:

Mayor Patriarca reported: 1. Mayor Patriarca had no report this meeting.

Councilwoman Stinney asked about an email she had sent to Administration regarding the road conditions on Apple Avenue. Mayor Patriarca advised he contacted Public Works and they have been out to Apple Avenue 22 times for residents complaints and it is on the list to be paved this summer. Councilwoman Scull asked if the road list has been updated since the paving equipment has been purchased. Mayor Patriarca advised they are currently working with the original road program list based on the conditions and updating that list. Mayor Patriarca further explained there is currently 15 roads on the list and they are going to try to do 19. Mayor Patriarca listed Cates Road, North Road, Burrs Mill Road, Pear Avenue, East Street, Holly, Chestnut, Pine, Oak, Clubhouse, Apple, Arrahbella, Florida, Tennessee, New Hampshire and Louisiana as roads to be done and further explained they will be done to save time and cost by limiting mobilization. Ms. Willis noted these are the roads that will be done by the Public Works employees and North Lakeshore is still scheduled to be paved by a contractor using grant monies received. Ms. Willis advised they are applying for a grant opportunity to pave West Lakeshore Drive. Councilman Allen noted he was on the Sustainable New Jersey website and advised of workshops coming up in April for walking and biking paths. Ms. Willis noted Mr. Benedetti attended a meeting with the DRPC last evening and learned of some grant opportunities. Mayor Patriarca advised he would discuss that with Mr. Benedetti. Mayor Patriarca commented on getting a Farmer's Market in town through grant opportunities.

Council President Cartier asked Councilwoman Scull what the consequences for public schools are if they under perform. Councilwoman Scull noted the State will come in and take over the school which could include firing the whole staff.

COUNCIL MEMBER COMMENTS:

Jason Allen – Thanked everyone for coming out.

Norma Trueblood – Thanked everyone for coming out.

Sherry Scull - Noted the Senior Citizen Prom will be held on April 23rd and this year's theme is luau, explained the high school students are very strong participants in the event. Advised that May 10th is our Community Day and is also the day for the Mega Base Open House.

Diane Stinney – Thanked everyone for coming out and voicing their opinions and wished everyone a safe trip home.

Ken Cartier – On behalf of the Council congratulated the Pemberton Basketball team on their successful season and becoming Patriot Division champs.

The meeting was adjourned at approximately 7:54 p.m.

Respectfully submitted by,

Amy P. Cosnoski

Amy P. Cosnoski, RMC, Township Clerk