

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
May 7, 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: Administrator Dennis Gonzalez, Solicitor Andrew Bayer, Engineers Chris Rehmann and Kelly Willis, 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 108-2014 Authorizes Council to go into Closed Session.
Contract Negotiations – Deborah Farmer’s Market

Motion by Scull and Allen to adopt Resolution 108-2014. Scull, yes; Allen yes; Trueblood, yes; Stinney, 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 was action due to closed session. Councilman Allen read title of Resolution 118-2014.

Motion by Allen and Trueblood to add Resolution 118-2014 to the Consent Agenda.
Allen, yes; Trueblood, yes; Stinney, yes; Scull, yes; Cartier, 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 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 Scull requested to have New Business item 13 a. 4. Purchase over \$2,000, for GPS software from Wireless Communications and Electronics. Councilman Allen requested to pull Resolution 113-2014.

CONSENT AGENDA ITEMS

MINUTES FILED BY CLERK

Regular Meeting, April 16, 2014.

CONSENT AGENDA RESOLUTIONS

- 109-2014 Appoints Sunshine Dashiell as Alternate Registrar.
- 110-2014 Authorizes cancellation of non-refundable trust balances to surplus.
- 111-2014 *Item removed from Agenda prior to meeting.*
- 112-2014 Authorizes the private sale of Township owned liens to DSHC Enterprises LLC, for the total sum of \$6,134.58 plus any interest as determined by the Tax Collector.
- 113-2014 *Item pulled from Consent Agenda and considered later in the meeting.*
- 114-2014 Endorses Pemberton Township's application for New Jersey Department of Transportation – Transportation Alternatives Program (NJDOT TAP) Application.
- 115-2014 Establishes a “Complete Streets” Pilot Program for the Browns Mills Town Center Redevelopment Plan as part of the Pemberton Township application for NJDOT TAP funds.
- 116-2014 Authorizes Intent to Participate in Delaware Valley Regional Planning Commission's Transportation & Community
- 118-2014 Authorizes agreement with Deborah Heart and Lung for the operation of a Farmers Market. *Item Added to Consent Agenda*

NEW BUSINESS

Purchases over \$2,000

1. Police Department – Laser Measuring System with related equipment and training from Laser Technology, Inc. in the amount of \$9,220.50
2. Recreation Department – Youth Basketball Program Referees and Playoff Trophy expenses for jointly-operated program to Westampton Recreation and Joint Base MDL in the total amount of \$2,211.56.
3. Tax Assessor Department – 48 Month contract for copier and related services from Ricoh USA in the total amount of \$4,740.96.
4. *Item Pulled from Consent Agenda and considered later in the meeting.*

Social Affair Permit Application (one day liquor license)

For Florida TRAC for charity mud run event to be held at On Target Paintball, 35 Sheep Pen Hill Road, on 6/7/2014 from 6:30AM-5:00PM

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 5/2/2014.

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

OTHER RESOLUTIONS

- 113-2014 Authorizes submission of 2013 Recycling Tonnage Grant application and authorizes use of all funds awarded.

Councilman Allen noted that he requested this item to be pulled from the Consent Agenda due to a conflict with his employer.

Motion by Scull and Stinney to adopt Resolution 113-2014. Scull, yes; Stinney, yes; Trueblood, yes; Allen, abstain; Cartier, yes. Motion carried.

- 117-2014 Authorizes transfer of funds to the Pemberton Baseball Association in the amount of \$750.00 received from FEMA for storm damage to property owned by the Pemberton Baseball Association.

Motion by Allen and Stinney to approve Resolution 117-2014. Allen, yes; Stinney, yes; Trueblood, yes; Scull, yes; Cartier, abstain. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 5-2014

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AUTHORIZING SALE OF BLOCK 202, LOT 1 TO CONTIGUOUS PROPERTY OWNER STONEFIELD INVESTMENTS FOR FAIR MARKET VALUE

Council President Cartier read the title of the ordinance. Councilwoman Scull asked if the property backed up to property the requestor already owned. Mr. Gonzalez advised that it is adjacent to their property and is vacant and their intent is to build a home on the property.

Motion by Allen and Stinney to introduce Ordinance No. 5-2014 with a public hearing on May 21, 2014. Allen, yes; Stinney, yes; Scull, yes; Trueblood, yes; Cartier, yes. Motion carried.

ORDINANCE NO. 6-2014

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON ACCEPTING THE TRANSFER OF PROPERTY LOCATED AT BLOCK 541, LOTS 9 THROUGH 16 AND 52 THROUGH 59 FROM BROWNS MILLS EMERGENCY SQUAD, INC.

Council President Cartier read the title of the ordinance.

Motion by Scull and Stinney to introduce Ordinance No. 6-2014 with a public hearing on May 21, 2014. Scull, yes; Stinney, yes; Trueblood, yes; Allen, yes; Cartier, yes. Motion carried.

ORDINANCES FOR SECOND READING AND PUBLIC HEARING and/or FINAL ADOPTION

ORDINANCE NO. 4-2014

BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION OF VARIOUS DAMS IN THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$7,200,000 THEREFORE; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$6,840,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Council President Cartier read the title of the ordinance and opened the meeting for public comments on Ordinance 4-2014. Seeing no members of the public wishing to speak on Ordinance 4-2014, Council President Cartier closed the meeting to public comment.

Councilwoman Stinney thanked all those that made this project happen, including Adams, Rehmann and Heggan for informing the residents and working together. Council President Cartier also thanked everyone for their work on getting this project started. Councilwoman Scull expressed it has been a long hard road to get to this point and noted that she had seen many construction companies checking out the project area. Ms. Willis advised they had 26 companies pick up specifications and plans. Councilwoman Scull noted sometimes the lowest bid is not always the best one.

Motion by Stinney and Scull to adopt Ordinance 4-2014. Stinney, yes; Scull, yes; Allen, yes; Trueblood, yes; Cartier, yes. Motion carried.

NEW BUSINESS

Purchases over \$2,000

4. Administration Department – Annual renewal of vehicle GPS tracking software license with Wireless Communications & Electronics in the total amount of \$7,110.00 *Item Pulled from Consent Agenda*

Councilwoman Scull asked if the Township had any documentation on how the GPS tracking had benefited the town, noting it was brought in proposed to help us when there

were accidents and confirming where vehicles were. Mr. Gonzalez advised the GPS is on all vehicles, including the police cars and it helps us ensure our people are where they are supposed to be, noting he would be happy to get reports from the Public Works Director and Police Chief. Councilwoman Scull advised that Council was assured that it would not be used punitively against the employees and she has heard that has happened and she cannot support this. Mr. Gonzalez advised that he is not aware of any disciplinary actions against employees due to tracking with the GPS since he has been here. Councilman Allen questioned if this needed to be approved tonight or could it wait until they get the reports. Mr. Gonzalez advised he would need to know what type of reports Council is looking for. Councilwoman Scull explained she had heard of issues of the GPS tracking putting trucks where they were not and it may be other Department Heads using it for discipline. Mr. Gonzalez advised that he requires any disciplinary actions be brought to his attention and he has not been told of any.

Motion by Allen and Trueblood to approve purchase over \$2,000 for GPS tracking software renewal. Allen, yes; Trueblood, yes; Stinney, no; Scull, no; Cartier, yes. Motion carries.

GENERAL PUBLIC COMMENTS

Council President Cartier opened the meeting to the public for general comments.

Richard Prickett, Pemberton – 1. Questioned the time frame for the Country Lakes Dam contracts will be awarded and will there be more than one contractor. Ms. Willis advised specifications were written for one contractor to perform and work the bids are due this Friday. Ms. Willis noted construction will start in early summer. Mr. Prickett asked if the lakes will need to be lowered. Council President Cartier the lakes will not need to be lowered and Ms. Willis advised that Split Rock Road will be open at all times and the contractor will be able to work on more than one dam at the same time but not Dams No. 1 and 3 so access for residents is not restricted.

Fred Moorhead, Browns Mills – 1. Informed the Council that the lawsuit with the Township is still ongoing and the Ordinance they introduced at this meeting was for the vacant lot that the Township donated to the Emergency Squad with a reverter clause. 2. Advised they will have a blood drive on May 24th, 2014 from 8am – 1pm by the Community Blood Council of New Jersey.

America Phillips, Presidential Lakes – 1. Questioned if her street would be paved. Mr. Gonzalez advised that a portion of Tennessee Trail is scheduled to be paved but could not confirm if that portion was in front of her home. 2. Commented to the Township Planner regarding only having one grocery store in town and she goes to Medford to shop. 3. Noted she pays her taxes to Pemberton Township for fire protection and there is no equipment in Presidential Lakes and wants to know where the money goes. Council President Cartier advised the money goes to the Fire Department. Mr. Gonzalez advised Presidential Lakes gets their Fire Protection from Woodland Township through mutual aid. Ms. Phillips commented on reporting to her insurance company where her nearest fire protection is and she would have to note it is in Country Lakes. Council President Cartier advised the correct answer would be Lebanon Lakes directly across Route 70 from Presidential Lakes.

Richard Prickett, Pemberton - 1. Asked about the Road Program, noting the Township has purchased equipment to do the work and questioned if they would be doing the drainage work along with that or would it be contracted out. Ms. Willis advised Public Works will be doing that along with the roadways and the design would be done on a case by case basis. Mr. Rehmann advised that some of the planning has been delayed due to the extremely tough winter and some roadways had to be put before others due to their conditions deteriorating over the summer. It was noted that the roadways that Public Works were doing were chosen so they could handle it. Mr. Prickett questioned if an engineer inspector would be on site. Ms. Willis and Mr. Rehmann advised that inspectors will be out during the critical functions, however it would not be cost effective to have an inspector out during the entire process. Mr. Prickett noted his questions were not to be critical but to find out facts. Mr. Prickett commented on the seepage pits that have been installed throughout the town, noting there should be an inventory of them and they should be maintained.

Council President Cartier seeing no other members of the public wishing to speak, closed the meeting to general public comments.

SOLICITOR'S REPORT:

Mr. Bayer reported: 1. Reported the Township received favorable decision involving the Police Department, noting the case was dismissed and the matter should be closed.

ENGINEER'S REPORT:

Ms. Willis reported: 1. Reported they took bids for the Phase I Barrier Free project and will forward the recommendation to the Clerk. 2. Bayberry Street Dam is open. 3. Receipt of bids for Country Lakes Dams is May 9th, 2014. 4. Received \$195,000.00 in grant money for East Lakeshore Drive. 5. Severe weather has cause some sink holes on Scammel Drive and they have a contractor coming out for quotes and looking to possibly line the pipes rather than replace and also looking to have the lines videoed.

Councilwoman Stinney asked about a pothole on Hunter and Brewster that keeps getting deeper. Mr. Rehmann advised they would take a look at it. Councilwoman Scull asked Ms. Willis if they had gotten any calls regarding drainage issues at South Lakeshore Drive and Lakehurst Road. Ms. Willis advised she had not heard of anything but was meeting with Public Works the following afternoon and would look at it with them.

PLANNER'S REPORT:

Mr. Ragan reported: 1. Reported that Dollar General is open. 2. The Dialysis Center is getting close to being open. 3. Family Dollar is getting their construction plans together. 4. Commented on the difficulty of getting new stores in town with the combination of the unfavorable economic factors over the last several years and not having a good landlord. Noted that Bottom Dollar wanted to come into town about 3 years ago, however Mr. Berardi would not make a deal with them. Mr. Ragan explained there are areas that may be considered more favorable than Browns Mills and they are not able to get tenants. 5. Attended a Chamber of Commerce meeting with the Mayor at Deborah Hospital involving the Joint Base and how they can create opportunities that will be beneficial to them and the surrounding town. 6. Met with the Pinelands staff and they are completing the final review on the changes to the plans around Browns Mills.

Councilwoman Scull asked what the status was of the Browns Mills Shopping Center. Mr. Ragan advised the developer that was chosen has backed out citing they needed more time and largely because they could not get tenants. Councilwoman Scull questioned if the problem was due to the way the property is zoned. Mr. Ragan advised that is not a deterrent because Council has the ability to change it and it would not hold up anyone that is knowledgeable about redevelopment.

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

Mr. Gonzalez reported: 1. Thanked Council for adopting the ordinance, noting the Mayor really feels the lakes are a part of the character of the town.

Councilwoman Stinney questioned how many active Public Works workers the Township currently has. Mr. Gonzalez advised he does not have the information off the top of his head but will get it to her. Council President Cartier noted he made a request for feedback from the Police Chief concerning issues raised by a resident at the last meeting, Mr. Klink. Mr. Gonzalez advised the Mayor did speak with the Chief and the Chief in turn communicated with Mr. Klink. Mr. Gonzalez noted he will get that information to the Clerk to pass along.

COUNCIL MEMBER COMMENTS:

Diane Stinney – Noted at the last meeting she commented on the placement of Public Comments on the agenda. Discussion ensued on the reason for the changes.

Councilwoman Trueblood noted it would be good to allow the residents to comment on the Professional's reports. Councilman Allen suggested it could be done on a case by case basis. It was noted more research would be done on it by the Clerk's office. Thanked everyone for coming out and is grateful we can work together.

Norm Trueblood – Noted she is looking forward to seeing everyone Saturday at Community Day and advised that Burlington County College would be having their 44th Commencement that day and there may be heavy traffic from 8am – 12 noon.

Sherry Scull - Advised that May 17th there will also be a fundraiser at Johnson's Farm for the Base Museum and there will be a presentation to the County Historian, Joe Loffler, who recently stepped down. Noted there will be a historic bus tour at Community Day starting at 11am. Reflected that one of the township's veterans passed this week, Thomas Calderone, explaining he endured three years in a prisoner of war camp, he was a wonderful man and an important part of the community. Commented on the Dollar General being open and always busy expressed she feels the town had a good year with the Dollar General opening and the Dialysis Center soon to open. She thinks the town could attract specialty doctors noting the town has a large customer base. Thanked Mr. Ragan for what he is doing and is disheartened that we lost the developer and wonders if there is something else the town could have done.

Jason Allen – Noted along with the Dollar General opening, a Wash and Dry Express opened up next to the Browns Mills Wawa. Thanked everyone for coming out.

Ken Cartier – Thanked everyone for coming out, wished Happy Birthday to all those with upcoming birthdays and wished all the Mothers a very Happy Mother's Day.

The meeting was adjourned at approximately 8:30 p.m.

Respectfully submitted by,

Amy P. Cosnoski, RMC, Township Clerk