

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
December 16, 2015
6:30 P.M.**

FLAG SALUTE

Council President Allen 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

Letha Jackson
Diane Stinney
Jack Tompkins
Norma Trueblood
Jason Allen

ABSENT

Also present: Mayor David A. Patriarca, Business Administrator Dennis Gonzalez, Solicitor Andrew Bayer and Deputy Township Clerk Sunshine Dashiell

CALL TO ORDER

Council President Allen called the meeting to order at 6:30 p.m.

MINUTES FILED BY CLERK

Regular Meeting, October 21, 2015; Regular Meeting, November 4, 2015; Regular Meeting, December 2, 2015.

Council President Allen advised the minutes would be voted on separately.

Motion by Jackson and Stinney to approve the Regular Meeting Minutes from the October 21, 2015 meeting. Jackson, yes; Stinney, yes; Tompkins, abstain; Trueblood, abstain; Allen, yes. Motion carried.

Motion by Trueblood and Jackson, who listened to the audio tapes, to approve Regular Meeting Minutes from the November 4, 2015 meeting. Trueblood, yes; Jackson, yes; Tompkins, abstain; Stinney, abstain; Allen, yes. Motion carried.

Motion by Tompkins and Trueblood to approve the Regular Meeting Minutes from the December 2, 2015 meeting. Tompkins, yes; Trueblood, yes; Jackson, yes; Stinney, yes; Allen, yes. Motion carried.

REPORTS AND COMMUNICATIONS FILED WITH THE CLERK

- a. Police Reports – October 2015
 - Overtime and Compensation
 - Service Calls
 - Productivity
 - Personnel and Attendance

Councilman Tompkins stated to Chief Jantas he thinks the amount of tickets given in October is very low and that Police can do better with traffic enforcement.

- b. Police Reports - November 2015
 - Productivity
- c. Public Works – November 19, 2015 - December 2, 2015
 - Buildings and Grounds
 - Fleet Status
 - Streets and Roads
 - Water Division
- d. Public Works - December 3, 2015 - December 9, 2015
 - Buildings & Grounds
 - Fleet Status
 - Streets & Roads
 - Water Division
- e. Planning/Zoning Board thru 12/10/2015
 - Board Applications
- f. Engineer's Report

Motion by Tompkins and Jackson to accept the Reports and Communication filed with the Clerk. Tompkins, yes; Jackson, yes; Trueblood, yes; Stinney, yes; Allen, abstain. Motion carried.

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

ORDINANCE 18-2015

**ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING
CHAPTER 132 OF THE CODE OF THE TOWNSHIP OF PEMBERTON,
ENTITLED 'NOISE'**

At this time Council President Allen opened the meeting for public comments. Seeing no residents wishing to be heard Council President Allen closed the meeting for comment.

Council President Allen asked Police Chief Jantas to come and advise Council on Ordinance 18-2015.

Chief Jantas stated that he, the Mayor and Mr. Gonzalez had met to discuss the current noise ordinance due to complaints they had been receiving and after discussion this ordinance was developed by the Solicitor which he supports. Councilwoman Stinney questioned the position of a Noise Control Officer and who controls that position. Chief Jantas explained the position noting it does not have to be a sworn officer, it can be a Enforcement officer. Advised on the equipment originally purchased, how it is used and the processes to maintain it. Noted the costly expense and time lost from work for training. Commented on the ability to utilize the Burlington County Health Department who have Noise Control Officers. Councilman Tompkins commented on the elderly having their TV turned up because they can't hear it and neighbors calling the police on them as it can be a nuisance. Chief Jantas stated that this is a case where for the benefit of one you are disturbing many and that there are items available to help such as headphones. Advised on resources that can help in that area. Councilman Tompkins noted his concerns over the use of snow blowers after dark and many people not getting off work until after 5pm or 6pm and at this time of year it gets dark by 5pm. Chief Jantas stated that the line has to be drawn somewhere and would more than likely come out for one incident but rather for a continuous issue. Mr. Bayer advised that the penalty provision is the standard provision and is State Law and the penalty is up to the discretion of the Municipal Court Judge. A discussion ensued on fines and penalties.

Councilman Tompkins questioned Council and if they were responsible for drafting ordinances. Mr. Bayer advised that it works both ways and stated there have been many that have come through Administration to Council and he works with Mr. Gonzalez and the Council. Noted that this ordinance came through the Police Department to Administration and that there is nothing torrid about it originating from Council or Administration. Council President Allen stated that Administration deals with day to day operations and is receiving information form the department heads with their input. Councilman Tompkins stated they are responsible for the legislation and writing of ordinances. Mr. Bayer advised they are responsible because they introduced it. Councilwoman Stinney stated that the point was well taken and something that she had not thought of.

Motion by Trueblood and Stinney to adopt ordinance 18-2015. Trueblood, yes; Stinney, yes; Tompkins, no; Jackson, yes; Allen, yes. Motion carried.

ORDINANCE 19-2015

**ORDINANCE OF THE TOWNSHIP OF PEMBERTON ESTABLISHING
THE RESIDENCY HIRING CRITERIA AND PREFERENCES FOR THE
SELECTION OF POLICE OFFICERS FOR EMPLOYMENT WITH THE
TOWNSHIP OF PEMBERTON**

At this time Council President Allen opened the meeting for public comments. Seeing no residents wishing to be heard Council President Allen closed the meeting for comment.

Council President Allen asked Chief Jantas to come and explain this ordinance to Council and the public. Chief Jantas stated that he does support this ordinance, noting he does enjoy having hometown people come and work where they live but they are struggling and finding it difficult to get good men and women from the list they have. Noted various scores for applicants and the difference between local residents, countywide and statewide. Advised on a current applicant he is interested in that lives outside of the town. Commented on talking to young people that are just not interested in working with the Police Department. Stated he does not feel this will discount our residents but force them to score better on the exam and open doors to more qualified applicants. It was noted that this does not exclude Township residents. Councilman Tompkins asked if when hired is there a requirement to become a resident. Chief Jantas stated no. Councilman Tompkins stated that even now after hire, they move out of town anyway. Chief Jantas noted that he and the Mayor always ask if they would consider moving into town during interviews, although it is not a requirement. It was noted approximately 7 current officers live in the town. Mayor Patriarca noted that applicants only have to be a resident of the town when they apply for the test, but can move before the test is even taken. Councilwoman Jackson asked if they can tell how many Township residents took the test. Chief Jantas said no but can see how many passed and where ranked by civil service. Councilwoman Stinney questioned how he handles negative comments and advised on one from Toms River. Chief Jantas stated every agency has its issues and tells applicants if they come here it is to learn how to be a good cop and that he wants hard workers. Noted they will surpass 26,000 calls this year and advised on different learning opportunities available to incoming new officers. Councilwoman Stinney advised on good things available in the town for the kids and people in general.

Motion by Tompkins and Jackson to adopt ordinance 19-2015. Tompkins, yes; Jackson, yes; Trueblood, yes; Stinney, yes; Allen, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE 20-2015

ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING THE OFFICIAL ZONING MAP TO REFLECT VARIOUS ZONING MAP ADJUSTMENTS TO IMPLEMENT THE MASTER PLAN REEXAMINATION REPORT ADOPTED SEPTEMBER 4, 2014

Council President Allen called Rick Ragan to come and explain this ordinance. Mr. Ragan explained that this meeting was not to discuss the substance of the map but of the process. Advised that this was started some time ago and that Adams, Rehmann and Heggan had done a new data map of all the tax map information and we were able to transfer the zoning map to a new database that is GIS and AutoCAD compatible. Noted that they then worked with Planning and the Pinelands and confirmed that the lines that were proposed in the Master Plan were consistent with the Pinelands Master Plan. Noted that from this point on, now that Pinelands has signed off on the map, after tonight's introduction, the map will go to the Planning Board for review and then back to Council in January for second reading and/or adoption and at that time will discuss one issue that will require a Council resolution because of a change of activity from the time of the Master Plan.

Motion by Trueblood and Jackson to introduce Ordinance 20-2015 with Public Hearing on January 20, 2015. Trueblood, yes; Jackson, yes; Tompkins, yes; Stinney, yes; Allen, yes. Motion carried.

Council President Allen asked if there were any items for Closed Session. Councilman Tompkins suggested attorney/client privilege as he had some questions about a letter received by Council. Mr. Gonzalez advised that Administration had no objections and the letter received regarding threatened litigation. Mr. Gonzalez also added that he would like to discuss the potential purchase of 214 Lakehurst Road. Councilwoman Stinney asked where Mr. Bayer stood as he represents both Council and Administration. Mr. Bayer advised he represents the Township and that it is threatened litigation. Councilwoman Stinney asked what happens if she has a question about Mr. Gonzalez or the Mayor. Mr. Bayer stated it is potential litigation against the Township of Pemberton and he is the Chief legal advisor and is comfortable advising on all of it and it is not a conflict. Noted that if there is litigation it is covered by the JIF or Legal Counsel. There was a consensus of Council to discuss in Closed Session.

Councilwoman Stinney asked to pull Resolution 292-2015. Councilman Tompkins asked to pull Resolutions 281-2015, 282-2015 and 285-2015. Councilwoman Jackson asked to pull Resolution 279-2015.

RESOLUTIONS

- 277-2015 Recognition of Dedication of Public Service by Scott Bogdanowicz.
- 278-2015 Recognition of Dedication of Public Service by Robert Shinn.
- 280-2015 Authorizes liens on certain private properties in violation of the Pemberton Township Property Maintenance ordinance.
- 283-2015 Authorizes a refund of property taxes on property qualifying for a Veterans Property Tax Exemption.
- 284-2015 Authorizes various routine refunds.
- 286-2015 Appoints Auditor.
- 287-2015 Authorizes purchase of a Life Insurance Policy from The Hartford for Township employees.
- 288-2015 Appoints Risk Management.
- 289-2015 Appoints Insurance Broker of Record.
- 290-2015 Consent of Council to Attorney's appointment.
- 291-2015 Consent of Council to appointment of Special Counsel Pool of Attorneys to provide various special legal services.
- 293-2015 Consent of Council to Prosecutor's appointment.
- 294-2015 Consent of Council to Public Defender's appointment.
- 295-2015 Consent of Council to Conflicts Judge appointment.
- 296-2015 Authorizes the award of a contract for the purchase of sodium chloride (Rock Salt) to Chemical Equipment Labs for two years in a total amount not to exceed \$139,000.

Motion by Tompkins and Jackson to approve all Resolutions with the exception of 292-2015, 281-2015, 282-2015, 285-2015, 279-2015 and 297-2015. Tompkins, yes; Jackson, yes; Trueblood, yes; Stinney, yes; Allen, yes. Motion carried.

OTHER RESOLUTIONS

- 279-2015 Rescinds Resolution 168-2015 adopted on July 15, 2015 which authorized acceptance of a Green Acres loan of \$350,000 and a grant of \$750,000 for the development of the West End Park.

Motion by Tompkins and Stinney to approve resolution 279-2015. Tompkins, yes; Stinney, yes; Trueblood, yes; Jackson, yes; Allen, abstain. Motion carried.

Council President Allen noted that the NJDEP is his employer and the last time he voted on this project it was under the Law of Necessity.

- 281-2015 Authorizes the Tax Collector to complete and application to participate in the Electronic Tax Sale Program.
- 282-2015 Authorizing an agreement with ROK Industries, Inc. D/B/A NJTAXLIENINVESTOR.COM for internet based electronic processing of bid information related to the auction sale of Pemberton Township's Tax Lien Certificates in CY2016.

Councilman Tompkins asked for the cost associated with this. Mr. Gonzalez stated it

is \$15.00 per line item and the major benefit being it increases the number of individuals and entities interested in purchasing the tax delinquencies. Noted that means more liens are purchased privately which increases the tax collection rate and will then hopefully allow us to decrease our reserve for uncollected taxes in the future. Mr. Gonzalez noted there is a financial benefit as they get paid the taxes right away. Councilman Tompkins asked if there was still advertising. Mr. Gonzalez noted the electronic process requires 3 publications as opposed to 2.

Motion by Tompkins and Jackson to approve resolutions 281-2015 and 282-2015. Tompkins, yes; Jackson, yes; Trueblood, yes; Stinney, yes; Allen, yes. Motion carried.

285-2015 Authorizes renewal of Plenary Retail Consumption License.

Councilman Tompkins questioned who was planning on putting a new establishment in. Council President Allen advised that the owner of the license is the Kudan Corporation and not Bobby D's. Discussion ensued on the status of the license.

Motion by Tompkins and Jackson to approve resolution 285-2015. Tompkins, yes; Jackson, yes; Stinney, yes; Trueblood, yes; Allen, yes. Motion carried.

292-2015 Consent of Council to Engineer's appointment.

Councilwoman Stinney stated that she wanted to comment on a woman who had passed away and wanted to see the dams completed in Country Lakes. Noted that the Engineer's did a wonderful job of informing the residents and that this company has had a great relationship with the community. Stated they have talked with the community and gotten involved with them. Councilwoman Stinney noted it would have been nice if he could have heard what the residents had to say about the fantastic job they have done.

Motion by Stinney and Tompkins to approve resolution 292-2015. Stinney, yes; Tompkins, yes; Jackson, yes; Trueblood, yes; Allen, yes. Motion carried.

297-2015 Authorizes Council to go into Closed Session

Council President Allen advised that they would be going into closed session to discuss potential litigation and the potential purchase of 214 Lakehurst Road.

Motion by Jackson and Trueblood to approve resolution 297-2015. Jackson, yes; Trueblood, yes; Stinney, yes; Tompkins, yes; Allen, yes. Motion carried.

Council President Allen recessed the open meeting at approximately 7:23 p.m. to go into Closed Session and reconvened the open meeting at approximately 8:02 p.m.

Council President Allen advised that there would be action pursuant to closed session.

298-2015 Authorizing the execution of a contract for the purchase of 214 Lakehurst Road.

Mr. Bayer noted this was subject to ultimately adoption of an ordinance and subject to availability of funds. Stated that this basically authorizes the Mayor and Administrator to negotiate for the potential acquisition and investigation of this property. It was noted that you can only acquire property as a municipality by the adoption of an ordinance. Councilwoman Stinney asked if it could be noted where 214 Lakehurst Road is located. Mayor Patriarca noted it is the old Browns Mills Supply at the corner of Lakehurst Road and Junction Road. Mr. Bayer noted that this is in the redevelopment area and Council has many powers under the local redevelopment and housing law to potentially redevelop this property.

Motion by Trueblood and Jackson to add resolution 298-2015. Trueblood, yes; Jackson, yes; Tompkins, no; Stinney, yes; Allen, yes. Motion carried.

Motion by Trueblood and Jackson to approve resolution 298-2015. Trueblood, yes; Jackson, yes; Tompkins, no; Stinney, yes; Allen, yes. Motion carried.

UNFINISHED BUSINESS

a. Review and discussion of Council By-Laws.

Council President Allen explained the format of the meetings that have recently been changed due to the bylaws that were introduced in 1991. Councilwoman Stinney stated that under the old format in 2007, they had put the comments in the beginning as some residents couldn't stay long at the meetings. Stated the public's comments are important to her and helps her in her decision making. Asked Council to consider implementing a 5 minute time limit per person for their comments. Noted that people want to comment on Resolutions and other items and hopes Council will consider moving comments to the beginning. Council President Allen stated that to piggy back on her comments his thought was to have Mr. Bayer insert language into the bylaws which would allow them to shift the order of the meeting around to include moving closed session and the public comments to the beginning of the meetings. Mr. Bayer advised that this was legal and stated they could set an agenda as they liked. Councilman Tompkins stated he liked having public comments twice as the first one was only for the consent agenda. Councilwoman Stinney stated that there should still be a time limit. Councilman Tompkins noted that Mr. Prickett had implemented this when he was on Council in 2007. Council President Allen noted that by law they are only required to have one public comment section. Asked if they moved the public comments to the beginning could it be for the public to comment on the entire agenda and not just the consent agenda. Mr. Bayer noted they could and that there are always public comments on ordinances as well. Noted that the only thing that the Open Public Meetings Act requires is that there is a section of the meeting open to the public for comments on anything and any matter and that Council can impose a time limitation. Councilwoman Stinney stated then let them have their comments in the beginning on anything and noted there is information for the public on the website. Mr. Gonzalez noted that the agenda is put on the website at the discretion of the Township Clerk. Councilman Tompkins stated that there may be information that Council is unaware of and the public is and he values their information. All of Council agreed that they also value the public's comments. Councilman Tompkins stated he likes moving Closed Session up. Council President Allen stated the verbiage he wanted Mr. Bayer to insert would allow the Council President to adjust the meeting as necessary. Councilwoman Jackson stated that she thinks a 3 minute time limit should be implemented and also thinks they should discuss the amount of times people can come to the microphone, and questioned how it was done at the School Board meetings. Councilwoman Stinney stated the School Board allows one trip to the microphone and that there are several people reiterating the same thing. Councilwoman Jackson stated that only allowing the public to come up once does not diminish the fact that Council values their comments. Mr. Bayer expressed that what Councilwoman Jackson was referencing was the same person coming up multiple times to the microphone. Councilwoman Jackson stated that speaking for 5 minutes is a long time. Council President Allen asked what Councilwoman Jackson was suggesting. Councilwoman Jackson stated she suggests a 3 minute time limit, 1 time to the microphone and the comments at the beginning. Councilman Tompkins stated he could tie up someone's 3 minutes with his questions. Councilwoman Jackson stated it is a comment section not question. Council President Allen stated to then let the person finish their 3 minutes first. Council President Allen stated he has contacted several municipalities over the last few weeks and most said they had public comments at the beginning and people only came up once unless specified by the Council President to come up again. Noted that if this was how they were going it would not be new. Mr. Bayer questioned the consensus to give flexibility to the Council President to make these adjustments or did Council want to adjust the order. Council agreed to adjust it and then give the Council President the ability as well. Council President Allen asked Councilman Tompkins what he meant by adjusting it. Councilman Tompkins stated yes and no noting that the one thing he does like on the new agenda is the reports section and thinks it should stay. Mr. Bayer confirmed that Councilman Tompkins is okay with the previous agenda with the addition of the reports section. Councilman Tompkins said yes. Mr. Bayer agreed he could insert the language to adjust based on Council President for that year and noted these adjustments would need to be made by Resolution. Mr. Bayer noted he would have the proposed amendments for the January meeting. Council President Allen asked Council for their consensus. Council consensus was to have the comments limited to 3 minutes. Mr. Bayer noted that the Council President will have the ability to let someone finish making their point if they go over. Councilwoman Stinney clarified that it will be 3 minutes for 1 public comment for the whole agenda at the beginning of the meeting. Mr. Bayer will bring in January.

NEW BUSINESS

a. 2015 Annual License Renewals:

*Trailer Park Licenses: Pine View Terrace

Hilltop Mobile Village
Lakeshore Mobile Village

Motion by Jackson and Stinney to renew all Trailer Park yearly licenses. Jackson, yes; Stinney, yes; Trueblood, yes; Tompkins, yes; Allen, yes. Motion carried.

b. Purchases over \$2,000

1. Public Works – for the purchase of K3068-1 240 volt Lincoln Power Mig 256 from Clydesdale Welding Supply in the total amount of \$2,430.00.

Motion by Trueblood and Tompkins to approve the purchase of a K3068-1 240 volt Lincoln Power Mig 256. Trueblood, yes; Tompkins, yes; Jackson, yes; Stinney, yes; Allen, yes. Motion carried.

Councilwoman Stinney called a point of order and asked about the bill that Council was being asked to authorize had been placed on the agenda. Councilman Tompkins stated it was as item #3.

2. Tax Collector - for the purchase of envelopes, bills and delinquent notices from Wilson Web Services in the total amount of \$2,998.00.

Motion by Stinney and Trueblood to approve the purchase of envelopes, bills and delinquent notices. Stinney, yes; Trueblood, yes; Tompkins, yes; Jackson, yes; Allen, yes. Motion carried.

3. Public Works - for the purchase of removal and disposal of asbestos materials at 34 & 50 Juliustown Road, from EPC Technologies, Inc. in the total amount of \$12,000.00.

Councilman Tompkins questioned if this was standard. Mr. Gonzalez advised that they get paid upon completion of the work and if the work takes longer they are willing to do interim payments. A discussion ensued on the process. It was noted that the money will come from the UEZ funds. Mr. Gonzalez stated that this was for 2 of the 3 properties they had acquired and is the last remaining action needed prior to authorizing demolition. A discussion ensued on purchased property and surrounding properties.

Motion by Tompkins and Jackson to approve the purchase of removal and disposal of asbestos materials. Tompkins, yes; Jackson, yes; Stinney, no; Trueblood, yes; Allen, yes. Motion carried.

c. Social Affair Permit Application (one day liquor license)

1. American Legion Eden Stanley Post 294, for a Valentine's Dinner/Dance, to be held at the American Legion, at 39 Fort Dix Road, Pemberton, New Jersey, on Sunday, February 14, 2016 from 3:00 p.m. until 11:59 p.m.

Motion by Trueblood and Jackson to approve the American Legion Social Affair Permit. Trueblood, yes; Jackson, yes; Tompkins, yes; Stinney, abstain; Allen, yes. Motion carried.

d. Discussion of Reorganization Meeting date.

Council agreed to hold the Reorganization and Regular Meetings together as one meeting on January 6, 2015 at 6:30 p.m.

e. Discussion of West End Park Project.

Council President Allen recused himself and deferred the chair to Councilwoman Trueblood as he works for the DEP. Councilwoman Trueblood asked Mr. Gonzalez to review this for Council. Mr. Gonzalez gave a brief synopsis of the potential resolution and the need for the change due to conflicting language from the original resolution regarding the Township match or no cash match. Mr. Gonzalez advised on the original resolution adopted and the changes that are now being requested. Noted that he had received a letter from Governor Christie indicating they had been awarded \$1.1 million dollars but did not

indicate there was a cash match or additional cash contribution from the township and he confirmed that with the Director of Recreation. Noted that subsequent to that they prepared a resolution to accept the \$1.1 million dollars under the terms that were provided to us of \$750,000 grant and a \$350,000 no interest loan which was brought to Council and approved. Noted they then received the agreements from Green Acres asking them to do 2 things including signing and then adopting a resolution using their format. Stated this was the first reason they needed to rescind the original resolution. Stated that the second reason is because the position Green Acres took when they sent the document was different than our understanding from Green Acres and the award sent by Governor Christie and different than what was represented to Council and the Public for the first resolution. Stated they had since had discussion with Green Acres regarding them adding an additional \$400,000 from the Township to complete the \$1.5 million dollar project in full. Mr., Gonzalez explained the options Green Acres provided and their new terms including a \$550,000 grant and a \$550,000 no interest loan. Stated that the difference between the two is the \$200,000 and we will be borrowing \$550,000 instead of \$750,000 under the first option. Administration wanted to share all of this with Council so they could make a new consideration as to the term that Administration learned about after they came to Council previously. Noted that Administration had prepared 2 resolutions for Council and advised on what they were and the options available. Councilwoman Stinney questioned restructuring. Mr. Gonzalez advised that is one of the options. Councilman Tompkins questioned the ability to obtain the Burlington County College fields since they are closing and moving on. Mayor Patriarca advised he did not think this would meet the needs of our program or the intention in purchasing the property they purchased for redevelopment. Stated he did not think he would personally support the township acquiring any large parcels with the College at this point. Noted that he is a part of a potential committee regarding the college, but has not been formed and that may not be the best use for repurposing that property. Councilman Tompkins stated he is looking at us losing the facility and the financial benefits they will lose. Mayor Patriarca stated that he feels they should be looking to repurpose that property to create jobs and opportunities. It was noted all are unsure what will be left of the buildings at the college and that a study is needed. Councilman Tompkins stated he is not in favor of this resolution. A discussion ensued on various items money has been spent on and the return on the investment. Mr. Bayer asked how the project would be paired down with the cost change. Mayor Patriarca said they are not there yet but the Engineer's are looking into but want to maintain as much as possible. Councilwoman Stinney stated she supported this wholeheartedly and still does. Councilwoman Trueblood stated she does not want to see the project go away. Councilwoman Jackson agreed she is still for it. It was noted that action was needed at this meeting as required by Green Acres. Mayor Patriarca stated that this was their only opportunity to get back to them and how they wanted to proceed. Councilwoman Jackson stated if she has to vote it will be for the 50/50 option and cut some things. Councilwoman Trueblood agreed. Mayor Patriarca stated as soon as the revised plans are received, should Council vote for this, they will forward them to Council. Mr., Gonzalez advised they could potentially use alternate bids for things they may not be able to get done in the original project. Councilman Tompkins questioned if this required 4 yes votes for passage. Mr. Bayer advised it did not because they are not bonding. Advised that there are 2 resolutions and the second is the 50/50.

299-2015 State of New Jersey Department of Environmental Protection Green Acres Program Enabling Resolution.

Motion by Jackson and Stinney to add resolution 299-2015 to the agenda. Jackson, yes; Stinney, yes; Tompkins, no; Trueblood, yes; Allen, abstain. Motion carried.

Motion by Jackson and Stinney to approve resolution 299-2015. Jackson, yes; Stinney, yes; Tompkins, no; Allen, abstain; Trueblood, yes. Motion carried.

Councilwoman Trueblood returned the chair to Council President Allen.

APPROVAL OF VOUCHERS

Approval by Council required for payment of vouchers on bill list dated 12/11/2015.

Councilman Tompkins questioned the EMS litigation costs. Mr. Bayer advised that this was for the EMS Squads and he had successfully defended the claim that the Browns Mills Emergency Squad had made against the Township. Mr. Bayer further noted that the only remaining item left in the case is the repeal of the decision on whether Browns Mills EMS is required to deed their property to the Township since it was no longer providing services to the Township. Councilman Tompkins asked if this would be going further. Mr. Bayer advised it would be as they are pursuing an appeal of the judge's denial. Councilman

Tompkins asked why we couldn't just purchase the property. Mr. Bayer advised that is a closed session discussion. Councilman Tompkins questioned page 8 and the purchase of a strobe light for Public Works. Mr. Gonzalez advised that we own Fire and EMS vehicles and Public Works will purchase items when they need to be replaced.

Motion by Trueblood and Tompkins to approve all vouchers. Trueblood, yes; Tompkins, yes; Jackson, yes; Stinney, yes; Allen, yes. Motion carried.

ENGINEER'S REPORT: Done at the beginning of the meeting.

SOLICITOR'S REPORT:

Mr. Bayer reported: No report for the public. Thanked Council for his reappointment to the position of Township Solicitor. Thanked the Council, Administrator and the Mayor for 10 years and thanked all for their support.

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

Mayor Patriarca reported: Complimented Recreation on the Winter Festival and the great job they did. Stated that they along with the Police and Public Works do a fabulous job. Commented that he wished there was more participation in these events. Noted he has heard there is nothing to do in this town but they actually provide a lot if people would participate. Noted a report he had gotten from the Chief regarding the Virtua EMS crews responding successfully to 3 cardiac arrest events in one day. Reported that the paving crew is still out paving. Commented that he believed Scammell was done and today Hargrove may have been done. Stated he is not sure what is left on the paving schedule for this year, but believes they are getting ready to shift gears and do some drainage projects while the weather is still good. Commented that at the last meeting he was not here and was disturbed by the comments made by Mr. Shaw. Noted some comments that Mr. Shaw had made regarding the Christmas tree being sold and how he was allegedly treated by Paula Kosko. Stated he has looked into this and has been unable to determine if there was inappropriate behavior made. Believes that Ms. Kosko may have been a little over excited that this had occurred, but he knows her well and she is very professional. Stated that this may have been Mr. Shaw's opinion and he is entitled. Continued with comments made by Mr. Shaw regarding the potential negotiation of the purchase of the tree with the Township and Mr. Shaw's feelings mentioned at the previous meeting. Noted that he and his wife stopped going to the Lion's Club because it became too political. Stated he made the decision not to allow them to participate in the Winter Festival because they were not nice to the town and advised that if someone wanted the real facts they could contact him. Councilwoman Stinney advised Mayor Patriarca of a resident that was thankful for the paving of Scammell Drive. Mayor Patriarca noted that the Country Lakes Dams are now open and completed with some striping that still needs to be done. Noted Public Works will be addressing one location on Dam #1 that needs wooden rails. Council President Allen asked why this was not in the contract. Mayor Patriarca stated it was not part of the contract and would have cost 3 times as much for a contractor to do if they added it.

INVITATION FOR PUBLIC COMMENTS

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

Glen Malpetta, Presidential Lakes - 1. Stated that there has been no mention of the Presidential Lakes Firehouse on any agendas. Commented that he sees that we are spending money on Lakehurst and Juliustown Roads and feels these are taking precedence over the firehouse. Mayor Patriarca explained that the building has been looked at and does require a new roof which they have priced at approximately \$150,000 to \$200,000. Stated they are looking at other options including replacing the building which can potentially be done for less than the cost of a new roof. Noted he is waiting on an estimate on this option that should be here by this week. Stated they would not be putting anything in the building until it was able to secure the equipment. Stated that the funding source for the other projects is the UEZ fund and the firehouse will require bonding. Mr. Malpetta asked if there was a timeframe as it seems to not be of urgency. Mayor Patriarca stated that there is urgency and he is in constant contact with the Engineers. Mr. Malpetta stated he doesn't understand why a roof costs more than a building. Mayor Patriarca stated that the building is not good and you can see outside from inside. Noted he would love to have it on the agenda for tonight but the government moves slow and although it is not an excuse, there is not much he can do. A discussion on fire protection ensued.

Terry Maldonado, Browns Mills - 1. Questioned the by-laws and coming up one time to the microphone. Asked what happens when she comes as both a resident and a liaison for the school. Council President Allen stated it depends on the situation and stated that there have been people who have spoken in excess of 20 minutes. Councilman Tompkins stated there would be some flexibility. **2.** Asked if they could get lights on the football field by the Nesbitt Center for the Pee Wee Football. Council President Allen asked Administration to research. **3.** Thanked all for Scammell Drive getting paved. **4.** Asked if the Township owns JC's Market. It was noted they do not. Ms. Maldonado stated there is a pothole that needs to be addressed. **5.** Stated that on December 17th, at 7pm at the auditorium, will be the Winter Band Choir. On December 18th, the Helen Fort/Newton Middle School will be hosting its third annual talent show, doors open at 6pm and the show starts at 6:30pm. Noted there is a \$6 admission and \$8 at the door. Noted that the Pemberton Players will be presenting 'Mary Poppins' on January 5th and 6th from 7:30pm to 10:00pm and on January 7th at 2:00pm. *(Note: Ms. Maldonado contacted the Clerk's office after the meeting and corrected the dates of the play to be February 5th, 6th and 7th.)*

America Phillips, Presidential Lakes - 1. Stated that as a taxpayer she struggles coming to these meetings but she is always here. Noted that she is not going to come all the way here and waste her gas for a 3 minute time limit. Stated that Council is elected by the people and they need to listen to their concerns, good or bad. **2.** Stated that she thinks the Mayor and the Business Administrator have been intimidated by the banks and the stock brokers over the vacant and dilapidated homes. Stated there are 4 empty houses on her road alone and all the leaves are on her property. **3.** Stated that Presidential Lakes has fire protection when the fire company can arrive but they are paying taxes and there firehouse is closed. Stated there should be plenty of tax money collected to fix the building. Stated it is not right to blame the firefighters as it is not their fault. Commented that they have been lucky that no one has died. Suggested that there are 3 people that run the show, the Mayor, the Business Administrator and the Lawyer. Wished everyone a Merry Christmas.

Sherry Scull, Country Lakes - 1. Congratulated Mr. Bayer on his reappointment and thinks the reappointments happening tonight are good. **2.** Was concerned when she saw the asbestos removal and asked if this was being done by Public Works. Council President Allen noted a company was contracted to perform the services. Ms. Scull noted that she was concerned over the dangers and not having the appropriate equipment. Councilman Tompkins stated the company is State certified and follows State guidelines and noted some of the items they are removing. A discussion ensued on the dangers with asbestos removal. **3.** Wanted to recognize Scott Bogdanowicz and Robert Shinn. Noted they are both Pemberton High School graduates and long time Police officers in the community. Stated she hates to see good people go but she understands as retirement does have its benefits. Wished everyone a Merry Christmas.

Loretta Bader, Browns Mills - 1. Wished everyone a Merry Christmas. Noted that on December 19th there was going to be a Christmas Santa at the Presidential Lakes Church from 1pm to 3pm for anyone who would like to bring their kids. Noted there will be pictures with Santa and cookies. **2.** Asked if there was anything that could be done to get the kids something in Presidential Lakes. **3.** Asked if the Township or the Schools could get reflectors for the kids and adult bikers. Stated there are no sidewalks or lights and she is concerned about someone getting hit. Councilwoman Stinney suggested contacting the Sheriff's department. Ms. Bader stated she had and was advised it is a Township issue. Councilwoman Stinney stated that it goes through her when people say there is nothing for the kids. Councilwoman Stinney advised she raised 3 children here and has been here 38 years. Stated they had put in a nice teen club down at the BMIA building years ago and had to close it for lack of membership. Stated she feels the parents need to come forward and chip in and make the sacrifice to get there kids out there. Noted that she is not blaming the parents and understands some parents have no transportation or get home late but could contact the school or network with other parents to find transportation or the kids. Noted that the kids don't have helmets on either and whose problem is that. Ms. Bader stated the kids are asking for a bike park or a skate park. Noted that even the businesses are complaining. Commented on leaving the library and there being 6 kids out there on bikes. A discussion ensued on the lack of things for kids to do and the feeling of segregation. Stated the kids should not have to be in by 6pm. Council President Allen stated he was in when the street lights came on. Questioned the possibility of getting lights donated. Mayor Patriarca stated that all of this sounds good but that you have to get the kids to wear the reflectors and the parents often don't know where the kids are at night. Asked how far government has to go to continue to provide and where does it stop. Agreed with Councilwoman Stinney's comment as to the kids wearing helmets. Stated you cannot expect government to do everything for you, but instead should be looking to make they do what they are supposed

to do for you. You can keep wanting and wanting but you better expect to pay, because the more you want the more your gonna pay. Council President Allen suggested looking into getting donations. A discussion ensued on different ways and ideas to obtain the reflectors. Noted he will spearhead a bike reflector drive. Councilman Tompkins suggested registering bicycles and providing a reflector at that time.

Seeing no other residents wishing to be heard, Council President Allen closed the meeting to the public.

COMMENTS BY COUNCIL MEMBERS:

Councilwoman Stinney - Wanted to thank everyone for their patience, love, visits and calls. Stated she missed everyone and hopes all will work out with the soccer fields so the kids can go there. Stated she is willing to work with Administration and Council to help the kids. Wished everyone a Merry Christmas and a Happy New Year.

Councilwoman Trueblood - Thanked all for coming out and wished all a Merry Christmas.

Councilman Tompkins - Noted that he has heard about volunteers responding recklessly to calls and would hate to see them or someone else get hurt. Mr. Gonzalez advised he would share this with Chief Augustoni and noted that responders are to obey the speed limit laws when responding. Asked where they are with getting more ambulances. Mr. Gonzalez advised that Virtua has engaged our volunteer fire company and are in the process of negotiating a way for the volunteer fire company to do a joint venture with them for an additional ambulance during the day and will have to find a way to compensate the volunteers. Councilman Tompkins stated that he has a problem with that because you are either a volunteer or a paid fireman. Mr. Gonzalez stated that if they would have to decide what was more important. Councilman Tompkins noted he had come in during the week and saw a Police officer loading his gear from his personal vehicle to his police vehicle and that concerned him. Noted he wished they had a better facility to do this in. Mr. Gonzalez advised that there are 2 locker rooms that they are allowed to use and if someone is doing that outside before their shift, they are choosing to do so. Councilman Tompkins asked if he could be escorted by the Mayor or Mr. Gonzalez to see the locker rooms. Mr. Gonzalez stated he could. Councilman Tompkins questioned the light at the library and a way to have it adjusted. Mayor Patriarca stated he will look at it and spoke to the gentleman. Councilman Tompkins also commented on looking at the 8 lights on Trenton Road. Councilman Tompkins stated he knows they are supposed to receive a list of real property from Administration and if anyone receives it he asks they send it to him also. Encouraged everyone to think about volunteering. Advised residents to put their addresses on their recycling containers in case they get lost. Noted his New Year's resolutions are for speed humps, more officers, capital improvements for roads in the annual budget instead of borrowing money, police locker rooms, limit litigation initiated by the Township, and monthly town hall meetings on a Saturday afternoon, with no agenda, just to listen to what the residents have to say. Mr. Bayer noted that if there was a quorum and public business was discussed you would have to advertise 48 hours before. Wished everyone a Happy and Safe New Year and Christmas and thanked all for coming out.

Councilwoman Jackson - Stated the Winter Festival was awesome and her and her granddaughter had a lovely time. Stated she was glad to see Councilwoman Stinney back healthy and strong. Wished everyone a safe trip home, a Merry Christmas and a Happy New Year.

Council President Allen - Welcomes Councilwoman Stinney back. Wished everyone a Merry Christmas and a blessed New Year.

CLOSED SESSION AND FORMAL ACTION PURSUANT TO CLOSED SESSION

Held at the beginning of the meeting.

The meeting was adjourned at approximately 9:59 p.m.

Respectfully submitted by,

Sunshine Dashiell

Sunshine Dashiell, Deputy Township Clerk