

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
February 4, 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

Norma Trueblood
Diane Stinney
Sherry Scull
Letha Jackson
Jason Allen

ABSENT

Also present: Mayor David Patriarca, Business Administrator Dennis Gonzalez, Solicitor Andrew Bayer, Engineer William England, and Township Clerk Amy P. Cosnoski.

CALL TO ORDER

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

CLOSED SESSION

Resolution 55-2015 Authorizes Council to go into Closed Session.
Employee Grievance - PBA
Attorney Client Privilege (*added at meeting*)

Motion by Stinney and Scull to amend Closed Session for Attorney Client Privilege. Stinney, yes; Scull, yes; Jackson, yes; Trueblood, yes; Allen, yes. Motion carried.

Motion by Scull and Stinney to approve Resolution 55-2015 as amended. Scull, yes; Stinney, yes; Trueblood, yes; Jackson, yes; Allen, yes. Motion carried.

Council President Allen advised that there would be no formal action pursuant to Closed Session at this time.

Councilwoman Stinney stated for the record to explain she had one question she wanted to bring before the Council with the attorney regarding the voting process so they were all on the same page and there was no other motives for requesting the time in closed session.

(Reference Note: Closed Session minutes are transcribed and filed separately and considered part of these minutes)

Consent Agenda: All items listed with an asterisk (*) are considered to be routine by the Township Council and will be 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 Allen opened the meeting to the public for comments on the Consent Agenda.

Jack Tompkins, Pemberton - 1. Questioned if the Consent Agenda material could be put online prior to the meeting so he may be able to answer some of his own question by being able to review it. Solicitor Bayer explained that it has been an ongoing discussion over the years and the legal issue is resolutions prior to being adopted are considered drafts and therefore technically not public documents. Mr. Tompkins stated it is still a working document so he is not sure why it couldn't be put out there to answer some questions. Mr. Bayer stated that is a fair point but he is explaining the underlying issue. **2.** Questioned Resolution 56-2015 for St. Ann's Carnival and whether this was done every year or if this is new. Township Clerk, Amy Cosnoski advised that

this has been done for the last 5-6 years at least. Mr. Tompkins stated that he knows the carnival is out there but was unaware of the process and asked if part of this covers insurance liabilities. Ms. Cosnoski advised that because the property is still part of the County property, there is an agreement that is done between the County, the Church and Pemberton Township that included insurance requirements.

Anne Quinn, Pemberton - 1. Questioned Resolution 58-2015 for the re-appointment of Judge Schimberg and asked if the Municipal Court Judge is paid by Pemberton Township or under the Superior Court. Mr. Bayer advised they are paid by the Township. Ms. Quinn asked if the contract was for a year. Mr. Bayer explained that under State Law a Municipal Court Judge is appointed for 3 years. Ms. Quinn questioned what the Judge's salary was and it was noted it is between \$30,000 or \$50,000, but it is a matter of public record and Mayor Patriarca advised she could view the budget documents on the website and see the salary.

Rick Prickett, Pemberton – 1. Stated Mr. Tompkins is looking for is more detail on the Consent Agenda items. **2.** Questioned Resolution 59-2015 regarding the County Library contract, noting in the past the Township covered the maintenance of the building and the County covered he staffing and books and questioned if this is still true and questioned if there are other items in the agreement at this time. Council President Allen advised that as far as he is aware the agreement is exactly the same. Mr. Gonzalez noted the provision of services are the same as they have been and have not changed. Mr. Prickett asked if the Township had liability insurance on the library or if it was divided up between the County and the Township. Mr. Gonzalez advised that under the agreement the Township is responsible for the liability insurance. **3.** Questioned Resolution 61-2015 and asked if someone could read it and if copies would be forwarded to the Police Department. Mr. Bayer stated it could be pulled and read. Councilwoman Stinney stated she would be pulling this resolution. Mr. Prickett questioned if the resolution would be forwarded to the different entities by the Township Clerk as it has been done in the past. **4.** Questioned Resolution 56-2015 and asked if the amount of police officers required for this event was being negotiated or is part of this agreement. Mayor Patriarca noted it is not in the agreement however it is something discussed between the Police Chief and St. Ann's Church. Mayor Patriarca noted that if Mr. Prickett is talking about a recent ordinance that was done elsewhere that required a certain number of officers for an event and he believes there is a question as to the legality of mandating a certain number of officers and believes that is the responsibility of the Police Chief to determine based on the event. Mr. Gonzalez added that he was involved in a similar case years ago and it was noted that the town can require security but the number of officers had to be reasonably related to the nature of the event. Mr. Prickett commented that he felt at the very least it would be addressed in the agreement and Mr. Gonzalez reiterated that it is addressed in the application process as this goes to the Police Chief.

Anne Quinn, Country Lakes - 1. Asked for clarification on Resolution 59-2015 and if the liability insurance held by the Township for the Library covers the structure only and not the contents or the people in it. Mr. Bayer read the agreement and stated that if there were an accident on the property the Township would be responsible. Ms. Quinn asked if the Library was considered to be the Pemberton Township Library or a branch of the County Library. Mayor Patriarca clarified that the library is a branch of the County Library System but the building belongs to the Township and the agreement allows Burlington County to operate within that building and supply all of the books and equipment. Mayor Patriarca noted that the maintenance and insurance are the responsibility of the Township and stated that he has asked many times for the County to put the building in there name and return it when they are done with it so they would be responsible for the maintenance as the maintenance is expensive, but it is one of the most used buildings in the Township. Ms. Quinn questioned if the County pays the Township rent for the use of the building. Mayor Patriarca advised that their contribution to that site is they provide the employees and material to support that system which would be their rent. Stated that the biggest expense has been the maintenance since it was built. Ms. Quinn asked who built the building. Mayor Patriarca

advised it was built by the former Administration many years ago and there have been many issues with the building but they stay on top of it because it is a valued building in the town. Ms. Quinn commented that the maintenance expenses far exceeded the County contribution, noting that the library is an important function of the town but if it is bleeding the Township because of the problems it is not cost effective. Mayor Patriarca noted that we are under contract with the County so we are obligated to provide the building, explaining they have looked at different cost savings and will revisit this. Mayor Patriarca explained the County has offered to leave the site but he feels this will be a disservice to the residents of the town. Ms. Quinn stated she believes this is blackmail. Mayor Patriarca advised it is not blackmail as they have a contract and negotiated the contract and agreed and the County is only asking the Township to abide by it. Stated that at the end of the contract the Township holds the right to re-negotiate. Ms. Quinn stated that when they do look to re-negotiate that the balance is more even when it comes to the residents. Stated she has used the library as have many people she knows, but stated the residents cannot be at the bottom of the hill all of the time.

Terry Maldonado, Browns Mills - 1. Commented on Resolution 57-2015 and asked what the grant will consist of. Council President Allen noted the grant is for Alcoholism and Drug Abuse for the fiscal year of CY 2015, Municipal Alliance Grant. Council President Allen read the resolution aloud for residents. Ms. Maldonado asked how much would be the tax payer's portion. Council President Allen noted that it would be \$4,872.72. Ms. Maldonado asked if this is strictly for Township residents. Mr. Bayer said yes. Councilwoman Stinney asked if there was anything keeping her from giving Ms. Maldonado the copy of the resolution. Mr. Bayer said no she could give it to the resident after it was adopted. It was noted that this is an annual grant.

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

Councilwoman Stinney asked to pull Resolution 61-2015 from the Consent Agenda. Councilwoman Scull asked to pull PO 15-00271 from bill list page 15, for Capehart & Scatchard.

Council President Allen explained there was a resolution that needed to be added to the Consent Agenda at the request of Administration, explaining Resolution 62-2014 authorized the purchase of two police vehicles.

Motion by Scull and Jackson to add Resolution 62-2014 to the Consent Agenda. Scull, yes; Jackson, yes; Trueblood, yes; Stinney, yes; Allen, yes.
Motion carried

Councilwoman Stinney asked to pull Resolution 62-2015 from the Consent Agenda.

CONSENT AGENDA ITEMS

MINUTES FILED BY CLERK

Regular Meeting, January 21, 2015.

CONSENT AGENDA RESOLUTIONS

- | | |
|---------|--|
| 56-2015 | Authorizes Interlocal services agreement between St. Ann's Church, Burlington County, and Pemberton Township for their use of adjacent land for annual carnival and execution of agreement for same. |
| 57-2015 | Authorizes application to the Governor's Council on Alcoholism and Drug Abuse for the FY2016 Municipal Alliance Grant. |
| 58-2015 | Reappoints Charles Shimberg, Esq., as Judge of the Municipal Court of the Township of Pemberton. |
| 59-2015 | Authorizes the Library Branch Services Agreement with Burlington County. |
| 60-2015 | Authorizes refund of overpayment of property taxes on Block 82, Lot 33. |

61-2015 *This resolution pulled from Consent Agenda and considered later in the meeting.*

62-2015 *This resolution pulled from Consent Agenda and considered later in the meeting.*

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 1/30/2015

Motion by Stinney and Jackson to approve the Consent Agenda as amended. Stinney, yes; Jackson, yes; Scull, yes; Trueblood, yes; Allen, yes. Motion carried.

OTHER RESOLUTIONS

61-2015 Supporting, recognizing and honoring the service of Law Enforcement Officers. *Pulled from the Consent Agenda*

Councilwoman Stinney wanted to read this Resolution and also asked Council if they would accept another document that she is reading to be attached to this resolution. Councilwoman Stinney read Resolution 61-2015, in its entirety, into record.

Councilwoman Stinney read the following statement that she had prepared. "Appreciate our men in blue, I want you to know that I see you. I see you choose you the booth in the restaurant that allows you to have your back against the wall. I see you walking to your next traffic stop while you hope that isn't your last. I see you pulled over past your shift as you finish your reports under a street light. I see you direct traffic in the scorching heat, the gusting snow, and the downpour rain. I see you being filmed every time you try to do your job. I see you as you watch mainstream media crucify your character while minimizing your cause. I see you are tired. I see that you are frustrated and misunderstood. I see that you are hurting as the world watches you bury your brothers and sisters that died because they were guilty of one thing, wearing a uniform with a badge. I see you. I see that you are flesh and bones just like me. I see that you are a human being who has a heart that beats for your calling to serve and protect. I see your cause and I want you to know that I appreciate it".

Councilwoman Stinney asked Council President Allen if this could be added to the resolution. It was a consensus of Council that Councilwoman Stinney's statement would be sent to the Police Department along with the resolution but would not be added to the resolution. Councilwoman Stinney was in agreement and thanked Council.

Motion by Stinney and Scull to approve Resolution 61-2015. Stinney, yes; Scull, yes; Jackson, yes; Trueblood, yes; Allen, yes. Motion carried.

62-2015 Authorizing the purchase of two new 2015 Ford Police Interceptors with related options from Cherry Hill Winner ford under State Contract #82925 in the amount of \$75,516.00. *Pulled from the Consent Agenda.*

Councilwoman Stinney read the title of Resolution 62-2015 for the residents and noted that in every budget Council sets aside money for 2 vehicles and asked if these would be in addition to the 2 in the budget and would this give them 4 for the year. Mr. Gonzalez stated that was not the case, these would be the 2 in the budget. Councilwoman Stinney asked if there was an emergency to do this now. Mr. Gonzalez advised that the order must be placed by February 12th to get the State Contract price and if they do not the cost will go up between \$4,000 to \$8,000. Councilwoman Stinney asked if this could go out to bid. Mr. Gonzalez explained you can always go out to bid but the State Contract process has already done that and they have a larger purchasing volume so it would be unlikely we could get a better price just for 2 vehicles. Councilwoman Stinney asked about the need to replace them ASAP and asked if the money has already been placed in the budget. Mr. Gonzalez explained that the authorization is contingent upon the adoption of the budget as the CFO cannot certify the existence of funds until the budget is adopted, and noted that this will allow the Chief to place the order for the vehicles and by the time they need to be paid for there will be an adopted budget. Mr.

Gonzalez advised that they put money in the other expense section of the budget for the Police for a couple of vehicles. Councilwoman Stinney asked Council to entertain opening this item up for Public Comments.

Council President Allen opened the meeting to the public for discussion on Resolution 62-2015.

Anne Quinn, Country Lakes - Asked for clarification on what would happen in the event that this particular line item was not approved and the order had to be cancelled. Mayor Patriarca stated that they could cancel the order with no repercussions. Ms. Quinn asked how much above the \$75, 516.00 would it cost the Township to equip these police cars. Mayor Patriarca noted other than an approximately \$300.00 lettering cost, every thing else is included in the purchase price.

Jack Tompkins, Pemberton - Stated that as a homeowner and someone who manages finances and tries to keep things afloat he normally doesn't spend money until he knows he has it in the bank but tonight we are approving spending money before we know that it is actually going to be approved in the budget. Stated he has seen this several times in this Township that they hurry and act on something because it is thrown in front of us and if they don't act on it then they will lose out. Stated he would rather do this fiscally sound instead of spending money they don't have in the budget right now. Commented on the Mayor's comment about no cancellation fees if an order is cancelled through the State contract. Mayor Patriarca stated he has not signed any contract that says the Township would be responsible for any fees if an order is canceled. Mr. Tompkins stated the Mayor is not the one placing the order but rather the Chief. Mayor Patriarca noted that the Chief puts his request through the Mayor's office and he then signs off on them before they get paid. Mayor Patriarca stated he believes it is fiscally responsible to approve an expenditure that will save them \$8,000.00, explaining they have supported the plan of purchasing two vehicles each year since they came into office and he knows the problems that arise if you allow it to lapse a few years and then have to purchase 4 or 5 vehicles at one time. Mayor Patriarca understands there is no guarantee the Council will approve the line item in the budget but as it was stated, the order can be canceled with no penalties. Mr. Tompkins questioned if the vehicles were not purchased would the police still be out on the roads and the Mayor advised they of course would be but in a more inferior and less reliable vehicle.

Rick Prickett, Pemberton - 1. Asked if the decision is made based on the recommendation of the Police Chief, what is the recommendation based on as he would think there were at least 4 on each shift maybe more and it would be nice to know what the shape of the vehicles is as they are used 24/7 and the public would be interested. Commented that he remembered buying 4 cars a year and asked if we are not doing as many patrols as in previous years and would like to know why they are only buying 2 cars. Councilwoman Jackson asked when the last time vehicles were purchased for the Police Department. Mr. Gonzalez advised that 2 vehicles had been purchased last year and noted that 2 was the minimum we needed to buy as the Chief would prefer 3, but we need to trust the Chief is providing a clear assessment. Councilwoman Stinney asked how many cars were being retired this year. Mr. Gonzalez advised he has not gotten anything from the police as to which cars and how many will be retired this year. Stated that Administration gets the information and they will then determine if it will be used for parts, auctioned off or used for another department. Councilwoman Stinney stated she does want the Police force safe and she is sure she will get this information.

George Petronis, Browns Mills - 1. Noted that he does a little bit of Police contracting in various states and agrees with the decision to purchase with the contract before it renews, but stated that it was his general belief that the Police equipment contract, with the State of New Jersey, ends in April and asked if the vehicles are covered under another contract than other police equipment which may expire at a different timeframe. Mayor Patriarca stated he did not know and was going by the information provided by the Chief. Mr. Petronis commented that he thought you cannot do a purchase order before the money is in the budget. Mr. Bayer advised on the money actually available

in the budget for this purchase and the difference that is contingent upon. Mr. Gonzalez advised that Winner Ford will accept an order as long as Council has authorized the purchase contingent upon the adoption of the budget and the order will be honored. Council President Allen added that the price is being locked in instead of waiting for it to go up.

Anne Quinn, Country Lakes - 1. Asked the Mayor how many police cars the Township currently has. Mayor Patriarca stated he does not have the information with him but can get it for her. Ms. Quinn stated that Council is being asked to adopt this resolution and she did not accept that the Mayor did not have the information readily available to the public. Ms. Quinn then commented that this process was started by the Mayor when he took office. Mayor Patriarca noted that was an incorrect statement and that what he said was that this Administration has done this since he came into office but this was something that started before him. Ms. Quinn asked why this was not included in the last budget if they knew they were going to be purchasing new cars. Mayor Patriarca noted it would not have been put in the last budget because they were not going to be purchased last year. Mr. Bayer advised Ms. Quinn that this is a Council meeting and her questions should be directed to Council not the Mayor and advised on the appropriate process for questions to be asked. Ms. Quinn advised she is trying to understand the process and in order to do that she needs to ask additional questions. Ms. Quinn requested to know how many police cars they have, how many new cars have been purchased over the last 8 years and the cost and maintenance of the cars. Councilwoman Stinney asked if there is a rush or is there any type of negotiating to say that Council or the Public is asking for more information and could be placed back on the next Agenda. Mr. Bayer advised the next meeting is not until February 18th and the order must be placed by February 12th or the contract price will expire and the Township would then have to spend an additional \$4,000 to \$8,000, but you can do that. Councilwoman Stinney stated she just wanted some more clarity for the public and would have appreciated if this had been a little more thought out and that is why she asked if this was an emergency. Councilwoman Stinney said she would like to know how many cars are being retired off the road this year. Councilwoman Scull commented that not passing this would make her afraid they would have to pay another \$8,000.00 and that would have to come from another line item from the Police Department and she does not feel this is an outrageous request as it is something they do every year. Councilwoman Scull commented that they do not like adding resolutions at the last minute but there are times when they will do so to save money.

Motion by Scull and Stinney to approve Resolution 62-2015. Scull, yes; Stinney, yes; Trueblood, yes; Jackson, yes; Allen, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 1-2015

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON REPEALING CHAPTER 14 OF THE CODE OF THE TOWNSHIP OF PEMBERTON, ENTITLED 'COURT, MUNICIPAL.'

Motion by Jackson and Trueblood to introduce Ordinance 1-2015 with a Public Hearing on February 18, 2015. Jackson, yes; Trueblood, yes; Stinney, yes; Scull, yes; Allen, yes. Motion carried.

Councilwoman Stinney asked for a 5 minute recess before continuing the meeting. Council was in agreement and Council President Allen recessed the meeting at approximately 8:11 p.m. The meeting was called back to order at approximately 8:21 p.m..

UNFINISHED BUSINESS

- a. Discussion and possible introduction of various code revisions proposed by Administration.
 1. Chapter 34 - Officers and Employees
 2. Chapter 38 – Personnel Regulations
 3. Chapter 41 – Police

Councilwoman Stinney thanked Solicitor Bayer for taking time out of his schedule to explain these to her and for answering her questions. Councilwoman Jackson stated she had no questions as hers were answered as well. Councilwoman Scull noted she does not have a problem with the Ordinance for Chapter 34.

ORDINANCE 2-2015

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 34 OF THE CODE OF THE TOWNSHIP OF PEMBERTON, ENTITLED 'OFFICERS AND EMPLOYEES.'

Motion by Scull and Jackson to introduce Ordinance 2-2015, regarding Chapter 34, with Public Hearing on February 18, 2015. Scull, yes; Jackson, yes; Trueblood, yes; Stinney, yes; Allen, yes. Motion carried.

Councilwoman Stinney asked how the information would be disseminated so that the public could ask any questions they may need to ask. Township Clerk, Amy Cosnoski, stated the Notice of Introduction would be placed in the paper and the full ordinance would be placed on the Township website.

Councilwoman Jackson noted that all of the questions she had in regard to Chapter 38 were answered.

ORDINANCE 3-2015

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 38 OF THE CODE OF THE TOWNSHIP OF PEMBERTON, ENTITLED 'PERSONNEL REGULATIONS.'

Motion by Trueblood and Jackson to introduce Ordinance 3-2015, Chapter 38, with Public Hearing on February 18, 2015. Trueblood, yes; Jackson, yes; Scull, yes; Stinney, no; Allen, yes. Motion carried.

Councilwoman Scull requested the introduction of the ordinance for Chapter 41 be put off until the next meeting as Council received changes as late as today and would like time to review them. Mr. Bayer advised explained the changes that were made in the ordinance including one regarding Special Officers and legal issues if they are not full-time and worked under the "Jobs in Blue" program and those hours counting towards their part-time/full-time status. Mr. Bayer noted that the changes bring the ordinances up to date with State Statutes and the Township's form of government. Council President Allen asked if these updates were similar in reason for the ones they did to Chapter 3 of the code a few meeting ago to bring them in line with the current form of government. Mr. Bayer advised some are. Councilwoman Stinney noted she had requested the Solicitor to check into a few sections in the ordinance, including Section 41-6 regarding appropriate authority and Mr. Bayer advised of the changes made in that section due to the Faulkner Act, also advised the other change in Section 41-6 c, regarding the Mayor as the appropriate authority regularly meeting with the Director of the Police Department. Mr. Bayer further explained that the ordinance creates the position of the Director of the Police Department called for in the Faulkner Act, it does not create the position of Public Safety Director. Mr. Bayer continued to read through the changes and explain their meanings. Council President Allen questioned who was proposing these changes with these chapters and what the process was. Mr. Bayer advised that the Administrator was making the suggestion for these changes with the approval of the Mayor to bring the Township Code into compliance with the law, noting that Mr. Gonzalez sends the changes to his office for review, changes are incorporated and then it is given to Council for action. Council President Allen confirmed with Mr. Bayer that the proposed ordinances being presented to Council are thorough reviewed by the Administration and Solicitor. Mr. Bayer confirmed that was correct and there were a lot of chance, further noting he spent a lot of time going through the changes with Councilwomen Stinney and Scull and he also spent a lot of time with the Mayor and Administrator making sure they were in compliance with state law. Councilwoman Jackson questioned if the changes in Chapter 41 were giving the Mayor any more legal power than what is already under the Faulkner Act. Mr. Bayer advised it does not, it just identifies the powers that the Mayor has under state Law so there are no discrepancies which may lead to litigation and disputes. Councilwoman Stinney asked if there is a rush to introduce this ordinance. Mr. Bayer advised that there is no rush other than it being in the best overall interest of the

town to clear up discrepancies. Councilwoman Scull noted that the items under Section 41-6 are not part of the law but were in the current ordinance. Mr. Bayer noted they are definitely in the ordinance as part of the codes and although he did not find it specifically in the law, if you look at regulations arising under appropriate authority, these are within the bounds of what those are.

Councilwoman Jackson asked if this was the final version. Mr. Bayer stated that from a legal standpoint this is the final version. Mayor Patriarca advised they have no additional suggestions or recommendations.

Motion by Scull and Stinney to table the discussion and possible introduction of various code revisions proposed by Administration, related to Chapter 41, Police.
Scull, yes; Stinney, yes; Trueblood, yes; Jackson, yes; Allen, yes. Motion carried.

BILL LIST

Councilwoman Scull question bill 15-00271 on page 15 of the bill list in the amount of \$74,873.00 to be paid to Capehart & Scatchard, and asked for an explanation on what this was for. Mayor Patriarca advised they were not paying them to do anything but rather returning money to the proper owners. Stated that this was money that was collected during and investigation and this company is representing the family to return an inheritance.

Motion by Scull and Trueblood to approve bill 15-00271 in the amount of \$74,873.00. Scull, yes; Trueblood, yes; Stinney, yes; Jackson, yes; Allen, yes. Motion carried.

SOLICITOR'S REPORT:

Mr. Bayer reported: 1. No report.

ENGINEER'S REPORT:

Mr. England reported: 1. Noted they have submitted their monthly report to Council with no major changes. Councilwoman Scull questioned the completed Dam in Country Lakes and expressed her concerns on how the roadway seems to run right into the lake and she is concerned for safety and asked if rails will be put there. Mayor Patriarca stated that he has concerns on this as well and it is being addressed and that there would probably be a change order to extend the guard rail. Mayor Patriarca further noted there were a few other issues he came across when he went out to visit the site that they will be bringing before Council for approval. Councilwoman Stinney commented on getting the Engineer's report so late in the day and requested that it be made available sooner so Council had the opportunity to review it prior to the meeting. Mayor Patriarca apologized that this report was missed it is normally sent a few days before the meeting, noting it was sent out as soon as they realized that it was missed and there was no intentional delay on it but rather an oversight.

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

Mayor Patriarca reported: 1. Commented that Administration has been working on the Budget every day and will have it to Council with full explanations by February 12th. 2. Noted that on February 21st at 6:00 p.m. there is a dinner at St. Ann's church for the Animal Rescue Group which is a good organization and a fun evening and they will try to get something on the webpage.

Councilwoman Scull asked for the recreation report that has the costs for the participants in the programs and thinks we should have a report on the vehicles for the budget. Mayor Patriarca noted they will get that and that the Lieutenant usually prepares one for him each year. Council President Allen thanked Administration for fielding the questions today and in his opinion did a great job answering the questions asked, adding that there was another grant on the Agenda and stated he knows there was a grant that slipped by a few meetings ago and stated he appreciates them being obtained for the Township. Asked about Resolution 56-2015 and the Farmer's Market and if there were any discussions about bringing it back and if it would be the same thing this year. Mayor Patriarca noted they have received another grant for the Farmer's Market and will be starting meetings to see how it is going to

be presented and encourage more participation at the event as well as encourage the residents to contribute. Advised they are trying to figure out if there are things they can add that other than fruits and vegetables that will bring residents out and noting they are working on this and will try to get Council an updated report maybe after the next meeting. Mayor Patriarca commented on Chapter 41 and asked for the ordinance to refrain from using the word Mayor's "power" as it is not power but authority under the statute and there are statutes that give Council authority as well. Stated it is something that Administration has worked very hard on and it is something that should have been done back in 1991 when the form of government was changed. Noting the Township has been running a long time with codes that are inaccurate and do not represent what they do in the Township and commended Mr. Gonzalez for taking the initiative to go through code by code and cleaning them up and saving the Township tens of thousands of dollars. Noted that on a project like this when a town changes government, generally they will hire a firm and some paralegals to take the code and re-write it and bring it up to date. Advised that they didn't do that here but rather just started changing them as they saw they needed to be changed. Noted that the code book is 6 or 7 inches thick and half the stuff in there if not more than half isn't really an issue here at the town and has nothing to do with the way we operate. Commented that he understands there are concerns when changes are made to the code and there should be concerns, but to ask questions and if you have concerns not to hesitate to ask Administration. Stated they are not bringing Council something that gives the Mayor power as that is totally off the charts, but rather bringing the codes in conformance with the law.

Councilwoman Stinney noted the Mayor has stated when Administration finds something out they will let her know and that he will keep them informed and she trusts that he will, but asked if there was any news on the shopping center. Mayor Patriarca advised that there is nothing on the shopping center and he is currently playing phone tag with a potential tenant. Commented that he forgot to mention that the Dialysis Center is open on a limited basis and has been open for the last 2 to 3 weeks and will hopefully be fully functional soon. Councilwoman Stinney commented that DaVita at Deborah is now open on Monday, Wednesday and Friday from 8:00 a.m. and 3:00 p.m.. Councilwoman Stinney further advised Council and Administration that the Administrator of DaVita offered them to come out if they can to see the facilities. Stated that there will be a Grand Opening some time in April or as soon as they receive their CMS (Center for Medicare Services) certification. Commented that they have to do 4 weeks of private pay and where able to accept a federal patient. Mayor Patriarca questioned the name of the facility as he believed it to be just DaVita. Councilwoman Stinney confirmed that it is called DaVita at Deborah and that Deborah chipped in financially. Councilwoman Stinney stated that her husband is very deserving of going to DaVita and that he has a long military career including 3 wars is why he is on dialysis now. Stated she was told by Administration that when they found out about the Dialysis center they would let her know but sometimes you have to go seek out information yourself. Stated she did not commit any crime and she would do anything for her husband who saved all of us in 3 wars he attended and she would not do anything illegal for him. Commented that she did not believe the Mayor meant his comment from his heart.

GENERAL PUBLIC COMMENTS

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

Anne Quinn, Country Lakes - 1. Asked for clarification from the last Council meeting regarding the OPRA request made by Kenneth Cartier and asked if the request was completely satisfied at this point and also asked about the cost related to the OPRA request for copying of records. Township Clerk, Amy Cosnoski asked Ms. Quinn to clarify what number she saw on the bottom of the form as she had just redone the form this past Monday and sent it to the webmaster to be placed on the webpage with the correct fees and that it is \$.05 per page for letter size and \$.07 per page for legal size paper. Ms. Cosnoski advised that this price was set by the State and covers the cost of the paper and nothing else as they are not allowed to charge for anything else except in extraordinary circumstances. Mr. Bayer advised that the OPRA request made is still pending. Ms. Quinn asked for clarification as to why. Mr. Bayer stated there are issues related to large documents, contracts and plans being copied as to cost and how they it is being done. **2.** Ms. Quinn stated that the Mayor advised the budget is due on February 12th and means that Council will get it on the 12th, asked when the public will have the opportunity to review it before the first public meeting. Township Clerk, Amy Cosnoski advised that the Council will

get the budget on the 12th and after it is introduced it will become available to the public for their review. Ms. Quinn asked if this would be introduced at the next Council meeting. Mr. Bayer advised that there is a budget process and budget hearings. Township Clerk, Amy Cosnoski, added that they will go through budget hearings and she believes a version of the budget is available at that time, but the final introduced budget is treated similar to an ordinance as it will be introduced and advertised. Ms. Quinn asked if this would be on the website. Mr. Bayer stated the budget meetings have not been scheduled yet. Ms. Quinn stated she would like to have the ability to review the budget so when she comes to the hearings she has a better understanding of the budget so the sooner the better. Mayor Patriarca advised that if Council so desired he would be sure to make the workbook copy of the budget available on the Township website. All of Council was in agreement to make the budget available online to the public once it is received by Council. Mayor Patriarca noted that once Council gets the budget they will put the information on the Township website and to look for it on the 13th. Ms. Quinn asked about the meeting minutes on the website and asked why they have not updated them since October. Township Clerk Cosnoski advised that the Deputy Township Clerk was sick in December and a portion of January and they have not been reviewed at this point but will be reviewed and updated through the end of January this week. Ms. Quinn commented that she thought the Farmer's Market was a great idea. Stated that she heard through town that many people liked it but she also heard negative comments and that some people were upset that they couldn't come and sell their stuff, but hopes they will bring it back. Asked Council to consider having it on a Saturday for people like herself that are unable to make it at the hours they had it on Wednesday, and advised the Mayor that she had ideas if he would like to discuss them at a later date.

Jack Tompkins, Pemberton – 1. Thanked everyone for allowing them to come up and talk about the Police vehicles. Stated it might seem like it's not very important but when you are spending the taxpayers money, it has a big impact. **2.** Commented that he would not be able to attend the February 18th Council meeting and stated that he hopes Council will really take the budget into consideration and where cuts can be made. **3.** Advised that he continues to have speeders on his street and that it would be nice to see a Police officer out there now and then. Commented that you can only get a speed hump if traffic tickets are issued but that police are not issuing tickets. Stated that he has put in an OPRA request to get a traffic study report and that it is with the Police. Stated if he has to take it to the State Police or the County Sheriff to get them to do patrols on his street he has no problem doing that because it seems like coming to Council is not working. Advised he saw something in the newspaper today about the Special Officers and that many towns are going to class 2 officers and asked if this was something that might be considered.

Michael Trupwitz, Sunbury Village - 1. Stated that April 4th they will be having the annual Easter Egg Hunt in the community through Henry Gilliard. **2.** Advised that April 24th they are looking to have a community clean up day with a rain date of May 1st and the paperwork is in the process of being sent to the Department of Public Works. **3.** Commented to Councilwoman Stinney that he worked with Dialysis patients for 3 years and his heart goes out to her as it is very difficult. **4.** Asked if it was possible to get stats on Sunbury and that many organizations want to know a baseline of what you are starting at. Gave an example of the items needed, code enforcement, violations, etc. Mayor Patriarca invited Mr. Trupwitz to come into his office to see what he needs and then they will direct him to the Township Clerk to do an OPRA request to obtain. Mr. Trupwitz stated he would also like crime stats. Mayor Patriarca stated he would have to talk to the Chief to see just what can be released or is authorized to be released.

Rick Prickett, Pemberton - 1. Questioned the Ordinance introduced at tonight's meeting and asked if Council was considering other legislation to replace the ordinance that is being repealed and if not, why. Mr. Bayer noted that this is in Chapter 3 of the code already but is duplicative in the code and gets rid of older provisions. **2.** Questioned the discussion and possible introduction of various code revisions proposed by Administration. Stated he believes the discussion is for Council to have so the Public can understand what it is they are thinking about doing before introduction of an Ordinance. Stated he knows that Council does their homework but what they find seems to be mysterious. Thanked Councilwoman Stinney for asking a lot of questions and filling in the blanks on many of his questions. **3.** Asked Council if they were entertaining increasing or decreasing the number of Police officers in regard to Chapter 41. Mr. Bayer noted that the number

of officers would not be changing. Councilwoman Scull advised that they had counted them up at the meeting. Mr. Prickett stated he hoped they would have but as the public, they do not know that. **4.** Commented on the term Director and asked if it is adequately defined in the ordinance and that he would like to see it defined. **5.** Commented on the term Police Force as well. Mr. Bayer explained the issue is that there is a Public Works Department and there is a Police Department. The Police Chief oversees the Police Force and the Director would oversee the Police Department. Mr. Prickett asked what the difference was between a Director of the Police Department and a Public Safety Director. Mr. Bayer stated that the Directors responsibilities would be limited to what the Faulkner Act provides and explained the differences regarding a Public Safety Director. **6.** Mr. Prickett asked if there had been a comparison with other Municipalities with similar forms of government and how they compare and run their Police department. **7.** Commented on this giving Council the ability to change legislation before it is actually introduced and the costs related to publication. Township Clerk, Amy Cosnoski advised that the Clerks office no longer publishes the entire ordinance but rather a Notice of Public Hearing with a summary and the entire ordinance is available on the Township website to help save on advertising costs. Stated that the Public likes to be a part of the process and add their input. **8.** Asked about the scrap metal and how much the municipality got for it. Council President Allen stated he is unsure. Asked if Council felt that they got top dollar for the scrap. Asked how many tons were recycled and how many different kinds of metal were recycled. Asked if the proceeds from this sale will go into the surplus and will that number be available for the public. Councilwoman Stinney asked if they could provide this to him at the next Council meeting. Mr. Prickett said yes. Council President Allen commented that Mr. Prickett, being a former Councilman, should know that he could go through Amy or directly to Administration to find out the answers to some of these questions. Council President All also commented that Mr. Prickett had stated that no one really asks questions but rather talks to the Mayor or Administration before the meeting, however when discussing Chapters 34-41 he asked Dennis to summarize exactly what was discussed. Stated he does not want anyone to think that Council is up there making decisions blindly. Mr. Prickett stated he has the impression that there is more that has been said and more that could be said publicly for the public to understand. Council President Allen stated that every Council is different. Mr. Prickett stated that he understands this but is not on the Council and is a part of the public and is looking for information. **9.** Questioned the shower facility in the Township being demolished and asked if this was true and commented that the Council 8 or 9 years ago under harsh financial times purchased the facility for around \$160,000.00. Mayor Patriarca advised that the building is still there and nothing has been demolished. Stated that if it had been demolished he was questioning the Mayor's power to authorize that. Mr. Bayer advised that under Faulkner one of the Mayor's powers is the authority over municipal property. Mr. Prickett asked if there would need to be a permit to do this or confirm that the property needed to be demolished by a Code Enforcement Officer. Mr. Bayer stated that if there were permits that were needed that would be a decision of the construction officials and he does not believe the building would need to be condemned. Mr. Prickett asked that if the Mayor stated he wanted to tear down the municipal building he could just do it. Mr. Bayer stated theoretically, yes he could. **10.** Stated that he chooses to come to the meetings with all of Council present and ask his questions as it is his right and it is their responsibility as Council to respond to the Public and thanked Council for doing that very well tonight.

Clare Wadsworth, Browns Mills - 1. Commented on the budget process and her review of the 2014 Debt Statement. Stated the Township has \$27.5 million of debt and would like to know if this includes the money that is being borrowed for the Dams project. Mayor Patriarca stated he believes that the \$6 million + that was approved for the Dams is included.

Joseph Elmendorf Jr., Ridge Road Auto - 1. Stated he has been in contact with the Police Department as well as Dennis Gonzalez regarding consideration at a Council Meeting for him to request authorization of a contract to add his business to the towing contract ordinance passed in 2013. Stated he received an email from Mr. Gonzalez stating that at the Council Meeting held on February 4th, 2015, he would authorize a contract to add and he has not heard anything at all. Mr. Gonzalez advised that he did indicate that it would be at this meeting but it was not done on time. Mr. Gonzalez stated the resolution has been completed and was given to the Clerk to be added to the next meeting. Councilwoman Stinney asked for clarification

on Mr. Elmendorf's comments. Mr. Elmendorf reiterated his above statement and advised on the process he went through to get his company an approval for towing.

Council President Allen seeing no other residents wishing to be heard, closed the meeting to Public Comments.

COUNCIL MEMBER COMMENTS:

Diane Stinney - Councilwoman Stinney stated that she was insulted by the comments made by the Mayor alleging she had done something illegal and she wanted it on the record that she would do anything to help her husband but she would not do anything illegal and has nothing to hide with the process of her husband being chosen to received dialysis at the new center in Browns Mills. Councilwoman Stinney further noted she does not feel any other Council person would be treated the way she has been by Administration and believes it is because of the decision she made to run against the Mayor months ago. Councilwoman Stinney noted that it has gotten to the point where she will not go through Administration for information and she will get it through the Clerk and Solicitor. Councilwoman Stinney expressed that she has served just like everyone else and she does not deserve to have darts thrown at her. Mayor Patriarca apologized but explained to Councilwoman Stinney he did not say that she committed a crime. Councilwoman Stinney advised it was her turn to speak. Further discussion ensued on the comments made earlier in the meeting. Councilwoman Stinney asked the Clerk about the progress of the OPRA request that was made for Council emails. Ms. Cosnoski noted she is still waiting for a few responses, however they are still within the time limits for the OPRA. Councilwoman Stinney thanked everyone for coming out and listening to her and the rest of Council, noting she will do the best she can for the residents. Thanked everyone for coming out and giving their comments and she appreciates it and wished everyone a good night.

Norma Trueblood - Councilwoman Trueblood thanked everyone for coming out. Stated it is a pleasure to hear the residents with their questions and comments. Stated she will see everyone at the next meeting. Added that it is a beautiful day today and to be safe tomorrow with the weather forecast.

Letha Jackson - Councilwoman Jackson thanked everyone for coming out and for their comments and questions. Stated that she would like to say that this is her first year on the Council and all of the back and forth in front of the Township residents does not look good for anyone involved. Stated that Council needs to learn to respect one another, respect each other's comments and agree to disagree. Expressed that the going back and forth not represent them all working together. Councilwoman Jackson noted her husband was also in the military and believes everyone sympathizes with Councilwoman Stinney's husband but the arguing back and forth will not accomplish what the public put them up there to do, nothing they were not voted in to sit up here and hash out personal problems and issues and argue back and forth. Stated in the future she hopes everyone takes the time to take a breath and think before they speak and thinks of the image they are portraying to the residents. Councilwoman Jackson asked everyone to drive home safely.

Sherry Scull - Councilwoman Scull noted the Senior Center Valentine Luncheon is coming up either on the 14th or the 21st, she will email Ms. Cosnoski with the details, noting the cost is \$15 and it is at the Garden State Diner and it is a worthwhile event. Wished everyone a good evening and thanked all for coming out.

Jason Allen – Council President Allen thanked everyone for coming out and looks forward to seeing everyone at the next meeting.

The meeting was adjourned at approximately 9:56 p.m.

Respectfully submitted by,

Amy P. Cosnoski, RMC, Township Clerk