

**TOWNSHIP OF PEMBERTON  
REGULAR MEETING  
March 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, Engineers Chris Rehmann and 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 70-2015 Authorizes Council to go into Closed Session.  
Personnel - Tax Collector Appointment  
Employee Grievances - PBA  
Attorney Client Privilege - Legal Advice for Towing  
Ordinance

Motion by Scull and Trueblood to Adopt Resolution 70-2015. Scull, yes; Trueblood, yes; Stinney, yes; Jackson, yes; Allen, yes. Motion carried.

Council President Allen recessed the open session meeting to enter into closed session and reconvened the open session meeting at approximately 7:00 p.m.

Council President Allen advised that there is no action pursuant to Closed Session at this time, however, advised that Council was removing Resolution 69-2015 from the Consent Agenda. Mr. Bayer advised that Council is unable to reward any new Towing contracts until April 2016 due to the time constraints within the ordinance.

(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 AGENDA ITEMS ONLY**

Council President Allen opened the meeting to the public for comments on the agenda items.

**Norma Waters, Pemberton Heights - 1.** Commented on the new Budget process and stated she feels it is critical that it not be introduced tonight. **2.** Passed out a statement she had prepared and then read that statement for the public.

**Mike Tamn, Mount Holly - 1.** Commented on the PTMUA Appointments and questioned why it is on the Agenda. Council President Allen explained that there is an agreement from 1980 between the Township and the PTMUA requiring the Professional Service Contracts come before Council. Mr. Tamn

asked if this was in the Budget. Councilwoman Scull stated it is in the MUA Budget. Mr. Tamn stated it was approved in the MUA Budget at the end of 2014. Council President Allen advised that this is done annually.

**Clare Wadsworth, Browns Mills - 1.** Asked if the Introduction of the Budget is part of the Consent Agenda. It was noted by Council President Allen that it is not.

**Joseph Elmendorf Jr., Ridge Road Auto Body & Repair - 1.** Advised he is here regarding the Towing ordinance and advised he was in contact with Chief Jantas since January of 2013 and expressed there were many problems with the application process that was not due to him but the Township and requested the Council to consider amending the ordinance as they have done in the past.

**Anne Quinn, Country Lakes - 1.** Commented at the previous budget meeting a resident was able to find \$100,000.00 in padded spending in the budget and feels the Council is considering unnecessarily raising them and asked Council to pass a budget that is fair to the taxpayers. Noting she agrees with Ms. Waters suggestion of volunteering to help bring business into town and help with the budget. **2.** Commented on the \$50,000.00 grant from DRVPC and asked what it is and if we have to put up the \$50,000.00 e get it back. **3.** Questioned the minimum and maximum salaries noted in Ordinance 4-2015 and if those were accounted for in the budget. **4.** Commented on Ordinance 6-2015 and noted the Township cannot afford to pay for a Police Department Director and she does not believe a civilian should be appointed to the position and urged Council not to pass this ordinance so as not to divide the Police Department even further.

**Rick Prickett, Pemberton - 1.** Questioned Resolution 74-2015 regarding the RBA Group and who that is, what this grant is for, and does this have to be borrowed first. Mayor Patriarca explained it is for planning on the Township roadways and how they will be done regarding improvements to take into consideration pedestrians, cyclists, etc., and it will be an in-kind match with the work from the Community Development Director. **2.** Expressed his concern over ordinances being discussed before the actual hearing. Mr. Bayer advised all comments will be reflected in the minutes.

**Clare Wadsworth, Browns Mills - 1.** Questioned the agenda ormat to speak about any agenda item at this time, including the budget. Township Clerk, Mrs. Cosnoski, explained there was a change made to the agenda to give the public the opportunity to speak about any item on the agenda before it is discussed and voted on in addition to the General Public comments at the end of the meeting. Mrs. Cosnoski also noted there would still be the required hearing on the budget after it is introduced. **2.** Commented on the surplus and the tax increase and feels the Mayor and Council pad the budget.

**Rick Prickett, Pemberton - 1.** Commented on budgeting for emergency by maintaining a fund balance and questioned what was being done about decreasing debt, noting the debt we are leaving will be paid by the children of the town.

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

Councilwoman Scull asked to pull Resolution 73-2015. Councilwoman Stinney asked to pull Resolution 74-2015 and the Meeting Minutes of February 18, 2015.

## **CONSENT AGENDA ITEMS**

### **MINUTES FILED BY CLERK**

Regular Meeting, February 4, 2015.

### **CONSENT AGENDA RESOLUTIONS**

71-2015 Authorizes various routine refunds.

- 72-2015 Supports Assembly Bill A-1109 which seeks to implement stricter rules and regulations for organizations that house and care for individuals with developmental disabilities.
- 73-2015 *This Resolution was pulled from the Consent Agenda and considered later in the meeting.*
- 74-2015 *This Resolution was pulled from the Consent Agenda and considered later in the meeting.*

**BILL LIST**

Approval by Council required for payment of vouchers on bill list dated 2/27/2015

**NEW BUSINESS**

- \*a. NJ State Fireman's Association Membership Application for Thomas Zimmerman and Jeremy A. Maglott with the Pemberton Township Volunteer Fire Co.
- \*b. Approval by Council of PTMUA's Professionals appointments (as to fees only) for 2015.

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

**MINUTES FILED BY CLERK**

Regular Meeting Minutes, February 18, 2015. *Pulled from Consent Agenda*

Councilwoman Stinney commented that the minutes state that during the Closed Session she walked out of the session, and she wants the residents who read the minutes to be aware that the meeting is advertised from 6:30pm until 7:00pm and that is why she walked out not because there was anything going on in Closed Session, but rather that she is trying to stick by the law.

Motion by Stinney and Trueblood to Approve Regular Meeting Minutes from February 18, 2015. Stinney, yes; Trueblood, yes; Scull, yes; Jackson, yes; Allen, yes. Motion carried.

**OTHER RESOLUTIONS**

- 73-2015 Authorizes an Emergency Temporary Appropriation in the amount of \$50,000.00 for the grant received from the Delaware Valley Regional Planning Commission for the Complete Streets Policy and Plan project. *Pulled from the Consent Agenda.*

Councilwoman Scull asked for an explanation on where the \$50,000.00 is coming from and are we bonding any money. Mr. Gonzalez advised that this was a grant for \$50,000.00 from the Delaware Valley Regional Planning Commission (DRVPC) specifically for the development of a complete streets policy and plan for the Township. Stated that anytime we receive grant funds it has to be put into the budget and is put in as both revenue and expenditure. Advised that this was not put into the budget and so therefore needs to be added and explained why it is being put into the temporary budget. Mr. Gonzalez advised there would be no cash match from the Township but a time match and we will not be bonding. Councilwoman Scull asked if they accept the money do they automatically have to give it to the company. Mr. Gonzalez advised on the bidding process and that the Mayor is putting the RBA Group up for approval. Councilwoman Scull asked if ARH had submitted a proposal.

Motion by Scull and Trueblood to Approve Resolution 73-2015. Scull, yes; Trueblood, yes; Stinney, no; Jackson, yes; Allen, yes. Motion carried.

- 74-2015 Awards contract to the RBA Group for the preparation of a Complete Streets Policy and Plan in an amount not to exceed \$49,815.00. *Pulled from the Consent Agenda.*

Councilwoman Stinney stated that her questions were answered when discussing Resolution 73-2015. Councilwoman Scull stated she was concerned about a group from North Jersey and how they would really know about Pemberton Township, and would they really be a better choice than ARH or the former Planner, noting they were told they didn't need a Planner and now they are paying one from North Jersey. Council President Allen

asked why it was decided to go with the RBA Group. Mayor Patriarca stated that they were chosen based on their extensive experience in this area and advised on some of their experience and another location they have done in the Trenton area. Mr. Rehmann advised that they have a partner in this and that the DVRPC's objective is trying to integrate all of the counties in the area and are giving the money for that to be completed so what they are looking for is people who have that same process to do complete bike paths. Mr. Rehmann explained the process in further detail and noted that the RBA Group has done about 20 of these projects and his firm has done only about 2 of them. Stated it is not just Pemberton Township and they may be able to get more money from DVRPC for the overall program. Councilwoman Stinney commented on having the committees of residents that get together and help with things like this. Mr. Rehmann stated that part of the grants requirements are for public input to get the residents involved and have committees for what is needed. Councilwoman Trueblood stated that in looking at the proposal that Pemberton Township was chosen out of only 13 to receive this grant. Councilwoman Stinney commented on the many things that ARH has done for the Township.

Motion by Stinney and Scull to Approve Resolution 74-2015. Stinney, yes; Scull, yes; Jackson, yes; Trueblood, yes; Allen, yes. Motion carried.

75-2015 Consents to the Mayor's Appointment of a Tax Collector.

Council President Allen stated that the Council did meet with the Tax Collector candidate in Closed Session.

Motion by Stinney and Scull to approve Resolution 75-2015. Stinney, yes; Scull, yes; Jackson, yes; Trueblood, yes; Allen, yes. Motion carried.

76-2015 Introduces 2015 Municipal Budget. (*Tabled until March 9, 2015 Meeting*)

Councilwoman Scull advised that she had requested a report from Recreation at the last meeting but had not received it and asked if it was on the way. Mayor Patriarca advised that he did speak to them and it is being prepared and they should have it by the 9th of March. Councilwoman Scull noted she is not ready to introduce as she wants to see the report from Recreation and asked if we had a capital expense budget as she keeps hearing there is a bonding for \$1,000,000.00. Mayor Patriarca noted that there is \$50,000.00. in the budget which gives them the ability to borrow up to \$1,000,000.00. Mayor Patriarca advised there was \$500,000.00 for roads and \$100,000.00 for police vehicles and \$400,000.00 for public works vehicles for the Road Program and looking to get a new skid steer and noted where it is in the budget. Councilwoman Scull commented on paying for things as we can. Mayor Patriarca noted that a lot of building renovations were put into the budget and paid for in cash. Mayor Patriarca noted that it would be a choice of borrowing money or not doing roads. Stated it is all about choices but feels the residents are seeing the return on the road program. Councilwoman Stinney asked if by Monday they could have a report on the savings by purchasing that equipment. Mayor Patriarca explained the saving but said he will get the report to Council. Mr. Rehmann noted that this year where oil prices are in comparison to other years it will be less this year and that there is probably \$30,000,000.00 of value in the roads if you keep them up and if you don't do this when you have the opportunity you have reduced the cost per mile to repave the roads. Mr. Rehmann advised on several of the reasons to do this and stated that it adds quality to the community that it is done in. Councilwoman Stinney commented on happy residents and the many roads she has sent to Administration that have been addressed. Councilwoman Scull commented on a pothole on Lakehurst Road in the area of Ridgeview that a car could disappear in and could someone call the County about this. It was a consensus of Council to table the resolution and continue the discussion at the Budget Meeting to be on March 9th, 2015, at 6:30pm.

## **ORDINANCES FOR SECOND READING AND/OR FINAL ADOPTION**

### **ORDINANCE 4-2015**

**AN ORDINANCE ESTABLISHING SALARIES FOR CERTAIN EMPLOYEES AND ELECTED OFFICIALS OF THE TOWNSHIP OF PEMBERTON.**

Council President Allen opened the meeting for public comment on Ordinance No. 4-2015

**Norma Waters, Pemberton Heights - 1.** Stated this shows the Police Chief's maximum salary as was placed in the 2015 budget and Council wanted to add an additional \$2,000 to that amount bringing it to \$122,000. A discussion ensued on the

salaries and if longevity is included. It was noted that the Police Chief does not get longevity. Solicitor Bayer advised that the ordinance would need to be amended before approval.

**Anne Quinn, Country Lakes - 1.** Asked for an explanation on what longevity is. Mr. Gonzalez advised on the explanation of longevity and that it is in all of the union contracts and it is applied to the department directors, further explaining employees are entitled to longevity after 5 years of service and get 4% on top of your salary for your experience and then at 10 years it is 6% or 8%. Discussion ensued on what longevity represented.

*(Councilwoman Stinney left the meeting at this time.)*

**Jack Tompkins, Pemberton - 1.** Commented on the salaries and said he doesn't have a problem with what people make, if they earn it they earn it. Stated that according to the 2006/ 2010 census for Pemberton Township, the median household income was \$63,000 per year combined.

*(Councilwoman Stinney returned.)*

Stated there are many that work for this Township that make a lot more money than those in the military and it baffles him how much money people in this town make.

Seeing no other members of the public wishing to speak, Council President Allen closed the meeting to the public for comment on Ordinance 4-2015.

Councilwoman Scull noted the Chief's salary needed to be changed to \$122,277.50 without longevity. Mr. Bayer stated that if Council makes this change his recommendation would be that it needs to be re-advertised and start over because it is a substantial change. Councilwoman Scull stated that was one reason why she didn't understand the need to introduce this before they were done with the budget.

Motion by Scull and Stinney to Amend Ordinance 4-2015 to increase the Chief of Police's maximum to \$122,277.50 with a public hearing on the amendment to be held at the March 18, 2015 meeting. Scull, yes; Stinney, yes; Trueblood, yes; Jackson, yes; Allen, yes. Motion carried.

#### ORDINANCE 5-2015

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON ACCEPTING THE TRANSFER OF PROPERTY LOCATED AT 135 ARNEYS MOUNT ROAD, BLOCK 785, LOT 10.02 FROM PEMBERTON FIRST AID AND RESCUE SQUAD.

Council President Allen opened the meeting for public comment on Ordinance No. 5-2015.

**Mike Tamn, Mount Holly - 1.** Questioned the cost to maintain the squad building for the year and the impact on the budget and commented on the Township having difficulty maintaining what it has now and noted this does not look like it is on the up and up.

**Anne Quinn, Country Lakes - 1.** Questioned the amount of the back bills being paid for the emergency squad and what the emergency squad building would be used for. It was noted that the Township would pay up to \$6,000.00 and it was negotiated that the building would be used for emergency services, to include storage for the Fire Company and to house the CERT Team (Citizen Emergency Response Team), and also possibly position an ambulance for Lourdes within the building. Questioned if there was any consideration given to using the building to generate income for the Township.

**Veronica Hearney, Browns Mills - 1.** Asked about flip flopping and why they are going back to Lourdes. Mr. Bayer stated that this was not what the Mayor was saying. Mayor Patriarca explained that there is a contracted service with Lourdes and a Volunteer Fire Company that also provides back up to the EMS service. Advised the plans for this building could include allowing Lourdes to use it for an ambulance. Mayor Patriarca advised on current Lourdes situation for their ambulances.

**Rick Prickett, Pemberton - 1.** Asked how many buildings the Township is responsible for at this point and how many facilities do they have throughout the Township but thinks they should be working with a number and how many can be sustained. Asked how many more buildings the Township can afford.

**Keith Pratley, Presidential Lakes - 1.** Commented on the Council as whole should be able to anticipate most of the residents questions as they have been asked so many times. Stated they should do their homework and be able to answer the questions that are presented.

Seeing no other members of the public wishing to speak, Council President Allen closed the meeting to the public for comment on Ordinance 5-2015.

Councilwoman Stinney commented on the dialogue and hears what the residents are saying but she is also hearing the plans for the building and there is a concern of having an ambulance on that side of town and noted it is about servicing the town. Councilwoman Stinney commented on the cost paid to the squad when it is was in operation and did not believe it would cost that much to maintain the building. Council President Allen questioned the estimated value of the building and Mayor Patriarca advised it is approximately \$180,000.00 and the Township is paying \$6,000.00 for it. Council President Allen noted and confirmed it was negotiated that the building would be used for Public Safety purposes. Councilwoman Scull questioned how many ambulances the Pemberton Fire and Rescue Squad have and could one be station at the building at times. Mayor Patriarca advised they have two ambulances and if they have the personnel they could post one there and that would be the Fire Chief's decision. Councilwoman Scull commented on the wording of default judgment being used in the ordinance and asked if it could be removed. Mr. Bayer advised it could be removed and that would not be considered a substantial change.

Motion by Trueblood and Stinney to adopt Ordinance 5-2015 with the striking out of fourth Whereas clause regarding "default judgement". Trueblood, yes; Stinney, yes; Scull, yes; Jackson, yes; Allen, yes. Motion carried.

*(Council took a 5 minute recess.)*

#### ORDINANCE 6-2015

#### AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 41 OF THE CODE OF THE

Council President Allen opened the meeting for public comment on Ordinance No. 6-2015.

**Jack Tompkins, Pemberton - 1.** Commented on the extensive ordinance and how it would affect things in the future, noting that under the composition of the Police Department there is no mention of detectives. It was noted that the position of detective is an assignment and not a rank. Mr. Tompkins noted that the wording says the Mayor shall appoint and believes it should be changed to the Mayor may appoint. Council President Allen advised that portion of the ordinance is taken from State Law. Noted there was no description for the Director which makes the ordinance seem incomplete. Mr. Tompkins noted that some sections are removing Council's authority and giving it to the Mayor. Commented on being able to appoint four special police officers, noting he would like to see more than four and questioned if that would be in addition to the 57, explaining he would also like to see an extension provision for the one year term period. Noted that he likes that the residency requirement was removed. Questioned the age limits and Mr. Bayer advised it was statutory. Mr. Tompkins expressed that he hopes the ordinance is not passed as it is currently written.

**Mike Tamn, Mount Holly - 1.** Commented on the lines in the ordinance. Commented on checks and balances and the Mayor being exclusive in hiring and firing and the Council is left out. Mr. Bayer advised these provision relate to the Faulkner Act form of government that the Township operates under. Mr. Tamn expressed he believes this ordinance is wrong and will hurt the town and the Police Department.

**Anne Quinn, Country Lakes - 1.** Questioned what would occur if the Council did not agree with the Mayor's appointment for Director. It was noted that

there is no provision for a default Director as with the Fire Director position. Commented on the Mayor promulgating the rules and regulations and Mr. Bayer noted that is not a change, it is in the current ordinance. Commented on the tensions between the Police Department and the Administration escalating even further from this ordinance. Noted she believes the Police Chief should have sole control over the Police force and asked what role would the Director have. Mr. Bayer advised the Director would be the Department Head and deal with personnel and administrative matters. Ms. Quinn asked Council not to pass this ordinance in its current form.

**Det. Jason Watters, Pemberton Police Dept. - 1.** Thanked the members of Council that voted unanimously on the grievance at the last meeting. Mr. Watters commented on the Director's position and Council President Allen stated he would support the Police Chief as the Director. Mr. Watters noted that is the PBA's position as well, however they fear that this is setting things up for the future, expressing they believe the Administration is very smart and calculated and feel this is their way of preparing for getting rid of the Police Chief position in the future. Commented on a meeting he had with Mr. Gonzalez where he said the police were hyping up the shooting that occurred and Mr. Watters expressed that is not the type of person they want running the Police Department. Council President Allen questioned the removal of the Police Chief and it was noted that the position is in the ordinance.

**Clare Wadsworth, Browns Mills - 1.** Commented on information she found on the League of Municipality website and read an article from the website relating to Police Department Leadership. Council President Allen thanked Ms. Wadsworth for the article and explained that different Townships run under different forms of government and Pemberton Township runs under the Faulkner Act which requires a Police Chief and a Director. Council President Allen then advised that he had reached out to the League of Municipalities in regard to the current situation and was told that people are making a mountain out of a mole hill. Council President Allen stated that the League representative then went on to ask who the Township Solicitor was and after he stated it was Andy Bayer, the League representative said to trust him as he has been around for a while. Council President Allen then advised that in addition to the League of Municipalities he also reached out to the Department of Community Affairs which provides legal advice to local government, questioned what would happen if the municipal law did not reflect State Law, and was advised that State Law has precedence over Municipal Law and it can be challenged in court, and it is not logical why someone would not want their Municipal Law to reflect what the State statute says. Ms. Wadsworth stated that what she read was on the League of Municipalities website which shows reason for interpretation of opinions. Councilwoman Stinney commented on when they came into office in 2007 they were trying to have a Public Safety Director. Mr. Bayer noted they were, however that position is different than a Department Director. Ms. Wadsworth commented on the amount of stress on the Police Department and this ordinance adds to that.

**Anne Quinn, Country Lakes - 1.** Stated again to the Council that if they are going to pass this Ordinance they need to change the language. Stated that based on what she just heard they need to make the Police Chief the Director. Mr. Bayer stated that this would be illegal to put in the law and that the Mayor has the authority to make that appointment, but the law says each department should be headed by a Director who shall be appointed by the Mayor with the advice and consent of the Council, so if the Council adopted a law that says the Police Chief shall be the Police Director that would violate 40:69A-43 subparagraph B. Advised you cannot adopt an ordinance that contradicts State Law. Council President Allen advised that this is what he was trying to relay to the reporter, the opinion is who, either the Mayor or the Council, would like to be the Department Director, but the fact is that Township Code must be brought up to compliance with State Law. Ms. Quinn stated that the cost of the legal fees that have risen just for this past year cause the taxpayers to bear the brunt of the decision that is made. Mr. Bayer advised that you do not have a Department Director now and there is still litigation. Ms. Quinn questioned how having a Department Director would change the course of any of this litigation.

**Rick Prickett, Pemberton - 1.** Commented on the different positions and the appointment and confirmation process and those positions appointed by the Mayor and confirmed by Council remain in that position during the term of the Mayor. Commented that the ordinance does not define the relationship between the Chief and the Director and believes Council should use their legislative powers to define that and create the boundaries and clearly define the role of the Director.

**George Petronis, Browns Mills - 1.** Questioned if the wording in the ordinance could set the criteria that would only allow the Police Chief to be appointed the Director. Mr. Bayer advised that you could not word the ordinance that would limit or take away the authority of the Mayor to make the appointment decision. Discussion ensued on the interpretation of the law and ordinance.

**Mike Tamn, Mount Holly - 1.** Questioned what brought about this ordinance and did Council want the change. It was noted that Administration had brought it to Council. Councilwoman Trueblood advised that she is looking to get the codes to what the Council governs under. Mr. Tamn expressed they could change the form of government by passing an ordinance back to the Committee form, as the Faulkner Act is the most corrupt form of government. Councilwoman Jackson questioned when the Faulkner Act was accepted by the Township and why it was changed. Council President Allen noted it was done in 1991 and Councilwoman Scull advised it was voted on by the public.

**Norma Waters, Pemberton - 1.** Commented on the sources of authority that Council could act upon, legislative and moral and feels Council could act within their moral authority by not enacting this ordinance. Further commented the timing of this ordinance is bad and does not need to be done now.

Seeing no other members of the public wishing to speak, Council President Allen closed the meeting to the public for comment on Ordinance 6-2015.

Councilwoman Scull commented on the ordinance taking away Council's authority and noted the grievances that Council voted on and are not being honored by Administration and Administration trying to remove Council from the grievance procedure. Councilwoman Scull expressed that this ordinance has been out of compliance for a long time and does not see the rush to do it now especially under these circumstances and feels there are many other ordinances that can be looked at. Councilwoman Scull further commented that she believes the Police Chief does a great job as does the rest of the Police Department and feels this ordinance sends the wrong message at this time. Councilwoman Stinney stated she feels the same way. Councilwoman Jackson advised she listened to all of the residents and the other Council Members, noting she was going to vote to present this ordinance tonight, however based on everyone's comments and bringing some items to her attention, she does think there may be some things that could be looked at further. Councilwoman Jackson further explained she may come back and still vote yes for the ordinance but believes in fairness to the Public, the Police Chief and Police, the ordinance should be looked at again and agrees with Councilwoman Scull, she does think the Police Chief as well as the Police Department do a great job and wants to ensure the ordinance is clear for the future to protect all positions. Councilwoman Stinney commented that every time she met with Mr. Bayer regarding the ordinance she was just as confused as the first time and believes this does not need to be rushed into and should be looked at further. Councilwoman Stinney thanked the public for coming forward with their opinions. Councilwoman Jackson stated that it is also the responsibility of the Council to go back and do their research on what was brought forth and come back prepared. Councilwoman Scull noted the ordinances are Council's authority so the Council Members should be working on the ordinances.

Motion by Scull and Stinney to table Ordinance 6-2015 until it can be worked on by members of Council with suggestions by the Public as well as Mr. Bayer. Scull, yes; Stinney, yes; Trueblood, yes; Jackson, yes; Allen, yes. Motion carried.

Councilwoman Stinney asked if a subcommittee could be created with some residents. Mr. Bayer advised that Council could create a sub-committee on any subject they choose but it can not be a quorum.



## **SOLICITOR'S REPORT:**

**Mr. Bayer reported:** 1. No report.

## **ENGINEER'S REPORT:**

**Mr. Rehmann reported:** 1. No report.

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

**Mayor Patriarca reported:** 1. Commented on the Council trying to undermine the authority of the Mayor and stated that they can not legislate away the authority of the Mayor. Advised that the administration of the Police Department currently lies with the Mayor in the absence of the Director, noting the statute is specific and the Council can not legislate putting something in the ordinance that says differently. Noted that the Council has listened to comments that the sky is falling over the Mayor appointing a Director, when he has had that authority since 2007 and all the Mayors before him since 1991. Advising that Administration currently handles a portion of the administrative duties in the Police Department and if he felt they needed to take it all from the Police Department he would do that within his authority. Commented on not letting emotions get involved in these duties. Noted the Council has the authority to decide to approve or disapprove the Mayor's appointment. Commented on the Director position being a management function and does not know of any training in law enforcement that you get to deal with the administrative management of the Police Department and dealing with a \$5,000,000.00 budget and personnel issues. Commented on Councilwoman Scull being on the sub-committee for ordinances and questioned how many have come to this point that have been changed, noting Administration is doing the things that need to be done to correct the code book. Further explaining they are not making decisions that are hurting the township. Noted he will fight for his authority because it is right and he will fight for the rights of the Mayor's who have this position in the future.

## **GENERAL PUBLIC COMMENTS**

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

**Rick Prickett, Pemberton - 1.** Commented about Council and Administration coming up with a plan to decrease the debt. Stated he did not say anything about stopping the road program. Stated he thinks the debt needs to be managed so that when it drops down it doesn't go right back up. Commented on the Township being able to borrow up to \$50,000,000.00.

**America Phillips, Presidential Lakes - 1.** Commented on ordinance 6-2015 should be put on the ballot for the residents to decide on in June's election. **2.** Commented on the paving of the roads in Presidential Lakes and those not done by professionals are not good and causing drainage problems and hopes it gets fixed in April. **3.** Commented on the ambulance services and questioned who has to pay the bill and commented on the Mayor closing Presidential Lakes Fire and Rescue. **4.** Commented on paying her property taxes and she is getting nothing in Presidential Lakes. **5.** Commented on the elections and listening to the residents, expressing the way the Mayor is running the town it will go down the drain. **6.** Commented on the stop sign at New York and Tennessee being repaired by being put in a barrel and the kids can flip over the barrel. **7.** Noted she heard a rumor the base may be closing and expressed the Township should be prepared, she can not absorb any more costs. **8.** Commented on the ambulance being placed on Arney's Mount Road and questioned why they closed the place down just to put another ambulance there for Lourdes.

**George Petronis, Browns Mills - 1.** Thanked Council for withdrawing the Police Director ordinance and thanked Councilwoman Scull and Councilwoman Stinney for taking point. Agreed with Councilwoman Jackson that Council has responsibilities to fulfill and believes the best way to do that is to take her time. Thanked Councilwoman Trueblood for being willing to take time to look at the ordinance.

**Clare Wadsworth, Browns Mills - 1.** Thanked Councilwomen Scull, Stinney and Jackson. Stated they all did vote no and she is grateful that they are looking into this more and does hope that they do consider a committee that includes the public.

**Veronica Hearney, Browns Mills - 1.** Thanked the Council and stated that this whole situation has gotten out of control and people think they are overreacting as citizens but they are not as it is a serious and sensitive issue. Stated they are the citizens and the taxpayers. Stated she is glad it is being tabled and looking into it further.

**Anne Quinn, Country Lakes - 1.** Thanked Council for pulling this back and doing the necessary homework that needs to be done. Commented that it is not about usurping the Mayor's powers to appoint anybody or the Council's powers to approve that appointment but rather about the future of this ordinance and the missing language that obviously needs to be put in it.

**Terry Maldonado, Browns Mills - 1.** Stated she is here tonight on behalf of her parents who reside at 725 Birch Street and noted their street does not get plowed and has only been plowed once, noting the roadway has been a sheet of ice and is now a lake and emergency services could not get down that road. **2.** Stated that as a resident of this Township and the mother of a son soon to be a graduate of Pemberton High School, it broke her heart to advise him to take a job in Texas that he was offered, as there is nothing in this town that will offer him any future.

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

#### **COUNCIL MEMBER COMMENTS:**

**Diane Stinney -** Thanked the public for their input and thanked Council for their reconsideration and thinking the ordinance through. Commented to Ms. Waters that she understands the importance and that this is why she changed her mind. Stated she was asked to read a thank you letter addressed to the Police and Emergency Squad. "The family of Linda Mason who passed away on February 28th wishes to thank Pemberton Township Police, Lourdes Emergency Squad who showed up when she called 911." Stated that she also believes a fire truck was there. Noted that they tried to revive her daughter Linda Mason but with no success she passed away. Stated that Linda was a legislative representative for the American Federation of Government Employees and she worked very hard for employees. Advised that she knows that if she could have been here at the meeting she would have had an awful lot to say on this so on behalf of the Mason family, they wish to send their deep heartfelt appreciation. Noted that there is a viewing on both Friday and Saturday.

**Norma Trueblood -** Had no comments but asked for all to drive home safely and that they will look into the ordinance but it is something that Council will eventually have to come back and look at to be in compliance when the time comes.

**Sherry Scull -** Thanked all for coming out and bearing with Council through the last 4.5 hours. Noted the Mayor had left the meeting, but she wanted to note that no one is trying to usurp his power and authority. Stated that a lot of it is about timing. Noted she understands the form of government and the authority of the Mayor but she doesn't think the Mayor sometimes stops to think about how much more could be accomplished if they go back to working together. Stated she has asked and begged him to work with Council and she is discouraged and like Ms. Maldonado, brokenhearted because this is her home town and her family has been here for 300 years. Noted that she feels if they put more energy into working together and solving issues they would be getting a lot further. Expressed again that the issues between Administration and the Police Department need to stop, it is not being made up and it is obvious and the Mayor has it in his authority to resolve it. Thanked the Council for tabling the ordinance, noting she knows it was difficult for some to change their minds. Noting she is aware they are out of compliance, however they have been out of compliance for a long time and thinks they can take more time to do it right, noting the Mayor pointed out he has had the authority all along so she does not see the need for this to be pushed forward now. Councilwoman Scull further explained it is not that she is opposed to the ordinance; she is opposed to the timing. Commented on running with the Mayor eight years ago and being a team and

getting things done for the first four years and the Township is better for it. Thanked all for coming out.

**Letha Jackson** - Thanked everyone for coming out and asked them to drive home safely and take their time.

**Jason Allen** – Stated he echoed Councilwoman Jackson’s comments. Noted that on March 9th at 6:30 would be the second Budget Meeting.

The meeting was adjourned at approximately 11:12 p.m.

Respectfully submitted by,

*Amy P. Cosnoski*

Amy P. Cosnoski, RMC, Township Clerk