

**TOWNSHIP OF PEMBERTON**  
**REGULAR MEETING**  
**May 20, 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**

Sherry Scull  
Diane Stinney  
Letha Jackson  
Norma Trueblood  
Jason Allen

**ABSENT**

Also present: 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.

**CLOSED SESSION**

Resolution No. 121-2015 Authorizes Council to go into Closed Session.  
*Attorney Client Privilege*  
*Personnel Matters*

Councilwoman Scull advised she had a personnel matter to discuss and Councilwoman Stinney noted she would like to hold off the Attorney Client Privilege discussion to the next meeting. It was a consensus of Council to have the personnel discussion and attorney client privilege discussion and to also continue the later discussion at the next meeting.

Motion by Scull and Stinney to adopt Resolution 121-2015. Scull, yes; Stinney, yes; Jackson, yes; Trueblood, yes; Allen, yes. Motion carried.

Council President Allen recessed the open meeting at approximately 6:32 p.m. to go into Closed Session and reconvened the open meeting at approximately 7:03 p.m.

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

Council President Allen announced there would be no formal action pursuant to Closed.

Council President Allen advised that Resolution 127-2015 would need to be added to the Consent Agenda and read the title of the resolution.

Motion by Scull and Jackson to add Resolution 127-2015 to the Consent Agenda. Scull, yes; Jackson, yes; Stinney, yes; Trueblood, yes; Allen, yes. Motion carried.

**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.

**Fred Moorehead, Browns Mills - 1.** Advised Resolution 125-2015 is a settlement agreement with only Presidential Lakes Fire & Rescue and not with

the Browns Mills Emergency Squad. Questioned if the Council had a copy of the settlement agreement, it was noted they do and it would be made available after it is voted on. Mr. Bayer advised the public of the terms of the agreement.

**America Phillips, Presidential Lakes - 1.** Commented on the settlement agreement with the Presidential Lakes Fire & Rescue and questioned how long it would take to get the company up and running. Mr. Bayer advised of the procedure of acquisition of the property and potential timeline, noting the time to address issues with the building is unknown. Ms. Phillips questioned if the two fire trucks taken from Presidential Lakes would be returned and it was noted that would be a decision of the Fire Chief. Councilwoman Stinney questioned the funding for this and Mr. Gonzalez advised the full cost is unknown at this time, but it would come back to Council once it is determined.

**Anne Quinn, Country Lakes - 1.** Requested clarification on the process of the repairs to the building and it was noted the Engineers will do their evaluation and if extensive repairs are needed it would come to council for approval of bids. Ms. Quinn questioned if the building could generate income and Councilwoman Scull advised the community room could be rented out by the Recreation Department. Council President Allen asked about the donations received through boot collections and it was noted that becomes part of the Fire Companies funds. Mr. Gonzalez advised there has been discussion with the Fire Chief about basic repair and cleaning services provided by the volunteers. Councilwoman Stinney questioned if grant money was available and it was noted that grants are continually researched for Fire, EMS and Police. **2.** Questioned the payment for the grinder, \$8,000, and if this was for the Township doing their own road. It was noted this was for the wood chipper and not the road program.

**Jack Tompkins, Pemberton - 1.** Noted he is pleased about the process of getting fire truck back in Presidential Lakes, noting his concern when Magnolia Road closed. Commented on renting the Nesbitt Center and it was very nice, noting he is sure the Township will make accommodations in Presidential Lakes as well. Commented on the politics and issues going on in the Fire Department and noted he hopes those that want to join are allowed to. Councilwoman Jackson questioned if the Council had any say in who can join the Fire Department. Mr. Gonzalez advised of the process and it goes through the Fire Department structure, noting as long as they meet all of the criteria no one is turned down, further noting that discussions have occurred on the efforts to continue attracting volunteers in Presidential Lakes and more than a dozen people in Woodland Township are looking to volunteer. Mr. Gonzalez noted the consolidated Fire Department is functioning very well and they are always looking at ways to enhance it.

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

## **CONSENT AGENDA ITEMS**

### **MINUTES FILED BY CLERK**

Regular Meeting, May 6, 2015.

### **CONSENT AGENDA RESOLUTIONS**

- |          |   |
|----------|---|
| 122-2015 | Authorizes various routine refunds.   |
| 123-2015 | Authorizes cancellation of property taxes qualifying for Veterans Property Tax Exemption for McCarthy on Block 472, Lot 55.   |
| 124-2015 | Authorizes refund of tax overpayment for Santiago on Block 1099, Lot 37.  |
| 125-2015 | Authorizes settlement agreement between Pemberton Township and Presidential Lakes Fire and Rescue Squad, Inc., in the matter entitled Township of Pemberton v. Browns Mills Emergency Squad, Inc., Presidential Lakes Fire and Rescue Squad Inc., and Pemberton First Aid and Rescue Squad. |

127-2015 Approving a 'Release and Indemnification Agreement' with the County of Burlington for the Memorial Day parade on May 25, 2015. *Added to the Consent Agenda.*

### **BILL LIST**

Approval by Council required for payment of vouchers on bill list dated 5/15/2015

### **NEW BUSINESS**

- \*a. Purchases over \$2,000
  1. Community Development Department - Purchase of annual software maintenance agreement for Code Enforcement, Zoning Enforcement, Vacant Property Registration and Rental Registration from Comcate in the amount of \$9,691.00.
  2. Public Works Department – Purchase of repair services for Vermeer Grinder Model #4000 from Vermeer in the amount of \$7,956.78.
- \*b. NJ State Fireman's Association Membership Application for Jessica Rush with the Pemberton Township Volunteer Fire Co.

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

### **OTHER RESOLUTIONS**

126-2015 Authorizes submission of CY2014 Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection.

Motion by Scull and Stinney to approve Resolution 126-2015. Scull, yes; Stinney, yes; Trueblood, yes; Jackson, yes; Allen, abstain. Motion carried.

### **ORDINANCES FOR INTRODUCTION**

#### **ORDINANCE 10-2015**

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON ACCEPTING THE TRANSFER OF PROPERTY LOCATED AT 703 NEW YORK ROAD, BLOCK 732, LOT 10 FROM PRESIDENTIAL LAKES FIRE AND RESCUE SQUAD.

Motion by Scull and Jackson to introduce Ordinance 10-2015 with Public hearing on June 3, 2015. Scull, yes; Jackson, yes; Stinney, yes; Trueblood, yes; Allen, yes. Motion carried.

### **SOLICITOR'S REPORT:**

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

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

**Dennis Gonzalez reported:** 1. No report.

### **GENERAL PUBLIC COMMENTS**

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

**Jack Tompkins, Pemberton - 1.** Questioned the amount of the Tonnage Grant and Mr. Gonzalez advised it is an application awarded based on performance from the prior year, noting the Township received \$75,000 last year which was approximately \$12,000 more than the prior year. **2.** Commented on the speeding and passing on double yellow lines. It was noted that these concerns have been communicated numerous times to the Chief by Administration and Mr. Tompkins. Mr. Tomkins advised that he has given the Chief his phone number and still has not heard from him and noted sever residents in the area have made complaints. Mr. Gonzalez offered to have the Chief of Police at the next meeting and Council agreed. Mr. Tompkins commented on seeing speeders with Police present. Mr. Bayer advised he could file a complaint. Mr. Tompkins noted that is a waste of his time as it is a he said she said, although noted the Police Officers he has spoken to have handled things well, noted his concern for the busses and kids. Councilwoman Stinney commented on seeing speeding all over town. Councilwoman Scull advised they

Council questions this all the time and it was noted that several officers are out on leave for various reasons so the officers are spread thin.

**America Phillips, Presidential Lakes - 1.** Commented on the milling left from redoing the road, noting they are still sitting on the property next to hers and it is seeping into the wells. Mr. Gonzalez noted he would look into it and report back to Council. Ms. Phillips noted her next step would be to call DEP. **2.** Commented on the empty houses and Public Works cutting the lawn and noted her concern for the kids that will be out of school soon. **3.** Commented on gypsy moths and questioned if the Township was going to spray. Discussion ensued on the possible presence of gypsy moths and who was responsible for spraying. It was noted that someone sprayed for gypsy moths a few years ago. **4.** Ms. Phillips commented she hopes when the Township takes over the Fire Company they will bring bathrooms to the park. Council President Allen noted a question came up last meeting regarding registration for vacant businesses. Mr. Gonzalez noted that Council could add other property types to the ordinance and direct Mr. Bayer to look into the legality of doing so. Councilwoman Scull noted her concern over strip malls with 2 or 3 empty businesses and already struggling to stay open.

**Mike Tamn, Mount Holly - 1.** Noting he received a copy of Resolution 110-2015 and questioned Council if they read it before passing it, noting there should have been a scope of work attached to it before passing it. Council President Allen noted he did read the entire resolution. Mr. Tamn commented on the Clerk not having information and Council voting on something without having the information. Discussion ensued on the amount of the agreement and the modification. Mr. Gonzalez advised the only change to the agreement was the end date of the agreement which had been drafted by the NJDOT. Mr. Tamn noted that the monies do not add up and Mr. Bayer advised that all of the backup documentation is on file. Mr. Bayer noted again that the only change to the agreement that occurred at the last meeting was to the end date of the agreement. Mr. Bayer advised that all the documentation is available to Mr. Tamn through OPRA. **2.** Mr. Tamn questioned the requirement for the Mayor to give an accounting to Council once a year under the Faulkner Act. Mr. Bayer advised this is done and Mr. Gonzalez explained the Mayor does it through his budget address. **3.** Questioned the price per lineal foot of \$22 for road paving and why it was not calculated by square yard and if all expenditures were taken into account. Councilwoman Scull asked if a report with these items could be provided and Mr. Gonzalez noted that report was already provided to Council. Councilwoman Scull questioned if it contained all the items Mr. Tamn listed. Mr. Gonzalez advised it did include labor. Discussion ensued on what was included in the cost of the Township to perform the paving and the savings realized. Mr. Tamn commented on the equipment being used and the quality of the work, noting Public Works is doing the best they can with the equipment they have but the savings may not be what they think it is. Councilwoman Jackson noted that all of those items could be a factor even if another company is used and Mr. Gonzalez noted Public Works is doing a great job.

**Mike Truckwitz, Sunbury Village - 1.** Advised of the Sunbury Cleanup Day and agreed that the Public Works Department is phenomenal and they cleaned up 182 tires and 68 TV's and filled a dumpster and a half with trash. Noted they found some addition issued such as severe water behind many of the home and was advised it was the homeowner's responsibility but it is 30-40 properties and is concerned with the underlying issues. Questioned if the Township could assist in fixing the problem either with loans. Noted they would have had more TV's and tires had they been able to get to them. Commented on the health issues due to bugs from the water. Councilwoman Scull questioned if these were wetlands that have been there and asked if ARH could look into it. Mr. Gonzalez advised they are aware of the issues, noting it is all on private property and the Township can not expend tax dollars on private property, noting if it can be shown that it is being cause by something the Township did, then the Township could fix it. Discussion ensued on finding information on the property. Councilwoman Jackson commended Mr. Truckwitz for his efforts in cleaning up Sunbury. Mr. Truckwitz advised that there were about 20 small grants provided. Mr. Gonzalez advised that this came from Clean Communities money which is tied to the recycling tonnage. **2.** Advised on the removal speed humps and found a way around a technicality and he received quotes for 8 removable strips for \$11,000. Council President Allen questioned if there was a way the Township could get the speed humps installed. Mr. Gonzalez advised of the

procedures to follow for speed humps and the public safety impact. Councilwoman Stinney advised of an area in need of a stop sign and Mr. Gonzalez requested Ms. Councilwoman Stinney give him a description of the location. Council President Allen advised Mr. Truckwitz to request the speed hump in writing to Administration.

**3.** Mr. Truckowitz gave a description of what One by One is and what they are doing in Sunbury and how they are working with the churches in the area.

**Anne Quinn, Country Lakes - 1.** Commented on the K9's and questioned what information was in the report that Council requested. Council President Allen noted it reported that the information was hard to quantify and the both Chief Jantas and Administration felt adding another dog at this time when so many officers are unavailable would not be beneficial and it would be re-evaluated in approximately 4 months. Ms. Quinn expressed her concern of losing the current K9 and having none, questioning the age of the current K9. Councilwoman Stinney read from the report from Administration noting the many man hours have been saved using the K9. Councilwoman Scull noted she thought there were officers already trained and Mr. Gonzalez advised the officer needs to be trained with the dog. Discussion ensued on the purchase of cars and the question if they were K9 equipped, it was noted that they were not.

**2.** Commented on the speeders in town and questioned if help could be requested from the State Police. Councilwoman Scull noted they could ask this of the Chief of Police at the next meeting.

**3.** Questioned if the items needing to be done for the property purchases approved at the last meeting are being done. Mr. Gonzalez advised that the contingent items are in the process of being completed and explained the items needed to be done, timeline and cost.

**4.** Noted she did not appreciate Mr. Gonzalez laughing at Mr. Tamn during his comments, noting the residents are here because it is important to them.

**Terry Maldonado, Browns Mills - 1.** Advised that they will be doing something to recognize Mr. Gorman's retirement but do not have details right now.

**2.** Asked if the report was available regarding Community Cay. Councilwoman Scull stated she forwarded that to Mr. Gorman. Ms. Maldonado requested if she could be forwarded a copy.

**3.** Asked if a speed report has been done for Trenton Road. It was noted that Trenton Road is a County roadway and will have to check with the County as well. Councilwoman Stinney advised she served on a road study several years ago and there were concerns then with the traffic and specifically school buses. Ms. Maldonado asked if a more up to date study could be done noting the area is at 125 Trenton Road.

**4.** Questioned what is being done on Scammell Drive as she sees several concrete barrels. Mr. Gonzalez advised that there was a sinkhole and it is being repaired and residents will be advised if they are going to lose water.

**Mike Tamn, Mount Holly - 1.** Commented on the retention basins at the Nesbit Center Park and the needs for cyclone fencing around them per Township ordinances and advised it should be checked into.

**Fred Moorehead, Browns Mills - 1.** Commented on the old Acme being painted and wanted to mention something positive. Councilwoman Jackson thanked him.

**America Phillips, Presidential Lakes - 1.** Questioned if the Chaplain issues has been resolved. Council President Allen and Mr. Gonzalez advised of the process and are establishing a date to meet with those interested. It was noted that Reverend Glass had submitted a letter of interest.

**2.** Questioned the opening in the guardrail at the new Country Lakes dam. Mr. Gonzalez advised something is being done and a change order will be brought to Council for approval.

**3.** Commented on the speeding issues throughout town and expressed her concern for the kids that will be out of school.

**4.** Asked Council to look into the millings that have been left by her house on Connecticut Road.

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

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

**Councilwoman Stinney -** Commented that for every negative there should always be a positive and thanked everyone for their comments and for coming out tonight. Stated that on May 29th the Pemberton Township High School will be having their military memorial service starting at 9:30 a.m. Noted that she attended the 55th District 11 VFW conference and was surprised to look up and see Mr. Brian Smith's whole family, one of our finest police officers, as a recommendation from the VFW Post 6805 to be one of the outstanding law enforcement officers. Stated she was so proud that our officers can be awarded at such a

heavy duty convention. Thanked everyone on Council for a wonderful meeting and she enjoys their talks and knows that Ms. Waters enjoyed it as well.

**Councilwoman Jackson** - Thanked everyone and agreed with Councilwoman Stinney and feels the tone of the meetings changing which makes her happy. Noted that the PTHS prom would be this Friday at the Camden Aquarium and asked for all to keep the young people in prayer for their travels. Thanked all for coming out and to have a great evening.

**Councilwoman Trueblood** – Thanked everyone for coming out. Commented that at the last meeting she advised the BCC would be having their 47th graduation and almost 1300 students graduated with the keynote speaker being Congressman Tom MacArthur. Stated it was very well attended and went off with no problems. Noted that for the PTHS prom this is the first time that BCIT will be joining them for their prom at the same location but different room. Asked to keep everyone in mind for celebrations this Memorial Day weekend.

**Councilwoman Scull** - Noted that there was a graduate at BCC that is a senior at PTHS, noting it was the first time this has occurred, graduating with her Associates Degree before obtaining her High School Diploma and they are very proud of Miss Horton. Commented on the college courses offered at the high school. Noted the Memorial Day parade start location and time, noting Rudy Irizarry will be the Grand Marshall and Russell Franks, Commander of American Legion Post 294 and Mr. Irwin Jacob, retired Police Officer and Vietnam War Veteran with a Purple Heart are the guest speakers. Advised after the parade the American Legion Post 294 will be hosting an event with hot dogs provided by the Mayor. Thanked everyone for coming and will look to see them all on June 3<sup>rd</sup>.

**Council President Allen** – Thanked all for coming out and for their questions and comments. Thanked Mr. Tompkins for bringing a positive and for any resident that has something positive to say as everything cannot be a complaint. Advised that St. Mark's Baptist Church would be having a Blood Drive on 5/29 at 545 Lakehurst Road from 1:00 p.m. to 6:00 p.m. for anyone interested in giving blood. Thanked Councilwoman Jackson for showing dedication and coming to the meeting on her birthday. Thanked all and will see them at the next meeting. Thanked Mr. Gonzalez and Mr. Bayer for fielding questions.

The meeting was adjourned at approximately 8:47 p.m.

Respectfully submitted by,

*Sunshine Dashiell*

Sunshine Dashiell  
Deputy Township Clerk