

**TOWNSHIP OF PEMBERTON
REGULAR MEETING**

**September 21, 2016
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
Kenneth Cartier
Jack Tompkins
Letha Jackson
Jason Allen

ABSENT

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

CALL TO ORDER

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

CLOSED SESSION

193-2016 Authorizes Council to go into Closed Session - **Not Adopted**

Council President Allen advised that there would be no Closed Session.

PUBLIC COMMENTS

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

Terry Maldonado, Board Liaison, Pemberton Schools - 1. Stated she was relaying a message from the Superintendent, Tony Trangone, who is thanking Chief Jantas for helping out the Board of Education in setting up a bussing committee to help reinstate courtesy bussing and for pursuing the issue of speeding on Trenton Road.

Alan Cantrell, Real Estate Broker - 1. Stated he had a problem with the vacant homes policy and the fees being charged to it. Noted that when they buy the properties to come and rehab them they are getting hit with fees even though they are legally doing construction on the properties. Mr. Cantrell read from the code regarding construction on the property. Commented that the Township Zoning Officer is going over and above and charging them these fees even after they have purchased them and started work on them. Stated that they are coming in trying to help fix up the town and that is the most important thing. Acknowledged the large risk they take in doing and feels they should not be getting hit with these fees. It was noted that the ordinance in question was 145-43. Councilman Tompkins stated that it was highly inappropriate for a Township employee to state they are making a lot of money on this. Noted he has heard a lot of comments about this ordinance in the past. Stated he understands the initial intent but noted that there are people that have inherited the property after the passing of a loved or trying to invest in the property. Commented that he thinks this ordinance needs to be looked into.

Ronald Long, Schneider Real Estate - 1. Noted he deals with quite a few investors in the area. Advised that what he is doing is bringing up addresses for investors and after having gone to the Township to find out if monies were owed he had 4 deals fall through because there was. Stated he does not think that the investor should be penalized for trying to buy something and make it look nice. Stated he was told, that he could take this to court but would lose. Council President Allen asked if this had been brought to the attention of the Business Administrator or Dave Benedetti. Mr. Long advised that he was told he had to come to a Council meeting by Mr. Benedetti. Advised that their questions were not answered and they are currently working with an attorney. Council President Allen asked if they had contacted Mr. Benedetti to find out why they had received a ticket. Mr. Long stated that he was advised by Mr. Benedetti that if they did not registered the properties as vacant they would be fined. Council President Allen stated that whatever questions he has should be discussed with Mr. Benedetti to get clarification.

MaryAnn CoCo, Business Owner - 1. Stated she is one of the people buying these properties. Advised that she had spoken to Mr. Benedetti and asked why she was getting a letter that stated she was to pay a fine and was advised that she should read the ordinance. Noted that after she read the ordinance she understood a vacant property to only be considered vacant if it is not under construction or if construction has ceased. Stated that when she buys a property constructions starts immediately and she stays in the home while it is up for sale or rent. Explained that the whole thing between the ordinance and the chapter is very contradictory putting them at risk. Noted that the bank has owned the home for 5 years and it is falling apart, she comes in to fix it up so someone can enjoy actually living in it and is being penalized. A discussion ensued on the ordinance and when it was put it into effect. It was noted that it has been in effect since 2012. Councilman Cartier advised that the Title company should be aware of this information. Ms. CoCo asked why this is not listed by the Township when they go to purchase the home. Mr. Gonzalez advised that the costs associated with a property registration ordinance run with the property. Stated the ordinance is published in accordance with law and when inquiries are made all of the information is available to the public and it is their responsibility to obtain the information. Councilman Cartier questioned if the Title company would be responsible for coming to see if there were any fees due on a property. Mr. Gonzalez advised that he would imagine Title companies should be asking questions. It was noted that if the Title company asked they would be provided with the fees. Councilman Tompkins questioned if there had been any previous litigation regarding this ordinance. Mr. Gonzalez advised that a substantial amount and we were successful in Court.

Ronald Long, Schneider Real Estate - 1. Noted that he deals with Sheriff sales and they always list all of the monies owed and asked why this was not listed as a money owed. Stated this is not being listed as a lien and that no one knows about it. Commented on the appearance of the Township and the amount of vacant homes. Stated this should be looked at to benefit the people trying to fix up the town instead of penalizing them.

Alan Cantrell, Real Estate Broker - 1. Stated that if they want to point the finger and say it is his fault that is fine. Councilman Cartier stated he is not pointing the finger but that it is the Title company's responsibility to be aware of the monies owed. Mr. Cantrell advised that it needs to be registered with the County otherwise the Title company cannot pick it up. Stated that the issue is with the description of what a vacant property is.

America Phillips, Presidential Lakes - 1. Noted that it is a good thing the Realtors came out tonight. Noted she complains all the time about the vacant homes. Commented that when purchasing a home the first thing you get is a piece of paper listing any liens against the property. Stated we should not be slapping these people in the face but rather give the people a chance. Asked where all of the money is that is being collected on these empty houses. Stated we are not doing the residents a favor. Commented on Veteran owned homes. **2.** Asked what is going on with the Presidential Lakes Firehouse. Mayor Patriarca advised that we had received a conceptual plan and design for the property. Noted it is not exactly what he is looking for and they are negotiating. Ms. Phillips commented on the residents paying for fire services and do not have a fire company. Discussion ensued on the nearest fire company. **3.** Commented on the dilapidated houses in Presidential Lakes. Hopes we will help the people trying to fix up the neighborhood.

Ronald Long, Real Estate Broker - 1. Asked where the money goes that is collected on the vacant homes. It was noted that it comes in as general revenue.

Jeff Ayers, Property Owner - 1. Noted he purchased a property at 510 Cactus Street and that no permits would be issued until he paid a vacant property fee that did not show up on a title search. Noted that when you come to do a rental inspection or permits is when you find out that there is money owed. Commented that this is a money grab and noted that it is not a lien so there is no way for them to know about it. Commented on the Township owning a lot of abandoned property years down the road. Council President Allen noted that our Solicitor reviewed the ordinance when it was discussed and that there are other Townships that have the same ordinance. Councilwoman Jackson asked if they purchased properties from other towns and have never heard of this before.

MaryAnn CoCo, Business Owner - 1. Stated that if they want to charge the bank because they have let the property go for 5 years she understands that, but that her point tonight is she wants to help our Township like the rest of us and she is not making globs of money. Noted that as a brand new owner she should not be penalized for something the bank did. Asked why the ordinance could not just be changed to make everyone happy and force them to let the foreclosures go and let her have a year from the time she buys it to get

everything together and then if she doesn't sell it the Township could come back and charge her the fine. Asked Council to reconsider the ordinance. Councilman Tompkins asked Council President Allen if this ordinance could be placed on a future agenda so they can discuss some of these things.

LaShawn Barber, Country Lakes - 1. Noted that it was refreshing to hear a lot of the information that was being discussed about the maintenance of properties and the vacancies. Stated that she is the Municipal Clerk for Tabernacle and that her town had modeled an ordinance of theirs from one at Pemberton Township and she is familiar with several of the struggles. **2.** Stated that today she is not here to talk about that but is here in regard to the re-appointment of Amy, the Township Clerk. Stated that she wanted to state how much she appreciates that Council is re-appointing her Municipal Clerk, Amy. Stated she knows the struggles that Municipal Clerks deal with on a day to day basis. Presented a fruit basket to Amy on behalf of the Municipal Clerks Association. Noted that Amy is the Secretary to the Municipal Corporation, the Secretary to the Governing Body, the Chief Election Official, the Chief Registrar of all voters, the Records Coordinator, Administrator Official and any other duties that may be opposed upon her. Commented that she appreciates Amy as her Municipal Clerk. Ms. Cosnoski thanked Mrs. Barber. **3.** Ms Barber also wanted to thank the Public Works department and stated they are phenomenal.

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

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.

Councilwoman Jackson asked to pull Resolution 194-2016. Councilman Cartier asked to pull Resolutions 200-2016 and 201-2016 and all of the Consent Agenda items listed under New Business. Councilman Tompkins asked to pull Resolutions 197-2016 and 199-2016.

CONSENT AGENDA

MINUTES FILED BY CLERK

Regular Meeting, September 7, 2016.

***CONSENT AGENDA RESOLUTIONS**

- 194-2016 *Pulled from the Consent Agenda and considered later in the meeting.*
- 195-2016 Authorizes various routine refunds in the total amount of \$455.00.
- 196-2016 Rescinds Resolution No. 154-2016 which accepted a \$260,000 loan from the NJDCA Urban and Rural Centers Unsafe Buildings Demolition Bond Loan Program.
- 197-2016 *Pulled from the Consent Agenda and considered later in the meeting.*
- 198-2016 Authorizes liens on private properties in violation of the Pemberton Township Property Maintenance Ordinance in the total amount of \$4,321.15.
- 199-2016 *Pulled from the Consent Agenda and considered later in the meeting.*
- 200-2016 *Pulled from the Consent Agenda and considered later in the meeting.*
- 201-2016 *Pulled from the Consent Agenda and considered later in the meeting.*

NEW BUSINESS

a. Purchases over \$2,000

- *1. Recreation & Senior Services - Purchase of materials to construct parking lot guard rail fence at Bayberry Park from Diamond M Lumber Company in the total amount of \$3,492.00. *Pulled from the Consent Agenda and considered later in the meeting.*
- *2. Community Development - Purchase of desktop upgrades (5) for Inspection Office from Look First Technology in the total amount of \$6,910.40. *Pulled from the Consent Agenda and considered later in the meeting.*

- *3. Public Works - Purchase of tree removal services from Reynolds and Sons Tree Service in the amount of \$11,700.00. *Pulled from the Consent Agenda and considered later in the meeting.*
- *4. Police Department - Purchase of 3 computers from Dell Inc. in the amount of \$2,980.11. *Pulled from the Consent Agenda and considered later in the meeting.*

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

RESOLUTIONS

194-2016 Reappoints Amy P. Cosnoski as Township Clerk. *Pulled from the Consent Agenda.*

Council President Allen advised that he asked Councilwoman Jackson to pull this resolution so he could thank Amy for being an extraordinary Clerk, for doing such a great job and making their jobs a lot easier. Councilwoman Jackson thanked Amy.

Motion by Jackson and Trueblood to approve Resolution 194-2016. Jackson, yes; Trueblood, yes; Cartier, yes; Tompkins, yes; Allen, yes. Motion carried.

197-2016 Authorizes agreement with the New Jersey Department of Community Affairs for Local Planning Services. *Pulled from the Consent Agenda.*

Councilman Tompkins asked if this was a part of the triangle of properties that we are acquiring. Mayor Patriarca advised this was part of the Redevelopment Plan and area. Noted that the problem we are running into is with Pinelands. Stated that the Pinelands charges Pinelands Development credits for developing in the town center and we cannot build any residential development in there without an additional \$8,000.00 to \$9,000.00 dollars per acre. Stated they are trying to work out some type of agreement and to transfer some of these development rights. Noted that the State offers a free planning service for this and they applied and they agreed to help with the problem. Councilman Tompkins asked if the primary focus was in the triangle. Mayor Patriarca that it is in the entire Redevelopment Area from Junction Road down to Deborah and over to the other side of Lakeshore Mobile Village. Councilman Tompkins asked if this is passed if it will increase Mr. Benedetti's job scope and in turn increase his pay. Mr. Gonzalez advised this would not be an increase and that they are small titles. Councilman Tompkins asked if the draft presented would turn into the final if this is approved. It was noted that it would and was provided to us by the State officials. Councilman Tompkins asked who would be on the working committee. Mr. Gonzalez advised that it would be Pemberton employees. Councilman Tompkins asked if any business leaders would be involved. Mr. Gonzalez noted not at this time. Council President Allen noted that there would be a kick off meeting which anyone could attend. Mayor Patriarca noted the project is trying to solve a problem on trying to develop the town and would not have an impact on local businesses. Stated they are trying to look out for the interest of the town. Mr. Gonzalez noted that this is not to alter the redevelopment plan that was previously adopted through both Planning and the Council. Stated that this was to figure out how to deal with the Pinelands financial disincentive to develop anything in our town when our town is 90% within the Pinelands. Stated that basically the Pinelands theory is if they charge enough money fewer people will want to develop.

Motion by Cartier and Trueblood to approve Resolution 197-2016. Cartier, yes; Trueblood, yes; Tompkins, no; Jackson, yes; Allen, yes. Motion carried.

199-2016 Authorizes the cancellation of unexpended appropriations and other open balances in the total amount of \$16,962.88. *Pulled from the Consent Agenda.*

Councilman Tompkins asked what the original grant was for. Mr. Gonzalez advised it was a TAG grant. Councilman Tompkins asked if since the money was not used if it goes back to the State. Mr. Gonzalez advised that whatever portion was not used we lose and this resolution is to have our budget reflect this. Mayor Patriarca advised this is a reimbursement grant so we have to budget it in the beginning of the year and when we don't use it we don't get reimbursed but we budgeted that money so it goes into surplus.

Motion by Tompkins and Jackson to approve Resolution 199-2016. Tompkins, yes;

Jackson, yes; Trueblood, yes; Cartier, yes; Allen, yes. Motion carried.

200-2016 Authorizes the release of the performance bond for the Dunkin Donuts located at 121 Trenton Road. *Pulled from the Consent Agenda.*

201-2016 Authorizes the release of the performance bond for the Family Dollar located at 25 Ft. Dix Road. *Pulled from the Consent Agenda.*

Council President Allen asked Administration why the maintenance bond for Resolution 200-2016 was being waived and in 201-2016 we are not. Mr. Gonzalez advised that these resolutions come from our Engineer and what the process is in order to release the bond. Noted this is contingent upon the Planning Board agreeing that the Maintenance Bond should be waived. Councilman Cartier advised he had concerns with this as the one asking for the waiver has a detention basin and the other does not. Mr. Gonzalez noted that if Council had concerns he would be happy to express that to our Engineer who has made the request and Council can put it off until the next meeting. Ms. Cosnoski advised that she had been dealing with this for a while and the one for Dunkin Donuts was well past the maintenance time period that was done. Noted the issues and that the request being made by the insurance holder of the performance bond. Added that the Engineer reviewed the property and agrees that the performance bond has been satisfied.

Motion by Tompkins and Jackson to approve Resolution 200-2016. Tompkins, yes; Jackson, yes; Trueblood, yes; Cartier, yes; Allen, yes. Motion carried.

Motion by Trueblood and Cartier to approve Resolution 201-2016. Trueblood, yes; Cartier, yes; Tompkins, yes; Jackson, yes; Allen, yes. Motion carried.

OTHER RESOLUTIONS

202-2016 Overrides Mayor's veto of Ordinance 16-2016 Amending Chapter 64 to Amend Section 64-2 Hours of Sale.

Council President Allen noted that the Mayor had provided a few reasons as to why he is vetoing the ordinance. Stated he would go through each of the Mayors points one by one. **1.** Noted the definition of the quality of life and that by definition the quality of life is consideration of the consumers and that customers waiting shows demand. **2.** Noted that only one of the many license holders recommended the change. Council President Allen advised that after church he started to visit the store owners to see what they thought of the change but changed his mind after thinking of the chicken ordinance. **3.** Noted that the Mayor had suggested that longer hours of access to an activity that the Township has chosen to put limitations on. Council President Allen noted that the store owner is requesting to open an hour earlier rather than to extend hours at the tail end of the shift. Council President Allen stated this was a reasonable request. **4.** Noted that the Mayor had commented that the amendment would encourage license holders to function as a distribution licensee rather than a consumption licensee. Council President Allen commented this was a matter of opinion but that opening the business an hour earlier would not change the license. **5.** Noted that Mayor had suggested that the Township already allows longer hours for the operation of licensed establishment verses surrounding communities which is a substantial benefit to all license holders. Council President Allen asked if other communities extended there Alcoholic Beverage hours should we do the same. Council President Allen added that he goes to church just about every Sunday and does not see how Church and liquor stores correlate. Commented that not everyone frequents bars for alcohol purchases or consumption but to be social and/or enjoy bar food. Noted that as someone who does not and will not drink and drive, he is a good example as he likes bar food. Stated that for anyone who happens to be listening or reading through the minutes to please encourage those that you know or come in contact with to not drink and drive. Noted that although he has stated his reasons for not supporting the Mayors veto, the most important message he would like to convey is to monitor your alcohol intake and never ever drink and drive as it is not worth it. Councilman Tompkins and Councilwoman Jackson agreed with Council President Allen's comments.

Motion by Tompkins and Jackson to approve Resolution 220-2016. Tompkins, yes; Jackson, yes; Trueblood, no; Cartier, no; Allen, yes. Motion not carried for lack of the required two thirds votes.

ORDINANCES FOR SECOND READING AND/OR PUBLIC HEARING

ORDINANCE 17-2016

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE ACQUISITION OF THE PROPERTY LOCATED AT BLOCK 553, LOT 50 COMMONLY KNOWN AS 46 JULIUSTOWN ROAD BY NEGOTIATED PURCHASE OR EMINENT DOMAIN IN AN AMOUNT NOT TO EXCEED FAIR MARKET VALUE PURSUANT TO A PROFESSIONAL APPRAISAL

Council President Allen opened this portion of the meeting to public comments, seeing none this portion of the meeting was closed.

Motion by Cartier and Jackson to adopt Ordinance 17-2016. Cartier, yes; Jackson, yes; Tompkins, no; Trueblood, yes; Allen, yes. Motion carried.

ORDINANCE 18-2016

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE ACQUISITION OF THE PROPERTY LOCATED AT BLOCK 553, LOT 1 COMMONLY KNOWN AS 16 MARKET STREET BY NEGOTIATED PURCHASE OR EMINENT DOMAIN

Council President Allen opened this portion of the meeting to public comments, seeing none this portion of the meeting was closed.

Motion by Cartier and Trueblood to adopt Ordinance 18-2016. Cartier, yes; Trueblood, yes; Jackson, yes; Tompkins, no; Allen, yes. Motion carried

UNFINISHED BUSINESS

- a. Discussion and possible introduction of an ordinance banning the sale of puppy mill animals.

Council President Allen introduced Brian Hackett who is the NJ State Director of the Humane Society for the United States. Commented that one of his partner advocates has been in contact with the Council regarding this potential ordinance. Gave a background on the ordinance and the law they are trying to get passed in New Jersey to deal with the issue of puppy mill animals being trafficked into New Jersey and primarily sold over the internet and through pet stores. Commented that 8 counties including Burlington have passed this ordinance and with Hamilton Township passing one last night, they are up to about 70 counties in the last year. Councilman Cartier noted that his biggest concern is noting the only authorized sellers are rescue operations or animal care facilities. Stated there has to be more than just puppy mills out there selling legitimate puppies and feels they are being excluded from this. Mr. Hackett advised that what the ordinance really seeks to do is be proactive in nature and specifically discusses physical pet store locations. Stated the reason for this is in NJ they have seen that there have been situations like "Just Pups" in East Brunswick and Paramus where a gentleman had stores where there were 67 puppies from a puppy mill transported from Missouri in van that the Paramus Police found and revoked his license as did East Brunswick. Noted there were 3 dead animals in a freezer and that this is a proactive approach to prevent bad actors like this from coming into our town. Stated that the ordinance does not affect responsible breeders or home based situations. Councilman Cartier disagreed and noted because the ordinance specifically states rescue operations and animal care facilities. Mr. Hackett stated that no legitimate breeder sells there animal to a pet store. Councilman Cartier asked if that meant that every pet store out here is then getting the animals from a puppy mill instead of legitimate breeders. Mr. Hackett stated that if he reviewed the investigative report of all of the States pet stores he will find egregious violations. Councilman Cartier asked why they were then being allowed to continue operations. Mr. Hackett advised that this is what the State is trying to address. Councilman Cartier asked why the State could not pass a statute eliminating puppy stores. Mr. Hackett advised that S63 encourages municipalities to take further action with ordinances such as this. Mr. Bayer asked what the purpose of that would be. Mr. Hackett states that what S63 does on the State level is 3 strikes and your out for pet stores. Noted that pet stores are not supposed to be sourcing from non USDA licensed commercial breeders. Councilman Cartier asked why that could not be added into the ordinance. Mr. Hackett stated that it was not needed as he thinks the issue is the ordinance is specific in scope to just pet store locations so whether it is a local ordinance or State Law, responsible breeders are not affected. Councilman Tompkins questioned if they had to be certified to sell at a pet store. Mr. Hackett advised that this what the State bill says. Noted that the NJ Association of Dog Clubs specifically states on their website that they do not recommend buying a pet from a

pet store. Councilwoman Jackson asked what the definition of a responsible breeder was. Mr. Hackett advised that a responsible breeder is not a puppy mill which is a mass production of puppies. Stated it is largely defined by the method in which they interact with the consumer and is about transparency for the consumer. Mr. Bayer asked about the passing of the State Law. Mr. Hackett gave an overview on the status of the law. Mr. Bayer asked if local breeders could sell to pet stores. Mr. Hackett noted that it is possible but is very uncommon as responsible breeders do not sell to stores. Noted they think this is a common sense measure and expressed other ways a responsible person can obtain a dog. Councilman Tompkins commented on the Mom and Pop stores and felt they could be offended. Mr. Hackett explained how it has been dealt with in other towns with existing pet stores. Commented that this is a proactive measure for Pemberton Township as we do not currently have a pet store. Councilwoman Jackson commented on if something should be put in the ordinance to make sure something doesn't come up later about being a responsible breeder. A discussion ensued on how this affects responsible breeders. Mr. Hackett advised on some of the red flags to look for and that they have never had a responsible breeder say they sell their dogs at pet stores. Councilwoman Jackson thanked Mr. Hackett for all of the information and answering their questions. Mr. Hackett thanked Council for considering this ordinance. Councilman Cartier noted that he has no problem moving forward if the language that USDA approved breeders be added to the language. Mr. Hackett further explained USDA approved breeders. Mr. Bayer will bring something back to Council at the next meeting.

NEW BUSINESS

a. Purchases over \$2,000

- *1. Recreation & Senior Services - Purchase of materials to construct parking lot guard rail fence at Bayberry Park from Diamond M Lumber Company in the total amount of \$3,492.00. *Pulled from the Consent Agenda.*

Council President Allen asked if Public Works would be installing the fencing. It was noted that they would be.

- *2. Community Development - Purchase of desktop upgrades (5) for Inspection Office from Look First Technology in the total amount of \$6,910.40. *Pulled from the Consent Agenda.*

Council President Allen asked why the upgrades are needed. Mr. Gonzalez noted the computers they have are very old and the software is no longer supported.

- *3. Public Works - Purchase of tree removal services from Reynolds and Sons Tree Service in the amount of \$11,700.00. *Pulled from the Consent Agenda.*

Council President Allen asked if we are cutting down the tree tops or cutting down the trees. Mr. Gonzalez advised both are being done. Stated the request is to cut off the tree tops because we do not have the equipment to get to the tall trees and then Public Works will come in with our equipment and cut the trees down. Councilman Tompkins asked if there would be a cancellation fee. Mr. Gonzalez noted there was not but would think about that next time.

- *4. Police Department - Purchase of 3 computers from Dell Inc. in the amount of \$2,980.11. *Pulled from the Consent Agenda.*

Council President Allen asked if these are additional or replacements for existing computers. Mr. Gonzalez advised these are additional for the same reasons as Community Development. Councilman Cartier asked why we don't do the same brand across the board. Mr. Gonzalez advised that the Police Department were interested in Dell due to certain functionality and our IT people checked it out and felt it was an acceptable choice.

Motion by Cartier and Jackson to approve Purchase Over \$2,000 items A1 through A4. Cartier, yes; Jackson, yes; Tompkins, yes; Trueblood, yes; Allen, yes. Motion carried.

- 5. Water - Purchase of Radioactive Material License for Well #11 from the New Jersey Department of Environmental Protection in the amount of \$2,550.00.

Motion by Cartier and Trueblood to approve Purchase over \$2,000 item A5. Cartier, yes;

Trueblood, yes; Tompkins, yes; Jackson, yes; Allen, abstain. Motion carried.

REPORTS & COMMUNICATIONS

a. Engineer's Report 9/21/2016

Councilman Cartier commented that on Juliustown Road near where it becomes Broadway there is a sinkhole forming. Mayor Patriarca noted this is a County road but he will have Public Works contact the County to have it looked into.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 9/16/16.

Motion by Trueblood and Jackson to approve the bill list. Trueblood, yes; Jackson, yes; Tompkins, yes; Cartier, yes with the exception of any fire department related bills which he abstains from; Allen, yes. Motion carried.

SOLICITOR'S REPORT:

Mr. Bayer reported: Noted that Judge Bookbinder approved the Affordable Housing Plan and spending plan for Affordable Housing Trust monies at a hearing last week. Stated there are a couple of contingencies and he will probably be before Council at the next meeting but it did go well. Stated there will be a judgment of repose which means we cannot get sued by builders building a development that you don't want to have happen.

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

Mayor Patriarca reported: No comments.

COMMENTS BY COUNCIL MEMBERS:

Councilman Tompkins – No comments.

Councilwoman Jackson - Thanked everyone for coming out and will see all at the next meeting.

Councilman Cartier - Stated that he noticed that there is an under contract sign on the old lumber company and asked what was going on there. Mayor Patriarca advised that there was a company that had come in for some preliminary talks to discuss what can be put there. Stated they are proposing a Dollar General for that site. Noted they were instructed that we do have an architectural standard in place with our form base coding that they may want to look at and come back with a plan that meets our code.

Councilwoman Trueblood - Noted she had read the minutes from the last meeting and Councilwoman Jackson's comments about being notified if a business closes. Stated she has heard a lot about the Shoe Department leaving. Noted that the new shop is in there working on the space and people are talking about whether it will be profitable. Stated residents were very upset that no one took into consideration that they go there to buy their shoes and now they have to travel far for this.

Council President Allen - Thanked everyone for coming out God bless and good night.

The meeting was adjourned at approximately 8:19 p.m.

Respectfully submitted by,

Amy P. Cosnoski

Amy P. Cosnoski, RMC, Township Clerk