

**TOWNSHIP OF PEMBERTON
REGULAR MEETING**

**March 1, 2017
6:30 P.M.**

FLAG SALUTE

Council President Cartier 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
Jason Allen
Donovan Gardner
Letha Jackson
Kenneth Cartier

ABSENT

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

CALL TO ORDER

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

CLOSED SESSION

70-2017 Authorizes Council to go into Closed Session - Not Adopted

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

PUBLIC COMMENTS

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

Allen Cantrell, -1. Asked if Dave Benedetti and D. Benedetti are the same person. It was noted that it is the same person and that half of his salary is paid out of one position and half out of the other as he covers both positions. **2.** Questioned the payment being made to Craig Augustoni as he works for the State. It was noted that he is the Emergency Management Coordinator for the Township.

Anne Quinn, Country Lakes - 1. Commented on a truck that was filling potholes incorrectly and thinks this is not a good use of taxpayer money if it is just going to get washed away. It was noted that the road she was questioning was a County road and it was not our employees doing the work. **2.** Questioned the renting of the Pot Hole Killer truck last year and again this year and if we are getting the cheapest price. It was noted that it was and that the price includes the material and training as well. **3.** Questioned the price of the equipment under resolutions 72-2017 and 73-2017. The prices were noted as \$18,750.00 and \$47,500.00, all purchased through State contract. **4.** Questioned Resolution 74-2017 for plumbing supplies. Council President Cartier noted that this was the yearly supplies for the Water Department and is done every year. **5.** Questioned Resolution 75-2017 regarding Well #11 and if there was a problem. Council President Cartier advised there was not and this is for monitoring going forward. Ms. Quinn questioned if this was due to the foam used for the based fire, discussion ensued regarding the ground water contamination issue on the base **6.** Questioned Resolution 77-2017 and if we are paying \$45,170.00 or if this is coming from the grant. Mr. Gonzalez noted that this is money coming from the grant to pay the Engineers to do the design and construction management. **7.** Noted that her concerns with the budget and continuing to bond for things instead of working the cost into the budget. Stated we are using township money to purchase properties in the hope of developing the town to bring in more ratables. Stated she finds it aggravating that in her opinion there is not enough transparency to the taxpayers as to the redevelopment of this town. Noted she has asked questions and has been advised drawings have been sent to Maryland but is not being told who is reviewing the drawings. Stated she knows that they may have a plan to redevelop the town but that the longer it goes the harder it will be. Advised that she is concerned with the \$2.6 million dollar surplus that was out towards the 2017 budget. Stated she has lived here more than 16 years and we had more ratables then than now. Asked for more transparency and for the Council especially to advise the taxpayers. Commented that she has heard whispers that one of the stores where the Acme is wants to move out because of high rent. Councilwoman Jackson asked if Ms. Quinn

understood that the Township does not make the rent rates for the complex. Ms. Quinn stated that for every business we lose we lose a ratable. Stated she understands that the Council and Township does not set the rates but as a taxpayer she does not think that they are getting enough transparency to the redevelopment of this town in an attempt to bring a stable base of economic growth to this town because they are getting generic answers. Stated she has no desire to get involved with the developers but wants more information. Councilwoman Jackson stated she respectfully disagrees and thinks that the Council and Administration have been transparent. Mr. Bayer stated that in the instance that Ms. Quinn is talking about, the Township does not have an agreement with this developer and is just getting information from them and that eventually if there is an agreement then it will come before Council and the public. Ms. Quinn stated she feels the taxpayers need more information.

Seeing no other residents wishing to be heard, Council President Cartier 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.

Councilman Allen asked to pull Resolution 76-2017.

CONSENT AGENDA

***MEETING MINUTES**

Regular Meeting Minutes, February 15, 2017

***CONSENT AGENDA RESOLUTIONS**

- 71-2017 Authorizes the lease of a Pothole Killer truck from Patch Management under State contract #80361 in the amount not to exceed \$27,500.00.
- 72-2017 Authorizes the purchase of HP Cold Patch Asphalt repair material from American Asphalt Company, Inc., under State contract #82250.
- 73-2017 Authorizes the purchase of aggregates from Scorer Sand and Stone under State contract #87742.
- 74-2017 Authorizes the award of a contract for the provision of various plumbing supplies to Atlantic Plumbing Supply Corp. in an amount not to exceed \$82,823.38.
- 75-2017 Authorizes Adams, Rehmann & Heggan to perform environmental engineering services with respect to groundwater remediation investigations at the Township fuel facility including monitoring and reporting in an amount not to exceed \$15,975.00.
- 76-2017 *Pulled from the Consent Agenda and considered later in the meeting.*
- 77-2017 Authorizes a contract with Roberts Engineering Group, LLC for project design, public bidding, construction management and other professional services related to the Small Cities CDBG project for 'ADA' compliant pedestrian ramps and curb cuts in an amount not to exceed \$45,170.00.

NEW BUSINESS

*a. Purchases over \$2,000

1. Public Works - Purchase of Public Works Software and Maintenance 2017 from Tracker Software Corp. in the total amount of \$2,281.00.

*b. Approval by Council of PTMUA's Professionals appointments (as to fees only) for 2017.

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

RESOLUTIONS

- 76-2017 Authorizes the extension of the completion date of a contract with TKT Construction of Williamstown New Jersey, to install radium removal treatment at Well No. 11 in the Township of Pemberton. *Pulled from the Consent Agenda.*

Councilman Allen asked for an explanation as to why this is being brought in now. Mr. Gonzalez explained that this was the construction and radium removal at Well No. 11 and that the project is essentially complete except for the submission of the

final paperwork to the New Jersey Department of Environmental Protection. Stated our Engineers have been ready to submit all of this paperwork and DEP has indicated that they wanted a Resolution from Council extending the completion date not withstanding the fact that the completion date has already occurred. Councilman Allen asked for a quick breakdown of what is going on with the Well. Mr. Gonzalez advised that the Well is back in service and the equipment to remove the radium is working perfectly and has been tested and we have the proper certification for the NJDEP. Noted it is being used, not at full capacity, but is turned on as necessary and put into production along with the other wells.

Motion by Allen and Gardner to approve Resolution 76-2017. Allen, yes; Gardner, yes; Jackson, yes; Trueblood, yes; Cartier, yes. Motion carried.

NEW BUSINESS

c. Purchases over \$2,000

1. Fire Department - Purchase of Fire Gear from Continental Fire & Safety in the total amount of \$2,270.00.

Motion by Allen and Trueblood to approve New Business purchase of Fire Gear in the total amount of \$2,270.00. Allen, yes; Trueblood, yes; Gardner, yes; Jackson, yes; Cartier, abstain. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE 8-2017

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSE TO VACATE A PORTION OF LAKESHORE DRIVE AND CONVEYING SAME TO ABUTTING PROPERTY OWNERS WITH THE TOWNSHIP RETAINING ANY AND ALL EXISTING RIGHTS UNDER THE LAW.

Councilman Allen asked if we vacate this property if there will be additional taxes for the property owner. Mr. Gonzalez advised that there would be because it will be consolidated with their current lot and the tax assessor would add an additional assessment to the land.

Motion by Allen and Trueblood to introduce Ordinance 8-2017 with a Public Hearing to be held on March 15, 2017. Allen, yes; Trueblood, yes; Gardner, yes; Jackson, yes; Cartier, yes. Motion carried.

ORDINANCE 9-2017

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 190-61 OF THE TOWNSHIP CODE SETTING FORTH AND ADOPTING A NEW FEE AND ESCROW SCHEDULE FOR THE MUNICIPAL LAND USE AND DEVELOPMENT CODE.

Councilwoman Jackson asked why we are raising the fees again. Mr. Gonzalez advised the escrow fees that are required for the development and zoning projects. are intended to be used to pay the professionals that evaluate the applications and provide professional opinions with regard to the application to the Planning and Zoning Boards. Stated this is not a fee that we get but hold onto and put into trust and that is what we pay the professionals with. Noted that this ordinance has not been changed in terms of the escrow fees, for a very long time. Commented that it has come to their attention that quite often they have to go back and ask the applicants for additional submission of fees to the escrow account and that is because the cost of professional fees has increased over the last 10-15 years. Mayor Patriarca stated that any escrow fees that are not used during the application process are returned to the applicant. Councilman Allen asked who came up with the fees. Mr. Gonzalez advised that Mr. Benedetti and the Board Secretary came up with the fees.

Motion by Jackson and Allen to introduce Ordinance 9-2017 with a Public Hearing to be held on March 15, 2017. Jackson, yes; Allen, yes; Trueblood, yes; Gardner, yes; Cartier, yes. Motion carried.

REPORTS & COMMUNICATIONS

- a. Engineer's Report - 2/23/2017

Council President Cartier asked if Council had any questions and Council had none.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 2/24/2017.

Motion by Trueblood and Allen to approve the Bill List. Trueblood, yes; Allen, yes; Gardner, yes; Jackson, yes; Cartier, yes with the exception of any Fire Department bills to which he abstains. Motion carried.

SOLICITOR'S REPORT:

Mr. Bayer reported: Nothing to report.

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

Mayor Patriarca reported: Commented on Ms. Quinn's comments about being transparent and states that he feels if we were any more transparent we would be invisible and noted that we are more transparent than any government than this town has ever had representing it. Noted there is information on the website and not much that cannot be obtained. Stated as far as the Presidential Lakes Firehouse, which Ms. Quinn referenced, he is in negotiations with a company to build us a firehouse and that is not public information at this point as nothing has been settled or agreed upon where the taxpayers are now entitled to or should be informed of what their government is doing. Stated they are elected to make these decisions and negotiate and go through the process of coming to Council for approvals before they do these projects, but that during negotiations that is not a right to know so that is why that information is not available. Stated he knows Council knows this but feels it is important that the public understands the process of what they are doing. Commented that just because a business moves out of town they do not lose a ratable and that ratables are based on property and that property is still being paid for. Stated they do not like to see vacant properties or businesses because what they are really losing is a service to the residents. Noted that as far as the Juliustown Road project they determined after a lengthy process of trying to develop the town, to take things in a different direction and explained what they are doing. Noted that once they have all of the property development will take place. Commented that the paving crew is still out in Presidential Lakes and have finished up Rhode Island. It was noted that they may go all year with the weather holding up the way it is. Councilman Gardner commented that he has tried to explain to friends that regarding development, part of the problem is the Pinelands Commission. Asked if Administration could elaborate on why they have these conditions. Mayor Patriarca stated they have heard these comments before after our residents see all the development in other towns. Explained the Pinelands restrictions and how this affects a developer and their profit and how this deters developers. Advised that the other issue is the infrastructure of water and sewer which we may not have in certain areas. Noted that Administration has been exploring how to bring water and sewer to other areas within the town to make it more enticing to a developer whether for residential or commercial properties. Mr. Gonzalez thanked all of the employees who played a big role in helping with the budget process which has lead to a good year financially and a good prognosis for the following year.

COMMENTS BY COUNCIL MEMBERS:

Councilman Gardner - Nothing.

Councilwoman Trueblood - Thanked everyone for coming out and commended the Mayor on his presentation of the Budget.

Councilman Allen - Thanked everyone for coming out and being here.

Councilwoman Jackson - Thanked everyone for coming out and to have a good evening, be safe and will see all that the next meeting.

Council President Cartier - Advised he had one item to discuss with Council. Noted that at the last meeting the School Board liaison, Terry Maldonado was here requesting that we reach out to the County about the crosswalk on Trenton Road and noted that a letter has been sent. Commented that at the same time he asked Ms. Cosnoski to reach out to the School Board to see what correspondence they have had with the County. Advised that they received a reply from the School Board today that there has been no correspondence between the school Board and the County concerning crosswalks on Trenton Road. Asked Council for their permission to reach out to reply to the School Board to request that they

do the same. All of Council was in agreement. Mayor Patriarca advised that the drainage issue Mr. Fen was concerned about at the last meeting, has been addressed and he has not heard anything more from Mr. Fen at this time. Council President Cartier asked if he filed his paperwork. Ms. Cosnoski advised that everything was sent to him but she has not received anything back.

The meeting was adjourned at approximately 8:09 p.m.

Respectfully submitted by,

Amy P. Cosnoski

Amy P. Cosnoski, RMC, Township Clerk