

**TOWNSHIP OF PEMBERTON
REGULAR MEETING**

**March 22, 2018
5:00 P.M.**

FLAG SALUTE

Council President Trueblood 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

Jason Allen
Donovan Gardner
Letha Jackson
Norma Trueblood

ABSENT

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

CALL TO ORDER

Council President Trueblood called the meeting to order at approximately 5:00 p.m.

Council President Trueblood advised that Councilman Cartier had resigned from Council and read the letter received from the Democratic County Committee.

NEW BUSINESS

- e. Discussion and possible appointment of Council Member to fill a vacancy on the Pemberton Township Council.

Council President Trueblood asked if there was any Council discussion and there was none.

Motion by Allen and Jackson to appoint Elisabeth McCartney to Mr. Cartier's seat pending the next election. Allen, yes; Jackson, yes; Gardner, yes; Trueblood, yes. Motion carried.

Mayor Patriarca swore in Ms. McCartney. Councilwoman McCartney took her seat on Council and commented on her memories of being at the municipal building when she was 10 years old with her parents to pay the taxes. Stated she felt honored to be a part of the Council and the Township.

CLOSED SESSION

61-2017 Authorizes Council to go into Closed Session - Not Adopted

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

PUBLIC COMMENTS

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

Jack Tompkins, Pemberton Township - 1. Commented on something Diane Stinney had once told him, you can always find some good somewhere. Wanted to note that he was amazed at how well Public Works had done during the storm, and that they had done an outstanding job. **2.** Questioned Resolution 63-2018 and what it was for. Council President Trueblood advised that it was an evaluation that is recommended annually by the Division of Local Government Services. Mr. Tompkins asked if this was something we are looking into to take over the MUA. Mr. Gonzalez explained the Best Practices requirements for the evaluation and the reason for it. Mr. Tompkins asked if we are looking at the MUA are we also looking at the Water Department. Mr. Gonzalez advised we are not and explained why this was being done. Mr. Tompkins noted that he felt the MUA was doing their best to manage and plan for the future. Stated he knows they have debt but could not remember the last time they came for a bond. Mr. Bayer advised on the questionnaire for Best Practices that is done yearly and having to answer no every year even when Mr. Tompkins was on Council.

Seeing no other residents wishing to be heard, this portion of the meeting was closed to the public.

Councilman Allen asked to pull Resolutions 63-2018, 68-2018 and 70-2018 and New Business items 1, 2 and 4. Councilwoman Jackson asked to pull Resolution 62-2018.

CONSENT AGENDA

MEETING MINUTES

Regular Meeting, February 7, 2018; Regular Meeting, February 21, 2018.

***CONSENT AGENDA RESOLUTIONS**

- 62-2018 *Pulled from the Consent Agenda and considered later in the meeting.*
- 63-2018 *Pulled from the Consent Agenda and considered later in the meeting.*
- 64-2018 Authorizes CY2018 Emergency Temporary Budget Appropriations.
- 65-2018 Authorizes CY2018 Emergency Temporary Water Budget Appropriations.
- 66-2018 Authorizes the purchase of a Heavy-Duty Vehicle Lift from S.A.R. Automotive Equipment under State Contract No. G-8023 in the amount of \$19,352.49.
- 67-2018 Authorizes a service agreement with US Sports Institute to provide a turnkey summer soccer camp during the summer of 2018.
- 68-2018 *Pulled from the Consent Agenda and considered later in the meeting.*
- 69-2018 Authorizes a mortgage subordination agreement with Brian R. and Jeanette Ivers regarding the mortgage held in favor of the Township on the Property located at 1103 N. Lakeshore Drive, Browns Mills.
- 70-2018 *Pulled from the Consent Agenda and considered later in the meeting.*
- 71-2018 Authorizes the refund of taxes to 1 CBM LLC pursuant to a Judgment of the Tax Court of New Jersey from the appeal of the 2015, 2016 and 2017 Property Assessments for Block 406, Lot 26. 01.
- 72-2018 Authorizes various routine refunds in the total amount of \$95.00.
- 73-2018 Authorizes the acceptance of the Commissioners award concerning the condemnation of the property located at Block 553, Lot 1 commonly known as 16 Market Street.

NEW BUSINESS

- *a.** Purchases over \$2,000
1. Public Works – Plumbing Supplies for sewer connection to new DPW Office from Stevenson Supply Co., Inc. in the total amount of \$2,786.58. *Pulled from the Consent Agenda and considered later in the meeting.*
 2. Public Works - I-Joist, Rim Boards and 3/4" Plywood materials for the Fleet Garage Project from Dubell Lumber Co. in the total amount of \$4,704.24. *Pulled from the Consent Agenda and considered later in the meeting.*
 3. Public Works - Ranger R76ATR Tire Machine for the Fleet Garage from BendPak, Inc. in the total amount of \$3,010.00.
 4. Recreation & Senior Services - New Flooring for Pemberton Township Senior Center from Aroma'z Home Improvement in the total amount of \$13,104.45. *Pulled from the Consent Agenda and considered later in the meeting.*
- *b.** Approval by Council of PTMUA's Professionals appointments (as to fees only) for 2017.
- *c.** 2018 Used Automobile Licenses**
1. Andy's Pro Auto Repair
 2. Pine View Terrace
 3. Lakeshore Mobile Village/Garden Homes Mgmt.
 4. Hilltop Mobile Village
 5. Belaire Trailer Park
- ** Contingent on payment of all municipal fees.

Motion by Allen and Gardner to approve the Consent Agenda as amended. Allen, yes; Gardner, yes; Jackson, yes; McCartney, yes, but abstained from the approval of the minutes; Trueblood, yes. Motion carried.

RESOLUTIONS

- 62-2018 Authorizes the award of a three-year contract with two-year mutual option for Basic Life Support Emergency Medical Services to Virtua Emergency

Medical Services. *Pulled from the Consent Agenda.*

Councilwoman Jackson stated she had looked over the ambulances that we are getting and was happy to see we are getting two. Asked Mr. Gonzalez why this went out to bid. Mr. Gonzalez advised that there was an existing contract with Virtua for 1 ambulance at no cost 24/7 to the Township, and our EMT's and Fire Company have taken the additional calls beyond that. Stated they had spoken to Virtua in the past about adding an additional ambulance at least during the day and week when it is hard for the volunteers to come out and they were unsuccessful in negotiations and decided to terminate the Virtua contract early and then put it out to bid thinking they would be able to get additional services. Stated that there were 2 bidders, Lourdes and Virtua and Virtua bid additional services beyond what they currently provided. Stated they are recommending the low bid, Virtua, to Council. Commented that Virtua will provide one ambulance 24/7 starting April 1st and within 60 days thereafter, they will add a second ambulance Monday through Friday during the day relieving some of the pressure off of our volunteers for having to respond. Stated that again there is no cost to the Township.

Motion by Jackson and Gardner to approve Resolution 62-2018. Jackson, yes; Gardner, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

63-2018 Authorizes a professional services contract with Remington & Vernick Engineers and affiliates for the PTMUA Financial, Operational and Management Evaluation in an amount not to exceed \$10,200.00. *Pulled from the Consent Agenda.*

Councilman Allen asked if the MUA will get a copy of the scope of work since they are the entity being evaluated. Mr. Gonzalez advised that they would and that Remington & Vernick would be in touch with Mr. Butler and share all of the information that we put together as we expect the MUA will supply Remington & Vernick with all of the information that they need in order to provide a report and a recommendation as to where the Council and Local Government Services can go in the future.

Motion by Allen and McCartney to approve Resolution 63-2018. Allen, yes; McCartney, yes; Gardner, yes; Jackson, yes; Trueblood, yes. Motion carried.

68-2018 Authorizes the signing of the Government Body Certification of Compliance with the United States Equal Employment Opportunity Commission. *Pulled from the Consent Agenda.*

Councilman Allen asked if we do or if we have developed policies and procedures that are in line with this amendment. Mr. Gonzalez explained that we do follow these policies and gave examples. Councilman Allen stated he wanted to make sure we are aligning our policies.

Motion by Allen and McCartney to approve Resolution 68-2018. Allen, yes; McCartney, yes; Gardner, yes; Jackson, yes; Trueblood, yes. Motion carried.

70-2018 Approves side letter agreement with PBA Local 260 modifying the current collective negotiations agreement solely regarding the rates for overtime to be paid for overtime in the Distracted Driving Crackdown Grant Program in CY2018. *Pulled from the Consent Agenda.*

Councilman Allen stated he had pulled this as he needs to abstain. Councilwoman Jackson asked what the grant entailed. Mayor Patriarca and Mr. Gonzalez explained the program, how it is used and how the agreement will cap the overtime amount.

Motion by Gardner and Jackson to approve Resolution 70-2018. Gardner, yes; Jackson, yes; McCartney, yes; Allen, abstain; Trueblood, yes. Motion carried.

OTHER RESOLUTIONS

74-2018 Authorizes an application to the NJ Department of Law and Public Safety, Division of Highway Traffic Safety, for the 2018 Distracted Driving Crackdown Grant Program Fund in the amount of \$6,600.00 and accepting said grant.

Mr. Gonzalez advised that this was supposed to be before Council at the March 7th meeting, but he wanted Council to be aware that he had authorized the Chief to apply for it due to the circumstances. Stated he would not normally do that, but there was a very set period of time.

Motion by Jackson and McCartney to approve Resolution 74-2018. Jackson, yes; McCartney, yes; Allen, abstain; Gardner, yes; Trueblood, yes. Motion carried.

ORDINANCES FOR SECOND READING, PUBLIC HEARING AND/OR FINAL ADOPTION

ORDINANCE 3-2018

AN ORDINANCE AUTHORIZING THE ACQUISITION BY GIFT OF THE PROPERTY DESIGNATED AS BLOCK 139, LOT 20 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY.

ORDINANCE 4-2018

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF PROPERTY AND VARIOUS OTHER CAPITAL IMPROVEMENTS AND ACQUISITIONS, BY AND IN THE TOWNSHIP OF PEMBERTON, THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$2,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF.

Council President Trueblood advised that these two ordinances would be moved to have the Public Hearing at the April 4th meeting, as they would need to be advertised again. Council President Trueblood read the titles of the Ordinances. Mr. Bayer advised that these ordinances were being moved as they were advertised for the meeting that would have been held on March 21st but had to be rescheduled to today due to the snow.

ORDINANCES FOR INTRODUCTION

ORDINANCE 5-2018

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE ACQUISITION OF THE PROPERTIES LOCATED AT BLOCK 775, LOTS 18 AND 19 (COMMONLY REFERRED TO AS THE BROWNS MILLS SHOPPING CENTER) BY NEGOTIATED PURCHASE OR EMINENT DOMAIN IN AN AMOUNT NOT TO EXCEED \$920,000.00

Council President Trueblood stated that there was an Ordinance to add to the agenda.

Motion by Jackson and Gardner to add Ordinance 5-2018 to the agenda. Jackson, yes; Gardner, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

Mr. Bayer stated that this was the Browns Mills Shopping Center and stated that there was an updated appraisal obtained and has a fair market value of the property being \$920,000.00, which is a substantial reduction from the previous appraisal of more than 1 million dollars. Advised that this would be in furtherance of the redevelopment project at this site and that the value is too good not to take a serious look at reaching an agreement with Mr. Berardi if possible or condemning the property through eminent domain.

Motion by Jackson and Gardner to introduce Ordinance 5-2018 with a Public Hearing to be held on April 4th. Jackson, yes; Gardner, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

NEW BUSINESS

***a. Purchases over \$2,000**

- 1. Public Works – Plumbing Supplies for sewer connection to new DPW Office from Stevenson Supply Co., Inc. in the total amount of \$2,786.58. *Pulled from the Consent Agenda.***

Councilman Allen asked if Council could have a tour or take a look at the structure since it is new to the Township. Mr. Gonzalez said yes and that the structure is already there this is just to make a connection to the sewer system. It was noted that Council was given

permission by Administration to go in and see the new Building. Mayor Patriarca stated that they would make the Supervisors aware that Council would be coming in for a tour.

Motion by Allen and Jackson to approve New Business item A1. Allen, yes; Jackson, yes; Gardner, yes; McCartney, yes; Trueblood, yes. Motion carried.

2. Public Works - I-Joist, Rim Boards and 3/4" Plywood materials for the Fleet Garage Project from Dubell Lumber Co. in the total amount of \$4,704.24. *Pulled from the Consent Agenda.*

Councilman Allen stated he had pulled this by accident. Council also did not have any additional questions.

Motion by Allen and McCartney to approve New Business item A2. Allen, yes; McCartney; Gardner, yes; Jackson, yes; Trueblood, yes. Motion carried.

4. Recreation & Senior Services - New Flooring for Pemberton Township Senior Center from Aroma'z Home Improvement in the total amount of \$13,104.45.

Councilman Allen asked about the current condition of the Senior Center flooring. Mayor Patriarca noted the carpet is pretty worn and stained and they are looking to only carpet a portion of the floor and put laminate in the rest. Advised that the funding is coming from a funded ordinance for Senior Center improvements that was done in 2007.

Motion by Allen and McCartney to approve New Business item A4. Allen, yes; McCartney, yes; Gardner, yes; Jackson, yes; Trueblood, yes. Motion carried.

d. Discussion and possible introduction of 2018 Budget.

Councilman Allen noted the he does have a few line item questions but asked if Administration had an overview of the budget. Mayor Patriarca noted he does have a presentation for a later meeting. Stated he feels it is a responsible budget, maintaining services and still has the second lowest tax rate in Burlington County. Noted that the budget is being raised just over a ½ a cent. Advised that we have the 16th lowest taxes throughout the State of New Jersey. Mr. Gonzalez noted that this budget includes the 8 new Police officers at full pay as well as additional funds for 5 new officers for this year as well as additional Code Enforcement from 2017 and additional employees in Public Works. Noted that this budget also includes the plan to reconstruct nearly 6 miles of additional roads and will begin as soon as the snow ends. Mayor Patriarca noted that the budget has been reduced by a little over \$400,000.00 from last year. Noted that he has said over and over with all of the restrictions we have our problem is revenue. Stated that the only revenue they can seem to find is us as taxpayers. Stated it becomes more challenging because the demands for services do not let up. Advised that the debt when he took over office was between \$24 and \$25 million dollars and it currently sits between \$24 to \$25 million dollars. Stated when you take into consideration all that has been done in the last 11 years to include almost \$7 million dollars in dams in Country Lakes, a \$1 million-dollar dam in Bayberry, millions in the Road Program, Buildings and 3 fire trucks, you wonder how we putting millions onto the debt but still holding the line with taxes. Stated they are being responsible and the budgets are holding the line of what they are asking from the residents. Stated they do ask for more but do feel that they are asking for what they believe is reasonable for the services being provided. Stated they borrow what they can afford to pay back and our services are not depleting. Mr. Gonzalez noted a pie chart in the presentation regarding salaries and noted Police and Public Works are the largest budgets. Noted that Police represent 47.9% of the total of salary & wages in 2018 and Public Works is 30.5%. Councilman Allen had two-line item questions under the Streets & Roads tab on the 3rd page, item 670. Asked why this is being decreased when the Road program is flourishing. Mr. Gonzalez explained the expenditure of those funds from 2017 and noted that in the Bond Ordinance to be done in April, there is \$500,000.00 for asphalt. Explained that we historically bond for some asphalt and then put some in the budget where we could. Mayor Patriarca advised that when he started and even before, we borrowed a million dollars each year for the road program and got maybe 6 roads done. Stated that with the new road program we are borrowing less and getting a lot more roads done. Councilman Allen stated that under Recreation it looks like we are not funding lifeguards for Presidential Lakes and asked why. Mr. Gonzalez advised that there is money there. Mr. Gonzalez advised on the legal and operational process for the introduction and adoption of the Municipal Budget.

Motion by Jackson and Gardner to introduce the Municipal Budget with a Public Hearing to be held on May 2nd. Jackson, yes; Gardner, yes; McCartney, yes; Allen, yes; Trueblood, yes. Motion carried.

REPORTS & COMMUNICATIONS

a. Engineer's Report – 3/1/2018 and 3/15/2018

Council President Trueblood asked if Council had any questions. Council had none.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 3/16/2018.

Motion by Jackson and Gardner to approve the Bill List. Jackson, yes; Gardner, yes; McCartney, yes; Allen, yes with the exception of any and all grants and bills pertaining to the NJ State Police or the Attorney General's office; Trueblood, yes. Motion carried.

SOLICITOR'S REPORT:

Mr. Bayer reported: Nothing to report.

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

Mayor Patriarca reported: Congratulated Councilwoman McCartney on her appointment to Council. Wanted to give the biggest compliments to the employees, dDepartment of Public Works, our Volunteer Firefighters and EMS Service workers. Noted they had presented them with a great plan and he received many compliments from the residents about it. Added that the Firefighters and EMS workers have been out all night due to wires down, road closures and trees down and reminded that these men and women have to go to work in the morning. Stated he was not overly excited about the performance of our power companies and states he thinks that JCP&L can do much better than they are doing. Noted that he had received a text from them stating that they expected 95% of those without power to have power back by 11pm tonight, with the remaining 5% being addressed by tomorrow evening. Advised that we had guys sitting on a live wire for 4 hours when a service truck that came by didn't even know that the wire was down and had not received any tickets despite all of the calls made to them for these incidents.

COMMENTS BY COUNCIL MEMBERS:

Councilman Gardner – Stated he wanted to Piggy back off of the Mayors comments to the department of Public Works. Noted it had snowed all day and they were out there again and again and when he woke up the streets were clear. Commented on JCP&L coming out to cut the trees down. Again, gave kudos to Public Works.

Councilwoman Jackson – Asked if the summer camp is being held at Harker Wylie and if it is going to be held outside. Mayor Patriarca stated that the camp is being restructured and the plan is to hold it outside, weather permitting, and they will provide Council with an outline. Councilwoman Jackson asked if that is because of the school. Mayor Patriarca stated that he believed it was to try and get the kids outside more. Noted that kids are not growing up outside any more and instead sitting inside on video games and watching tv. Stated you couldn't keep him in the house when he was younger. Councilwoman Jackson commented that the Fashion Show at the High School is being cancelled tomorrow night and will be rescheduled. Congratulated Councilwoman McCartney. Gave kudos to Public Works. Thanked all for coming out and to be safe. Asked all to pray for no more snow and she will see everyone at the next meeting.

Councilman Allen – No comments.

Councilwoman McCartney – Thanked everyone for congratulating her and supporting her. Stated that the overall view of the budget was remarkable when you think about the fact that it will only be increased by a ½ a cent and 82% of the salary is going to the basic needs of our Township. Stated she thinks that is commendable. Noted we were safe throughout the storms and asked if there was any sort of recognition that could be given to the volunteers. Commented that maybe she could reach out to the BMIA and we could recognize them in some way for their efforts. Mayor Patriarca noted he would talk to her more about some upcoming events along those lines.

Council President Trueblood – Thanked everyone for coming out. Stated the storms have been brutal but noted she has seen so many upgrades and changes and stated that seeing everything clear is a marvel. Congratulated Councilwoman McCartney. Asked that we all continue to move on and do what we are here to do which is working together.

The meeting was adjourned at approximately 6:43 p.m.

Respectfully submitted by,

Amy P. Cosnoski, RMC, Township Clerk