

**TOWNSHIP OF PEMBERTON  
REGULAR MEETING**

**April 18, 2017  
6:00 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**

Elisabeth McCartney  
Jason Allen  
Letha Jackson  
Norma Trueblood

**ABSENT**

Donovan Gardner

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

**CALL TO ORDER**

Council President Trueblood called the meeting to order at approximately 6:00 p.m.

**CLOSED SESSION**

85-2017 Authorizes Council to go into Closed Session - Not Adopted

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

**PRESENTATION**

State Project of Route 70 Bridge over Mount Misery Brook by NJDOT.

Evan started the presentation by providing an overview of the project. Explained that it had started about a year ago to replace this structure. Advised on the timeline for the project and noted they would need a resolution of support. Anav Patel stated he was the Project Manager and introduced his Deputy Project Manager, Craig. Mr. Patel advised that the project is located in Pemberton Township and is at milepost 30.55 on Route 70 on the John Davidson Rockefeller Memorial Highway which is a historical district area. Stated that the project started with a super structure replacement because the Department felt it was bad, however, after an initial field study inspection noted that there was a problem with the substructure. Advised on the issues with reinforcement and why the Department decided to do a complete replacement of the structure. Showed the design of the replacement structure and gave its specifications. Mr. Patel noted that the last inspection was done in 2016 and showed that the structure is deficient due to the condition of the deck. Advised that the deficiency rating was 70.9 out of 100. Advised on the current state of the structure. Stated that there are some Bobcats in the area. Commented on the plans for the new structure to include a safe walkway for the Bobcats which is required by the NJDEP. Advised on traffic and crash incidents in this area. Explained what they thought would be the best options for the structure. Councilman Allen asked for clarification of a superstructure. Mr. Patel advised that it is the deck that you travel on. Councilman Allen stated that to him this looked to be an immediate concern but that the project is not beginning until 2020. Mr. Patel explained the rating of the bridge and some improvements that have been made. It was noted that the project would take approximately 9 to 12 months with 2 lanes still being maintained for traffic. Councilman Allen asked about grants for the project. Mr. Patel stated he believed it would be department funded. Councilman Mayor Patriarca asked if the gas line would have more protection. Mr. Patel advised that the gas main would go underneath the structure. A gentleman from the audience advised that he worked for the gas company and explained what they would do to protect the gas line. Discussion ensued on the gas main line. Mr. Gonzalez asked the cost and it was noted it is expected to be approximately \$3.4 million dollars with \$100,000 being for bobcats. Kimberly Nance will send a resolution of support to Mr. Gonzalez.

**PUBLIC COMMENTS**

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

**Mr. Singh, Burlington County Freeholder – 1.** Advised that he had wanted to come by and say hello in person. Noted that he is in Burlington Township and raising three kids with

his wife. Commented that he is a public-school teacher for the last 11 years and had served on the School Board before his term started with the County. Stated he wanted to make sure that he was able to shake hands and personally introduce himself in an effort to build relationships for the betterment of the County and the towns for the future. Stated he hopes with the changing winds they are able to work more closely together.

**Bob Pelletier, Pemberton – 1.** Commented on the condemnation of the property in Browns Mills and stated he would like to see something done with it. Noted he feels that there have been a lot of missed opportunities and knows we are dealing with someone who really does not want to play ball, however the idea and the thought of the condemnation is something that bothers him. Noted he feels that this is something that should be done during a time of public necessity and doesn't feel this is necessary. Stated he does understand that this is a last-ditch effort. Commented on a previous agenda item for an assessment to be done at the property and knows that the appraisal in 2016 was much higher than what they are looking to get it at now. Asked why it was done again. Mr. Bayer advised that if a municipality wants to acquire property, whether by negotiation or eminent domain, you have to pay fair market value and an up to date appraisal must be done. Mr. Gonzalez advised that the last appraisal was not in 2016 and that what was done in 2016 was a re-assessment. Mr. Pelletier noted that there were two lots in the area owned by two different people. Mr. Bayer advised they were owned by the husband and wife. Mr. Pelletier asked if both lots were a part of the Browns Mills Shopping Center. Mr. Bayer stated one is and one is not, but that both are in the Browns Mills Redevelopment Area. Mr. Pelletier asked why they would include the vacant lot. Mr. Bayer explained that it furthers the opportunities for the redevelopment of the overall site. A discussion ensued on the Redevelopment plans for the town to include the discussion with the property owner and lawyer regarding settlement. Mr. Pelletier asked what was done to Mr. Berardi to make him not want to do anything with the property. Mayor Patriarca explained the "rumor" regarding the restrictions on the old shopping center, advising that when Acme moved over to Pine Grove they had an agreement with Pine Grove that no other supermarket could come into the Pine Grove Plaza and that was why Acme moved. Advised that Acme held the lease on the location at the Browns Mills Shopping Center for a while and was still paying it to keep anyone else from coming in there. Stated that Mr. Berardi took them to court to get them released to have control again. Mr. Pelletier commented on the value of the property and if it would still be \$2 million dollars. Mr. Bayer stated it all depends on the real estate market at the time. Mayor Patriarca stated back in the day the shopping center was fully occupied and was the hub of Browns Mills but no longer is and has not been for quite some time. Stated he is not sure why Mr. Berardi doesn't do anything with the property.

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

**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 91-2018. Councilwoman Jackson asked to pull Resolution 95-2018.

## **CONSENT AGENDA**

### **MEETING MINUTES**

Regular Meeting, April 4, 2018.

#### **\*CONSENT AGENDA RESOLUTIONS**

- |         |  |
|---------|--|
| 86-2018 | Authorizes Submission of CY2018 Recycling Tonnage Grant Application and authorizing the use of all funds awarded.  |
| 87-2018 | Authorizes deposit of premium lien funds as to 513 Ridgeview Avenue at the tax sale held on April 9, 2013, to the Township Miscellaneous Revenue Not Anticipated Account in the amount of \$1,100.00.          |
| 88-2018 | Authorizes deposit of premium lien funds as to 251 Pemberton-Browns Mills Road at the tax sale held on April 9, 2013, to the Township Miscellaneous Revenue Not Anticipated Account in the amount of \$700.00. |
| 89-2018 | Authorizes deposit of premium lien funds as to 300 Otter Avenue at the tax sale held on April 9, 2013, to the Township Miscellaneous Revenue Not Anticipated Account in the amount of \$900.00.                |

- 90-2018 Authorizes the purchase of two 2018 Ford F-250 4x4 Super Cab Pick Up Trucks with Plows from Chas S. Winner Ford, Inc., under State Contract #88726 in the amount of \$63,675.00.
- 91-2018 *Pulled from the Consent Agenda and considered later in the meeting.*
- 92-2018 Authorizes a contract with Adams, Rehmann & Heggan for Project Design Services related to the reconstruction of a portion of Sepulga Drive in an amount not to exceed \$31,000.00.
- 93-2018 Authorizes the purchase of a Hydraulic Hose Press and Supplies from Auto Parts Connection under State Contract #86003 in the total amount of \$16,146.40.
- 94-2018 Authorizes release of Maintenance Bond for Road Opening Permit No. 17-2016 for Amiano Construction.
- 95-2018 *Pulled from the Consent Agenda and considered later in the meeting.*

**NEW BUSINESS**

- \*a. Purchases over \$2,000
  1. Public Works - 1000 Gal. Direct Mount Low Lead Water Meters from Core & Main in the total amount of \$6,750.00.
  2. Police - Uniforms for Command Staff and New Officers from Samzie's Uniforms in the total amount of \$5,021.48.
  3. Police & Municipal Court - E-Ticket Software, 8 Licenses, Hardware and Installation with 5-year contract from Gold Type Business Machine in the amount of \$5,100.00.
  4. Public Works - Replacement of Muffler and Dosing Module for Vermeer Horizontal Grinder from Vermeer North Atlantic in the amount of \$7,097.53.
  5. Public Works - Building Materials for DPW Fleet Garage Project from Diamond M Lumber Company in the amount of \$4,652.04.
- \*b. 2018 Used Automobile Licenses
  1. Epic Auto Group

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

**RESOLUTIONS**

- 91-2018 Amends Resolution 134-2018 which authorized a contract with Adams, Rehmann & Heggan for project design services related to the West End Park Improvements Project to include services in the additional amount of \$4,800.00. *Pulled from the Consent Agenda.*

Councilman Allen asked if when ARH does the design for West End Park if Council will be able to review it in advance. Mr. Gonzalez advised on what would be done and that they should have the design before the fall to bring before Council and then present to Pinelands for approval.

Motion by Allen and Jackson to approve Resolution 91-2018. Allen, yes; Jackson, yes; McCartney, yes; Trueblood, yes. Motion carried.

- 95-2018 Refers proposed amendments to the Browns Mills Town Center Redevelopment Plan to the Township Planning Board for Review and Recommendations. *Pulled from the Consent Agenda.*

Councilwoman Jackson asked how long before this goes to the Planning Board. Mayor Patriarca noted that upon Council's approval it will be sent to the Planning Board. Advised it may make May's meeting and they have 45 days to review.

Motion by Jackson and Allen to approve Resolution 95-2018. Jackson, yes; Allen, yes; McCartney, yes; Trueblood, yes. Motion carried.

**REPORTS & COMMUNICATIONS**

- a. Engineer's Report – 4/13/2018

Council President Trueblood asked if Council had any questions. Council had nothing.

## **BILL LIST**

Approval by Council required for payment of vouchers on bill list dated 4/13/2018.

Motion by McCartney and Jackson to approve the Bill List. McCartney, yes; Jackson, 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:** Stated that in regard to the Browns Mills Shopping Center he does not know too many people that are not tired of the saga that has gone on here for the last 34 years with the center. Stated they are making a last resort effort to address this issue one way or another. Advised that they have started negotiations with the owner of the property, which is the start of the process that was started by this administration almost 12 years ago. Stated they will continue with negotiations but will not drag it out for any length of time with the owner of this property. Stated that as a result to reaching out to the owner they received a correspondence from his professionals recently commenting on him wanting to fix the place up. Noted what the fixes would be. Advised that he does not feel that at this point that any of us want this and instead prefer and demand a better facility on that site. Advised that the goal is to redevelop the site and that he feels this is long overdue and the town deserves it. Commented that he had gone to the High School last week to the Pemberton's Got Talent event. Noted you are missing out if you do not go to these events as the kids put on a phenomenal show. Advised he had gone to another event this evening with the Student Council assisting with waiting tables at the Senior Citizens Prom. Advised that these kids will get recognition from him because they deserve it. Advised on the power outage that occurred on this week with 1400 residents losing power. Advised that JCP&L did get the power back up quickly. Noted that JCP&L will be coming into town to do an assessment on the trees and advised the public to let us know of any issues they are aware of. Advised that a Public Works employee will be going out with them to address some of the issues we are aware of.

## **COMMENTS BY COUNCIL MEMBERS:**

**Councilwoman Jackson** – Thanked Mr. Singh for coming out and introducing himself to the residents and Council. Noted she agrees with the Mayor about the Browns Mills Shopping Center and thinks that it is about time we do something about that. Noted that to the few that feel we shouldn't do this or that, there are many that are here on a daily basis saying otherwise and the time is now. Stated it would be nice to have something nice when you first come into Browns Mills instead of seeing it as it is now. Advised that all of Council is in support of the Mayor and making sure that this happens. Thanked all for coming out and she hopes to see all at the next meeting. Asked all to have a safe trip home.

**Councilwoman McCartney** – Thanked everyone for coming out. Reminded that the Mayor would be at the BMIA building on Sunday at 2:00 p.m. to present the budget. Mayor Patriarca gave kudos to the Soroptimist event that was held on Sunday. Stated that it was a fabulous event in support of their organization. Councilwoman McCartney advised that Clean Communities would be in Browns Mills this weekend and would meet at the firehouse at 8am.

**Councilman Allen** – Thanked Mr. Singh for coming out and acknowledging Pemberton. Stated we appreciate it and that he cares. Stated he had read an article about Police stations creating "Safe Exchange Locations". Advised that it was a secure location for someone that might be exchanging something such as a purchase on Craig's List or for custody cases. Advised that on Sunday he was in the library and noted a huge crack from wall to wall in the men's bathroom on the floor. Made the suggestion that some of our more heavily attended parks get surveillance cameras hidden in the event of an incident. Commented that while he was at Mirror Lake Park he noticed that there were garbage receptacles but by the park there were no benches. Commented that Belly Busters and the gas station on Trenton Road both have signs missing. Advised that they had visited this before with other businesses in town. Stated he does not know if it is a possibility to establish an ordinance to solve this problem. Stated he does not notice in other towns businesses with signs down for extended periods of time.

**Council President Trueblood** – Thanked everyone for coming out and for the presentation, feels that this is needed. Excited about the plans for the Browns Mills development and the hope that it moves forward. Stated it was nice to see one of our Freeholders here. Noted that Councilwoman Jackson had taken the Black History Club to Howard University on Monday and asked her to share the experience. Councilwoman Jackson advised they had taken 35 High School students to visit Howard University on Monday touring the campus and the dorms. Noted they ate at the college and watched a sorority cross over which was exciting for them. Advised that the students had raised the money for the trip through the Fashion Show and the luncheon that is held yearly. Stated it was a great trip and 3 students are now considering attending Howard. Council President Trueblood advised Council that they would be discussing the budget at the next Council meeting and to bring their questions. It was noted that the Mayor would be doing a presentation at that meeting as well.

The meeting was adjourned at approximately 7:02 p.m.

Respectfully submitted by,

*Amy P. Cosnoski*

Amy P. Cosnoski, RMC, Township Clerk