

TOWNSHIP OF PEMBERTON

REGULAR MEETING

JANUARY 7, 2009

6:30 P.M.

1. Council President Stinney announced that notice of this meeting was given in accordance with the Open Public Meetings Act and led the assembly in the Pledge of Allegiance, followed by roll call.

PRESENT

Ken Cartier

Tom Inge

Richard Prickett

Sherry Scull

Diane Stinney

ABSENT

Also present: Mayor David Patriarca, Township Solicitor Andrew Bayer, Township Engineer Chris Rehmann, Township Clerk Mary Ann Young

2. Chairwoman Stinney called the meeting to order at 6:30 P.M.
3. Closed Session Res. No. 39-2009

RESOLUTION NO. 39-2009

WHEREAS, SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, P.L. 1975 PERMITS THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES; AND
WHEREAS, THIS PUBLIC BODY IS OF THE OPINION THAT SUCH CIRCUMSTANCES PRESENTLY EXIST;
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, AS FOLLOWS:

1. THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF AND ACTION UPON THE HEREINAFTER SPECIFIED MATTERS.
2. THE GENERAL NATURE OF THE SUBJECT MATTERS TO BE DISCUSSED IS AS FOLLOWS:
-CWA CONTRACT NEGOTIATIONS; PERSONNEL; POTENTIAL LITIGATION INVOLVING A CONTRACT.
3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE-STATED SUBJECT MATTERS WILL BE MADE PUBLIC WHEN THE MATTERS HAVE BEEN RESOLVED.

Mrs. Stinney asked Mr. Bayer if there were any other items for Closed Session. Mr. Bayer informed there are two other matters, Personnel and Potential Litigation Involving A Contract.

Motion by Cartier and Prickett to approve Resolution No. 39-2009. Cartier, yes; Prickett, yes; Scull, yes; Inge, yes; Stinney, yes. Motion carried.

4. CLOSED SESSION

Mrs. Stinney closed the meeting at approximately 6:43 p.m. and reconvened at approximately 7:00 p.m.

5. Formal action as necessary pursuant to closed session.

Mrs. Stinney informed that Council will be returning to Closed Session at the end of tonight's meeting and formal action may be taken at that time.

6. Public comments on consent agenda items only.

Mrs. Stinney opened the meeting to public comments on Consent Agenda items only. There being no members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments.

- *7. **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.

***8. MINUTES FILED BY MUNICIPAL CLERK**

***a.** Regular Meeting, December 17, 2008.

***9. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 40-2009
BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT THE CHIEF FINANCIAL OFFICER IS HEREBY AUTHORIZED AND DIRECTED TO REFUND MONIES TO THE FOLLOWING PERSONS FOR THE AMOUNTS AND REASONS SET FORTH:
TTI ENVIRONMENTAL, \$3,122.00, PERMIT FILLED OUT INCORRECTLY WHICH CAUSED OVERCHARGE, BLK 807, LOT 17

RESOLUTION NO. 41-2009
BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT:
1. LORRAINE ABBOTT BE APPOINTED AND DESIGNATED AS REGISTRAR OF VITAL STATISTICS FOR PEMBERTON TOWNSHIP.
BE IT FURTHER RESOLVED, THAT THE ABOVE-NOTED APPOINTMENT WILL BE FOR A THREE-YEAR TERM TO EXPIRE ON JANUARY 7, 2011.

RESOLUTION NO. 43-2009
A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2008 RESERVE BUDGET.
WHEREAS, N.J.S.A. 40A: 4-59 AUTHORIZES APPROPRIATION TRANSFERS DURING THE FIRST THREE MONTHS OF THE SUCCEEDING FISCAL YEAR; AND,
WHEREAS, IT IS NECESSARY TO TRANSFER FUNDS BETWEEN APPROPRIATIONS IN THE 2008 RESERVE BUDGET;
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON THAT THE FOLLOWING BUDGET APPROPRIATION TRANSFERS BE MADE:

FROM:	TO:
0355 ENVIRONMENTAL COMMISSION O & E 2,350.00	0300 - TRAFFIC SIGNALS O & E 100.00
	0430 - ELECTRICITY O & E 2,000.00
	0340 - ANIMAL CONTROL S & W 250.00
TOTAL 2,350.00	TOTAL 2,350.00

RESOLUTION NO. 44-2009
TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JESREY, AUTHORIZING STATE CONTRACT AND COUNTY CONTRACT FOR THE YEAR 2009
WHEREAS, THE STATE OF NEW JERSEY DIVISION OF PURCHASE AND PROPERTY HAS AUTHORIZED VENDORS TO PROVIDE MATERIALS, SUPPLIES, AND/OR EQUIPMENT UNDER A "STATE CONTRACT" FOR ELIGIBLE ITEMS PURSUANT TO N.J.S.A. 40A:11-12; AND
WHEREAS, THE COUNTY OF BURLINGTON, BEING THE LEAD AGENCY, HAS PERMITTED MUNICIPALITIES TO PURCHASE FROM THE "COUNTY CO-OPERATIVE PURCHASING PROGRAM."
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE TOWNSHIP OF PEMBERTON PURCHASING OFFICE IS HEREBY AUTHORIZED TO PURCHASE FROM ALL COUNTY AND STATE VENDORS.

11. NEW BUSINESS

- *b.** Requests from various departments to expend funds in excess of \$2,000.00 for the following purchases:
 - *1.** Recreation: Purchase of computer/security appliance for Teen Center from Virtual Graffiti, Inc., in the amount of \$2,255.00.
- *12.** Approval by Council required for payment of vouchers on bill list dated 1/2/09.

Mr. Cartier requested Resolution No. 42-2009 be pulled from the Consent Agenda.

Motion by Prickett and Scull to approve the Consent Agenda as amended. Prickett, yes; Scull, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

Motion by Cartier and Scull to table Resolution No. 42-2009 until the January 21, 2009 meeting. Cartier, yes; Scull, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

10. ORDINANCES FOR INTRODUCTION

- a. ORDINANCE NO. 1-2009 (TITLE READ BY MRS. STINNEY)
AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING SECTION 152-2 (SOLID WASTE RATES) OF THE COST OF THE TOWNSHIP OF PEMBERTON.

Motion by Prickett and Cartier to introduce Ordinance No. 1-2009 with a public hearing to be held on January 21, 2009 and advertised in accordance with law: Prickett, yes; Cartier, yes; Inge, yes; Scull, yes; Stinney, yes. Motion carried.

- b. ORDINANCE NO. 2-2009 (TITLE READ BY MRS. STINNEY)
AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 62-11 and 62-12 OF THE TOWNSHIP CODE RE-ESTABLISHING AN AFFORDABLE HOUSING DEVELOPMENT FEE ORDINANCE IN COMFORMANCE WITH THE COUNCIL ON AFFORDABLE HOUSING'S THIRD ROUND REGULATIONS

Motion by Cartier and Prickett to introduce Ordinance No. 2-2009, with a public hearing to be held on January 21, 2009 and advertised in accordance with law: Cartier, yes; Prickett, yes; Scull, yes; Inge, yes; Stinney, yes. Motion carried.

- c. ORDINANCE NO. 3-2009 (TITLE READ BY MRS. STINNEY)
AN ORDINANCE AUTHORIZING THE EXCHANGE OF TOWNSHIP PROPERTY LOCATED AT BLOCK 787, LOTS 3 AND 4 FOR A PORTION OF BURLINGTON COUNTY OWNED PROPERTY LOCATED IN PEMBERTON TOWNSHIP AT BLOCK 812, LOT 9.01 AS IDENTIFIED ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF PEMBERTON

Motion by Prickett and Cartier to introduce Ordinance No. 3-2009, with a public hearing to be held on January 21, 2009 and advertised in accordance with law:

Mr. Cartier asked if this is the Train Station and Rails to Trails Property and the property next door. Mr. Prickett replied yes.

Prickett, yes; Cartier, yes; Inge, yes; Scull, abstain; Stinney, yes. Motion carried.

11. NEW BUSINESS

- a. Request from Administration for authorization to go out to bid for Incentive Recycling Program services.

Mr. Prickett asked if this is for the program that Council had the presentation on. Mrs. Stinney explained this is the program that Mr. Michael D'Angelo presented. Mr. Prickett commented that it seems like Council is all in agreement with this.

The presentation is later, questions are answered, and the public's questions are answered.

Motion by Scull and Cartier to approve the request from Administration to go out to bid for Incentive Recycling Program services. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

Mr. Cartier noted that his brother that resides in Florence Township participates in this program. They recently had the opportunity to start this program and it is working out great. They've only been involved for three months and have already seen rebates in the form of certificates coming to them and incentives to help with their recycling. Mrs. Stinney thanked Mr. Cartier for sharing that. Mr. Prickett expressed they need all the help they can get on recycling in town.

GENERAL PUBLIC COMMENTS:

Mrs. Stinney opened the meeting to general public comments. Those wishing to comment were: **Mike Tamn: 1.** Expressed concern regarding the budget and taxes. He reminded that he has spoken about this before that they need to cut back and conserve but not much attention was paid to it. He referred to an article in the newspaper where 25 employees may be eliminated. He stated that may not solve the problem without putting a tax burden on the tax payers of the Township. He suggested putting a freeze on all spending unless it's absolutely necessary. He noted the unemployment rate is starting to grow in this Township and he predicts it will be 50% higher than what it is today in approximately five months. He conveyed that Council should start controlling the Budget instead of talking about it. He acknowledged that services are needed but Council needs to decide what is essential and what is not for people to survive. He noted that just because money is left over from last year doesn't mean it has to be spent. He pointed out that last year had a lot of surplus put into the budget but it was a time to start squeezing. He suggested cutting employees down through attrition because the tax payers are going to be extremely unhappy this year. **Jean Dwane: 1.** Expressed that the new building is a disgrace, awful and tacky and is nothing to be proud of. Mrs. Dwane expressed that the lights are blinding when sitting in the audience. She asked why there are two televisions in the room and what their purpose is. Mrs. Stinney explained the purpose was to make sure the public would be able to view presentations and so forth. Mrs. Dwane asked why there are two escape doors on the same side of the wall. Mr. Cartier stated it was required by the fire code. Mrs. Dwane asked if they had to be on the same wall. Mr. Cartier replied that they just had to have a second access. Mrs. Dwane asked who planned the room. Mrs. Stinney asked Mayor Patriarca to address Mrs. Dwane. Mrs. Dwane interjected and stated no, he can't talk. Mrs. Stinney advised that she can't tell her no.....Mrs. Dwane again interjected that the Mayor doesn't speak the law, noting the attorney is sitting next to Mrs. Stinney and the Mayor doesn't speak at Council meetings; she expressed he's not an elected voted person and he doesn't speak. Mrs. Stinney advised that as the Chair, she can direct the Mayor and again asked the Mayor if he would like to answer Mrs. Dwane. Mayor Patriarca explained the fire exits that were required by the state fire marshal, Administration elected to put the second door in that location because it was the least intrusive to the room. The other wall is the boiler room, the front has windows and it wouldn't have looked attractive to put a door in the front and the other wall already has a door which is the Closed Session room and there is nothing to get to. Mayor Patriarca added that it is on the wall that they had to choose from and it is the location that was acceptable by the State Fire Marshall. Mrs. Dwane then asked why the other door couldn't be used if there was a fire. Mrs. Scull expressed if there is a fire, they can get out any way they can. Mrs. Dwane asked why the money was wasted putting the other door in. Mayor Patriarca replied that the door takes one in to Administration and the door is not always accessible. Mrs. Dwane again asked who designed the room and did the planning. Mrs. Stinney answered the Mayor and those involved in the planning. Mrs. Dwane asked who else besides

the Mayor. Mrs. Stinney again replied those that were involved in the planning. Mrs. Dwane again asked who. Mrs. Stinney asked the Mayor to provide a list for Mrs. Dwane tomorrow and she can email it to her. Mayor Patriarca stated Mrs. Dwane can make that request at any time to his office and he will gladly address it. Mrs. Dwane stated to Mrs. Stinney that by law, state statute that the Mayor has nothing to do with the buildings in the Township; he has no jurisdiction whatsoever. He has nothing to do with the land. Mrs. Dwane asked why the Mayor planned the entire room when the Council is supposed to do it. Mrs. Dwane reiterated the Mayor has no jurisdiction. Mrs. Dwane conveyed that under this form of government by state statute, Council is in charge of all of the buildings, not the Mayor. Mrs. Dwane asked if the teenagers from the BMIA building ask the Mayor for permission to use it or to remodel it or do they come to Council. Mrs. Stinney asked Mrs. Dwane for her next comment. Mrs. Dwane continued to question Mrs. Stinney on her part of the planning to which Mrs. Stinney advised the pictures and questioned if she liked them. Mrs. Dwane commented that Mrs. Stinney was being sarcastic and reiterated that Council should have planned the room. Mrs. Stinney apologized for Mrs. Dwane's perception of sarcasm. **2.** Mrs. Dwane conveyed that when she attended a 2007 budget meeting, Council stated they wanted to go to school to learn this form of government and asked Mrs. Stinney if she went to school, noting she had said she wanted to go to school; she wanted new chairs, she wanted computers, she wanted to go to school to learn this form of government and again asked if she went to school. Mrs. Stinney answered that she studied to learn this form of government and she stated to Mrs. Dwane if she were to look back on the records to please not hinder her from learning anything. She will go to school to learn whatever she can; whatever opportunity she has and she is reiterating that again. Mrs. Dwane then requested that Mrs. Stinney not turn to the Solicitor to answer because she is going to vote on the issues and she should answer the questions; not the lawyer. Mrs. Dwane commented to Mrs. Scull that if she is going to vote to not say "so moved" and to let the public know what she is voting on. **3.** As far as laying off personnel, Mrs. Dwane asked they please not do it and to find a way to not lay anyone off today, and to save the people's jobs. She exampled that the airlines are not giving increases and are doing everything in the world and the employees are agreeing among themselves so no one loses their job. Mrs. Dwane wished Council would do it for their people this year. Mrs. Stinney thanked Mrs. Dwane for her comments. There being no other members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments.

SOLICITOR'S REPORT:

Andrew Bayer: **1.** Thanked the Mayor and Council, noting he looks forward to working with them for another year. **2.** He announced that as of late this afternoon, they reached a finalized agreement with the Yangs through their attorney. Mr. Bayer advised he will be able to present an ordinance at the next meeting to approve this agreement.

ENGINEER'S REPORT:

Chris Rehmann: **1.** Thanked the governing body and the Mayor for the opportunity to serve them and the residents of Pemberton Township for another year. He looks forward to a fruitful year in spite of the economic woes that they are all facing. **2.** He reflected that the economic stimulus package that has been going around is an area where he is going to make sure that Pemberton is at least in the forefront of the towns talking to the people who have some kind of control over that program. Unfortunately at the moment, he doesn't think anyone knows exactly what the content of the legislation is going to be. ARH has spoken with Commissioner Steven Dilts who is the Commissioner of the Department of Transportation and it was his opinion that the State was getting an allotment and monies would be given to the Commissioner's office to distribute among the Turnpike, Garden State Parkway, State Highways, Counties and Townships. ARH

has given Congressman Adler a list of programs that he thought may work. The Mayor sent the list out; road construction projects, Country Lakes water development and things that we thought may fit some kind of a program. None of this is cast in stone because as Congressman Mobiondo from the Atlantic County area stated the Congressman doesn't know how it will be done at this moment. Mr. Rehmann wanted Council to be aware and know that ARH is making sure that Pemberton's interest is at least put forward as best they can. While they may or may not agree with how the federal government will end up doing it but if there is money available, they would like to at least have their fair share. He reflected that as Mr. Tamn has put it, they have difficult economic times and it may give them an opportunity to keep people employed.

3. A late breaking item that was not in the engineering report is it is his understanding that at the December 17th meeting which he did not attend, a question regarding drainage issues along Tennessee Trail was asked. This is an area of the Township that does not have a formal storm sewer system in it. It does have some inlets with perforated pipe out of them which is being used for recharge and unfortunately when the development was put forward, the lots were done in the rectangular fashion and some of them are in the natural drainage way and that is the problem with the 100 block of Tennessee Trail. ARH is trying to devise a few options and with money being scarce he is not sure how this will be brought about. He will have a full report with the next engineer's report. Mr. Rehmann reiterated that ARH has looked at this; they are working on some options and will be responsive to Council at the next meeting. Mr. Prickett reflected that at the last Council meeting, Council approved the 2008 Road Program and North Whitesbog Road and he expressed some concerns regarding this. He relayed that in the document that Council passed to pay ARH to do the management and design which was \$115,000 the permitting cost was not included. Mr. Prickett asked how much a potential permit could cost for that road, noting it is in a fragile area, R17 and asked what that entails to get a permit to put in a road on an unimproved road which it is right now. Mr. Rehmann explained that Pinelands approval is needed as well as Soil Conservation approval. What is going to happen is ARH has looked at some of the funding that is available and it is not as much money as originally planned. Mr. Rehmann noted the engineering fee will be cut back because he doesn't believe ARH will be doing all of the roads that they anticipated. ARH has not started because they are still talking with the Mayor about and getting the finances worked out. ARH will come back to Council with a report as to how they can be completed. Mr. Rehmann noted that he will make sure Mr. Prickett has an answer for the next meeting. Mr. Prickett expressed concern that Pemberton Township has a number of roads even in the town center that have not been paved yet and with the storm water management rules with Pinelands as well as outside of the Pinelands, when they pave an unpaved road, that will increase the cost because they have to get the water back into the ground; they can't let it run off. Mr. Prickett then asked with a road like that how much would the storm water management component be in the upgrading of that road. Mr. Rehmann answered that should have had that included in the estimate. Ms. Kelly Willis informed that is included in the estimate to give Council a pinpointed number. Those numbers that were given are also estimates. ARH did not do a lot of investigation on this project because they were not given the absolute go ahead and that will come when they get the survey and in to the design phase they will be able to Council exactly how they will handle the situation. Ms. Willis reiterated that right now it is an estimate and they even put in there that it is a rough estimate and they try to look at how the asphalt is going up and down and they are trying to be conservative but that would all be worked in to that price that they provided in the break down. Storm water management was included. Mr. Prickett advised it was not broken down in the figure Council received. Ms. Willis answered they did not provide a full break down per road rather they provided an estimate per road. That one was significantly more expensive because there will be a full survey team and will require more design than some of the other roads and that's why there is a difference in the number. Mr. Prickett asked if there will need to be some kind of drainage as it is a wet area and he sees it being very expensive. Mr. Prickett

conveyed that personally he thinks that the road needs improvement but if it could be improved in a way that you keep the permeable surface, it will eliminate all of the other problems that are going to unfold when making the solid road impermeable to the drainage of water. Mr. Rehmann stated it is always a dilemma when one is not authorized to do something yet one needs to give some ideas as to what these are going to cost so Council can make decisions to authorize ARH to go out and do the types of investigations that need to be done.

Mrs. Scull temporarily left the meeting at approximately 7:32 pm.

Mr. Rehmann informed ARH will try to break it down a little more for Council and will keep Council advised as they go through the design so there is an understanding how ARH is trying to mitigate the cost associated and still comply with the state regulation. Mr. Rehmann added that he will also provide a cost on the permits quickly. Mr. Prickett thanked Mr. Rehmann. Mrs. Stinney thanked Mr. Rehmann.

MAYOR'S REPORT:

David Patriarca: 1. The Mayor noted that as he stated at the Reorganization Meeting, Administration is experiencing a serious situation in the budgeting process in the Township. He advised that Pemberton Township is not alone and it is the same thing that is being experienced throughout the County, State and also throughout the country. He informed that their budget is tough and last year it was over 23 million dollars. He expressed that they are at a very tough fork in the road here. Mayor Patriarca explained that one of the things that Administration started out with once they realized how bad this was, was to pledge to save jobs first. He emphasized that is their primary goal; to keep their residents working. Administration is doing everything possible to do that. That has included numerous meetings with their department heads and unions. He expressed it may result in the adjustments of some of the programs offered to the residents at this point. He pointed out that this is not something that they just saw; it is something that they have been experiencing since they took office in 2007 and the 2008 budget they saw this progressing but there has been a few things that have attributed to what has made this such a hard time. He relayed that the states cuts in aid have had a tremendous impact on this.

Mrs. Scull returned to the meeting at approximately 7:34 pm.

He expressed hope that the Governor and Legislatures agree on a pension contribution reduction so that the Township is not making a full pension contribution as much as he wants those pensions to be strong, he believes they are there and hopes they stay there because he enjoys the pension himself. He understands that the Township needs that as a small life preserver in this process. He noted there are many factors coming into this. They are finding every available dollar that they can find within the Township that they can put together for this budget. They have known for years that they have been relying on these one shot revenues to keep them afloat. The Mayor explained that unless they get rid of residents and force people out of town and are able to reduce the services, you have to have a source of revenue. The public needs to understand that there has to be some source of revenue in this Township for them to survive; somebody has to pay the bill and they can't because of restrictions on their state caps, they can't raise taxes to meet the levy. They just can't arbitrarily say they need 2,3,4 million dollars to keep the status quo so let's raise taxes. The Mayor explained that the public doesn't truly understand the situation they are in. They do not have the revenue coming in to meet the needs that they are currently providing. That is just part of what they are dealing with. Mayor Patriarca expressed hope that the Governor gives him a little life preserver and provides a couple of extra days to get the budget to Council because it is far from balanced at this point. He reiterated they are trying to keep jobs here in the Township right down to the last part time,

temporary, provisional because whatever they have, they have for a reason. The Mayor remarked that he does hear from the residents how well they are serviced in most cases. He is aware that the guys are doing their job. He expressed they have a good work force and he is proud of what they do on a daily basis and they will try to maintain that service. He acknowledged they may not stay the same if they don't find the help that they need to get this budget through. Mayor Patriarca encouraged everyone to attend the budget meetings to understand the budget process and understand what is really going on in the town so that one is not relying on the stories at the trash cans. It's important that the residents understand the process, understand what it takes for their town to provide the services that they provide. They can cut and use both sides of the paper as they do; they can do things like that to save money and it doesn't amount to a whole lot in a 23, 24, 25 million dollar budget. He reflected they are a major corporation in this town and it's important that they operate as such and they have to be responsible and make sure that they have the means to pay their bills. If they don't, then they have to make their cuts. They are doing everything they can to try and present Council a budget and that they will not have to make those decisions. Hopefully Administration will have that worked out. Mr. Prickett commented that the Mayor has communicated to Council that revenues are down at this point. The Mayor noted that the revenues are down for a number of reasons and one is possible delinquent taxes and the other foreclosures. Mr. Prickett asked the Mayor if he had a break down of those numbers. Mayor Patriarca answered that he does not have them with him but Administration does have that information. The Mayor added that revenues are down primarily because of investments. They are not bringing in the revenue as no one is at this point. Mayor Patriarca continued that the Township is a high rate on tax collection and will provide that information and ensure Council has all of that when the budget is presented. Mr. Prickett commented he is interested in what the Mayor is talking about in the foreclosures and see if that is impacting the revenue. He didn't realize the Township had as many investments that would decrease the revenue the way the Mayor is describing. Mr. Prickett remarked it is good to see the whole picture and he would appreciate hearing about the foreclosures. Mayor Patriarca answered Administration will try to make a little more of that information available for the budget process also. Mrs. Stinney conveyed that Willingboro is in the process of dealing with foreclosures and they are number one in the county. Willingboro gathered their information through the process of the Township working with the Sheriff's department and those sorts of things and she is trying to gather some information now so that they can get precisely, what is going on. Mrs. Stinney noted that she hears of people losing their homes here and she has spoken with one of the Pastors in town today and she stated she has never seen things so bad and because of the embarrassing stage that people are going through asking for help and that sort of thing, the Pastor was not aware that one of her own parishioners was losing their home until the end when it was a little too late to save. In talking with Willingboro, they are going to approach the Governor and ask for a moratorium on some of the foreclosures to give the people an opportunity to seek help as much as they possibly can. Mr. Prickett commented on the other hand, the municipalities need the help when they are not collecting revenue. Mr. Prickett thanked Mrs. Stinney.

COUNCIL MEMBERS COMMENTS:

Tom Inge: 1. Thanked everyone for coming out tonight.

Ken Cartier: 1. Noted that Mr. Tamn made some comments earlier this evening regarding freezing the budget and the hard times that are yet to come in Pemberton Township. Mr. Cartier agreed with Mr. Tamn and reiterated there are some hard times yet to come in Pemberton Township and Council does need to look at the budget this year and look long and hard at what they can do without. As the Mayor stated, the revenues just are not there. Mr. Cartier expressed no one wants

to even consider laying anybody off. Right now that is the last option behind cutting programs, and cutting spending like Mr. Tamn stated. Mr. Cartier advised it was a surprise when he heard via email yesterday that anybody was even considering laying off. He expressed it is last on his list. **2.** Wished everyone a safe trip home and thanked everyone for coming out.

Richard Prickett: **1.** Expressed that he agrees with what has been said already in regards to lay offs. Mr. Prickett was saddened to read the article in the Burlington County Times today and has a lot of sympathy for the employees here who are the breadwinners for their families. Mr. Prickett stated Council will spend all of the time necessary going through the budget and pulling out any excess money that doesn't need to be there in order to preserve the jobs in the town. It's a very difficult thought to think they can lose their health insurance and their source of income. Mr. Prickett stated Council is a compassionate group and will do everything they can to save jobs as well as benefit the residents of Pemberton Township.

Sherry Scull: **1.** Thanked everyone again for coming out. Mrs. Scull has total faith that our Mayor is making sure that every dime is being spent only when necessary. Mrs. Scull expressed the Mayor is known as having a tight fist and at this point that is exactly what we need to have happen. She echoed the concerns of her fellow Council members in that when they cut and lay off people here, they are laying off the people who are paying the taxes and supporting their community. Mrs. Scull expressed commitment to making sure that does not happen. With that said, she relayed they are going to need the support of the community when they cut some of these programs that may have to be cut, noting they can't have everything. She expressed it's very important that everyone out there do the best they can and the importance of recycling and saving the Township money, bringing in revenue instead of costing more. She hopes to see many of the community out supporting Council at the budget hearings and giving their expertise and suggestions on how they can save money. She relayed they are all in this together. Mrs. Scull commented in reference to something that was said earlier about individuals attending meetings, noting that anytime she wants to she can bring ten or twenty people into this room to tell her how they feel and support her on an issue. She expressed that that does not mean that is what is best for the people and the residents of Pemberton Township. Mrs. Scull stated that quite often the squeakiest wheel gets the oil doesn't necessarily mean that squeaky wheel is what is best for this community. Mrs. Scull is committed with the Mayor and believes the appointments that were made tonight are in the best interest of the community. She reflected that since the auditor is the Mayor's appointment and his decision, she went along with that issue. However, she will be watching very closely that the new auditor does not charge them more money than what they were already paying. She urged they put aside political and personal agendas and put this community first because that is what is important right now. They are going into a tough period and there is no place here for nonsense. She relayed they should all be working together for the residents. **2.** Thanked everyone for coming out.

Diane Stinney: **1.** Conveyed that she gave her comments earlier but wanted to add that during the budget hearings, she encouraged the public to continue to come out. Mrs. Stinney applauds Mr. Tamn 100%; noting she has seen him at almost every budget hearing that has been held and Council can take constructive criticism and it's okay because they all work together. She shared that one of her philosophies is that they may not always agree on all things but they don't have to be disagreeable towards one another because they get no place like that. Mrs. Stinney stated she does not mean to be sarcastic in anyway to anyone and that's not in her vocabulary nor is it in God's eyesight. Mrs. Stinney has to be accountable for the things that she says and the things that she does. Mrs. Stinney wanted to make that perfectly clear. **2.** Thanked everyone for coming out. The comments

that were said will be thoroughly digested by Council. Things that were said please be a part of the budget process. It is important that they all come together; they all study together, they all research together and make the best things happen for Pemberton Township and the employees that so humbly and sometimes harmoniously give up their good time. 3. Hopes that everyone has a blessed 2009 year and wished everyone a safe trip home.

Mrs. Stinney announced that Council is returning to Executive Session and action may be taken when Council returns. Mrs. Stinney thanked everyone again for coming out tonight. Mrs. Stinney convened the meeting at 7:50 p.m. for Council to go back in to Closed Session and reconvened the open session meeting at 9:30 pm.

Mrs. Stinney asked a Council member to add Resolution No. 45-2009 to the agenda.

Motion by Cartier and Scull to add Resolution No. 45-2009 which is a resolution authorizing Mayor and Clerk to execute a collective bargaining agreement with the Communication Workers of America, AFL/CIO, Local 1040.

RESOLUTION NO. 45-2009

RESOLUTION AUTHORIZING MAYOR AND CLERK TO EXECUTE COLLECTIVE BARGAINING AGREEMENT WITH COMMUNICATIONS WORKERS OF AMERICA, AFL/CIO, LOCAL 1040
WHEREAS, THE ADMINISTRATION AND TOWNSHIP COUNCIL HAVE ENGAGED IN COLLECTIVE BARGAINING NEGOTIATIONS WITH THE COMMUNICATIONS WORKERS OF AMERICA, AFL/CIO, LOCAL 1040 (HEREINAFTER "CWA") REGARDING A COLLECTIVE BARGAINING AGREEMENT TO COVER THE TIME PERIOD OF JANUARY 1, 2007 THROUGH DECEMBER 31, 2011; AND
WHEREAS, THE CWA MEMBERSHIP APPROVED THE TERMS OF THE AGREEMENT BY VOTE TAKEN ON JANUARY 5, 2009; AND
WHEREAS, SAID AGREEMENT IS TO BE ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION; AND
WHEREAS, THE ADMINISTRATION HAS RECOMMENDED THAT TOWNSHIP COUNCIL RATIFY THIS AGREEMENT, AND THE TOWNSHIP COUNCIL HAS DETERMINED THAT IT IS IN THE BEST INTEREST OF THE RESIDENTS AND CITIZENS OF THE TOWNSHIP TO RATIFY SAME.
NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE MAYOR AND CLERK BE AND ARE HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE PROPOSED AGREEMENT WITH CWA LOCAL 1040 FOR THE TIME PERIOD JANUARY 1, 2007 THROUGH DECEMBER 31, 2011, A COPY OF WHICH SHALL BE ATTACHED TO THIS RESOLUTION.
BE IT FURTHER RESOLVED THAT RATIFICATION OF THE AGREEMENT IS CONDITIONED UPON ADOPTION BY THE TOWNSHIP COUNCIL OF A SALARY ORDINANCE AUTHORIZING THE WAGES, SALARIES AND BENEFITS CONTAINED IN THE AGREEMENT.

Mrs. Scull asked if this included.....Mrs. Stinney informed this is just to add it to the agenda.

Cartier, yes; Scull, yes; Prickett, yes; Inge, no; Stinney, yes. Motion carried.

Mr. Bayer advised that now the resolution would need to be approved. Mr. Archer read the following, "of a portion of the contract reference to the CWA 1040 step guide for new hires and promotions which reads that the parties hereby stipulate that the Administration and CWA 1040 are authorized to establish a step schedule for all new hires and promotions for positions identified in CWA 1040's agreement at a pay rate no less than \$38,804 and no greater than \$68,761 with an annual percentage increase not to exceed 4%". Mrs. Stinney thanked Mr. Archer.

Motion by Cartier and Scull to approve Resolution No. 45-2009. Cartier, yes; Scull, yes; Prickett, yes; Inge, no; Stinney, yes. Motion carried.

The meeting was adjourned at approximately 9:33 p.m.

Respectfully submitted:

Mary Ann Young, MMC
Township Clerk