

**TOWNSHIP OF PEMBERTON
ANNUAL REORGANIZATION MEETING**

**PEMBERTON TOWNSHIP MUNICIPAL BUILDING
NEW LISBON, NEW JERSEY**

JANUARY 7, 2009

6:00 P.M.

At 6:00 p.m., Township Clerk, Mary Ann Young, welcomed everyone to the 2009 Pemberton Township Reorganization Meeting and advised that notice of this meeting was given in accordance with the Open Public Meetings Act. Mrs. Young announced the Presentation Of Colors by the Pemberton Township High School ROTC who led the assembly in the Pledge of Allegiance.

Mrs. Young called the meeting to order at approximately 6:03 p.m. followed by roll call.

PRESENT

Ken Cartier
Tom Inge
Richard Prickett
Sherry Scull
Diane Stinney

ABSENT

Mrs. Young opened nominations from Council for Council President.

Mr. Inge nominated Mr. Rick Prickett. Mr. Prickett thanked Mr. Inge for his nomination but declined. Mr. Prickett nominated Mr. Cartier. Mr. Cartier thanked Mr. Prickett for his nomination, but also declined and then nominated Mrs. Stinney.

Mrs. Young asked if there were any other nominations. There being no response, Mrs. Young asked Council for a motion to close nominations.

Motion by Prickett and Scull to close nominations for Council President.
Prickett, yes; Scull, yes; Cartier, yes; Inge, no; Stinney, yes. Motion carried.

Mrs. Young asked Council for a motion on the nomination of Mrs. Diane Stinney for Council President for the year 2009.

Motion by Cartier and Scull to approve the nomination of Mrs. Diane Stinney as Council President for 2009. Cartier, yes; Scull, yes; Prickett, yes; Inge, no; Stinney, yes. Motion carried.

Mr. Andrew Bayer administered the Oath of Office to the President of Council, Mrs. Diane Stinney. Mr. Stinney joined Mrs. Stinney while taking the oath. Mr. Bayer congratulated Mrs. Stinney.

Mrs. Stinney thanked Mr. Bayer for doing the honors of another year of swearing her in. Mrs. Stinney conveyed that it has been an honor and a privilege to serve this Council and her town as Council President for the past year. She looks forward to remaining passionate and dedicated to fulfilling her duties again this year. She expressed that as she has stipulated many times in the past, Council is here to serve the residents of this Township first and foremost. She noted that this year they are faced with difficult times that may be dealt with through difficult decisions not unlike towns nationwide. She assured it will take tremendous

actions, plans and logical solutions to resolve their issues here. She advised of the need to explore avenues to address reductions and expenditures and just as important, increase revenues such as a balanced, open space and development plan. She expressed that they can get through these challenging times harmoniously but they must all be a part of the process. Mrs. Stinney shared what thank you means to her and recognized Councilman Andre Daniels from Westampton, the School Superintendent Mr. Gorman, Mayor of Willingboro and Councilwoman Tracy Riley from Mount Laurel. Mrs. Stinney then thanked Mr. Elmer noting that they are rich people because they have people like him.

***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 agenda.**

***CONSENT AGENDA RESOLUTIONS:**

RESOLUTION NO. 1 -2009

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE 2009 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A: 4-19 AUTHORIZES THE ADOPTION OF A TEMPORARY MUNICIPAL BUDGET NOT TO EXCEED 26.25% OF THE TOTAL APPROPRIATIONS IN THE PRIOR YEAR'S BUDGET EXCLUSIVE OF ANY APPROPRIATION FOR DEBT SERVICE, CAPITAL IMPROVEMENT FUND AND PUBLIC ASSISTANCE; AND,

WHEREAS, 26.25% OF THE TOTAL APPROPRIATIONS IN THE 2008 BUDGET, EXCLUSIVE OF APPROPRIATIONS FOR DEBT SERVICE, CAPITAL IMPROVEMENT FUND AND PUBLIC ASSISTANCE IS \$6,098,592.94 FOR THE CURRENT FUND AND \$448,953.23 FOR THE WATER UTILITY FUND;

NOW THEREFORE, BE IT RESOLVED THAT THE FOLLOWING TEMPORARY BUDGET APPROPRIATIONS BE MADE:

MAYOR/BUSINESS ADMIN.

SALARIES & WAGES	70,000.00
OTHER EXPENSE	9,000.00

TOWNSHIP COUNCIL

SALARIES & WAGES	12,000.00
OTHER EXPENSES	1,500.00

TOWNSHIP CLERK

SALARIES & WAGES	65,000.00
OTHER EXPENSES	12,000.00

FINANCE

SALARIES & WAGES	75,000.00
OTHER EXPENSE	25,000.00

AUDIT SERVICES – OTHER EXPENSE	40,000.00
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COLLECTION OF TAXES

SALARIES & WAGES	55,000.00
OTHER EXPENSES	12,000.00

SOLID WASTE BILLING

SALARY & WAGES	15,000.00
OTHER EXPENSES	3,000.00

ASSESSMENT OF TAXES

SALARY & WAGES	54,000.00
OTHER EXPENSES	9,000.00

LEGAL SERVICE – OTHER EXPENSE	65,000.00
ENGINEERING SERVICE – OTHER EXPENSE	40,000.00

URBAN ENTERPRISE DEVELOPMENT

SALARY & WAGES	18,000.00
OTHER EXPENSES	1,500.00

PLANNING BOARD

SALARY & WAGES	12,000.00
OTHER EXPENSES	3,500.00

ZONING BOARD

SALARY & WAGES	15,000.00
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OTHER EXPENSES	4,000.00
CODE ENFORCEMENT	
SALARY & WAGES	35,000.00
OTHER EXPENSES	4,000.00
INSURANCE	
OTHER INSURANCE PREMIUMS	125,000.00
WORKER'S COMPENSATION	200,000.00
GROUP HEALTH FOR EMPLOYEES	325,000.00
UNEMPLOYMENT	100.00
FIRE & EMS SERVICES	
AID TO VOLUNTEER COMPANIES	33,750.00
AID TO FIRST AID SQUADS	24,000.00
AMBULANCE CONTRACT	20,800.00
POLICE	
SALARY & WAGES	1,025,000.00
OTHER EXPENSES	80,000.00
EMERGENCY MANAGEMENT	
SALARY & WAGES	1,500.00
OTHER EXPENSES	1,000.00
STREETS & ROADS	
SALARY & WAGES	200,000.00
OTHER EXPENSES	75,000.00
BUILDINGS & GROUNDS	
SALARY & WAGES	230,000.00
OTHER EXPENSES	75,000.00
FLEET	
SALARY & WAGES	65,000.00
OTHER EXPENSES	67,000.00
ANIMAL CONTROL	
SALARY & WAGES	35,000.00
OTHER EXPENSES	2,500.00
RECREATION	
SALARY & WAGES	85,000.00
OTHER EXPENSES	28,000.00
SENIOR CITIZEN SERVICES	
SALARY & WAGES	45,000.00
OTHER EXPENSES	35,000.00
MUNICIPAL COURT	
SALARY & WAGES	90,000.00
OTHER EXPENSES	12,500.00
UNCLASSIFIED	
FIRE HYDRANT RENT	2,000.00
PROSECUTOR	12,000.00
TRAFFIC SIGNAL ELECTRIC	1,400.00
DEMOLITION OF BUILDINGS	4,000.00
SOLID WASTE COLLECTION	228,000.00
ENVIRONMENTAL PROTECTION	1,500.00
ACCUM LEAVE COMPENSATION	1,000.00
ELECTRICITY	125,000.00
STREET LIGHTING	100,000.00
TELEPHONE	40,000.00
POSTAGE	35,000.00
WATER	2,000.00
NATURAL GAS	15,000.00
HEATING OIL	15,000.00
SEWER	1,500.00
GASOLINE	125,000.00
TIPPING FEE'S – COUNTY LANDFILL	276,000.00
CONTINGENT	100.00
SOCIAL SECURITY & MEDICARE	200,000.00
JUDGMENTS	225,000.00

PENSION CONTRIBUTIONS	
PUBLIC EMPLOYEES RETIREMENTS SYSTEM	313,676.00
POLICE & FIRE RETIREMENT SYSTEM	838,492.00
2009 TEMPORARY MUNICIPAL BUDGET	<u>6,098,318.00</u>
PUBLIC ASSISTANCE	3,600.00
CAPITAL IMPROVEMENT FUND	0.00
CURRENT FUND	
DEBT SERVICE	
BONDS PRINCIPAL	1,224,897.00
INTEREST	<u>545,240.39</u>
	<u>1,770,138.00</u>
2004 BURLINGTON CO. BRIDGE LEASE	
(82.40%) PRINCIPAL	138,432.00
INTEREST	<u>109,005.67</u>
	<u>247,438.00</u>
2005 BURLINGTON CO. BRIDGE LEASE	
(43.25%) PRINCIPAL	59,685.00
INTEREST	<u>95,377.64</u>
	<u>155,063.00</u>
GREEN TRUST	
PRINCIPAL & INTEREST	37,002.00
ENVIRON INFRASTRUCTURE LOAN	
PRINCIPAL & INTEREST	55,825.00
TOTAL – CURRENT DEBT SERVICE	<u>2,265,466.00</u>
WATER UTILITY FUND	
SALARY & WAGES	231,000.00
OTHER EXPENSES	195,500.00
SOCIAL SECURITY	22,000.00
TOTAL – WATER UTILITY SUBJECT TO 26.25%	<u>448,500.00</u>
WATER UTILITY DEBT SERVICE	
BONDS	
PRINCIPAL	186,104.00
INTEREST	<u>19,855.00</u>
	205,959.00
2004 BURLINGTON CO. BRIDGE LEASE	
(17.60%) PRINCIPAL	29,568.00
INTEREST	<u>21,037.00</u>
	50,605.00
2005 BURLINGTON CO. BRIDGE LEASE	
(56.75%) PRINCIPAL	78,315.00
INTEREST	<u>75,570.00</u>
	153,885.00
TOTAL – WATER DEBT SERVICE	<u>410,449.00</u>
SEWER UTILITY FUND	
BONDS	
PRINCIPAL	331,321.63
INTEREST	244,318.37
TOTAL – SEWER DEBT SERVICE	<u>575,640.00</u>

BE IT FURTHER RESOLVED, THAT TWO CERTIFIED COPIES OF THIS RESOLUTION BE FILED WITH THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES.

RESOLUTION NO. 2-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, THAT MARY ANN YOUNG BE APPOINTED AND DESIGNATED MUNICIPAL IMPROVEMENT SEARCH OFFICER FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009.

RESOLUTION NO. 3-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT MICHELE ADAMS BE APPOINTED AND DESIGNATED TAX SEARCH OFFICER FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009.

RESOLUTION NO. 4-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT AMY P. COSNOSKI, IS HEREBY APPOINTED AS DEPUTY TOWNSHIP CLERK FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009.

RESOLUTION NO. 5-2009

WHEREAS, PURSUANT TO PL 1975 C.127 (N.J.A.C) 17:27, IT IS NECESSARY THAT A PUBLIC AGENCY COMPLIANCE OFFICER BE APPOINTED THAT WILL BE RESPONSIBLE TO ENSURE THAT ALL CONTRACTS ARE PROCESSED IN ACCORDANCE WITH AFFIRMATIVE ACTION REGULATIONS, AND TO ENSURE THAT CONTRACTORS PROVIDE THE REQUIRED AFFIRMATIVE ACTION DOCUMENTS;
NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, THAT MARY ANN YOUNG, CMC, BE AND IS HEREBY APPOINTED AS PEMBERTON TOWNSHIP'S PUBLIC AGENCY COMPLIANCE OFFICER FOR THE YEAR 2009.

RESOLUTION NO. 7-2009

BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT ANY CHECKS ISSUED BY THE TOWNSHIP OF PEMBERTON REQUIRING TWO SIGNATURES MAY BE SIGNED BY ANY TWO OF THE FOLLOWING OFFICIALS:

- 1. CHIEF FINANCIAL OFFICER
- 2. TOWNSHIP CLERK
- 3. MAYOR
- 4. COUNCIL PRESIDENT
- 5. LINDA EDEN

BE IT FURTHER RESOLVED THAT ANY CHECKS REQUIRING ONLY ONE SIGNATURE, AS AUTHORIZED IN CHAPTER 10, SECTION 6 OF THE CODE OF THE TOWNSHIP OF PEMBERTON, ARE AUTHORIZED TO BE SIGNED BY THE TOWNSHIP'S CHIEF FINANCIAL OFFICER.

RESOLUTION NO. 8-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT ALL REGULAR TOWNSHIP COUNCIL MEETINGS OF THE TOWNSHIP OF PEMBERTON, AT WHICH TIMES REGULAR BUSINESS WILL BE CONDUCTED AND FORMAL ACTION TAKEN, SHALL TAKE PLACE AT 6:30 P.M., AT THE TOWNSHIP MUNICIPAL BUILDING, 500 PEMBERTON-BROWNS MILLS ROAD, PEMBERTON, NEW JERSEY ON THE FOLLOWING DATES FOR THE YEAR 2009:

- JANUARY 21, 2009
- FEBRUARY 4 & 18, 2009
- MARCH 4 & 18, 2009
- APRIL 1 & 15, 2009
- MAY 6 & 20, 2009
- JUNE 3 & 17, 2009
- JULY 15, 2009
- AUGUST 5 & 19, 2009
- SEPTEMBER 2 & 16, 2009
- OCTOBER 7 & 21, 2009
- NOVEMBER 4, 2009
- DECEMBER 2 & 16, 2009

RESOLUTION NO. 9-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE FOLLOWING DATES BE DECLARED HOLIDAYS FOR THE YEARS 2009/10:

DESIGNATED HOLIDAY	DATE HOLIDAY OBSERVED
MARTIN LUTHER KING DAY	JANUARY 19, 2009
PRESIDENT'S DAY	FEBRUARY 16, 2009
GOOD FRIDAY	APRIL 10, 2009
EASTER MONDAY	APRIL 13, 2009
MEMORIAL DAY	MAY 25, 2009
INDEPENDENCE DAY	JULY 3, 2009
LABOR DAY	SEPTEMBER 7, 2009
COLUMBUS DAY	OCTOBER 12, 2009
VETERANS DAY	NOVEMBER 11, 2009
THANKSGIVING DAY	NOVEMBER 26, 2009
DAY AFTER THANKSGIVING	NOVEMBER 27, 2009
CHRISTMAS EVE	DECEMBER 24, 2009
CHRISTMAS DAY	DECEMBER 25, 2009
NEW YEAR'S DAY	JANUARY 1, 2010

RESOLUTION NO. 10-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE BURLINGTON COUNTY TIMES IS HEREBY DESIGNATED AS THE OFFICIAL NEWSPAPER FOR THE TOWNSHIP OF PEMBERTON FOR THE PUBLICATION OF TOWNSHIP ORDINANCES, RESOLUTIONS AND OTHER LEGAL NOTICES FOR THE YEAR 2009, AND THAT THE TRENTON TIMES IS HEREBY DESIGNATED AS THE OFFICIAL NEWSPAPER TO RECEIVE THE SECOND REQUIRED NOTICE OF ALL MEETINGS OF THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009.

RESOLUTION NO. 11-2009

WHEREAS, THERE EXISTS A NEED FOR THE PROVISION OF BONDS FOR CERTAIN TOWNSHIP OFFICIALS, AND FOR CERTAIN INSURANCE COVERAGE FOR EMERGENCY SERVICES FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009; AND
WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES IN THE AMOUNT AND ACCOUNT NUMBER AS STIPULATED IN THE ATTACHED CERTIFICATION OF FUNDS; AND
WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11 ET. SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDDING AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND
WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF HARDENBERGH INSURANCE GROUP, TO PROVIDE THE AFOREMENTIONED BONDS AND INSURANCE COVERAGE FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009, COMMENCING ON JANUARY 1, 2009 AND TERMINATING ON DECEMBER 31, 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS.
NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE APPOINTMENT OF HARDENBERGH INSURANCE GROUP, FOR THE PURPOSE OF PROVIDING THE AFOREMENTIONED EMPLOYEE BONDS AND INSURANCE COVERAGE FOR EMERGENCY SERVICES AS REQUIRED BY THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS;
BE IT FURTHER RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:
1. THE MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH HARDENBERGH INSURANCE GROUP.

2. THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS AN EXTRAORDINARY, UNSPECIFIABLE SERVICE IN ACCORDANCE WITH N.J.S.A. 40A:11-5(1)(A) OF THE LOCAL PUBLIC CONTRACTS LAW.

RESOLUTION NO. 12-2009

WHEREAS, N.J.S.A. 54:4-67 ET SEQ., PERMITS THE GOVERNING BODY TO FIX THE RATE OF INTEREST TO BE CHARGED FOR THE NONPAYMENT OF TAXES, ASSESSMENTS, OR OTHER MUNICIPAL CHARGES.

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON THAT THE RATE OF INTEREST ON UNPAID TAXES SHALL BE EIGHT PERCENT (8%) PER ANNUM ON THE FIRST ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS OF DELINQUENCY AND EIGHTEEN PERCENT (18%) PER ANNUM ON ANY AMOUNT IN EXCESS OF ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS TO BE CALCULATED FROM THE DATE THE TAX WAS PAYABLE UNTIL THE DATE OF ACTUAL PAYMENT, PROVIDED THAT NO INTEREST SHALL BE CHARGED IF PAYMENT OF ANY INSTALLMENT IS MADE ON OR BEFORE THE TENTH CALENDAR DAY FOLLOWING THE DATE UPON WHICH THE SAME BECAME PAYABLE; AND

BE IT FURTHER RESOLVED, THAT IN ADDITION TO THE INTEREST PROVIDED ABOVE, ON ALL DELINQUENCIES IN EXCESS OF TEN THOUSAND (\$10,000.00) DOLLARS WHICH ARE NOT PAID PRIOR TO THE END OF THE FISCAL YEAR, THE TAX COLLECTOR SHALL ALSO COLLECT A PENALTY OF SIX PERCENT (6%) OF THE AMOUNT OF DELINQUENCY.

BE IT FURTHER RESOLVED, THAT THE MUNICIPAL CLERK PROVIDE A CERTIFIED COPY OF THIS RESOLUTION TO THE TAX COLLECTOR.

RESOLUTION NO. 13-2009

WHEREAS, THE TAX COLLECTOR OF THE TOWNSHIP OF PEMBERTON DESIRES TO ESTABLISH A CONSISTENT POLICY CONCERNING THE DISPOSITION OF OVERPAYMENTS OF TAXES MADE THROUGH THE TAX COLLECTOR'S OFFICE;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT OVERPAYMENTS OF TAXES MADE TO THE TAX COLLECTOR OF THE TOWNSHIP OF PEMBERTON SHALL BE DISPOSED OF AS FOLLOWS:

1. OVERPAYMENTS IN THE AMOUNT OF \$49.00 OR LESS WILL BE CREDITED TO THE PROPERTY OWNER'S ACCOUNTS.

2. OVERPAYMENTS IN THE AMOUNT OF \$50.00 OR MORE MAY BE REFUNDED TO THE PROPERTY OWNERS.

IN THE EVENT THAT THE OVERPAYMENT EITHER BELONGS TO A FORMER OWNER, EXCEEDS THE CURRENT YEAR'S TAXES, HAS BEEN OVERPAID BY A TITLE COMPANY OR PRIOR MORTGAGE COMPANY, OR THE LINE ITEM IS NO LONGER ACTIVE, THE TAX COLLECTOR IS HEREBY AUTHORIZED AND DIRECTED TO USE REASONABLE JUDGMENT IN AUTHORIZING REFUNDS OF SUCH OVERPAYMENTS, REGARDLESS OF THE AMOUNT.

RESOLUTION NO. 14-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, THAT THE TAX COLLECTOR IS HEREBY AUTHORIZED AND DIRECTED TO CANCEL ALL OUTSTANDING TAX DEBIT BALANCES UNDER THE AMOUNT OF \$5.00 (FIVE DOLLARS) FOR THE YEAR 2008, AND TO TRANSFER TO SURPLUS ALL CREDIT BALANCES UNDER THE AMOUNT OF \$5.00 (FIVE DOLLARS) FOR 2008.

RESOLUTION NO. 15-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, THAT THE WATER DEPARTMENT IS HEREBY AUTHORIZED AND DIRECTED TO CANCEL ALL OUTSTANDING WATER DEBIT BALANCES UNDER THE AMOUNT OF \$5.00 (FIVE DOLLARS) FOR THE YEAR 2008, AND TO TRANSFER TO SURPLUS ALL CREDIT BALANCES UNDER THE AMOUNT OF \$5.00 (FIVE DOLLARS) FOR 2008 TO WATER DEPARTMENT SURPLUS.

RESOLUTION NO. 16-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, THAT THE SOLID WASTE DEPARTMENT IS HEREBY AUTHORIZED AND DIRECTED TO CANCEL ALL OUTSTANDING SOLID WASTE DEBIT BALANCES UNDER THE AMOUNT OF \$5.00 (FIVE DOLLARS) FOR THE YEAR 2008, AND TO TRANSFER TO SURPLUS ALL CREDIT BALANCES UNDER THE AMOUNT OF \$5.00 (FIVE DOLLARS) FOR 2008.

RESOLUTION NO. 17-2009

WHEREAS, STATUTORY PROVISION IS MADE FOR REVIEW AND CORRECTION OF ERRORS PRIOR TO CERTIFICATION OF AN ASSESSMENT LIST; AND

WHEREAS, PROVISION IS ALSO ALLOWED FOR THE DISCOVERY AND CORRECTION OF ERRORS AFTER ESTABLISHMENT OF THE TAX RATE; AND

WHEREAS, CHANGES IN PROPERTY OWNERSHIP AT TIMES NECESSITATE ADJUSTMENTS IN THE VETERAN, SENIOR CITIZENS AND DISABILITY DEDUCTIONS AND EXEMPTIONS ALLOWED ON THE ASSESSMENT LIST; AND

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, THAT THE TAX ASSESSOR FULFILLING THE DUTIES AND REQUIREMENTS OF HIS OR HER OFFICE OR THE TOWNSHIP SOLICITOR BE AUTHORIZED TO FILE WITH THE BURLINGTON COUNTY BOARD OF TAXATION SUCH APPEALS AS MAY BE NECESSARY TO MAINTAIN ACCURACY AND EQUALITY IN THE ASSESSMENT LIST OF PEMBERTON TOWNSHIP, FOR THE YEAR 2009.

BE IT FURTHER RESOLVED, THAT THE ASSESSOR IS HEREBY AUTHORIZED TO EXECUTE STIPULATIONS OF SETTLEMENT ON BEHALF OF THE TOWNSHIP OF PEMBERTON;

BE IT FURTHER RESOLVED, THAT THE ASSESSOR IS HEREBY AUTHORIZED TO FILE ANY ROLLBACK ASSESSMENT ON BEHALF OF THE TOWNSHIP OF PEMBERTON. LAND WHICH IS AN AGRICULTURAL OR HORTICULTURAL USE AND BEING VALUED UNDER THE FARMLAND ASSESSMENT ACT IS SUBJECT TO ROLLBACK TAX IN THE CASE OF CHANGE IN USE;

BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION ACCOMPANY ANY APPEAL FILED BY THE ASSESSOR WITH THE BURLINGTON COUNTY BOARD OF TAXATION.

RESOLUTION NO. 18-2009

WHEREAS, THE TOWNSHIP OF PEMBERTON IS A CURRENT MEMBER OF THE NEW JERSEY MUNICIPAL SELF INSURER'S JOINT INSURANCE FUND, ALSO KNOWN AS NJMSJIF; AND

WHEREAS, ACCORDING TO THE BY-LAWS OF SAID FUND THE TOWNSHIP MUST APPOINT A FUND COMMISSIONER IN ORDER TO BREAK TIE VOTES OF THE FUND;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE TOWNSHIP OF PEMBERTON DOES HEREBY APPOINT THE FOLLOWING INDIVIDUALS AS COMMISSIONERS TO THE NEW JERSEY MUNICIPAL SELF INSURER'S JOINT INSURANCE FUND.

1. FUND COMMISSIONER
BUSINESS ADMINISTRATOR
2. ALTERNATE FUND COMMISSIONER
TAX COLLECTOR
3. SPECIAL FUND COMMISSIONER
CHIEF FINANCIAL OFFICER

RESOLUTION NO. 19-2009

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, APPOINTING TOWNSHIP RISK MANAGEMENT CONSULTANT

WHEREAS, THE TOWNSHIP OF PEMBERTON IS A MEMBER OF THE NEW JERSEY SELF INSURER'S JOINT INSURANCE FUND; AND

WHEREAS, THE BY LAWS OF SAID FUND REQUIRE THAT EACH MEMBER APPOINT A RISK MANAGER; AND

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON HEREBY APPOINTS LAWRENCE GRAHAM OF FAIRVIEW INSURANCE AGENCY, INC. TO SERVE AS THE RISK MANAGER FOR THE TOWNSHIP EFFECTIVE JANUARY 1, 2009.

RESOLUTION NO. 20-2009

APPOINTMENT OF THIRD PARTY INSURANCE ADMINISTRATOR FOR WORKERS COMPENSATION AND LIABILITY CLAIMS.

WHEREAS, THE TOWNSHIP JOINED THE NEW JERSEY MUNICIPAL SELF INSURER'S JOINT INSURANCE FUND ON SEPTEMBER 23, 1992 IN AN EFFORT TO PROVIDE THE TAXPAYERS OF THE TOWNSHIP OF PEMBERTON WITH IMPROVED INSURANCE COVERAGE AT A LOWER COST; AND
 WHEREAS, PURSUANT TO THE PROGRAM, THE TOWNSHIP IS RESPONSIBLE FOR PROCESSING CERTAIN LIABILITY AND WORKERS COMPENSATION CLAIMS; AND
 WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW, SPECIFICALLY N.J.S.A. 40A:11-5(A) (I) (II) (M), EXEMPTS AWARDS OF CONTRACTS FOR INSURANCE COVERAGE PROTECTION CONSULTANT SERVICES FROM THE COMPETITIVE BIDDING PROCESS; AND
 WHEREAS, THE MAYOR HAS CERTIFIED TO THE TOWNSHIP COUNCIL A DESCRIPTION OF THE NATURE OF THE WORK TO BE DONE, AN EXPLANATION THAT IT IS NOT REASONABLY POSSIBLE TO DRAFT SPECIFICATIONS FOR SAME, A DESCRIPTION AS TO WHY THE CONTRACT MEETS THE PROVISIONS OF THE LOCAL PUBLIC CONTRACTS LAW, AND THE REGULATIONS PROMULGATED PURSUANT THERETO AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE; AND
 WHEREAS, THE PROPOSED SERVICES TO BE PROVIDED BY INSERVCO WILL BE BASED UPON THEIR CLAIM FEE SCHEDULE; AND
 WHEREAS, THE TOWNSHIP'S CHIEF FINANCIAL OFFICER HAS CERTIFIED THAT FUNDS ARE AVAILABLE TO PAY FOR THESE SERVICES.
 NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT INSERVCO BE AND IS HEREBY APPOINTED TO SERVE AS THIRD PARTY INSURANCE ADMINISTRATOR FOR WORKERS COMPENSATION LIABILITY CLAIMS.

RESOLUTION NO. 21-2009

RESOLUTION AUTHORIZING INSTITUTION OF CONTRACT WITH "ALLIANCE AT WORK" FOR PROVIDING CERTAIN MEDICAL REVIEW AND OCCUPATION HEALTH SERVICES
 WHEREAS, THE TOWNSHIP IS IN NEED OF A LICENSED MEDICAL ORGANIZATION TO PROVIDE CERTAIN DOT AND POST-OFFER PHYSICALS, AND SUBSTANCE TESTING AND ADMINISTRATION OF HEPATITIS B IMMUNIZATION SERIES AS PART OF ITS INTERNAL OCCUPATION HEALTH PROGRAM; AND
 WHEREAS, VIRTUA MEMORIAL HOSPITAL OF BURLINGTON COUNTY, THROUGH ITS "ALLIANCE AT WORK" PROGRAM HAS OFFERED THESE SERVICES TO THE TOWNSHIP BY WAY OF CONTRACT FOR THE YEAR 2009; AND
 WHEREAS, THE ADMINISTRATION HAS RECOMMENDED THE AWARD OF THIS CONTRACT TO VIRTUA MEMORIAL HOSPITAL OF BURLINGTON COUNTY; "ALLIANCE AT WORK" PROGRAM; AND
 WHEREAS, THE CHIEF FINANCIAL OFFICER HAS CERTIFIED THAT FUNDS ARE AVAILABLE TO FUND SAME; AND
 WHEREAS, THE TOWNSHIP SOLICITOR HAS RENDERED AN OPINION IN THAT THE SERVICE CONTEMPLATED UNDER THIS AGREEMENT CONSTITUTES PROFESSIONAL SERVICES WITHIN THE MEANING AND INTENDMENT OF THE LOCAL POLICE CONTRACTS LAW, N.J.S.A. 40A:11-1 ET SEQ., AND ARE THEREFORE EXEMPT FROM PUBLIC BIDDING REQUIREMENTS OF SUCH STATUTE;
 NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE MAYOR AND CLERK ARE HEREBY AUTHORIZED AND DIRECTED TO EXECUTE A CONTRACT/PURCHASE ORDER WITH VIRTUA MEMORIAL HOSPITAL OF BURLINGTON COUNTY, "ALLIANCE AT WORK" PROGRAM; AND

Mr. Cartier requested to pull Resolution No. 6-2009. Mr. Inge requested to pull Resolution No. 25-2009 and 32-2009. Mr. Cartier explained they are not on the consent agenda.

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

RESOLUTIONS PULLED FROM THE CONSENT AGENDA:

Mr. Cartier informed he has a conflict with Resolution No. 6-2009.

RESOLUTION NO. 6-2009

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON COUNTY OF BURLINGTON, ESTABLISHING A CASH MANAGEMENT PLAN PURSUANT TO N.J.S.A. 40A:5-14 ET. SEQ. (THE LOCAL FISCAL AFFAIRS LAW)

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, THAT THE FOLLOWING CASH MANAGEMENT PLAN IS HEREBY ADOPTED FOR 2009. THIS PLAN IS INTENDED TO GUIDE THE CHIEF FINANCIAL OFFICER IN THE INVESTMENT OF FUNDS DURING PERIODS THAT SAID FUNDS ARE NOT NEEDED TO MEET OBLIGATIONS. IN SELECTING AMONG INVESTMENT OPTIONS, THE CHIEF FINANCIAL OFFICER SHALL CONSIDER THE FOLLOWING FACTORS IN THE FOLLOWING ORDER OF IMPORTANCE:

- SECURITY OF THE INVESTMENT
- LIQUIDITY OF THE INVESTMENT
- YIELD OR RETURN ON INVESTMENT
- DIVERSIFICATION
- MATURITY REQUIREMENTS
- COSTS AND FEES

1. THE FOLLOWING ARE AUTHORIZED FOR THE INVESTMENT OF TOWNSHIP FUNDS:
 - A. INTEREST-BEARING BANK ACCOUNTS AND CERTIFICATES OF DEPOSIT IN AUTHORIZED BANKS (LISTED BELOW) FOR THE DEPOSIT OF LOCAL UNIT FUNDS.
 - B. BOND OR OTHER OBLIGATIONS OF THE UNITED STATES OF AMERICA OR OBLIGATIONS GUARANTEED BY THE UNITED STATES OF AMERICA.
 - C. ANY FEDERAL AGENCY OR INSTRUMENTALITY OBLIGATION AUTHORIZED BY CONGRESS THAT MATURES WITHIN 397 DAYS FROM THE DATE OF PURCHASE AND HAS A FIXED RATE OF INTEREST NOT DEPENDENT ON ANY INDEX OR EXTERNAL FACTOR.
 - D. BONDS OR OTHER OBLIGATIONS OF THE TOWNSHIP OF PEMBERTON OR THE TOWNSHIP OF PEMBERTON SCHOOL DISTRICT.
 - E. LOCAL GOVERNMENT INVESTMENT POOLS WHICH COMPLY WITH N.J.S.A. 40A:5-15.1(E) AND CONDITIONS ESTABLISHED BY THE NJ DIVISION OF LOCAL GOVERNMENT SERVICES.
 - F. THE NEW JERSEY CASH MANAGEMENT FUND
 - G. REPURCHASE AGREEMENTS (REPOS) OF FULLY COLLATERALIZED SECURITIES THAT COMPLY WITH N.J.S.A. 40A:5-15.1(A)
2. THE FOLLOWING BANKS ARE AUTHORIZED TO HAVE CHECKING ACCOUNTS FOR THE TOWNSHIP OF PEMBERTON, PROVIDING THAT THE BANK CONTINUES TO COMPLY WITH AND BE APPROVED BY THE NJ DEPARTMENT OF BANKING AND INSURANCE FOR THE DEPOSIT OF PUBLIC FUNDS UNDER THE GOVERNMENT UNIT DEPOSITORY PROTECTION ACT:
 - A. BENEFICIAL
 - B. COMMERCE BANK
 - C. SUN NATIONAL BANK
 - D. BANK OF AMERICA
 - E. WACHOVIA BANK
 - F. TD BANKNORTH NA

3. THE FOLLOWING BANKS ARE AUTHORIZED FOR CERTIFICATES OF DEPOSIT, MONEY MARKET CHECKING ACCOUNTS AND SIMILAR INVESTMENTS:
 - A. ALL BANKS LICENSED TO DO BUSINESS IN THE STATE OF NEW JERSEY AND APPROVED BY THE NJ DEPARTMENT OF BANKING AND INSURANCE FOR THE DEPOSIT OF PUBLIC FUNDS UNDER THE GOVERNMENT UNIT DEPOSITORY PROTECTION ACT.

Motion by Prickett and Scull to approve Resolution No. 6-2009. Prickett, yes; Scull, yes; Cartier, abstain; Inge, yes; Stinney, yes. Motion carried.

OTHER RESOLUTIONS:

RESOLUTION NO. 22-2009

WHEREAS, THERE EXISTS A NEED BY THE TOWNSHIP OF PEMBERTON FOR THE SERVICES OF A SOLICITOR FOR THE YEAR 2009; AND

WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES IN THE AMOUNT AND ACCOUNT NUMBER AS STIPULATED IN THE ATTACHED CERTIFICATION OF FUNDS; AND

WHEREAS, THE LOCAL PUBLIC CONTRACT LAW (N.J.S.A. 40A:11 ET SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND

WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF ANDREW BAYER OF GLUCK WALRATH LLP, AS SOLICITOR FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009, COMMENCING ON JANUARY 1, 2009 AND TERMINATING ON DECEMBER 31, 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE APPOINTMENT OF ANDREW BAYER OF GLUCK WALRATH LLP, AS SOLICITOR FOR PEMBERTON TOWNSHIP FOR THE YEAR 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:

1. THE MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT FOR SERVICES WITH ANDREW BAYER OF GLUCK WALRATH LLP.
2. THIS CONTRACT IS AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Motion by Prickett and Scull to approve Resolution No. 22-2009. Prickett, yes; Scull, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

Mr. Bayer thanked Council for their continuance.

RESOLUTION NO. 23-2009

WHEREAS, THERE EXISTS A NEED BY THE TOWNSHIP OF PEMBERTON FOR THE SERVICES OF A LICENSED PROFESSIONAL ENGINEER FOR THE YEAR 2009; AND

WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11 ET SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND

WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF CHRIS R. REHMANN OF ADAMS, REHMANN & HEGGAN, AS LICENSED PROFESSIONAL ENGINEER FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009, COMMENCING ON JANUARY 1, 2009 AND TERMINATING ON DECEMBER 31, 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:

1. THAT MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH CHRIS R. REHMANN OF ADAMS, REHMANN & HEGGAN.
2. THIS CONTRACT IS AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Motion by Scull and Prickett to approve Resolution No. 23-2009 appointing Chris Rehmann of Adams, Rehmann & Heggan as Township Engineer. Scull, yes; Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 24-2009

WHEREAS, THERE EXISTS A NEED BY THE TOWNSHIP OF PEMBERTON FOR THE SERVICES OF ONE OR MORE LICENSED PROFESSIONAL ENGINEERS TO SERVE AS SPECIAL PROJECTS ENGINEERS FOR THE YEAR 2009; AND

WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11, ET SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND

WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF THE FEDERICI & AKIN, P.E. AS SPECIAL PROJECTS ENGINEERS FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009, COMMENCING ON JANUARY 1, 2009, AND TERMINATING ON DECEMBER 31, 2009;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE APPOINTMENT OF FEDERECI & AKIN AS SPECIAL PROJECT ENGINEERS FOR PEMBERTON TOWNSHIP FOR THE YEAR 2009.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:

1. THE MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH FEDERICI & AKIN, P.E.
- 2.
3. THIS CONTRACT IS AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACT LAW.

Motion by Cartier and Scull to approve Resolution No. 24-2009. Cartier, yes; Scull, yes; Prickett, yes; Inge, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 25-2009

WHEREAS, THERE EXISTS A NEED BY THE TOWNSHIP OF PEMBERTON FOR THE SERVICES OF AN AUDITOR FOR THE YEAR 2009; AND
WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES; AND
WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11 ET SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND
WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF BOWMAN & COMPANY, LLP, AS AUDITOR FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009, COMMENCING ON JANUARY 1, 2009 AND TERMINATING ON DECEMBER 31, 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS;
NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE APPOINTMENT OF BOWMAN & COMPANY, LLP AS AUDITOR FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS.
BE IT FURTHER RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:

1. THE MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH BOWMAN & COMPANY, LLP.
2. THIS CONTRACT IS AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET. SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Motion by Cartier and Scull to approve Resolution No. 25-2009. Cartier, yes; Scull, yes; Prickett, no; Inge, no; Stinney, yes. Motion carried.

RESOLUTION NO. 26-2009

WHEREAS, THERE EXISTS A NEED BY THE TOWNSHIP OF PEMBERTON FOR THE SERVICES OF A MUNICIPAL PROSECUTOR FOR THE YEAR 2009; AND
WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES; AND
WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11 ET SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND
WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF DEAN BUONO AS MUNICIPAL PROSECUTOR FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009, COMMENCING ON JANUARY 1, 2009 AND TERMINATING ON DECEMBER 31, 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS;
NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE APPOINTMENT OF DEAN BUONO AS MUNICIPAL PROSECUTOR FOR PEMBERTON TOWNSHIP FOR THE YEAR 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS.
BE IT FURTHER RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:

1. THAT MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH DEAN BUONO.
2. THIS CONTRACT IS AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Motion by Cartier and Prickett to approve Resolution No. 26-2009. Cartier, yes; Prickett, yes; Scull, yes; Inge, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 27-2009

WHEREAS, N.J.S.A. 2B:24-4(E) REQUIRES A MUNICIPALITY TO APPOINT ADDITIONAL MUNICIPAL PROSECUTORS, AS NECESSARY, TO ADMINISTER JUSTICE IN A TIMELY AND EFFECTIVE MANNER IN ITS MUNICIPAL COURT; AND
WHEREAS, THE MUNICIPAL PROSECUTOR MAY FROM TIME TO TIME BE UNAVAILABLE TO SERVE AS MUNICIPAL PROSECUTOR AT CERTAIN COURT SESSIONS; AND
WHEREAS, N.J.S.A. 2B:25-4(E) REQUIRES THE TOWNSHIP COUNCIL TO APPOINT AN ALTERNATE FOR THE MUNICIPAL PROSECUTOR FOR THOSE OCCASIONS WHEN THE MUNICIPAL PROSECUTOR IS UNAVAILABLE.
NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON THAT M. LOU GARTY IS HEREBY APPOINTED AS ALTERNATE MUNICIPAL PROSECUTOR, ON AN AS NEEDED BASIS FOR THE YEAR 2009, COMMENCING ON JANUARY 1, 2009 AND TERMINATING DECEMBER 31, 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS;
BE IT FURTHER RESOLVED THAT THIS APPOINTMENT WAS MADE IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Motion by Scull and Cartier to approve Resolution No. 27-2009. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 28-2009

WHEREAS, THERE EXISTS A NEED BY THE TOWNSHIP OF PEMBERTON FOR THE SERVICES OF A PUBLIC DEFENDER FOR THE YEAR 2009; AND
WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES; AND
WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11 ET SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND
WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF TIMOTHY FARROW OF DASH REYNOLDS, LLC, AS PUBLIC DEFENDER FOR THE TOWNSHIP OF PEMBERTON FOR THE YEAR 2009 COMMENCING ON JANUARY 1, 2009 AND TERMINATING ON DECEMBER 31, 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS;
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:

1. THAT THE MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH TIMOTHY FARROW OF DASH REYNOLDS, LLC.
2. THIS CONTRACT IS AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Mayor Patriarca advised Ms. McCrink had to withdraw due to a conflict and Administration is recommending Mr. Tim Farrow.

Motion by Cartier and Scull to approve Resolution No. 28-2009. Cartier, yes; Scull, yes; Prickett, yes; Inge, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 29-2009

WHEREAS, THERE IS A NEED TO APPOINT A CONFLICTS JUDGE TO SERVE IN SITUATIONS WHERE A CONFLICT ARISES DUE TO, FOR EXAMPLE, THE INVOLVEMENT OF A MUNICIPAL EMPLOYEE IN A MATTER BEFORE THE COURT; AND WHEREAS, THE APPOINTMENT TO SUCH OFFICE REQUIRES THAT THE CANDIDATE POSSESS A LICENSE TO PRACTICE LAW IN THE STATE OF NEW JERSEY, AND IS IN GOOD STANDING WITH THE SUPREME COURT OF THE STATE OF NEW JERSEY; AND

WHEREAS, THE MAYOR HAS APPOINTED ALFRED FAXON, III TO SERVE AS CONFLICTS JUDGE FOR THE YEAR 2009 COMMENCING JANUARY 1, 2009 AND TERMINATING DECEMBER 31, 2009; AND

WHEREAS, THE CHIEF FINANCIAL OFFICER HAS CERTIFIED THAT FUNDS ARE AVAILABLE FOR THIS APPOINTMENT;

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'S APPOINTMENTS OF ALFRED FAXON, III, TO SERVE AS CONFLICTS JUDGE:

BE IT FURTHER RESOLVED, THAT THE MAYOR AND TOWNSHIP CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH ALFRED FAXON, III.

BE IT FURTHER RESOLVED, THAT THE TOWNSHIP CLERK SHALL PUBLISH NOTICE OF THIS APPOINTMENT IN THE OFFICIAL LEGAL NEWSPAPER.

BE IT FURTHER RESOLVED THAT THESE APPOINTMENTS WERE MADE IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Motion by Cartier and Scull to approve Resolution No. 29-2009. Cartier, yes; Scull, yes; Prickett, yes; Inge, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 30-2009

RESOLUTION APPOINTING MEMBERS TO THE VETERANS ADVISORY COMMITTEE

WHEREAS, BY ORDINANCE 20-2004 THE TOWNSHIP ESTABLISHED A VETERANS ADVISORY COMMITTEE;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON THAT THE FOLLOWING APPOINTMENTS ARE MADE AS FOLLOWS:

COUNCIL APPOINTMENT AT LARGE:

CAROLINE WADE

THREE YEAR TERM EXPIRES 12/31/11

Motion by Scull and Prickett to approve Resolution No. 30-2009. Scull, yes; Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 31-2009

RESOLUTION APPOINTING SPECIAL COUNSEL POOL OF ATTORNEYS REPRESENTING TOWNSHIP FOR VARIOUS SPECIAL LEGAL SERVICES

WHEREAS, THERE EXISTS A NEED BY THE TOWNSHIP OF PEMBERTON FOR THE SERVICES OF SPECIAL COUNSEL TO PROVIDE VARIOUS LEGAL SERVICES INCLUDING CONFLICT ATTORNEYS, SPECIAL LITIGATION COUNSEL, WORKERS COMPENSATION COUNSEL, LABOR COUNSEL, TAX APPEALS COUNSEL, TAX FORECLOSURE/BANKRUPTCY COUNSEL, AND BOND COUNSEL, FOR THE YEAR 2009; AND

WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES IN THE AMOUNT AND ACCOUNT NUMBER AS STIPULATED IN THE ATTACHED CERTIFICATION OF FUNDS; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11 ET SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND

WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF WILENTZ, GOLDMAN & SPITZER; JOHN WISNIEWSKI; ARCHER & GREINER; ERIC BERNSTEIN; PARKER MCCAY; EARP & COHN, PC; THOMAS KUNZ, LLC; AS ATTORNEYS FOR THE SPECIAL COUNSEL POOL TO PROVIDE VARIOUS LEGAL SERVICES, INCLUDING CONFLICT ATTORNEYS, SPECIAL LITIGATION COUNSEL, WORKERS COMPENSATION COUNSEL, LABOR COUNSEL, TAX APPEALS COUNSEL, TAX FORECLOSURE/BANKRUPTCY COUNSEL, AND BOND COUNSEL FOR THE YEAR 2009, COMMENCING ON JANUARY 1, 2009 AND TERMINATING ON DECEMBER 31, 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE APPOINTMENT, AS SPECIAL COUNSEL TO REPRESENT THE TOWNSHIP IN SPECIAL LITIGATION CASES FOR THE YEAR 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:

3. THE MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH WILENTZ, GOLDMAN & SPITZER; JOHN WISNIEWSKI; ARCHER & GREINER; ERIC BERNSTEIN; PARKER MCCAY; EARP & COHN, PC; AND THOMAS KUNZ, LLC.
4. THESE CONTRACTS ARE AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET. SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Motion by Scull and Cartier to approve Resolution No. 31-2009. Scull, yes; Cartier, yes; Inge, no; Prickett, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 32-2009

RESOLUTION APPOINTING TOWNSHIP PLANNER

WHEREAS, THERE EXISTS A NEED BY THE TOWNSHIP OF PEMBERTON FOR THE SERVICES OF A TOWNSHIP PLANNER FOR THE YEAR 2009; AND

WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11 ET SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND

WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF RICHARD RAGAN, AS TOWNSHIP PLANNER FOR THE YEAR 2009, COMMENCING ON JANUARY 1, 2009 AND TERMINATING ON DECEMBER 31, 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE APPOINTMENT OF RICHARD RAGAN, AS TOWNSHIP PLANNER FOR THE YEAR 2009 OR UNTIL SUCH TIME AS THE APPOINTEE'S SUCCESSOR IS APPOINTED AND QUALIFIED, WHICHEVER LATER OCCURS.

BE IT FURTHER RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:

5. THE MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH RICHARD RAGAN.
6. THIS CONTRACT IS AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET. SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Mr. Bob Cushmeyer interjected from the audience asking if it is out of order for a public comment. Mrs. Scull replied yes. Mr. Bayer confirmed it is out of order and noted there is a time in the meeting coming up for public comments. Mr. Cushmeyer noted that would be after action is already taken. Mrs. Stinney informed Mr. Cushmeyer that he will have an opportunity to comment during public comments.

Motion by Scull and Cartier to approve Resolution No. 32-2009. Scull, yes; Cartier, yes; Inge, abstain; Prickett, no; Stinney, yes. Motion carried.

RESOLUTION NO. 33-2009

BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT KENNETH C. CARTIER, A MEMBER OF THE GOVERNING BODY, IS HEREIN APPOINTED AND DESIGNATED CLASS III MEMBER OF THE PLANNING BOARD FOR THE YEAR 2009.

Motion by Scull and Prickett to approve Ken Cartier and Resolution No. 33-2009. Scull, yes; Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 34-2009

WHEREAS, THE MAYOR OF THE TOWNSHIP OF PEMBERTON HAS MADE CERTAIN APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT, AS FOLLOWS:

REGULAR MEMBERS:

TIMOTHY HAINES

TO A FULL, 4 YEAR TERM WHICH WILL EXPIRE 12-31-12

ALFRED GREEN

TO A FULL, 4 YEAR TERM WHICH WILL EXPIRE 12-31-12

ALTERNATE MEMBERS:

SCOTT LEONARD

(ALT. #1) TO A FULL, 2 YEAR TERM WHICH WILL EXPIRE 12-31-10

WHEREAS, THE MAYOR HAS SO ADVISED THE GOVERNING BODY OF PEMBERTON TOWNSHIP OF THE SAID APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE AFOREMENTIONED MAYORAL APPOINTMENT TO THE PEMBERTON TOWNSHIP BOARD OF ADJUSTMENT.

Motion by Cartier and Scull to approve Resolution No. 34-2009. Cartier, yes; Scull, yes; Prickett, yes; Inge, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 35-2009

NOW, THEREFORE, BE IT RESOLVED, THAT THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, HEREIN AFFIRMS THEIR CONSENT TO THE MAYORAL APPOINTMENTS MADE OF MEMBERS TO THE SENIOR CITIZENS COUNCIL AND HEREIN RESOLVES COUNCIL'S APPOINTMENT TO THE SENIOR CITIZENS COUNCIL AS SET FORTH BELOW:

MAYOR'S APPOINTMENT:

ELLA NESBIT

THREE YEAR TERM TO EXPIRE 12-31-11

COUNCIL APPOINTMENT:

FRED LIGUORI

THREE YEAR TERM TO EXPIRE 12-31-11

MARY SAFFO

THREE YEAR TERM TO EXPIRE 12-31-11

Motion by Prickett and Cartier to approve Resolution No. 35-2009. Prickett, yes; Cartier, yes; Inge, yes; Scull, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 36-2009

WHEREAS, THE TOWNSHIP OF PEMBERTON, BY ORDINANCE NO. 26-1999, CREATED THE PEMBERTON TOWNSHIP ALLIANCE GROUP ("TAG"); AND

WHEREAS, UNDER THE PROVISIONS OF ORDINANCE NO. 26-1999, COUNCIL SHALL ANNUALLY APPOINT A CHAIRMAN WHOSE DUTIES WILL BE TO SIGN DOCUMENTS ON BEHALF OF THE ORGANIZATION, ESTABLISH AGENDAS FOR THE MEETINGS, SERVE AS THE CONTACT PERSON FOR THE ORGANIZATION WITH THE MAYOR AND COUNCIL, BUT SHALL GENERALLY HAVE NO OTHER POWER OR AUTHORITY OVER THE MEMBERSHIP;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT MIKE BALAS BE APPOINTED AS CHAIRMAN OF TAG FOR THE YEAR 2009; AND

BE IT FURTHER RESOLVED, THAT KENNETH C. CARTIER SHALL SERVE AS THE COUNCIL LIAISON TO TAG FOR THE YEAR 2009.

Motion by Scull and Prickett to approve Resolution No. 36-2009. Scull, yes; Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

Mr. Prickett requested to pull Resolution No. 37-2009.

RESOLUTION NO. 38-2009

WHEREAS, THERE EXISTS A NEED BY THE TOWNSHIP OF PEMBERTON FOR THE SERVICES OF A TOWNSHIP ARCHITECT FOR THE YEAR 2009; AND

WHEREAS, IT HAS BEEN CERTIFIED BY THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP THAT FUNDS ARE AVAILABLE FOR THESE SERVICES; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11 ET SEQ.) REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND

WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF THE GIBSON TARQUINI GROUP, AS TOWNSHIP ARCHITECT;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE APPOINTMENT OF THE GIBSON TARQUINI GROUP, AS TOWNSHIP ARCHITECTS;

BE IT FURTHER RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:

7. THE MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH THE TOWNSHIP ARCHITECTS
8. THIS CONTRACT IS AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET. SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.

Motion by Scull and Cartier to approve Resolution No. 38-2009. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

MAYOR'S APPOINTMENTS AND COMMENTS:

Mayor Patriarca conveyed that Mr. Kirk Applegate from Bowman was appointed as their Auditors. The Mayor explained this appointment was made without haste because of some things that have recently occurred over the past year in their Township and some things that they have uncovered that he has questioned and some reports that he has researched and read from the State Controller's Office. Mayor Patriarca confirmed it was an important time for Pemberton to make a change and get a fresh look at their Finance Department and find out how healthy their finances are. He expressed they can get that with a new firm and he is hoping they do. The Mayor noted he would love to see no comments in their auditor's report but fears that is not going to happen but they will correct whatever they are doing wrong. Mayor Patriarca stated in this tough economic decline that they are all experiencing and the downward spiraling like nothing they've seen since the Great Depression, they have to be prepared for the future. He expressed the importance that Pemberton knows where their dollars are and where they are coming from. He noted they are hoping to get that fresh look and are looking at the possibility of fresh looks more often in that department as reported by the Comptroller's Office. He pointed out that Mr. Applegate is present this evening and will come back at another time for a presentation if Council would accept that.

PUBLIC COMMENTS:

Mrs. Stinney opened the meeting to public comments and asked the public to please be brief as they are going in to their next meeting and the public will have all the opportunities and time to speak as long as they would like, noting their next meeting has been advertised to start at 6:30. Those wishing to comment were: **Bob Cushmeyer:** 1. Reflected that the public is not entitled to make any comments regarding Council's appointments prior to the resolutions. Mrs. Stinney informed he is making comments right now. Mr. Cushmeyer noted that he is making comments after the resolution and asked Mrs. Stinney if he can do it beforehand. Mrs. Stinney replied he cannot. Mr. Cushmeyer noted that normally he can comment on Consent Agenda items and asked for anyone to explain to him why he is not able to comment on the appointments of some of the individuals before they were appointed. Mrs. Stinney asked Mr. Bayer to address Mr. Cushmeyer's question. Mr. Bayer informed that normally the public has the opportunity to speak on Consent Agenda items during a regular meeting before they are considered by Council. He pointed out that Reorganization is a little different type meeting and the protocol is established by Council on an annual basis and this protocol that was filed on the agenda is the one that is done annually. Mr. Cushmeyer expressed that basically the public is not allowed to comment about the appointments that were just made. Mr. Bayer replied that no one is stopping him from speaking now. Mr. Cushmeyer conveyed that the appointment was already made and his comment was going to try to defer or to delay an appointment but it's a moot issue at this point. Mr. Cushmeyer read the following statement that he noted he had attempted to say prior to Council appointing a new Planner, "Members of Pemberton Town Council, I would like to request that the contract with Ragan Design Group be terminated and a new Township Planner be appointed for the year 2009. I do this because Mr. Richard Ragan and Michael Wisnewski, both of Ragan Design Group, have been less than candid with the residents of this Township. Each has stated at various meetings held last year in conjunction with the visioning process for the new master plan that the plan would reflect the desires of the people of this Township. What a surprise last month, December, when the new master plan shows a high density housing development

and commercial development located on a Greenberg Farm in North Pemberton Township. This development is in direct contradiction to the desires and the wishes of the residents who participated in the six visioning meetings. Please read the minutes of the meetings. They're located on the Pemberton Township website. Ragan Design Group has also attempted to cover up this not wanted and poorly planned development by calling it smart growth and benefiting the Township when in fact it is suburban sprawl at its worse and only benefits one person, Mr. Greenberg. Disregarding the wishes of the residents should not be rewarded with an extension of this Planner's contract. Please consider a new Planner who can truly reflect the desires of the residents of Pemberton Township". Mr. Cushmeyer advised that is what he would like to have said prior. Mr. Cushmeyer continued reading his statement, "This is the seven point plan. We will update our master plan to reflect the needs and the values of our community. We will prevent Pemberton Township from overdevelopment insuring that we learn the lessons of our congested neighbors. As we grow, we will make sure it is done in a way to preserve the beauty and the character that make Pemberton Township great". Mr. Cushmeyer informed that this statement is signed by four members of the Council and the Mayor prior to the election two years ago. Mrs. Stinney thanked Mr. Cushmeyer and added that she wished he could have stopped by the Mayor's office and had this discussion with the Mayor and perhaps the Mayor might have considered something else.....Mr. Cushmeyer interjected that he feels a loss that the public was dealt out of this particular equation today but thanked Council for their time. **Bob Pelletier:** 1. Agreed with Mr. Cushmeyer's comments. He noted that a regular meeting has public comments on the Consent Agenda but something as important as this, it is not allowed. Mr. Pelletier noted Council is making a decision but then hearing information later on and it is very difficult to turn the decision around. He expressed that when looking at elected leaders that do that, people tend to have second thoughts about them. Mr. Pelletier asked them to be forthright and upfront. 2. Asked if the Community News was included as the official newspaper. Mrs. Stinney replied no, it is the Burlington County Times. Mr. Pelletier replied he has no affiliation with the Community News and it is their hometown paper and he would like to see information regarding the Planning Board, official Council items and regular business. He noted the paper comes out once a week and if one misses an issue of the Burlington County Times, they can pick up the Community News any time of the week and stay current on local issues. Mr. Pelletier stated that once a week is not that critical in getting something published. Mr. Pelletier urged Council to include the Community News as it is their newspaper. Mrs. Stinney thanked Mr. Pelletier. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments. Mrs. Stinney reiterated that the public has an opportunity to stay for the second meeting and address additional comments.

COUNCIL MEMBER COMMENTS:

Sherry Scull: 1. Congratulated Council President Stinney and expressed that she looks forward to working with her and the rest of Council to address many of the hard issues Council will be facing this year. 2. Thanked the public for coming out this evening

Tom Inge: 1. Thanked everyone for coming out this evening. 2. Announced that they have another year of Pemberton Township at its best.

Richard Prickett: 1. Expressed hope that they all get through 2009 with all of the obstacles that are in all of their ways in as positive and as healthy a way as possible. 2. Thanked everyone for coming out. 3. Wished everyone luck in this new year.

Ken Cartier: **1.** Congratulated Mrs. Stinney on her re-appointment as Council President. Mrs. Stinney thanked Mr. Cartier. **2.** Wished everyone luck in 2009. **3.** Noted it was nice to see everyone come out for reorganization. Mrs. Stinney thanked Mr. Cartier.

The meeting was adjourned at approximately 6:31 pm.

Respectfully submitted by:

Mary Ann Young, MMC
Township Clerk