

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
OCTOBER 17, 2012
6:30 P.M.**

FLAG SALUTE

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

ROLL CALL

PRESENT

Sherry Scull
Diane Stinney
Jason Allen
Ken Cartier
Richard Prickett

ABSENT

Also present: Mayor David Patriarca, Business Administrator Dennis Gonzalez, Township Solicitor Andrew Bayer, Township Engineer Kelly Willis, Township Planner Rick Ragan, and Township Clerk Mary Ann Finlay.

CALL TO ORDER

Council President Cartier called the meeting to order at 6:30 PM.

CLOSED SESSION

RESOLUTION NO. 209-2012

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:
REDEVELOPMENT – BROWNS MILLS SHOPPING CENTER
LITIGATION – UTHMAN VS. PEMBERTON TOWNSHIP
3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE-STATED SUBJECT MATTERS WILL BE MADE PUBLIC WHEN THE MATTERS HAVE BEEN RESOLVED.

Motion by Prickett and Stinney to approve Resolution No. 209-2012.
Prickett, yes; Stinney, yes; Scull, yes; Allen, yes; Cartier, yes. Motion carried.

Council President Cartier recessed the open meeting at approximately 6:30 PM to go into closed session and reconvened the open meeting at approximately 7:00 PM.

(Reference Note: Closed Session minutes are transcribed and filed separately and considered part of these minutes)

President Cartier advised the public that there was no formal action necessary pursuant to closed session but that they would be returning to closed session later in the meeting.

PRESENTATIONS

Mr. Gonzalez introduced Chris Powell who advised Council that their purpose was to remind them that their role is to represent the Township, noting they were appointed in 2010 as Risk Management Consultant. He relayed that their three year commitment is up for renewal and its time to go out for qualifications. He advised that JIF is the one the Township is a member of with neighboring towns and has been a member since 1992. He advised he will get the numbers and sit with Administration then get back to Council.

Next Paul J. Niola of Burlington County JIF who explained that making an application is not like applying to an insurance company. They are all in the program together and offer special programs, risk management advice and financial stability and strength. He pointed out that in a joint JIF they share risks with other municipal towns. He explained that they represent just those in the County and all members are committed to safety. They differ from other JIFs and Insurance Programs though member ownership, local professionals, specialized programs and coverage, risk management, accountability, transparency, noting their web site is the one recognized by the Governor's task force for transparency. With member owned agency high coverage is available and claims are reviewed by peers through local claims adjusters. He went over use agreements with insurance to protect the Township. Mr. Prickett asked if Council has other options to which he explained yes and less expensive. He spoke of accountability, safety monitoring intervention, assessment management and revaluation programs. He noted retro program bumps rate at a lower amount so that premiums don't get bumped up all at once. He advised that the Fund Commissioner is a one year appoints. Mr. Prickett asked if all documents are available to the public to which he was advised yes. He spoke of Treasurers reports, annual audits, written policies and complete budget breakdowns noting they have a flat budget. Their operating expenses are only 13% and right now they have a 1,000 deductible. The comparison of the current program and Burlco JIF is the town has no deductible. He relayed that the Township manages their own claims and they will take care of monitoring the claims. The cost would be fixed interest instead of variable, carrying 4 million in surplus. Mr. Prickett asked how surplus is returned to which it was noted that dividends would be returned. Bonnie from Hardenberg relayed that they don't know if it will be lower than what the safety reps actuarial reviewed but that the Execution Board will make the determination. Copies of the power-point presentation were passed out to Council and are available at the Township Clerk's office for review.

President Cartier recessed the meeting for a short break till approximately 7:46 p.m. when he reconvened the meeting.

Consent Agenda: All items listed with an asterisk (*) are considered to be routine by the Township Council and will be enacted by one motion. Should a Council Member wish to discuss a consent agenda item separately, that item can be removed from the consent agenda and considered in its normal sequence on the regular agenda.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

President Cartier opened the meeting to the public for comments on the consent agenda. There being no members of the public indicating a desire to

be heard, he closed the meeting to public comments on the consent agenda.

Mr. Prickett requested to pull Resolution 210-2012 and New Business item a. 4. Mrs. Scull requested to pull Resolution 218-2012 and New Business item 12. a. 2.1 and 3 and item 3.

CONSENT AGENDA ITEMS

MINUTES FILED BY CLERK

Regular Meeting, September 19, 2012; Regular Meeting, October 3, 2012.

CONSENT AGENDA RESOLUTIONS

RESOLUTION NO. 211-2012							
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:							
BLK	LOT	OWNER	LOCATION	REFUND TO		REASON FOR REFUND	AMOUNT
69	17	KREIG, JASON	327 SASSAFRAS ST.	CORELOGIC		TAX EXEMPT PD BY OWNER/MTG CO	\$1,114.93
642	12	PRICE, MARY	3 TALAPOSSA TR	CORELOGIC			\$770.80
812.03	13	JENKINS, BRENDA	16 HOMESTEAD DR.	CORELOGIC		"TDV" TAX EXEMPT	\$1,391.27
208	30	CARTER, GIBBS	103 LILAC STREET	CORELOGIC		"TDV" TAX EXEMPT ASSESSMENT	\$710.04
626	11	AVERY, JUANITA	316 SEMINOLE	CORELOGIC		REDUCTION-FIRE ASSESSMENT	\$966.99
633	25	MAHR, JUX	233 CHEROKEE	CORELOGIC		REDUCTION-FIRE	\$197.53
736	20	ABRAHIMS, EARL	415 KENTUCKY TR	CORELOGIC		MTG CO/ TITLE CO PAID	\$1,009.78
211	65	POIRIER, SHIRLEEN	164 CANNA ST.	CORELOGIC		ASSESSMENT REDUCTION-FIRE	\$1,200.22
758	24	TROTTER, TYRONE	419 CALIFORNIA TR	UNITED SVCS	LENDER	OVERESTIMATED	\$313.14
						3RD 1/4 MTG CO	
683	30	BURRELL, JOHN	103 OREGON TR	UNITED SVCS	LENDER	OVERESTIMATED	\$169.11
						3RD 1/4 MTG CO	
750	20	BRYANT, JAMES	419 MONTANA TR	BOSTON TITLE	NAT'L	OVERESTIMATED	\$304.49
						3RD 1/4 MTG CO	
1091	24	RODRIGUEZ, RICHARD	436 DARTMOUTH AVE	MADISON SETTLEMENT		OVERESTIMATED	\$179.93
						3RD 1/4 MTG CO	
669	7	LUEDER, GEORGE	209 VALLEY RD	MADISON SETTLEMENT		OVERESTIMATED	\$186.41
						3RD 1/4 MTG CO	
866	4	WISSMAN, DOUGLAS	11 GINSBURG LN	FOUNDATION TITLE		OVERESTIMATED	\$281.40
						3RD 1/4 MTG CO	
681	33	FELICIANO, CELIN	8 MICHIGAN TERRACE	FOUNDATION TITLE		OVERESTIMATED	\$200.00
						3RD 1/4 MTG CO	
588	27	ROSSIGNOL, ORILLA	529 WILLOW BLVD	FOUNDATION TITLE		OVERESTIMATED	\$100.00
						3RD 1/4 MTG CO	
826	2.05	NEWBURY REO	209 MAGNOLIA RD	FOUNDATION TITLE		OVERESTIMATED	\$150.00
589	5	SALT & LIGHT CO	503 LAUREL BLVD	RESIDENTIAL CREDIT		PROPERTY TAX	\$1,331.31
						EXEMPT 2012	
266	13	SALT & LIGHT CO	35 CARLISLE ST.	RESIDENTIAL CREDIT		PROPERTY TAX	\$1,571.15
						EXEMPT 2012	
772	43	SALT & LIGHT CO	12 PEMBROWN RD	US BANK PRO CAPITAL		PROPERTY TAX	\$2,241.64
						EXEMPT 2012	
569	21	BARAG, LYNNE M.	BERWICK ST.	LYNNE M. BARAG		ASSESSOR REDUCTION	\$91.71
778	12	LANXESS SYBRON CHEMICAL	180 BIRMINGHAM RD	LANXESS SYBRON			\$7,937.33
912	19.02	PITTMAN, WILBUR	1 SOUTH BRANCH RD.	WILBUR PITTMAN		APPEAL ASSESSMENT	\$340.72
745	17	COLLINS, HERBERT	415 NEW JERSEY RD.	HERBERT COLLINS		REDUCTION-FIRE	\$374.11
148	19	KEARNS, DANIEL & JOANNE	ELM AVE	DANIEL & JOANNE KEARNS		OVERPAID DUE TO VET DEDUCTION	\$73.00
						SMALL LOT COMBINED WITH	
266	33	COLON, MIGUEL	201 EVERGREEN BLVD	MIGUEL COLON		TDV PROPERTY ASSESSMENT	\$12.17
1105	9	KNOX, NATHANIEL	245 LAFAYETTE AVE	JOSEPH E. HASSAB		REDUCTION-FIRE	\$569.39

RESOLUTION NO. 212-2012

WHEREAS, A P LIQUOR CORPORATION HAS APPLIED TO THE TOWNSHIP OF PEMBERTON FOR A PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0329-33-001-005; AND
WHEREAS, THE APPLICANT HAS DISCLOSED AND THE TOWNSHIP COUNCIL HAS REVIEWED THE SOURCE OF FUNDS USED IN THE PURCHASE OF THE LICENSE AND THE LICENSED BUSINESS AND ALL ADDITIONAL FINANCING OBTAINED IN CONNECTION WITH THE LICENSED BUSINESS AND PREMISES; AND
WHEREAS, THE PERSON-TO-PERSON TRANSFER APPLICATION FORM SUBMITTED IS COMPLETE IN ALL RESPECTS, THE TRANSFER FEES HAVE BEEN PAID, THE LICENSE HAS BEEN PROPERLY RENEWED FOR THE CURRENT LICENSE TERM, AND THE APPLICANT IS QUALIFIED TO BE LICENSED ACCORDING TO THE STANDARDS ESTABLISHED BY TITLE 33 OF THE NEW JERSEY STATUTES AND APPLICABLE REGULATIONS AND ORDINANCES AS REVEALED THROUGH APPROPRIATE INVESTIGATIONS;
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE TOWNSHIP COUNCIL HEREIN APPROVES THE PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0329-33-001-005 FROM SAI RNJ CORPORATION, T/A BELLY BUSTERS, TO A P LIQUOR CORPORATION, T/A BELLY BUSTER’S BAR WHOSE MAILING ADDRESS IS 32 FARM ROAD, EWING, NJ 08638
BE IT FURTHER RESOLVED THAT THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE THE EXISTING LICENSE CERTIFICATE TO EFFECTUATE THE PERSON-TO-PERSON TRANSFER OF THE AFOREMENTIONED LICENSE, WHICH SAID TRANSFER SHALL BE EFFECTIVE OCTOBER 17, 2012.

RESOLUTION NO. 213-2012

BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT THE 2013 BUDGET OF PEMBERTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, BEING PTMUA RESOLUTION 35-2012, IS HEREBY APPROVED, PURSUANT TO THE REQUIREMENTS SET FORTH IN THE AGREEMENT OF LEASE BETWEEN THE TOWNSHIP OF PEMBERTON AND THE PEMBERTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, ARTICLE IX, SECTION 9.2.

RESOLUTION NO. 214 -2012

WHEREAS, NJSA 40A:4-87 PROVIDES THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES MAY APPROVE THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY WHEN SUCH ITEM SHALL HAVE BEEN MADE AVAILABLE BY LAW AND THE AMOUNT WAS NOT DETERMINED AT THE TIME OF THE ADOPTION OF THE BUDGET; AND
WHEREAS, THE DIRECTOR MAY ALSO APPROVE THE INSERTION OF AN ITEM OF APPROPRIATION FOR EQUAL AMOUNT,
NOW, THEREFORE, BE IT RESOLVED, THAT THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON IN THE COUNTY OF BURLINGTON, NEW JERSEY, HEREBY REQUESTS THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2012 IN THE SUM OF \$223,520.00, WHICH IS NOW AVAILABLE FROM THE BURLINGTON COUNTY PARK GRANT IN THE AMOUNT OF \$223,520.00.
BE IT FURTHER RESOLVED, THAT THE LIKE SUM OF \$223,520.00 IS HEREBY APPROPRIATED UNDER THE CAPTION IMPROVEMENTS TO NESBIT CENTER PARK.
BE IT FURTHER RESOLVED, THAT THE ABOVE IS THE RESULT OF FUNDS FROM BURLINGTON COUNTY PARK GRANT IN THE AMOUNT OF \$223,520.00

RESOLUTION NO: 215-2012

TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON,
STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF COMPLETED GENERAL CAPITAL PROJECTS
WHEREAS, CERTAIN GENERAL CAPITAL IMPROVEMENT APPROPRIATION BALANCES REMAIN DEDICATED TO PROJECTS NOW COMPLETED, AND OR NOT PURSUED; AND
WHEREAS, IT IS NECESSARY TO FORMALLY CANCEL SAID BALANCES SO THAT THE UNEXPENDED APPROPRIATION BALANCES MAY BE CREDITED TO UNUSED DEBT AUTHORIZATIONS MAY BE CANCELED; AND
NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE FOLLOWING UNEXPENDED AND DEDICATED BALANCES OF THE GENERAL CAPITAL APPROPRIATIONS BE CANCELED.
ORDINANCE 15-2009
IMPROVEMENTS TO IMAGINATION KINGDOM PLAYGROUND

<u>TITLE</u>	<u>ACCOUNT</u>	<u>BALANCE</u>
IMPROVEMENTS TO IMAGINATION KINGDOM	C-04-09-915-915-904	\$ 156,217.81
SECTION 20 COSTS	C-04-09-915-915-903	\$ 77,532.80
TOTAL CANCELED		<u>\$ 233,750.61</u>

RESOLUTION NO. 216-2012

A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF PEMBERTON AND THE TOWNSHIP OF EVESHAM FOR THE RENTAL OF TWO REAR LOADING TRASH VEHICLES FOR LEAF COLLECTION
WHEREAS, THE TOWNSHIP OF EVESHAM (“EVESHAM”) HAS AVAILABLE FOR RENTAL TWO REAR LOADING TRASH TRUCKS; AND
WHEREAS, THE TOWNSHIP OF PEMBERTON (“PEMBERTON”) DESIRES TO LEASE TWO TRASH VEHICLES FOR THE COLLECTION OF LEAVES THROUGHOUT PEMBERTON; AND
WHEREAS, THE PARTIES ARE DESIROUS OF ENTERING INTO AN AGREEMENT WHEREBY PEMBERTON SHALL LEASE TWO TRASH VEHICLES FOR APPROXIMATELY EIGHT (8) WEEKS AT A COST OF \$6,500.00 PER VEHICLE PER FOUR WEEK PERIOD; AND
WHEREAS, THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT, N.J.S.A. 40A:65-1 ET SEQ. AUTHORIZES MUNICIPALITIES TO CONTRACT WITH EACH OTHER FOR SHARED SERVICES; AND
WHEREAS, THE TOWNSHIP COUNCIL BELIEVES THAT THIS AGREEMENT WILL BE BENEFICIAL TO THE TOWNSHIP AND IS ECONOMICALLY SOUND.
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE A SHARED SERVICES AGREEMENT, IN A FORM AS ATTACHED HERETO, BETWEEN THE TOWNSHIP OF PEMBERTON AND THE TOWNSHIP OF EVESHAM, FOR THE RENTAL OF TWO TRASH VEHICLES FOR APPROXIMATELY EIGHT (8) WEEKS FOR A TOTAL COST NOT TO EXCEED TWENTY SIX THOUSAND DOLLARS (\$26,000.00); AND
BE IT FURTHER RESOLVED, THAT THE CHIEF FINANCIAL OFFICER HAS EXECUTED A CERTIFICATION OF FUNDS WHICH IS ATTACHED HERETO, AND THAT SUFFICIENT FUNDS ARE AVAILABLE FOR SAID CONTRACT FROM ACCOUNT NUMBER _____; AND
BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. EVESHAM TOWNSHIP CLERK
- B. TOWNSHIP ADMINISTRATION
- C. GLUCKWALRATH LLP

RESOLUTION NO. 217-2012

RESOLUTION AUTHORIZING TAX SALE

WHEREAS, THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, DESIRES TO COLLECT ALL TAXES, ASSESSMENTS AND OTHER MUNICIPAL CHARGES THAT ARE NOW DELINQUENT; AND

WHEREAS, THE TAX COLLECTOR IS DIRECTED TO SELL ALL MUNICIPAL DELINQUENCIES THROUGH DECEMBER 31, 2011 IN A MANNER DESCRIBED BY N.J.S.A. 54:5-19, AND AS AMENDED BY CHAPTER 99 PUBLIC LAWS OF 1997.

NOW THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, THAT THE TAX COLLECTOR IS HEREBY AUTHORIZED AND DIRECTED TO SELL ALL MUNICIPAL LIENS IN ACCORDANCE WITH NEW JERSEY LAW, AND AS STATED ABOVE ON DECEMBER 4, 2012 AT 10:00 A.M.

RESOLUTION NO. 219-2012

WHEREAS, THE TOWNSHIP OF PEMBERTON OWNS NUMEROUS AND VARIOUS PIECES OF PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE; AND

WHEREAS, N.J.S.A. 40A:11-36 PROVIDES THAT ANY CONTRACTING UNIT BY RESOLUTION OF ITS GOVERNING BODY MAY AUTHORIZE BY SEALED BID OR PUBLIC AUCTION THE SALE OF ITS PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, THAT THE PERSONAL PROPERTY LISTED IN TWO SCHEDULES ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION, ARE HEREBY AUTHORIZED TO BE SOLD IN ACCORDANCE WITH THE FOLLOWING:

1. THE PERSONAL PROPERTY IDENTIFIED IN THE TWO (2) SCHEDULES ATTACHED HERETO SHALL BE SOLD BY PUBLIC AUCTION METHOD AT A PUBLIC SALE TO BE HELD ON NOVEMBER 10, 2012, AT 8:00 A.M. AT THE PUBLIC WORKS GARAGE, SITUATED BEHIND THE PEMBERTON TOWNSHIP MUNICIPAL BUILDING, LOCATED AT 500 PEMBERTON-BROWNS MILLS ROAD, NEW LISBON, NEW JERSEY.
2. ALL OF THE PROPERTY ON THE TWO SCHEDULES SHALL BE SOLD BY OPEN PUBLIC BIDDING.
3. ANY PERSONS WHO DESIRE TO INSPECT THE PERSONAL PROPERTY ARE INVITED TO ARRIVE AT THE PUBLIC WORKS GARAGE NO EARLIER THAN 7:30 A.M. ON THE DATE OF THE AUCTION FOR PURPOSES OF SAID INSPECTION.
4. NOTICE OF THIS PUBLIC SALE SHALL BE PUBLISHED IN THE BURLINGTON COUNTY TIMES IN THE MANNER REQUIRED BY APPLICABLE LAW.
5. THE TOWNSHIP BUSINESS ADMINISTRATOR OR DESIGNEE IS HEREBY AUTHORIZED TO CONDUCT THE PUBLIC SALE PROVIDED FOR IN THIS RESOLUTION.
6. THE TOWNSHIP BUSINESS ADMINISTRATOR SHALL HAVE THE RIGHT TO REJECT ANY AND ALL BIDS IF THE TOWNSHIP BUSINESS ADMINISTRATOR DETERMINES THAT SUCH REJECTION IS IN THE PUBLIC INTEREST.

2012 AUCTION LIST			
ITEM #	QTY.	DESCRIPTION	SERIAL #
1		PLASTIC LETTER RACK	
2	4	SNOW SCENE PICTURE/SHIP PICTURE/ BOY & GIRL PICTURE/MOUNTAIN SCENE PICTURE	
3		VICTOR 1460-3 CALCULATOR	
4		SHARP EL - 1192BL CALCULATOR	
5		CANNON CLOCK MP11DX & CALENDAR	
6		SHARP CASH REGISTER - ER3250	
7		SHARP CASH REGISTER - ER 2350	
8		PANAFAX UF-585 PEM 00177	
9		BROTHER INTEL FAX 1575 MC-PEM 00168	
10		MARTIN YALE MODEL-7200-PEM 00283	
11		PANAFAX UF-595-PEM00202	
12		CANON 1550 PRINTER	
13		EPSON STYLUS COLOR 980 PRINTER-PEM 00922	
14	2	STAPLER (LARGE)/STAPLER (SMALL)	
15	2	POLK AUDIO SPEAKERS	
16	CRATE	6 DELL KEYBOARDS & MOUSE-1 PR. SPEAKERS-CRATE	
17		BOX OF METAL BOOKEND AND LETTER RACK	
18		ACER MONITOR - AC711	
19	4	DELL MONITOR	
20	4	DELL MONITOR	
21	4	DELL MONITOR	
22		METAL LOCK BOX NO KEY	
23	2	U SONIC MONITOR VE-150 PEM 00062/GATEWAY FPD 1530	
24	4	DELL TOWER	
25	3	DELL TOWER	
26	4	DELL TOWER	
27	3	DELL TOWER	
28	2	DELL MONITOR	
29		PS MAILERS	
30		SENSUS AR 4001 METERING SYSTEM	
31		SENSUS COMMUNICATIONS CHARGER	
32		SENSUS AR4001 METERING SYSTEMS	
33		SENSUS COMMUNICATIONS CHARGER	
34		BOX OF COMPUTER CORDS & CARTRIDGE	
35		HP COLOR LASER JET CP3505N - PEM 00293	
36	1 BOX	COMPUTER PARTS	

37		BROTHER INTEL FAX 1270E - PEM 00356	
38		DISC HOLDER	
39		HALOGEN LIGHT BOX	
40		PLASTIC HANGING FOLDER FRAMES	
41		PAPER TRAY FOR PRINTER	
42		APC BACK/UPS ES 650 SURGE PROTECTOR - PEM 00159	
43	2	END TABLE	
44		BLUE CHAIR	
45		BLUE CHAIR	
46		LINE SPRAYER	
47		HB 250 BLOWER	
48		CORKBOARD BLACK FRAME	
49		CORKBOARD	
50	4	GREEN CHAIRS	
51	4	RED CHAIR	
52		WOODEN TABLE	
53		METAL DESK	
54		WOODEN DESK W/SHELF	
55	6 FT.	WOODEN SHELF	
56		PRINTER TABLE	
57		4 SHELF WOODEN CABINET - PEM 7509	
58		METAL DESK	
59		OKIDATA MICRO LINE 395C 24 PIN PRINTER - PEM 00206/ TYPEWRITER DESK METAL	
60		STEP STOOL	
61		METAL DESK	
62		METAL DESK	
63		REMOVED ITEM	
64		SAVIN 9920DP COPIER - PEM00367	
65		SHARP AIR CONDITIONER - PEM 00594	
66		REMOVED ITEM	
67		REMOVED ITEM	
68		METAL DESK	
69		COMPUTER DESK	
70		PUNCHING BAG & TRIPOD	
71		HP DESIGN JET COLOR PRO CAD PRINTER - PEM00287	
72		7 KEYBOARDS AND 7 MICE	
73		SANYO SMALL SCREEN TV PEM00419	
74		HP PRINTER	
75		PLAY STATION	
76		SYLVANIA SMALL SCREEN TV - PEM00420	
77		HP LASER JET 4000 PRINTER	
78		MIZERAK POOL TABLE	
79		METAL LETTER HOLDER	
80	10 ROLLS	4" FIRE HOSE	
81		DESKTOP COMPUTER - ICCI - PEM00244	79524
82		DESKTOP COMPUTER - PEM 109	0023183910
83		DESKTOP COMPUTER - ICCI - PEM 255	78495
84		DESKJET PRINTER 1220C PEM00262	SG081130WV
85		DESKTOP COMPUTER - ACER VERITON 7500	PS0075136931200002EH00
86		DESKTOP COMPUTER - DELL	4T4M231
87		MONITOR - ACER LCD AL1916	ETL490812260806156PK08
88		LAPTOP COMPUTER - GATEWAY SOLO	0010283464
89		VIDEO RECORDER - CANON L2	269C000411
90		2 CAMERA - POLAROID INSTAMATIC W/BAG	
91		REMOVED ITEM	
92		BOX CONTAINING ASSORTED MAXWELL 8MM BLANK VIDEO CASSETTES	
93		CAMERA - SONY MVC-FD200	501165
94		DOUBLE CASSETTE DECK - JVC- PEM 354	074C2120
95		MOBILE LAPTOP COMPUTER - XL COMPUTING #13	30410073
96		MOBILE LAPTOP COMPUTER - XL COMPUTING #7	80410214
97		MOBILE LAPTOP COMPUTER - XL COMPUTING #12	

98		MOBILE LAPTOP COMPUTER - XL COMPUTING #1	80410207
99		MOBILE LAPTOP COMPUTER - XL COMPUTING #4	80410230
100		MOBILE LAPTOP COMPUTER - XL COMPUTING #11	80410075
101		MOBILE LAPTOP COMPUTER - XL COMPUTING #5	80410209
102		MOBILE LAPTOP COMPUTER - XL COMPUTING #8	80410219
103		MOBILE LAPTOP COMPUTER - XL COMPUTING #6	80410104
104		MOBILE LAPTOP COMPUTER - XL COMPUTING #10	80410078
105		MOBILE LAPTOP COMPUTER - XL COMPUTING #2	80410098
106		MOBILE LAPTOP COMPUTER - XL COMPUTING #9	80410085
107		MOBILE LAPTOP COMPUTER - XL COMPUTING #3	80410086
108		MONITOR - DELL	CN0C53696418047D0AKH
109		MONITOR - ACER	ETL120804434100395PK01
110		MONITOR - COMPAQ MV540	142BA64WF390
111		MONITOR - DELL	MY0Y135247603468FVC9
112		CASSETTE PLAYER - SONY	TCM929
113		MONITOR - ACER AL916	ETL490812260801A46PK08
114		MONITOR - ACER AL916	ETL490812260801A14PK08
115		TAPE ERASER - SOUND SCRIBER BE24	440170
116		TYPEWRITER - NAKAJIMA AE740	
117		DESKTOP COMPUTER - ACER VT3600G	HS3600500241400840EE00
118		DESKTOP COMPUTER - ACER VT3600G	HS36005002334012AEEEE00
119		MONITOR - A-OPEN	910150232105380119KB
120		DESKTOP COMPUTER - ICCI	85240
121		REMOVED ITEM	
122		PRINTER - HP DESKJET 5550	MY32E1Q3HD
123		PRINTER - PANASONIC KXP3626	3CMCPD66065
124		PRINTER - LEXMARK 2391	118T489
125		PRINTER - IBM 236	1199635
126		PRINTER - LEXMARK 2390	11FW549
127		PRINTER - HP 940-C	MY19B6C047
128		ROUTER - D-LINK DES1026G	B23Q346000051
129		ROUTER - D-LINK DES1026G	B23Q363500104
130		ROUTER - BAYSTACK 303	012299AL2001A04
131		DESKTOP COMPUTER - DELL DHP	HR4F011
132		DESKTOP COMPUTER - GATEWAY GP7450	0016252723
133		SCANNER - HP 5300C	TW13X20378
134		PRINTER - IBM 2381	11D8240
135		DESKTOP COMPUTER - DELL DCM BACKUP SYSTEM	CY604
136		DESKTOP COMPUTER - ACER 7600GT - PEM00270	PS007695024400002DEH00
137		ROUTER - SYNOPTICS 2803	1065625
138		SCANNER - HP 4570C	CN33GT601J
139		SCALE - OHAUS - TRIPLE BEAM BALANCE	
140		COFFEE POT - WESTBEND 100 CUP MAKER	
141		REMOVED ITEM	
142		DATA BACK UP SYSTEM - UNISYS - PEM07261	375298684
143		SCANNER - HP SCAN JET 6300C	SG97T1600Q7
144		VIDEO RECORDER - PANASONIC HG2400	10TA00075
145		VIDEO RECORDER - PANASONIC HG2400	10TA00084
146		CD WRITER - HP 8200	SG104U5LPF
147		CD WRITER - HP 8200	SG12423AJE
148		BOX - CONTAINING ASSORTED CORDS & CABLES	
149		MICRO FILM VIEWER - PEM01757	
150		LAPTOP COMPUTER - GATEWAY SOLO	00102834165
151		MOBILE MONITOR - GENESYS 2	XL102056
152		BOX CONTAINING ASSORTED CORDS & CABLES	
153		BOX CONTAINING EXTERNAL PANASONIC KEYBOARDS - 13 CT	
154		FOUR DRAWER CABINET FOR CASSETTE TAPE STORAGE- PEM01661	
155		MONITOR - GATEWAY 500 069EV	15009A663047
156		CAMERA - POLAROID SPECTRA IN BOX	
157		MONITOR - DELL M783S	MYDX37824760345HBZAN
158		CASSETTE PLAYER - SANYO TRC8080	P2847469
159		ROUTER - BAY NETWORKS - BAYSTACK 303 - PEM00331	051599AL2001A04

160		MICROWAVE OVEN - SHARP CAROUSEL 2	331154
161		TWO-WAY TRANSCEIVER - REALISTIC TRC500	
162		GREEN TOTE - MISC. COMPUTER MOUNTS PARTS	
163		BROWN BOX - MISC. MOBILE CAMERA PARTS	
164		5 - DODGE DURANGO CENTER CONOLES	
165		DESKTOP COMPUTER - ACER VERITON 76GT - PEM00248	PS007695024400001BEH00
166		BICYCLE - GIANT 26" MOUNTAIN BIKE, BLUE	GX2L8106
167		BICYCLE - GIANT 26" MOUNTAIN BIKE, BLUE	3Z2L3247
168		REMOVED ITEM	
169		REMOVED ITEM	
170		VCR - SONY SLV-N77	2D0207843
171		DIGITAL COPIER - SONY D1500CN	10419
172		MONITOR - ALANAR	23S225000130
173		PANSONIC WHITE TV	
174		BOX OF KEYBOARDS & TELEPHONES	
175		BOX OF PHONES	

VEHICLES					
ITEM #	YR	MAKE	MODEL	VIN	MINIMUM BID
1	1965	CHEVY	MALIBU	138375B125953	THIS VEHICLE BEING SOLD WITH A RESERVE PRICE
2	2000	FORD	CROWN VIC	2FAFP71W6YX179097	\$300.00
3	1999	FORD	CROWN VIC	2FAFP71W7XX185862	\$300.00
4	1999	FORD	CROWN VIC	2FAFP71W1XX194153	\$300.00
5	2003	FORD	CROWN VIC	2FAFP71WX3X113063	\$300.00
6	1992	FORD	E150 VAN	1FTDE14N7NHA51129	\$300.00
7	1993	CHEVY	BLAZER	1GNDT13W0P2209954	\$300.00
8	1987	FORD	L800 DUAL CAB FIRE TRUCK	1FDPR82A1JVA17835	\$2,000.00

NEW BUSINESS

Purchases over \$2,000.00

1. Water Dept: **1.** for purchase of 50 Direct Digital Read Water Meters from HD Waterworks Ltd. In the amount of \$4,050.00.
2. Buildings & Grounds: **2.** for purchase of 6 decorative street lamp posts, 12 white replacement globes and 6 retrofit LED light fixtures to replace light posts damaged by motor vehicles accidents, from Penn Lighting Assoc. in the amount of \$16,470.00.
3. Police Dept.: **1.** for 4 body armor replacement from Samzie’s Uniforms in the amount of \$3,522.20.

Approval by Council required for payment of vouchers on bill list dated 10/12/12.

Motion by Prickett and Allen to approve the consent agenda as amended. Prickett, yes; Allen, yes; Scull, yes; Stinney, yes; Cartier, yes. Motion carried.

RESOLUTION NO. 210-2012 (PULLED FROM CONSENT AGENDA)

RESOLUTION NO. 210–2012
A RESOLUTION AUTHORIZING AN APPLICATION TO JOIN THE BURLINGTON COUNTY JOINT INSURANCE FUND (FUND) SUBJECT TO APPROVAL OF THE FUND ASSESSMENT BY THE PEMBERTON TOWNSHIP COUNCIL
WHEREAS, A NUMBER OF MUNICIPALITIES HAVE JOINED TOGETHER TO FORM A JOINT INSURANCE FUND AS PERMITTED BY CHAPTER 327 LAWS OF 1983 (40A:10-36) AND;
WHEREAS, THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND, HEREINAFTER REFERRED TO AS “FUND”, WAS APPROVED EFFECTIVE JANUARY 1, 1991 BY THE NEW JERSEY COMMISSIONER OF BANKING AND INSURANCE AND THE DEPARTMENT OF COMMUNITY AFFAIRS AND HAS BEEN IN OPERATION SINCE THAT DATE AND;
WHEREAS, THE STATUTES AND REGULATIONS GOVERNING THE CREATION AND OPERATION OF A JOINT INSURANCE FUND CONTAIN ELABORATE RESTRICTIONS AND SAFEGUARDS CONCERNING THE SAFE AND EFFICIENT ADMINISTRATION OF THE PUBLIC INTEREST ENTRUSTED TO SUCH A FUND AND;
WHEREAS, THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON HAS DETERMINED THAT MEMBERSHIP IN THE FUND IS IN THE BEST INTEREST OF THE MUNICIPALITY.

NOW THEREFORE, BE IT RESOLVED, THAT THE MAYOR AND COUNCIL OF THE TOWNSHIP OF PEMBERTON HEREBY AGREE TO JOIN THE FUND SUBJECT ONLY TO THE RIGHT TO APPROVAL OF THE INITIAL ASSESSMENT WHEN THE SAME IS RECEIVED FROM THE FUND FOLLOWING PROCESSING OF THE APPLICATION, AND;
BE IT FURTHER RESOLVED THAT THE TOWNSHIP OF PEMBERTON IS APPLYING TO THE FUND FOR THE FOLLOWING TYPES OF COVERAGES:

1. WORKERS’ COMPENSATION AND EMPLOYERS’ LIABILITY.
2. LIABILITY, OTHER THAN MOTOR VEHICLE.
3. PROPERTY DAMAGE, INCLUDING AUTOMOBILE PHYSICAL DAMAGE.

AUTOMOBILE LIABILITY.

BE IT FURTHER RESOLVED THAT THE TOWNSHIP OF PEMBERTON HEREBY ADOPTS AND APPROVES OF THE BYLAWS OF THE FUND SUBJECT TO SUBSEQUENT ADMISSION AND;

BE IT FURTHER RESOLVED THAT MAYOR DAVID PATRIARCA IS AUTHORIZED TO EXECUTE THE APPLICATION FOR MEMBERSHIP (APP-2) AND THE ACCOMPANYING CERTIFICATION (APP-3) ON BEHALF OF THE TOWNSHIP OF PEMBERTON, AND;
BE IT FURTHER RESOLVED THAT THE MAYOR AND THE COUNCIL OF THE TOWNSHIP OF PEMBERTON ARE AUTHORIZED AND DIRECTED TO EXECUTE THE INDEMNITY AND TRUST AGREEMENT (APP-7) AND SUCH OTHER DOCUMENTS SIGNIFYING MEMBERSHIP IN THE FUND AS ARE REQUIRED BY THE FUND’S BYLAWS AND TO DELIVER SAME TO THE EXECUTIVE DIRECTOR OF THE FUND WITH THE EXPRESS RESERVATION THAT AND DOCUMENTS SHALL BECOME EFFECTIVE ONLY UPON THE APPLICANT’S ADMISSION TO THE FUND FOLLOWING APPROVAL BY THE FUND AND THE STATE OF NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE AND THE DEPARTMENT OF COMMUNITY AFFAIRS.

BY: _____ TITLE: _____
(NAME)

DATE: _____

Mr. Prickett asked if the Township leaves the current JIF will that close the door to reenter. Mr. Gonzalez advised that they still have the option to go with the current JIF, Burlington County JIF or with private insurance. He wants to shop around and give Council a final recommendation.

Motion to approve Resolution No. 210-2012. Prickett, yes; Scull, yes; Allen, yes; Stinney, yes; Cartier, yes. Motion carried.

RESOLUTION NO. 218-2012 (PULLED FROM CONSENT AGENDA)

RESOLUTION NO. 218–2012

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DIAMOND STAFFING SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$17,500.00 FOR THE PROVISION OF TEMPORARY LABORERS FOR LEAF COLLECTION AND SNOW REMOVAL IN THE TOWNSHIP WHEREAS, THE TOWNSHIP OF PEMBERTON (THE “TOWNSHIP”) REQUIRES THE SERVICES OF TEMPORARY LABORERS TO PERFORM LEAF COLLECTION AND SNOW REMOVAL IN THE TOWNSHIP COMMENCING IN EARLY NOVEMBER 2012 THROUGHOUT THE WINTER OF 2013 ON AN AS NEEDED BASIS AS SHALL BE DETERMINED BY THE SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS; AND WHEREAS, IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1, *ET SEQ.*, THE TOWNSHIP ISSUED A REQUEST FOR PROPOSALS AND FOR STATEMENTS OF QUALIFICATION FOR THE PROVISION OF SUCH TEMPORARY LABORERS FOR LEAF COLLECTION AND SNOW REMOVAL IN THE TOWNSHIP; AND WHEREAS, OF THE THREE (3) PROPOSALS RECEIVED, THE TOWNSHIP HAS DETERMINED THAT THE LOWEST RESPONSIBLE VENDOR IS DIAMOND STAFFING SERVICES, INC. (“DIAMOND”) WITH A PROPOSAL INCLUDING THE FOLLOWING HOURLY RATES:

1. LEAF PICKUP, SITE CLEANUP, GENERAL HELP INCLUDING PICKING UP BAGS OF LEAVES, DEBRIS AND GENERAL CLEANUP FOR A MINIMUM OF THREE WORKERS PER DAY - \$11.50 PER HOUR;
2. SNOW REMOVAL, SALT SPREADING AND SHOVELING - \$15.00 PER HOUR; AND

WHEREAS, DIAMOND’S PROPOSAL ALSO INCLUDES AN OVERTIME RATE OF ONE AND A HALF (1.5) TIMES THE REGULAR HOURLY RATES SET FORTH ABOVE FOR ALL WORK IN EXCESS OF FORTY (40) HOURS PER PERSON, PER WEEK; AND WHEREAS, THE TOWNSHIP SOLICITOR HAS REVIEWED DIAMOND’S PROPOSAL AND FINDS IT TO BE LEGALLY SUFFICIENT; AND WHEREAS, THE TOWNSHIP COUNCIL FINDS THAT IT WOULD BE IN THE BEST INTEREST OF THE TOWNSHIP OF PEMBERTON TO AWARD THE CONTRACT FOR THE PROVISION OF TEMPORARY LABORERS FOR LEAF COLLECTION AND SNOW REMOVAL TO DIAMOND IN AN AMOUNT NOT TO EXCEED \$17,500.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE CONTRACT FOR PROVISION OF TEMPORARY LABORERS FOR LEAF COLLECTION AND SNOW REMOVAL IN THE TOWNSHIP BE AND HEREBY IS AWARDED TO DIAMOND STAFFING SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$17,500.00, AND THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE A CONTRACT, IN A FORM LEGALLY ACCEPTABLE TO THE TOWNSHIP SOLICITOR, BETWEEN THE TOWNSHIP OF PEMBERTON AND DIAMOND STAFFING SERVICES, INC.; AND BE IT FURTHER RESOLVED, THAT THE CHIEF FINANCIAL OFFICER HAS EXECUTED A CERTIFICATION OF FUNDS WHICH IS ATTACHED HERETO, AND THAT SUFFICIENT FUNDS ARE AVAILABLE FOR SAID CONTRACT FROM ACCOUNT NUMBER _____; AND BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. DIAMOND STAFFING SERVICES, INC.

- B. PHIL SAGER, SUPERINTENDANT DEPT. OF PUBLIC WORKS
- C. TOWNSHIP ADMINISTRATOR
- D. TOWNSHIP CHIEF FINANCIAL OFFICER
- E. GLUCKWALRATH LLP

Mrs. Scull asked if they did this last year to which Mr. Gonzalez advised they did at approximately \$22,000. Mrs. Scull asked if they did this for snow removal to which the Mayor explained no, in that the temporary laborers were not here long enough. Mrs. Scull asked if this would take anything away from their current employees, to which she was told no. The Mayor added that if snow were to come before the leaf program is done they would be freed up for the snow removal.

Motion by Scull and Allen to approve Resolution No. 218-2012. Scull, yes; Allen, yes; Prickett, yes; Stinney, yes; Cartier, yes. Motion carried.

11. ORDINANCES FOR INTRODUCTION

a. ORDINANCE NO. 15-2012

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING CHAPTER 145 OF THE TOWNSHIP CODE, ENTITLED "PROPERTY MAINTENANCE" IN ORDER TO ADDRESS INSECT INFESTATION CONCERNS

Motion by Prickett and Stinney to introduce Ordinance No. 15-2012 with a public hearing on November 7, 2012.

Mr. Prickett expressed concern that Council did not talk about this ordinance prior to it being introduced. He remembers why door knockers was implemented, noting that this ordinance takes that provision out. He feels after door knocker is issued they should not go directly to a summons and it gives Code Enforcement latitude to give the residents time to rectify a problem. He suggested that instead of striking out the provision to perhaps reduce the number of days. He does not want residents to immediately receive a notice of violation. He did note that he is happy that this ordinance excludes capital projects. He expressed that before pushing this ordinance through, they should review it further and come up with some compromises. The Mayor commented that Mr. Prickett drafted the original ordinance. He noted that the most complaints he receives is regarding property maintenance and presently they are giving warnings of impending warnings. He relayed having met with Code Enforcement who feels this is the key weakness and this ordinance would make their jobs easier. Mr. Prickett stated that they should work with the residents if they get a notice of violation and can't rectify the problem in the required time frame. Mr. Allen noted that Administration has the option to give extensions for certain cases. Mrs. Scull agreed that they need one warning and reminded of last year's issue with all the snow removal notices of violation. She also asked how this deals with insects infestation. Mr. Gonzalez noted the sections that deal with that. Mr. Prickett asked President Cartier why they were not given those sections underlined. Mr. Bayer stated what the sections noted relate to. Mr. Prickett noted that it is up to Code Enforcement to determine a time frame. Mr. Gonzalez relayed that the public comes to the mic to complain and Council has not given Code Enforcement the tools they need to do their jobs. Mr. Prickett noted that

the intent for the door knockers was for minor problems. He asked if there is any review to determine if the door knockers are working. President Cartier asked what proof they have that a door knocker was issued. Mrs. Scull reiterated her question as to how this helps with the roaches. Mr. Gonzalez explained that section 145-41 adopts the international property maintenance code which permits internal inspections. Mr. Prickett questioned what would happen if a resident doesn't give permission for them to enter their home. Mr. Bayer advised that they would have to get an Administrative Order through Court and that section 305 creates the standards. Mr. Prickett expressed that sections 305, 308 and 309 should be spelled out in the ordinance so the public can have a copy.

Prickett, yes; Stinney, yes; Allen, yes; Scull, yes; Cartier, yes. Motion carried.

NEW BUSINESS (PULLED FROM CONSENT AGENDA)

Purchases over \$2,000.00

a. 2. Buildings & Grounds: 1. for purchase of 4 steel picnic tables to replace damaged concrete tables at Mirror Lake Concession Building, from General Recreation, Inc. in the amount of \$3,948.00. 3. for professional services from Ragan Design Group for full set of architectural plans for BMIA project in the amount of \$4,600.00.

Mrs. Scull asked for the need of the picnic tables to which Administration explained the previous ones were old and damaged and the new ones are similar to those at Imagination Kingdom. She asked for the need of the plans for the BMIA project and if they needed a permit. The Mayor explained that they did not know they needed the permit but once learned, they realized the need for the full plans.

Motion by Scull and Stinney to approve New Business items 12 a. 1 & 3. President Cartier asked for clarification purposes to approve 1, 2 and 3. Scull, yes; Stinney, yes; Prickett, yes; Allen, yes; Cartier, yes. Motion carried.

a. 3. Police Dept.: 1. for 4 body armor replacement from Samzie's Uniforms in the amount of \$3,522.20.

Mrs. Scull noted that she did not pull item #3. President Cartier asked for a motion for clarification purposes.

Motion by Prickett and Stinney to approve New Business 12. a. 3. Prickett, yes; Stinney, yes; Allen, yes; Scull, yes; Cartier, yes. Motion carried.

a.4. Administration: for purchase of Edmunds payroll software in the amount of \$14,000.00.

Mr. Prickett noted they purchased a payroll software system last year and questioned this need, noting the CASA was supposed to make the payroll process easier. The Mayor explained that CASA only cuts the checks but Administration still has to do all the inputting. He noted that with the Edmunds program the

Department Heads will input the information into the software and the only thing they would change is vacation or sick time. He advised that it calculates anniversary dates automatically and is a cost savings of approximately \$9,500. Mr. Allen noted that it also includes employee training.

Motion by Prickett and Scull to approve the purchase of the Edmunds payroll software in an amount of \$14,000.00. Prickett, yes; Scull, yes; Stinney, yes; Allen, yes; Cartier, yes. Motion carried.

Motion by Prickett to add to the agenda under New Business discussion regarding trash cans and lids, article 2. Motion died for lack of a second.

General Public Comments.

President Cartier opened the meeting to the public for general comments. Those commenting were:

Robert Bailey, Browns Mills - 1. Commended the Township on the good work done with the black topping of three streets off North Lakeshore Drive. **2.** Noted he had trouble with some pit bulls in that area. He is a rental owner and does not allow dogs so he called Animal Control when he learned of the dogs at his rental. He was told by Animal Control that they do not have authority to enter the property. Administration read the code that Animal Control has the right to canvas the properties once a year. Mr. Bailey noted he finally got the eviction notice process started. He advised having called the police who were not able to help him either. Mr. Gonzalez remarked that he will have the Solicitor look at the ordinance and see if they can't do something. The Mayor commented that it's a landlord tenant issue.

Christopher Gray, PBA Attorney – Advised that he was here on behalf of K-9 Uργο who has spinal injuries and needs surgery that the Township can't afford to spend. He explained that they have attempted to get the matter worked out. He noted that Council has the authority to do a resolution and he is basically here tonight to be prepared to prevent the dog from being euthanized and to plea the Ettinger's case to have the ownership transferred to the Ettingers. President Cartier interjected asking Mr. Bayer if they should allow this conversation. Mr. Bayer advised that they can listen, but the Mayor takes care of Township property and it would be an agreement that the Mayor would have to present to the Council. Mrs. Stinney asked how they have handled this situation in the past with a prior dog that was hurt. The Mayor noted that one dog had to be returned and the other was given to the handler.

Perry Parks – Noted he was the Township's K-9 trainer with warranty and they got Bodie replaced by Bandit. He advised he's been with the swat team for 18 years and has known Bob Ettinger and the dog is with his family everywhere. Mrs. Scull recalled reading an article regarding a soldier that was killed in action and that other towns just do resolutions. Mr. Parson expressed that this is a 24/7 job and Officer Ettinger has done a tremendous job. Mrs. Stinney recalled how impressed she was when the dogs were introduced to them, noting that Uργο was a hand full and had to be removed, but it was such a pleasure seeing them and in the demonstrations that she has attended.

Mrs. Scull asked the Mayor what the concern is, noting that the dog needs surgery

right away and it's done everywhere else. He relayed that it's the interests of the Township and the potential risk with parts of the negotiation. Mrs. Stinney commented that with a resolution the dog would belong to the Officer. Mr. Bayer advised that since they have a second closed session that perhaps they could discuss this matter then.

Motion by Stinney and Prickett to amend the closed session resolution to add the topic of potential litigation and/or contract negotiations regarding the K-9 dog.

Stephanie Ettinger – Advised that there have been no risk issues and that only once the dog bit Bobby during training because he touched a sore spot on him. She relayed that Bobby and Uργο have been working together for years. She relayed his current medical problems noting that the dog can no longer work and has to retire. Her family wants to adopt the dog so it should not be a risk to the Township. She relayed that Uργο is more than just equipment; he is part of the family and is in pain. She expressed that Uργο has serviced this Township and named some of his accomplishments which included locating a missing three year old child. She expressed that he is an asset to the Township. They are not looking for the Township to pay for his surgery and currently have a fund raiser in process to pay for it. She advised that they took care of a dog that was given to a prior K-9 handler and her family wants him to spend his remaining years with them.

John Malhar – Noted he is a local businessman and is willing to donate \$500.00. Mrs. Stinney questioned that if the dog is still the Township's responsibility why isn't the dog in the hospital.

America Phillips, Presidential Lakes – **1.** Expressed sadness over what she is hearing noting that the worst is to hear how Administration is treating one of their workers. She noted that all the money they spent on the law suits should be used on the dog. She feels the Township used Uργο when he was well and now is giving up on him. She then asked the Mayor why he has turned his back on the dog after he has been an officer. **2.** In regards to house infestations she asked if any one of the Council members went to the house in question to see the condition. President Cartier relayed there was an ordinance introduced tonight addressing that problem. **3.** Asked if anything can be done for vacant houses. She's been told they belong to the Banks and asked why they can't pressure the banks to do something. **4.** Noticed that Public Works was cleaning up in Country Lakes but the grass at the Presidential Lakes entrance needs cutting and nothing is done. **5.** Reminded that at the last meeting she was threatened by the Mayor and expressed hope that the trails will be improved in the future. **6.** Expressed hope that they do something regarding Uργο tonight.

Lynn Giamalis – Advised that she was Bob Ettinger's mother and advocated for the Township to allow the Ettingers to adopt the dog which is part of their family. She recalled when he and a fellow officer first got their dogs and commented that her son ended up with the "knucklehead". She expressed as a mother she feels safe that the dog will protect her son.

Robert Griffin – **1.** Expressed that Uργο was the Officer's partner and the Township would not euthanize a human partner.

Robin Bernard – Noted she has a hot dog cart located across from the Ettingers

and noted that the dog is not harmful. She advocated for the dog to be allowed to be adopted by the Ettingers noting that Bob Ettinger is great with his dog and his family.

Aleyis Ettinger – She advised that she was Officer Ettinger’s daughter and advocated for the dog that she considered being part of her family.

George Petronis, Browns Mills – **1.** Asked if Mrs. Scull was not aware of the ordinance requirement regarding trash cans. She advised that she was not and would not have minded if she received a door knocker. He expressed that door knockers is a procedure that works better with citizens. He commented on the discussions regarding Code Enforcement time frames, commented on whether it is being followed now and feels the residents should have more time to review the potential ordinance. **2.** Advised that he has been involved with political signs and asked about the permitting for signs and spoke of the recourses for tampering with signs. Mrs. Finlay advised that the police would have to be called if they caught someone tampering with them. Mrs. Stinney expressed admiration for his stance. President Cartier clarified for him not to call 9-1-1, but rather the regular business number.

Bob Pelletier, Pemberton – **1.** In regards to the Police Department’s dog he understands Administration’s concern but advocated for the dog and its adoption. **2.** Asked what the criteria was for the cost of JIF and if the 9 programs offered are part of the premium. **3.** In regards to the ordinance that was introduced he likes the door knocker system unless it’s a public health issue. **4.** Questioned if there will be more supervision with the new payroll system. **5.** Expressed hope that in regards to the Trust that something could have been worked out prior to the Election.

Robert Colttrell – **1.** Noted that in regards to the discussion of property maintenance they can start with the garbage on the sides of the roads and garbage pails that are left out.

Michele Forman, Browns Mills- **1.** Commented on how Council could say “no to that little girl”. **2.** Asked what the meters that were purchased under New Business for. Mr. Gonzalez explained that not everyone has meters and the Mayor added that they are routinely purchased for upgrades and replacements. She asked if the digital readers are more expensive than the type she received a couple of years ago. **3.** Asked why the Township can’t put Urgo’s vet bill on “purchases over \$2,000” and why someone can’t make a motion to put something on the agenda to pay for the dog’s medical needs. President Cartier explained that Council can authorize payment for something but it’s up to the Mayor. She insistently asked why they can’t do a resolution now and President Cartier explained that they have to discuss it in closed session and the sooner they do the sooner they can learn what Council may be able to do. **4.** Expressed appreciation for Council addressing property maintenance code. She heard they hired a new Code Enforcement Officer and asked how many they have now. She was told two plus one part-time employee. She then commented on the fact that there is only one Animal Control Officer and suggested they think about that when doing their next budget.

Thomas Maahs, Presidential Lakes – **1.** Expressed hopes that the issue between

Urgo and the Mayor are not a personal vendetta. **2.** Noted that at the last couple of meetings it was said that the statutes won't allow the Township to give benefits to the volunteers. Mr. Gonzalez clarified that he had advised that the statutes have limitations on what can be given but they are still covered by workers comp, etc.

Jennifer Bennett – 1. Advised that she is a family friend of the Ettingers. She explained that their purpose was not to ask the Township for money to take care of this dog but rather to allow the transfer of ownership to them. She commented on a contract that would eliminate the Township's risks and noted it has been past practice to transfer ownership to the handlers' of retired dogs.

At this time Council President requested that they break to go into closed session now rather than at the end of the meeting. He recessed the open session meeting for them to go into closed session at approximately 10:30 p.m. and reconvened open session at approximately 11:10 p.m.

(Reference Note: Closed Session minutes are transcribed and filed separately and considered part of these minutes)

Council President announced that there is formal action necessary pursuant to closed session held.

Motion by Prickett and Stinney to add Resolution No. 220-2012 to the agenda authorizing a Memorandum of Understanding with Crown Development Group for the Redevelopment of the Browns Mills Shopping Center. Prickett, yes; Stinney, yes; Scull, yes; Allen, yes; Cartier, yes. Motion carried.

RESOLUTION NO. 220-2012

RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH CROWN DEVELOPMENT GROUP FOR THE REDEVELOPMENT OF THE BROWNS MILLS SHOPPING CENTER

WHEREAS, THERE EXISTS A NEED FOR A REDEVELOPER FOR THE BROWNS MILLS TOWN CENTER REDEVELOPMENT AREA, A SECTION OF PEMBERTON TOWNSHIP WHICH HAS BEEN DESIGNATED AS 'AN AREA IN NEED OF REDEVELOPMENT' UNDER THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.; AND

WHEREAS, THE TOWNSHIP WISHES TO 'CONDITIONALLY' DESIGNATE CROWN DEVELOPMENT GROUP AS THE MASTER REDEVELOPER OF SAID REDEVELOPMENT AREA, PURSUANT TO THE TERMS AND CONDITIONS SET FORTH IN THE ATTACHED MEMORANDUM OF UNDERSTANDING WHICH IS INCORPORATED HEREIN IN ITS ENTIRETY BY REFERENCE. NOW, THEREFORE, IT IS RESOLVED BY THE TOWNSHIP COUNCIL OF PEMBERTON TOWNSHIP THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH CROWN DEVELOPMENT GROUP SUBSTANTIALLY IN THE FORM ATTACHED HERETO, CONDITIONALLY DESIGNATING CROWN AS MASTER REDEVELOPER OF THE BROWNS MILLS TOWN CENTER REDEVELOPMENT AREA PURSUANT TO THE TERMS AND CONDITIONS SET FORTH THEREIN.

Motion by Prickett and Scull to approve Resolution No. 220-2012. Prickett, yes; Scull, yes; Allen, yes; Stinney, yes; Cartier, yes. Motion carried.

Motion by Prickett and Scull to add Resolution No. 221-2012 to the agenda authorizing the transfer of Police Canine Urgo to Robert Ettinger and/or New Jersey K-9 Barracks, LLC. Prickett, yes; Scull, yes; Allen, yes; Stinney, yes; Cartier, yes. Motion carried.

Mr. Bayer read Resolution No. 221-2012 for the record as follows:

RESOLUTION NO. 221-2012

WHEREAS, THE TOWNSHIP OF PEMBERTON ("PEMBERTON") OWNS A POLICE K-9 DOG NAMED URGO; AND

WHEREAS, DUE TO CERTAIN MEDICAL CONDITIONS, IT IS NECESSARY THAT URGO BE RETIRED FROM THE POLICE SERVICE; AND

WHEREAS, THE TOWNSHIP DESIRES TO CONVEY URGO TO HIS HANDLER, PEMBERTON TOWNSHIP POLICE OFFICER ROBERT ETTINGER AND/OR NEW JERSEY K-9 BARRACKS, LLC (COLLECTIVELY "ETTINGER"); AND

WHEREAS, ETTINGER SHALL RETAIN POSSESSION AND CONTROL OF URGO FOR THE REMAINDER OF ITS LIFE, AND ETTINGER SHALL NOT TRANSFER OWNERSHIP OF URGO BESIDES BACK TO THE TOWNSHIP; AND

WHEREAS, ETTINGER SHALL COMPLY WITH ALL DOG LICENSING LAWS AND LOCAL REQUIREMENTS FOR LICENSE TRANSFER OF URGO; AND

WHEREAS, ETTINGER SHALL ASSUME ALL COSTS FOR ANNUAL VETERINARY EXAMS FOR THE REMAINDER OF URGO'S LIFE, INCLUDING COVERAGE FOR ANNUAL VACCINATIONS, HEARTWORM PREVENTATIVE AND FLEA/TICK PREVENTATIVE; AND WHEREAS, ETTINGER SHALL MAINTAIN URGO AT THE HANDLER'S HOME AND URGO SHALL NOT BE USED FOR BREEDING, PARTICIPATION IN SHOWS, FIELD TRIALS, EXHIBITIONS OR OTHER DEMONSTRATIONS, OR FOR OUTSIDE EMPLOYMENT; AND WHEREAS, UPON THE DEATH OF URGO, ETTINGER SHALL IMMEDIATELY NOTIFY THE CANINE UNIT HEAD; AND WHEREAS, THE TOWNSHIP AND ETTINGER DESIRE TO ENTER INTO AN AGREEMENT MEMORIALIZING THE TERMS OF THIS TRANSACTION, AND SUCH AGREEMENT SHALL INCLUDE AT A MINIMUM THE FOLLOWING TERMS:

1. ETTINGER SHALL DEFEND AND INDEMNIFY THE TOWNSHIP, ITS AGENCIES AND PERSONNEL AGAINST ALL CLAIMS AND DEMANDS FOR DAMAGES AND/OR COSTS THAT MAY BE MADE BY ANY PERSON FOR ACTIONS BY URGO AFTER IT IS TRANSFERRED TO ETTINGER, WHICH ACTIONS RESULT IN ANY INJURY, DEATH AND/OR DAMAGE TO PROPERTY;
2. ETTINGER SHALL PROVIDE INSURANCE TO COVER URGO FOR THE REMAINDER OF URGO'S LIFE IN AN AMOUNT ACCEPTABLE TO THE TOWNSHIP, AND SHALL ADD THE TOWNSHIP AS AN ADDITIONAL INSURED TO SAID INSURANCE POLICY.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON THAT POLICE K-9 DOG, 'URGO,' SHALL BE TRANSFERRED TO ITS HANDLER, PEMBERTON TOWNSHIP POLICE OFFICER ROBERT ETTINGER AND/OR NEW JERSEY K-9 BARRACKS, LLC, FOR THE SUM OF ONE DOLLAR (\$1.00) AND THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE AN INDEMNITY AND INSURANCE AGREEMENT, IN A FORM APPROVED BY THE TOWNSHIP SOLICITOR, BETWEEN THE TOWNSHIP OF PEMBERTON AND ROBERT ETTINGER, FOR THE TRANSFER OF OWNERSHIP OF URGO; AND

BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. ROBERT ETTINGER
- B. TOWNSHIP ADMINISTRATION
- C. GLUCKWALRATH LLP

Motion by Prickett and Scull to approve Resolution No. 221-2012. Prickett, yes; Scull, yes; Allen, yes; Stinney, yes; Cartier, yes. Motion carried.

Solicitor's report.

Mr. Bayer: noted that he had nothing to report for open session tonight.

Engineer's report.

Mrs. Willis: expressed on behalf of ARH their extreme condolences to the families of the firefighters that recently lost their lives.

Planner's report.

Mr. Ragan: 1. Also extended his extreme condolences to the firefighters' families. 2. Reported that they are moving forward with construction of the new Dialysis Center and they have received final approval.

Mayor's report.

Mayor Patriarca: 1. Thanked Council for their support in approving the resolution regarding Uργο and clarified to the public that everything that Council just approved with that resolution is exactly what Administration has been trying to work on and accomplish.

Business Administrator's report.

Mr. Gonzalez had nothing further to report tonight.

Mr. Prickett noted an email he received regarding a health matter reported and that provided notice of violation at a property giving 30 days.

Mrs. Scull asked about the police cleaning specs and if they had been changed from the format used in the past. Mr. Gonzalez advised that they have now asked for pickup and delivery. Mrs. Scull expressed that change has concerned her with the elimination of local businesses that are not capable of providing that service.

Council Members' Comments.

Richard Prickett: 1. Explained that he had wanted to add the discussion of the solid waste ordinance since they had asked for it to be on this agenda. He commented on the requirements of the lids and containers noting storm water regulations and animals getting into the bags. He noted the need to find cans with lids and finding ways to help the seniors with this issue. 2. Spoke of a Presidential Election reenactment he participated in today and spoke on the history of parties and how the parties were enacted and reminded everyone to vote in the upcoming election.

Diane Stinney: 1. Shared that her husband took ill recently after hours and she took him to Deborah Hospital wherein they learned that Building 212 next to Deborah offers after hours care for military retirees and veterans and she suggested it be put on the web site. 2. Noted her firefighter hat that she wore this evening and advised that she had an awesome time at their Fire Prevention event. 3. Thanked everyone for coming out and for their services to the Township.

Jason Allen: 1. Noted that he also attended the Fire Prevention event and wore the suit and partook in the obstacle course. 2. Announced that TAG will have Trae Simmons talking to the kids at the High School in November and TAG will have a table set up there with information for the students. 3. Announced the next Teen Youth Initiative will be held on October 8th.

Sherry Scull: 1. Shared that she had the privilege of seeing Trae Simmons last year who brought in prisoners to talk to the students. 2. Advised Mrs. Phillips that many do drive by to look at the houses, but noted it's up to Administration. 3. Expressed that the Train Station should not be an election matter, noting that all five Council members are in support of them and the Mayor is in charge of the day to day operations. She affirmed that they still want a resolution. 4. Noted that she saw the improvements of the BMIA building although she has not been in support of the money spent on the building when people were laid off. She noted people have complained and they have to come to a decision on what's best. She advised that November 6th she knows she has always put Pemberton Township first. 5. Expressed that the Fire Prevention program this week was phenomenal. She shared her feelings on how Country Lakes Fire Company came to help Browns Mills Fire Co. with their event amidst the tragedy they were experiencing, noting that they still need their support. 6. Thanked everyone for coming out.

Kenneth Cartier: 1. Shared that he also attended the Fire Prevention event, noting however that it ended on a sad note. 2. Wished everyone a safe trip home.

From the audience Mr. Petronis attempted to call "Point of Order". President Cartier advised that he can't call point of order, only Council can, then asked for a motion to adjourn the meeting.

The meeting was adjourned at approximately 12:05 a.m.

Respectfully submitted by,

MARYANN FINLAY, TOWNSHIP CLERK