

TOWNSHIP OF PEMBERTON

MEETING MINUTES OF REGULAR MEETING

NOVEMBER 3, 2010

6:30 P.M.

FLAG SALUTE

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

ROLL CALL

PRESENT

Ken Cartier
Thomas Inge
Richard Prickett
Diane Stinney
Sherry Scull

ABSENT

Also present: Mayor David Patriarca, Business Administrator Chris Vaz, Township Solicitor Andy Bayer, Township Engineer Chris Rehmann, and Township Clerk Mary Ann Finlay.

CALL TO ORDER

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

CLOSED SESSION

Closed Session Res. No. 241-2010

RESOLUTION NO. 241-2010

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:
CONTRACT NEGOTIATIONS, LAND ACQUISITION
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 Cartier to approve Resolution No. 241-2010.

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

Carried

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

Council President Scull recessed the open meeting at approximately 6:30 PM for Council to go in to Closed Session and reconvened the open meeting at approximately 7:00 PM.

Council President Scull advised that there was no formal action necessary pursuant to closed session.

CONSENT AGENDA

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.

Council President Scull opened the meeting to public comments on consent agenda items only. There being no members of the public indicating a desire to be heard, Mrs. Scull closed the meeting to public comments on consent agenda items.

Councilman Prickett requested to have PO 201000863 for the amount of \$2,294.00 for furniture and furnishings, and New Business Item No. 12 a. 1. removed from the consent agenda.

Councilman Inge requested to have Res. 245-2010 pulled from the consent agenda.

Councilwoman Stinney requested to add an invoice to the bill list in the amount of \$51.73 as requested by Chief Jantas.

Motion by Stinney and Cartier to add to consent agenda bill list invoice from Police Department in the amount of \$51.73. Stinney, yes; Cartier, yes; Inge, yes; Prickett, yes; Scull, yes. Motion carried.

***MINUTES FILED BY MUNICIPAL CLERK**

Regular Meeting, October 20, 2010.

***RESOLUTIONS**

RESOLUTION NO. 242-2010

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:

DANIEL OPITZ, \$450.00, OVERPAYMENT OF WATER ACCOUNT, BLOCK 440, LOT 14
EDISON TAX SERVICE, \$381.76, OVERPAYMENT OF WATER ACCOUNT, BLOCK 186, LOT 67
JAMES AINSWORTH, \$223.24, OVERPAYMENT OF PROPERTY TAXES, BLOCK 154, LOT 7-8
ROBERT BALASCSAK, \$15.00, RETURN OF PARTIAL PAYMENT ON LIEN, BLOCK 294, LOT 13-14
CORELOGIC, \$830.00, OVERPAYMENT OF PROPERTY TAXES, BLOCK 517, LOT 25
NOVA PROPERTIES, \$2,300.75, OVERPAYMENT OF 2010 PROPERTY TAXES, BLOCK 748, LOT 21, BLOCK 758, LOT 5, BLOCK 758, LOT 7, BLOCK 758, LOT 9 AND BLOCK 761, LOT 1
STANLEY & MAMIE PRATER, \$958.38, OVERPAYMENT OF THIRD QUARTER PROPERTY TAXES, BLOCK 1101, LOT 2
FNA JERSEY LIEN SERVICES, LLC, OVERPAYMENT OF WATER ACCOUNT, BLOCK 638, LOT 16

RESOLUTION NO. 243-2010

WHEREAS, N.J.S. 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 ADOPTION OF THE BUDGET: AND

WHEREAS, THE DIRECTOR MAY ALSO APPROVE THE INSERTION OF AN ITEM OF APPROPRIATION FOR EQUAL AMOUNT, AND

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS RECEIVED NOTICE OF THE FOLLOWING AWARD FOR A TOTAL OF \$4,400 FROM THE OVER THE LIMIT UNDER ARREST 2010 STATEWIDE CRACKDOWN GRANT AND WISHES TO AMEND THE 2010 BUDGET TO INCLUDE THIS AMOUNT AS REVENUE.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF 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 2010 FOR THE FOLLOWING SUM:

1. DIVISION OF HIGHWAY TRAFFIC SAFETY

OVER THE LIMIT UNDER ARREST 2010 STATEWIDE CRACKDOWN GRANT -- \$4,400.00

BE IT FURTHER RESOLVED, THAT THE LIKE SUM OF \$4,400.00 IS HEREBY APPROPRIATED UNDER THE CAPTION:
GENERAL REVENUE:

MISCELLANEOUS REVENUES: SECTION F SPECIAL ITEMS ANTICIPATED WITH PRIOR WRITTEN CONSENT OFFSET WITH APPROPRIATIONS:

1. DIVISION OF HIGHWAY TRAFFIC SAFETY

OVER THE LIMIT UNDER ARREST 2010 STATEWIDE CRACKDOWN GRANT -- \$4,400.00

BE IT FURTHER RESOLVED, THAT THE SAME AMOUNTS BE APPROPRIATED AS FOLLOWS:

GENERAL APPROPRIATIONS:

(A) OPERATIONS EXCLUDED FROM "CAPS"

PUBLIC AND PRIVATE PROGRAMS OFFSET BY REVENUE:

1. DIVISION OF HIGHWAY TRAFFIC SAFETY

OVER THE LIMIT UNDER ARREST 2010 STATEWIDE CRACKDOWN GRANT -- \$4,400.00

RESOLUTION NO. 244-2010

WHEREAS, N.J.S. 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 ADOPTION OF THE BUDGET: AND

WHEREAS, THE DIRECTOR MAY ALSO APPROVE THE INSERTION OF AN ITEM OF APPROPRIATION FOR EQUAL AMOUNT, AND

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS RECEIVED NOTICE OF THE FOLLOWING AWARD FOR A TOTAL OF \$40,000 FROM THE URBAN ENTERPRISE ZONES . PEMBERTON GRANT AND WISHES TO AMEND THE 2010 BUDGET TO INCLUDE THIS AMOUNT AS REVENUE.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF 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 2010 FOR THE FOLLOWING SUM:

1. NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
URBAN ENTERPRISE ZONES . PEMBERTON GRANT - \$40,000

BE IT FURTHER RESOLVED, THAT THE LIKE SUM OF \$40,000.00 IS HEREBY APPROPRIATED UNDER THE CAPTION:
GENERAL REVENUE:

MISCELLANEOUS REVENUES: SECTION F SPECIAL ITEMS ANTICIPATED WITH PRIOR WRITTEN CONSENT OFFSET WITH APPROPRIATIONS:

1. NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
URBAN ENTERPRISE ZONES . PEMBERTON GRANT - \$40,000

BE IT FURTHER RESOLVED, THAT THE SAME AMOUNTS BE APPROPRIATED AS FOLLOWS:

GENERAL APPROPRIATIONS:

(A) OPERATIONS EXCLUDED FROM "CAPS"

PUBLIC AND PRIVATE PROGRAMS OFFSET BY REVENUE:

1. NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
URBAN ENTERPRISE ZONES . PEMBERTON GRANT - \$40,000

RESOLUTION NO. 246- 2010

WHEREAS, N.J.S. 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 ADOPTION OF THE BUDGET: AND

WHEREAS, THE DIRECTOR MAY ALSO APPROVE THE INSERTION OF AN ITEM OF APPROPRIATION FOR EQUAL AMOUNT, AND

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS RECEIVED NOTICE OF THE FOLLOWING AWARD FOR A TOTAL OF \$4,994.28 UNDER THE NEW JERSEY DIVISION OF CRIMINAL JUSTICE 2010 STATE BODY ARMOR REPLACEMENT FUND PROGRAM AND WISHES TO AMEND THE 2010 BUDGET TO INCLUDE THIS AMOUNT AS REVENUE.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF 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 2010 FOR THE FOLLOWING SUM:

1. NEW JERSEY DIVISION OF CRIMINAL JUSTICE
2010 STATE BODY ARMOR REPLACEMENT FUND PROGRAM -- \$4,994.28

BE IT FURTHER RESOLVED, THAT THE LIKE SUM OF \$4,994.28 IS HEREBY APPROPRIATED UNDER THE CAPTION:

GENERAL REVENUE:

MISCELLANEOUS REVENUES: SECTION F SPECIAL ITEMS ANTICIPATED WITH PRIOR WRITTEN CONSENT OFFSET WITH APPROPRIATIONS:

1. NEW JERSEY DIVISION OF CRIMINAL JUSTICE
2010 STATE BODY ARMOR REPLACEMENT FUND PROGRAM -- \$4,994.28

BE IT FURTHER RESOLVED, THAT THE SAME AMOUNTS BE APPROPRIATED AS FOLLOWS:

GENERAL APPROPRIATIONS:

(A) OPERATIONS EXCLUDED FROM "CAPS"

PUBLIC AND PRIVATE PROGRAMS OFFSET BY REVENUE:

1. NEW JERSEY DIVISION OF CRIMINAL JUSTICE
2010 STATE BODY ARMOR REPLACEMENT FUND PROGRAM -- \$4,994.28

RESOLUTION NO. 247-2010

WHEREAS, N.J.S. 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 ADOPTION OF THE BUDGET: AND

WHEREAS, THE DIRECTOR MAY ALSO APPROVE THE INSERTION OF AN ITEM OF APPROPRIATION FOR EQUAL AMOUNT, AND

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS RECEIVED NOTICE OF THE FOLLOWING AWARD FOR A TOTAL OF \$4,583.00 UNITED STATE FOREST SERVICE VOLUNTEER FIRE ASSISTANCE PROGRAM GRANT AND WISHES TO AMEND THE 2010 BUDGET TO INCLUDE THIS AMOUNT AS REVENUE.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF 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 2010 FOR THE FOLLOWING SUM:

1. UNITED STATES FOREST SERVICE
VOLUNTEER FIRE ASSISTANCE PROGRAM GRANT -- \$4,583.00

BE IT FURTHER RESOLVED, THAT THE LIKE SUM OF \$4,583.00 IS HEREBY APPROPRIATED UNDER THE CAPTION:

GENERAL REVENUE:

MISCELLANEOUS REVENUES: SECTION F SPECIAL ITEMS ANTICIPATED WITH PRIOR WRITTEN CONSENT OFFSET WITH APPROPRIATIONS:

1. UNITED STATES FOREST SERVICE
VOLUNTEER FIRE ASSISTANCE PROGRAM GRANT -- \$4,583.00

BE IT FURTHER RESOLVED, THAT THE SAME AMOUNTS BE APPROPRIATED AS FOLLOWS:

GENERAL APPROPRIATIONS:

(A) OPERATIONS EXCLUDED FROM "CAPS"

PUBLIC AND PRIVATE PROGRAMS OFFSET BY REVENUE:

1. UNITED STATES FOREST SERVICE
VOLUNTEER FIRE ASSISTANCE PROGRAM GRANT -- \$4,583.00

RESOLUTION NO. 248-2010

WHEREAS, BY RESOLUTION NO. 187-2010, THE TOWNSHIP COUNCIL AUTHORIZED THE SALE OF CERTAIN MUNICIPALLY OWNED LANDS; AND

WHEREAS, A PUBLIC AUCTION WAS CONDUCTED ON SEPTEMBER 29, 2010 RESULTING IN THE OFFER OF CERTAIN BIDS FOR THE PURCHASE OF SAID LANDS; AND

WHEREAS, THE TOWNSHIP COUNCIL HAS REVIEWED THOSE PROPOSALS, AND HAS DETERMINED TO ACCEPT THE BIDS SET FORTH IN SCHEDULE A, ATTACHED HERETO AND MADE A PART HEREOF THIS RESOLUTION; AND

NOW, THEREFORE, BE IT RESOLVED, THAT THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY HEREIN ACCEPTS THE BIDS FOR THE PROPERTIES DESCRIBED IN SCHEDULE A, AND THE MAYOR AND CLERK ARE HEREBY AUTHORIZED TO EXECUTE DEEDS TO THE GRANTEEES, SUBJECT TO RECEIPT OF ALL PAYMENTS DUE;

BE IT FURTHER RESOLVED, THAT THE TOWNSHIP CLERK SHALL BE RESPONSIBLE, ONCE PAYMENT HAS BEEN RECEIVED, TO RECORD SAID DEEDS AND, FOLLOWING RECORDATION BY THE BURLINGTON COUNTY CLERK'S OFFICE, TO COMMUNICATE WITH THE GRANTEEES NAMED HEREIN SO THAT THEY CAN RETRIEVE THESE DEEDS; AND

RESOLUTION NO. 250. 2010

WHEREAS, THE TOWNSHIP OF PEMBERTON (%TOWNSHIP-) HAS ESTABLISHED A HOUSING AND REHABILITATION PROGRAM FUNDED THROUGH THE TOWNSHIP'S PARTICIPATION IN A REGIONAL CONTRIBUTION AGREEMENT WITH OTHER MUNICIPALITIES AND, THROUGH THAT PROGRAM, HAS MADE LOANS TO ITS RESIDENTS FOR THE REHABILITATION OF EXISTING LOW AND MODERATE INCOME HOUSING WITHIN THE TOWNSHIP'S BORDERS IN ACCORDANCE WITH REGULATIONS PROMULGATED BY THE COUNCIL ON AFFORDABLE HOUSING (COAH); AND

WHEREAS, THROUGH THIS HOUSING AND REHABILITATION PROGRAM, THE TOWNSHIP MADE A LOAN IN THE AMOUNT OF \$22,500.00 TO DEBRA A. MIRANDA, OWNER OF PROPERTY LOCATED AT 111 TENSAW DRIVE IN PEMBERTON

TOWNSHIP, NEW JERSEY (THE "PROPERTY"), WHICH WAS SECURED BY A MORTGAGE AND NOTE IN FAVOR OF THE TOWNSHIP, RECORDED OCTOBER 25, 2006; AND WHEREAS, THE PROPERTY IS THE SUBJECT OF A FORECLOSURE ACTION (DOCKET NO. F-9326-10) THAT WAS FILED ON FEBRUARY 9, 2010, AND IS ALSO THE SUBJECT OF A SALES AGREEMENT TO AN INDIVIDUAL WHO DOES NOT QUALIFY AS LOW TO MODERATE INCOME; AND WHEREAS, THE OWNER HAS REQUESTED THAT THE TOWNSHIP DISCHARGE ITS MORTGAGE AND NOTE AGAINST THE PROPERTY SO THAT THE PROPERTY MAY BE SOLD AS AN APPROVED SHORT SALE BY HER PRIMARY LENDER; AND WHEREAS, THE TOWNSHIP COUNCIL FINDS IT IN THE BEST INTERESTS OF THE TOWNSHIP AND ITS RESIDENTS TO DISCHARGE ITS MORTGAGE AND NOTE AGAINST THE PROPERTY. NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE MAYOR AND BUSINESS ADMINISTRATOR ARE HEREBY AUTHORIZED TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO DISCHARGE THE MORTGAGE AND NOTE AGAINST THE PROPERTY.

RESOLUTION NO. 251-2010

WHEREAS, THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY (THE "TOWNSHIP"), HAS PREVIOUSLY ISSUED ITS \$12,813,000 ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, NEW JERSEY, GENERAL OBLIGATION BONDS (BURLINGTON COUNTY BRIDGE COMMISSION 2002 GOVERNMENTAL LOAN PROGRAM), SERIES 2002 (THE "2002 BONDS") TO THE BURLINGTON COUNTY BRIDGE COMMISSION (THE "COMMISSION") UNDER THE COMMISSION'S 2002 GOVERNMENTAL LOAN PROGRAM; AND

WHEREAS, PURSUANT TO ORDINANCE NO. 18-2010 (THE "ORDINANCE"), THE TOWNSHIP AUTHORIZED THE REFUNDING OF THE 2002 BONDS MATURING ON AND AFTER OCTOBER 15, 2013 (THE "2002 REFUNDED BONDS") THROUGH THE ISSUANCE BY THE COMMISSION OF ITS POOLED LOAN REFUNDING BONDS (THE "REFUNDING PROGRAM"); AND

WHEREAS, PURSUANT TO THE ORDINANCE AND THIS RESOLUTION THE TOWNSHIP HAS DETERMINED TO PARTICIPATE IN THE COMMISSION'S REFUNDING PROGRAM AND TO PROVIDE FOR THE REFUNDING OF THE 2002 REFUNDED BONDS THROUGH THE ISSUANCE OF ITS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,730,000 (THE "REFUNDING BONDS"); AND

WHEREAS, UNDER THE REFUNDING PROGRAM THE COMMISSION WILL ISSUE ITS COUNTY- GUARANTEED POOLED LOAN REVENUE REFUNDING BONDS UNDER A BOND RESOLUTION (THE "COMMISSION BOND RESOLUTION") AND APPLY A PORTION OF THE PROCEEDS THEREOF TO MAKE A LOAN (THE "LOAN") TO THE TOWNSHIP TO REFINANCE THE 2002 REFUNDED BONDS; AND

WHEREAS, TO EVIDENCE THE LOAN, THE COMMISSION REQUIRES THE TOWNSHIP TO AUTHORIZE, EXECUTE, ATTEST, SELL AND DELIVER THE REFUNDING BONDS TO THE COMMISSION PURSUANT TO THE TERMS OF THE LOCAL BOND LAW OF THE STATE OF NEW JERSEY, CONSTITUTING CHAPTER 2 OF TITLE 40A OF THE REVISED STATUTES OF THE STATE OF NEW JERSEY (THE "LOCAL BOND LAW") AND PURSUANT TO THE TERMS AND CONDITIONS OF A BOND PURCHASE AGREEMENT WITH THE COMMISSION (THE "BOND PURCHASE AGREEMENT"); AND

WHEREAS, IT IS DESIRABLE AND NECESSARY TO ISSUE THE REFUNDING BONDS PURSUANT TO THE ORDINANCE AND IT IS DEEMED ADVISABLE AND IN THE BEST INTERESTS OF THE TOWNSHIP TO PROVIDE FOR THE FORM, MATURITY DATE AND SALE OF THE REFUNDING BONDS TO THE COMMISSION PURSUANT TO THE REFUNDING PROGRAM AND FOR OTHER MATTERS IN CONNECTION WITH THE REFUNDING BONDS.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

SECTION 1. AUTHORITY FOR RESOLUTION. PURSUANT TO THE PROVISIONS OF THE LOCAL BOND LAW, THE TOWNSHIP HAS HERETOFORE ADOPTED THE ORDINANCE WHICH AUTHORIZES THE ISSUANCE OF NEGOTIABLE GENERAL OBLIGATION REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,730,000, AND THE TOWNSHIP HEREBY DETERMINES TO ISSUE SAID GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,730,000 TO BE DESIGNATED "GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010";

SECTION 2. AUTHORIZATION OF REFUNDING BONDS. IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BOND LAW AND THE ORDINANCE, THE TOWNSHIP SHALL ISSUE THE REFUNDING BONDS FOR THE PURPOSE OF PROVIDING FUNDS TO (I) REDEEM ON OCTOBER 15, 2013 THE 2002 REFUNDED BONDS AT A REDEMPTION PRICE EQUAL TO 100% OF THE PRINCIPAL AMOUNT OF 2002 REFUNDED BONDS TO BE REDEEMED, PLUS INTEREST ACCRUED AND TO ACCRUE THEREON TO THE DATE FIXED FOR REDEMPTION, AND (II) PAY THE COSTS OF ISSUANCE RELATING TO THE REFUNDING BONDS, INCLUDING, AS REQUIRED, THE TOWNSHIP'S PROPORTIONATE SHARE OF THE COMMISSION'S COSTS OF ISSUANCE UNDER THE REFUNDING PROGRAM.

SECTION 3. DETAILS OF THE REFUNDING BONDS. (A) THE REFUNDING BONDS SHALL BE PAYABLE AS PROVIDED THEREIN AND SHALL BE ISSUED IN THE FORM OF ONE FULLY REGISTERED BOND WITHOUT COUPONS IN THE AGGREGATE PRINCIPAL AMOUNT OF THE REFUNDING BONDS, AND SHALL BE SUBSTANTIALLY IN THE FORM AS PROVIDED HEREIN, WITH SUCH OMISSIONS, INSERTIONS AND VARIATIONS AS ARE PROPERLY REQUIRED. IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOAN FROM THE COMMISSION, PRINCIPAL AND INTEREST ON THE REFUNDING BONDS SHALL BE PAYABLE THIRTY (30) BUSINESS DAYS PRIOR TO THE ACCRUAL OR PAYMENT OR MATURITY DATE THEREOF.

(B) THERE IS HEREBY DELEGATED TO THE MAYOR AND THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP (THE "AUTHORIZED OFFICERS"), SUBJECT TO THE LIMITATIONS CONTAINED HEREIN AND IN THE LOCAL BOND LAW AND IN CONSULTATION WITH THE TOWNSHIP'S BOND COUNSEL ("BOND COUNSEL"), THE POWER WITH RESPECT TO THE REFUNDING BONDS TO DETERMINE AND CARRY OUT THE FOLLOWING:

- 1) THE SALE OF THE REFUNDING BONDS AT PRIVATE SALE;
- 2) THE DATED DATE, THE MATURITY DATES AND THE INTEREST PAYMENT DATES; PROVIDED THAT NO REFUNDING BONDS SHALL MATURE LATER THAN OCTOBER 15, 2020;
- 3) THE PRINCIPAL AMOUNT OF THE REFUNDING BONDS TO BE ISSUED, PROVIDED THAT SUCH AMOUNT SHALL NOT EXCEED \$7,730,000;
- 4) THE PRINCIPAL AMOUNT OF EACH MATURITY OF THE REFUNDING BONDS;
- 5) THE INTEREST RATES ON THE REFUNDING BONDS;
- 6) THE TERMS OF REDEMPTION OF THE REFUNDING BONDS; AND
- 7) ANY OTHER PROVISIONS DEEMED ADVISABLE BY THE CHIEF FINANCIAL OFFICER NOT IN CONFLICT WITH THE PROVISIONS HEREOF OR OF THE LOCAL BOND LAW.

THE AUTHORIZED OFFICERS SHALL EXECUTE A CERTIFICATE EVIDENCING THE DETERMINATIONS OR OTHER ACTIONS TAKEN PURSUANT TO THE AUTHORITY GRANTED HEREUNDER, AND ANY SUCH CERTIFICATE SHALL BE CONCLUSIVE EVIDENCE OF THE ACTIONS OR DETERMINATIONS OF THE AUTHORIZED OFFICER AS TO THE MATTERS STATED THEREIN.

(C) THE TERMS OF THE REFUNDING BONDS AUTHORIZED IN ACCORDANCE WITH THIS SECTION 3 HEREOF SHALL BE RATIFIED BY THE AFFIRMATIVE VOTE OF TWO-THIRDS OF THE FULL MEMBERSHIP OF THE GOVERNING BODY OF THE TOWNSHIP.

SECTION 4. REDEMPTION. THE REFUNDING BONDS SHALL BE SUBJECT TO REDEMPTION AND PREPAYMENT PRIOR TO THEIR RESPECTIVE MATURITY AND PRINCIPAL PAYMENT DATE AS SET FORTH IN THE REFUNDING BONDS AND THE BOND PURCHASE AGREEMENT.

SECTION 5. PAYMENT OF REFUNDING BONDS. THE PRINCIPAL OF AND THE INTEREST ON EACH REFUNDING BOND WHEN DUE SHALL BE PAYABLE AT THE PRINCIPAL OFFICE OF THE TRUSTEE FOR THE COMMISSION, OR AT SUCH OTHER PLACE AS DIRECTED BY THE COMMISSION OR ANY OTHER SUBSEQUENT OWNER OF THE REFUNDING BONDS.

SECTION 6. EXECUTION OF REFUNDING BONDS. THE REFUNDING BONDS SHALL BE EXECUTED IN THE NAME OF THE TOWNSHIP BY THE MANUAL OR FACSIMILE SIGNATURES OF THE MAYOR AND THE CHIEF FINANCIAL OFFICER AND THE SEAL OF THE TOWNSHIP SHALL BE AFFIXED, IMPRINTED, ENGRAVED OR REPRODUCED THEREON AND ATTESTED BY THE MANUAL SIGNATURE OF THE CLERK OF THE TOWNSHIP. IF ANY OFFICER WHOSE SIGNATURE APPEARS ON THE REFUNDING BONDS CEASES TO HOLD OFFICE BEFORE THE DELIVERY OF THE REFUNDING BONDS, HIS OR HER SIGNATURE SHALL NEVERTHELESS BE VALID AND SUFFICIENT FOR ALL PURPOSES. IN ADDITION, THE REFUNDING BONDS MAY BEAR THE SIGNATURE OF, OR MAY BE SIGNED BY, SUCH PERSONS AS AT THE ACTUAL TIME

OF THE SIGNING OF SUCH REFUNDING BONDS SHALL BE THE PROPER OFFICERS TO SIGN SUCH REFUNDING BONDS ALTHOUGH AT THE DATE OF SUCH REFUNDING BONDS SUCH PERSONS MAY NOT HAVE BEEN SUCH OFFICERS.

SECTION 7. NEGOTIABILITY AND TRANSFER OF REFUNDING BONDS. THE REFUNDING BONDS SHALL BE NEGOTIABLE, SUBJECT TO THE PROVISIONS FOR REGISTRATION OF TRANSFER CONTAINED HEREIN. THE TOWNSHIP SHALL MAINTAIN AND KEEP, AT THE PRINCIPAL OFFICE OF THE TOWNSHIP, BOOKS FOR THE REGISTRATION AND TRANSFER OF REFUNDING BONDS, AND UPON PRESENTATION THEREOF FOR SUCH PURPOSE AT SAID PRINCIPAL OFFICE, THE TOWNSHIP SHALL REGISTER OR CAUSE TO BE REGISTERED THEREIN, AND PERMIT TO BE TRANSFERRED THEREON, ANY BOND QUALIFIED HEREUNDER FOR REGISTRATION OR TRANSFER, IN EVERY CASE SUBJECT TO SUCH REASONABLE REGULATIONS AS IT MAY PRESCRIBE AND UPON PAYMENT OF A CHARGE SUFFICIENT TO REIMBURSE THE TOWNSHIP FOR ANY TAX, FEE OR OTHER GOVERNMENTAL CHARGE TO BE PAID BY IT IN CONNECTION THEREWITH.

EACH REFUNDING BOND SHALL BE TRANSFERABLE ONLY UPON THE REGISTRATION BOOKS, BY THE REGISTERED OWNER THEREOF IN PERSON OR BY HIS ATTORNEY DULY AUTHORIZED IN WRITING, UPON SURRENDER THEREOF TOGETHER WITH A WRITTEN INSTRUMENT OF TRANSFER SATISFACTORY TO THE TOWNSHIP AND DULY EXECUTED BY THE REGISTERED OWNER OR HIS DULY AUTHORIZED ATTORNEY. UPON THE SURRENDER FOR TRANSFER OF ANY SUCH REFUNDING BOND, THE TOWNSHIP SHALL EXECUTE AND DELIVER A NEW REFUNDING BOND OR REFUNDING BONDS REGISTERED IN THE NAME OF THE TRANSFEREE, OF THE SAME AGGREGATE PRINCIPAL AMOUNT, SERIES, MATURITY AND INTEREST RATE OR RATES AS THE SURRENDERED REFUNDING BOND. REFUNDING BONDS, UPON SURRENDER THEREOF AT THE PRINCIPAL OFFICE OF THE TOWNSHIP, WITH A WRITTEN INSTRUMENT SATISFACTORY TO THE TOWNSHIP, DULY EXECUTED BY THE REGISTERED OWNER OR HIS ATTORNEY DULY AUTHORIZED IN WRITING, MAY BE EXCHANGED FOR AN EQUAL AGGREGATE PRINCIPAL AMOUNT OF REFUNDING BONDS OF THE SAME SERIES, MATURITY AND INTEREST RATE OR RATE.

SECTION 8. OWNERSHIP OF REFUNDING BONDS. THE TOWNSHIP MAY TREAT AND CONSIDER THE PERSON IN WHOSE NAME ANY REFUNDING BOND SHALL BE REGISTERED UPON THE BOOKS OF THE TOWNSHIP AS THE HOLDER AND ABSOLUTE OWNER THEREOF, WHETHER SUCH REFUNDING BOND SHALL BE OVERDUE OR NOT, FOR THE PURPOSE OF RECEIVING PAYMENT OF THE PRINCIPAL THEREOF OR INTEREST THEREON AND FOR ALL OTHER PURPOSES WHATSOEVER; AND PAYMENT OF, OR ON ACCOUNT OF, THE PRINCIPAL OR INTEREST ON SUCH REFUNDING BOND SHALL BE MADE ONLY TO, OR UPON THE ORDER OF, SUCH REGISTERED OWNER THEREOF, BUT SUCH REGISTRATION MAY BE CHANGED AS HEREIN PROVIDED. ALL PAYMENTS MADE, AS IN THIS SECTION PROVIDED, SHALL BE VALID AND EFFECTUAL TO SATISFY AND DISCHARGE THE LIABILITY UPON THE SEVERAL REFUNDING BONDS TO THE EXTENT OF THE SUM OR SUMS SO PAID.

SECTION 9. REISSUANCE OF MUTILATED, DESTROYED, STOLEN OR LOST REFUNDING BONDS. IN CASE ANY REFUNDING BOND SHALL BECOME MUTILATED OR DESTROYED, STOLEN OR LOST THE TOWNSHIP SHALL EXECUTE AND DELIVER A NEW REFUNDING BOND OF LIKE TENOR AND AMOUNT AS THE REFUNDING BOND SO MUTILATED, DESTROYED, STOLEN OR LOST, IN EXCHANGE AND SUBSTITUTION FOR SUCH MUTILATED REFUNDING BOND AND UPON SURRENDER OF SUCH MUTILATED REFUNDING BOND, OR IN LIEU OF AND SUBSTITUTION FOR THE REFUNDING BOND DESTROYED, STOLEN OR LOST UPON FILING WITH THE TOWNSHIP EVIDENCE SATISFACTORY TO THE TOWNSHIP THAT SUCH REFUNDING BOND HAS BEEN DESTROYED, STOLEN OR LOST AND PROOF OF OWNERSHIP THEREOF, AND UPON FURNISHING THE TOWNSHIP WITH INDEMNITY SATISFACTORY TO IT AND COMPLYING WITH SUCH OTHER REASONABLE REGULATIONS, AS THE TOWNSHIP MAY PRESCRIBE AND PAYING SUCH EXPENSES AS THE TOWNSHIP MAY INCUR IN CONNECTION THEREWITH.

SECTION 10. FORM OF REFUNDING BONDS. SUBJECT TO THE PROVISIONS OF THIS RESOLUTION, THE REFUNDING BONDS AND THE ASSIGNMENT THEREON SHALL BE, RESPECTIVELY, IN SUBSTANTIALLY THE FOLLOWING FORM, WITH SUCH OMISSIONS, INSERTIONS, ENDORSEMENTS AND VARIATIONS AS MAY BE REQUIRED BY THE CIRCUMSTANCES AND BE REQUIRED OR PERMITTED BY THIS RESOLUTION OR AS MAY BE CONSISTENT WITH THIS RESOLUTION AND NECESSARY OR APPROPRIATE TO CONFORM TO THE RULES AND REQUIREMENTS OF ANY GOVERNMENTAL AUTHORITY OR ANY USAGE OR REQUIREMENT OF LAW WITH RESPECT THERETO:

RESOLUTION NO. 252-2010

WHEREAS, N.J.S.A. 40A:4-58 AUTHORIZES APPROPRIATION TRANSFERS DURING THE LAST MONTHS OF THE FISCAL YEAR; AND

WHEREAS, IT IS NECESSARY TO TRANSFER FUNDS BETWEEN APPROPRIATIONS CONTAINED IN THE 2010 MUNICIPAL BUDGET.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE FOLLOWING BUDGET APPROPRIATION TRANSFERS ARE HEREBY APPROVED:

CURRENT FUND APPROPRIATION . 2010 TRANSFER #1

SEE ATTACHED EXHIBIT.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION SHALL BE PROVIDED TO THE CHIEF FINANCIAL OFFICER, MUNICIPAL TREASURER, AND BUSINESS ADMINISTRATOR.

RESOLUTION NO. 253-2010

WHEREAS, THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS (HEREAFTER, ~~THE~~ BOARD+ OR COUNTY+) CURRENTLY PROVIDES FOR THE COLLECTION AND DISPOSITION OF RECYCLABLE MATERIALS GENERATED BY THE MUNICIPALITY~~'S~~ RESIDENTS (THE ~~RECYCLING~~ PROGRAM+); AND

WHEREAS, THE BOARD HAS IMPLEMENTED AN ~~AUTO~~ CART PROGRAM+, BECAUSE THESE CARTS HAVE BEEN FOUND TO IMPROVE RECYCLING PARTICIPATION AND MUNICIPAL RECYCLING RATES, RESULTING IN FINANCIAL SAVINGS AND OTHER BENEFITS TO THE COUNTY AND MUNICIPALITIES; AND

WHEREAS, THROUGH THE RECYCLING PROGRAM THE BOARD HAS ARRANGED FOR THE SOLICITATION OF BIDS FOR THE PURCHASE OF AUTO CARTS FOR PAPER RECYCLABLES FOR AND ON BEHALF OF BURLINGTON COUNTY MUNICIPALITIES THAT ARE INTERESTED IN USING THEM; AND

WHEREAS, THE MUNICIPALITY HAS PREVIOUSLY PURCHASED AUTO CARTS IN 2010 PURSUANT TO RESOLUTION NO. 96-2010 IS INTERESTED IN SECURING ADDITIONAL ONES AND HAS DETERMINED TO MAKE A COMMITMENT TO THE BOARD TO PURCHASE THEM; NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND AGREEMENTS STATED HEREIN, THE BOARD AND MUNICIPALITY AGREE AS FOLLOWS:

1. THE MUNICIPALITY COMMITS TO THE ABOVE-STATED MINIMUM CART PURCHASE COST COMMITMENT FOR THIS SECOND PURCHASE MADE IN 2010. THE MUNICIPALITY AGREES TO TAKE WHATEVER ACTIONS ARE NECESSARY OR REQUIRED BY LAW IN ORDER TO SECURE THE FUNDING NEEDED THEREFOR. THROUGH AMENDMENT OR ADDENDUM TO THIS AGREEMENT THE MUNICIPALITY MAY PURCHASE ADDITIONAL CARTS IF MORE CARTS ARE MADE AVAILABLE LATER IN 2010.

2. THE COUNTY AND MUNICIPALITY SHALL ESTABLISH A SCHEDULE FOR DELIVERY OF THE CARTS ORDERED IN RELIANCE ON THE MUNICIPALITY~~'S~~ COMMITMENT. THE CARTS WILL BE DELIVERED BY THE VENDOR TO THE LOCATION DESIGNATED BY THE BOARD, AS APPROVED BY THE MUNICIPALITY. THE MUNICIPALITY SHALL BE RESPONSIBLE FOR TAKING APPROPRIATE STEPS NECESSARY FOR RECEIPT OF THE CARTS. IT SHALL TAKE NO ACTION THAT HINDERS OR DELAYS THE VENDOR IN DELIVERING AND ASSEMBLING THE CARTS. IF THE MUNICIPALITY~~'S~~ FAILURE TO PROPERLY PREPARE FOR THE CARTS RESULTS IN ADDITIONAL CHARGES ASSESSED BY THE VENDOR IT SHALL BE RESPONSIBLE FOR PAYING THEM.

3. THE MUNICIPALITY AGREES THAT IT SHALL BE LIABLE TO THE BOARD FOR ONE-HALF OF THE ACTUAL PURCHASE COST OF EACH CART ACQUIRED BY OR THROUGH THE RECYCLING PROGRAM FOR THE MUNICIPALITY PURSUANT TO THIS AGREEMENT. THE BOARD AGREES TO ACCEPT PAYMENT FROM THE MUNICIPALITY AND THE MUNICIPALITY AGREES TO PAY ITS SHARE IN SIX EQUAL INSTALLMENTS, COMMENCING NO LATER THAN APRIL 30, 2011 AND CONTINUING NO LATER THAN APRIL 30 OF EACH SUBSEQUENT YEAR, THROUGH THE YEAR 2016.

4. FAILURE OF THE MUNICIPALITY TO PAY THE AMOUNT OWED TO THE BOARD OR TO ACCEPT DELIVERY OF THE CARTS ORDERED AT THE REQUEST OF THE MUNICIPALITY, WHETHER THROUGH THIS AGREEMENT OR AS A RESULT OF THE MUNICIPALITY~~'S~~ ISSUANCE OF A PURCHASE ORDER SHALL CONSTITUTE A BREACH OF THIS AGREEMENT. THE MUNICIPALITY AGREES THAT IT SHALL BE LIABLE FOR THE FULL AMOUNT OF THE MUNICIPALITY~~'S~~ SHARE OF THE COST OF THE CARTS PURCHASED BY THE BOARD AT THE MUNICIPALITY~~'S~~ REQUEST AND THAT IF THE MUNICIPALITY REFUSES TO PAY SAID SUM THE BOARD SHALL HAVE THE RIGHT TO FILE AN ACTION TO RECOVER SAID AMOUNT THROUGH A SUMMARY PROCEEDING IN ACCORDANCE WITH NEW JERSEY COURT RULES.

5. NOTHING HEREIN SHALL MAKE THE BOARD LIABLE TO THE MUNICIPALITY FOR ANY DAMAGES OR OTHER REMEDY IN THE EVENT THAT THE BOARD FAILS TO SECURE ALL OR ANY PORTION OF THE AUTO CARTS REQUESTED BY THE MUNICIPALITY.

6. THIS AGREEMENT SHALL BE EFFECTIVE ON BOTH PARTIES' EXECUTION HEREOF AND THE ADOPTION OF AUTHORIZING RESOLUTION OR ORDINANCE.

7. THE MUNICIPALITY AGREES THAT, NOTWITHSTANDING THE FACT THAT IT IS NOT REQUIRED TO MAKE ANY PAYMENTS FOR THE CARTS SECURED BY THE BOARD AT THE MUNICIPALITY'S BEHEST PRIOR TO 2011, THIS IS AN AGREEMENT THAT IS ENFORCEABLE AND SUPPORTED BY GOOD, SUFFICIENT AND VALUABLE CONSIDERATION.

***PAYMENT OF BILLS**

Approval by Council required for payment of vouchers on bill list dated 10/29/10.

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

RESOLUTIONS

RESOLUTION NO. 245-2010

RESOLUTION NO. 245-2010

WHEREAS, N.J.S. 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 ADOPTION OF THE BUDGET: AND

WHEREAS, THE DIRECTOR MAY ALSO APPROVE THE INSERTION OF AN ITEM OF APPROPRIATION FOR EQUAL AMOUNT, AND

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS RECEIVED NOTICE OF THE FOLLOWING AWARD FOR A TOTAL OF \$60,000 UNDER THE NEW JERSEY SAFE AND SECURE COMMUNITY GRANT PROGRAM AND WISHES TO AMEND THE 2010 BUDGET TO INCLUDE THIS AMOUNT AS REVENUE.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, STATE OF 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 2010 FOR THE FOLLOWING SUM:

1. NEW JERSEY SAFE & SECURE COMMUNITIES GRANT PROGRAM \$60,000

BE IT FURTHER RESOLVED, THAT THE LIKE SUM OF \$60,000.00 IS HEREBY APPROPRIATED UNDER THE CAPTION:

GENERAL REVENUE:

MISCELLANEOUS REVENUES: SECTION F SPECIAL ITEMS ANTICIPATED WITH PRIOR WRITTEN CONSENT OFFSET WITH APPROPRIATIONS:

1. NEW JERSEY SAFE & SECURE COMMUNITIES GRANT PROGRAM \$60,000

BE IT FURTHER RESOLVED, THAT THE SAME AMOUNTS BE APPROPRIATED AS FOLLOWS:

GENERAL APPROPRIATIONS:

(A) OPERATIONS EXCLUDED FROM "CAPS"

PUBLIC AND PRIVATE PROGRAMS OFFSET BY REVENUE:

1. NEW JERSEY SAFE & SECURE COMMUNITIES GRANT PROGRAM \$60,000.00

Councilman Inge asked Administration how the money is going to be used. Administration explained that the Safe and Secure Communities grant is for salaries for police officers.

Motion by Inge and Prickett to approve Resolution 245-2010. Inge, yes; Prickett, yes; Cartier, yes; Stinney, yes; Scull, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 19-2010

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AUTHORIZING THE ACQUISITION OF PROPERTY LOCATED AT BLOCK 492, LOT 35 AND 36 IN THE TOWNSHIP OF PEMBERTON FROM THE AMERICAN RED CROSS

Mr. Vaz explained that this property was originally scheduled for an in rem foreclosure and at the same time listed for sale, the American Red Cross who owns the property contacted the Township. Mr. Vaz further explained that the property was looked at for any adverse conditions and the State website was checked. Administration was asked to have additional information on the property available for the next meeting prior to adoption of the ordinance.

Motion by Cartier and Stinney to introduce Ordinance 19-2010 pending answers to their questions with a public hearing and final adoption scheduled for December 1, 2010. Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

ORDINANCES FOR SECOND READING, PUBLIC HEARING

AND/OR FINAL ADOPTION

ORDINANCE NO. 18-2010

BOND ORDINANCE OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$7,730,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO REFUND CERTAIN OUTSTANDING BONDS, AND APPROPRIATING THE PROCEEDS OF SUCH BONDS TO SUCH PURPOSE

Council President Scull opened the meeting to the public:

Mr. George Petronis asked for the reason for the bond issue. It was explained that it was a cost saving measure to get a lower interest rate. Councilman Prickett asked about the interest rate and it was explained by Administration that the Township will not know what the rate will be until it goes out to bid, however the representative from the Burlington County Bridge Commission estimated a potential savings in the high \$400k range; that could change by the time it does go out to sale.

Motion by Cartier and Prickett to adopt Ordinance No. 18-2010. Cartier, yes; Prickett, yes; Inge, yes; Stinney, yes; Scull, yes. Motion carried.

NEW BUSINESS

Purchases at \$3,900.00 or over:

*1. Finance Dept.: Finance Office Consulting Service from Daniel Lamptey, in an amount not to exceed \$10,000.00.

Mr. Prickett advised that he pulled this item to acknowledge the good work that Mr. Lamptey has done in the past for the Township and he welcomes him back and hopes he can continue to work for the Township and help get the general ledger up to date.

Motion by Prickett and Cartier to authorize Finance Office Consulting Service from Daniel Lamptey in an amount not to exceed \$10,000.00. Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes; Scull, yes. Motion carried.

BILL LIST

Purchase Order 201000863 in the amount of \$2,294.00. Mr. Prickett advised that he pulled this because he believes the Township has a reception area in each office and this is a duplicative effort. Mayor Patriarca clarified that the desk was put in the budget and will be used to help offer more efficient services to the residents and the person sitting at that desk will also be performing additional duties and a new staff person will not be hired for that position.

Motion by Cartier and Stinney to approve Purchase Order No. 201000863 in the amount of \$2,294.00. Cartier, yes; Stinney, yes; Inge, no; Prickett, no; Scull, yes. Motion carried.

GENERAL PUBLIC COMMENTS:

Council President Scull opened the meeting to general public comments. Those indicating a desire to be heard were:

Louis Di Girolamo: 71 Brandywine Road. 1. Invited the Township Council and

the residents to attend the 12th Annual Train Toy and Collectible Show, held on November 20th at the Pemberton Township High School. **2.** Congratulated the Council Members that were elected. **3.** Thanked Mr. Prickett and other officials for their help and support of the Train Show and went on to explain some history of the show.

John Willits: 524 Willow Blvd., Browns Mills. **1.** Commented on the work being stopped at the train station noting it appears that the wrong wood was being used. Mr. Rehmann advised that the wood in the specifications does not exist and that the job was halted because they were not satisfied with the condition of the site. Mr. Rehmann further explained that work on the handicap ramp and curb were being negotiated with the contractor. **2.** Asked about the silt fencing, a billboard noting the work being done, where the contractor was putting the workplace postings and the fencing to protect the contractor's equipment but not the rest of the site. The Engineer's explained that the silt fencing placement was approved by the Burlington County Soil Conservation district, there was no billboard required for this project nor was a work trailer with job postings required according to the specifications. It was further explained that there is no fencing to block off the site because the Historic Trust requested that the site remain accessible.

George Petronis: Browns Mills. Advised Council of an event he attended at Temple University called Odyssey, an exposition of alternative fuel vehicles. Mr. Petronis asked Council to consider incorporating into their building code requirements for electrical ports for charging vehicles.

Tonya Costley-Stilts: 215 Mohawk Trail. **1.** Congratulated all of the candidates and expressed belief that Jason Allen will be a great asset. **2.** Commented that there are two programs, RSVP at Burlington County College and Experience Works, both are retired citizens programs that could be used to staff the reception desk.

There being no additional members of the public indicating a desire to be heard, Council President Scull closed the meeting public comments.

SOLICITOR'S REPORT

Andy Bayer: Reported that in a litigation called Mason Lessa v. Pemberton, the Township obtained summary judgment dismissing the complaint which saved the Township a substantial amount of money.

ENGINEER'S REPORT

Chris Rehmann: Reported on the following: **1.** A Preconstruction meeting will be held on November 15th for the Lemmon Avenue, North Whitesbog Road and the 2010 Road Program so those projects could get started. **2.** The wells are being worked on.

Mr. Prickett questioned if SHIPO was involved in the work stoppage at the train station. Mr. Rehmann noted that they were not. Mr. Prickett asked if a revised plan had to be submitted to SHIPO. Mr. Rehmann explained the parameters of when revisions need to be submitted for approval. Mr. Prickett asked if permits were required for this and it was explained that they were not and the Engineers would be responsible for making sure the work was done according to code and plan.

MAYOR'S REPORT

Mayor Patriarca reported: **1.** Well #12 is being worked on; the Township Water Department laid some line and were getting ready to test it. **2.** Announced the opening of Dunkin Donuts, another new business in town. **3.** Met with Deborah representatives to discuss their progress on expanding their campus. Dr. Berlin

and an associate will be moving into one of their buildings. They did discuss a concern with Community Medical Center in Toms River seeking a license to do the services that Deborah provides. In addition there are some concerns involving the Joint Base and they will be bringing the concerns to the Joint Base 4. Expressed his hoped that the candidates would remove their political signs in timely manner.

Business Administrator Christopher Vaz reported: 1. Participated in a phone conference with the Army Corp of Engineers regarding the Country Lakes Dam and how they could help the Township with the project, it was a very positive meeting.

Mrs. Stinney reported to the Mayor that she spoke with the owner of Gregory's Furniture store in Lumberton and he may be interested in bringing a store to Pemberton Township and asked the Mayor to follow up with the UEZ Coordinator.

COUNCIL MEMBERS' COMMENTS

Rick Prickett: 1. Commented regarding the election process and the involvement of the citizens. 2. Thanked his fellow running mates and commented on the privilege of walking and meeting the citizens. 3. Expressed his gratitude for the votes he received at the election. 4. Wished everyone a good night and thanked those present.

Ken Cartier: 1. Commented on the Halloween Movie in the park. 2. Echoed Mr. Prickett's comments regarding walking during the election process. 3. Expressed that everyone that runs for election has the Township's best interest at heart and there is more than one way to accomplish any task. 4. Welcomes the input from the opposing candidates, particularly on green energy. 5. Thanked everyone for coming out and wished them a good night.

Diane Stinney: 1. Thanked Mrs. Stilts for her kind words. 2. Expressed her gratefulness to serve her community and serve as an example. 3. Welcomed Jason Allen aboard. 4. Congratulated all candidates that were elected. 5. Wished everyone a good night.

Thomas Inge: 1. Thanked everyone for coming out. 2. Commented on the election and the residents voting for who they thought put the Township first. 3. Congratulated the new member of Council and gave some advice as a Council Member and working for the residents. 4. Expressed the need for Council Members to get the answers to their questions and to always pursue those answers. 5. Thanked the Township Clerk, Mary Ann Finlay, for helping him during his time as a Council Member. Noted that Mrs. Finlay always does what is right according to the laws and works for the residents and guides the Council. Mr. Inge presented flowers to Mrs. Finlay for her dedication. 6. Wished everyone a safe trip home.

Sherry Scull: 1. Noted that the Professional RFP's are due on the 19th and Council will be able to review those and asked Council to take the time to do that. Mrs. Scull asked Council Elect Jason Allen to be on the RFP Review Committee and Councilwoman Diane Stinney volunteered to be on that committee also. 2. Commented that she was very humbled by the election results in light of the personal attack on her during the campaign. 3. Noted that she is proud to have served with Mayor Patriarca for the past four years and feels they have done very well for Pemberton Township and feels they can do better if they all work together and respect each other. 4. Announced that Saturday, November 6th is the Pemberton Township Hall of Fame dinner and went on to commend those that

have been inducted and those that will be inducted on Saturday.

Mr. Inge added that the 60lb. football team will be playing their last game this Saturday and hopes everyone comes out 9am, Mr. Cartier added that the whole organization deserves congratulations as they all made the playoffs this year. Mr. Inge commented on the coaches and how good they are in keeping the kids wanting to be involved in the program

The meeting was adjourned at approximately 8:21 pm.

Respectfully submitted:

Mary Ann Finlay, MMC
Township Clerk