

TOWNSHIP OF PEMBERTON

SPECIAL MEETING

DECEMBER 30, 2009

7:00 P.M.

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

PRESENT

Richard Prickett
Sherry Scull
Ken Cartier

ABSENT

Tom Inge

During roll call Mr. Prickett interjected that Mr. Inge would have liked to attend tonight's meeting; however, when the Council meeting was scheduled he expressed a desire to have the meeting on another date because he was not able to change a previously arranged engagement. Mrs. Stinney informed that she never received that email. A brief discussion ensued regarding what Mr. Prickett relayed having heard from Mr. Inge, wherein Mrs. Stinney advised that if she had received the email she could have considered moving the meeting to a different date.

Roll Call continued:

PRESENT

Diane Stinney

Also present: Mayor David Patriarca, Business Administrator Chris Vaz, Township Solicitor Representative Antonella Colella, Deputy Township Clerk Amy Cosnoski

2. Chairwoman Stinney called the meeting to order at 7:00 P.M.

Council President Stinney requested Administration to provide a synopsis of some items on the Consent Agenda in case Council did not recall some items in the 2009 budget. Mayor Patriarca explained that some of the items budgeted for left a surplus because of unexpected lower costs that occurred through the budget. He advised there are also other things that happened in the budget process throughout the year wherein the bottom line ends up in a surplus. He explained that tax payers have already been taxed for budgeted items in 2009 and as there is a surplus for some line items at the end of this year, Administration has decided to request various purchases in 2009 that would have been requested in 2010. The Mayor expressed that he does not expect much relief in 2011 because the budget process is getting more difficult. The Mayor spoke of a request for trucks for Public Works as well as the GPS Software purchase for Administration. The GPS Software was previously discussed and a portion was budgeted in 2009 and Administration

is at a point to put this program together as \$56,000 is from a grant through the Police Department.

3. Council President Stinney 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. Stinney closed the meeting to public comments.
- *4. 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.**

***5. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 279-2009

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON COUNTY OF BURLINGTON STATE OF NEW JERSEY AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2009 BUDGET
WHEREAS, N.J.S.A. 40A: 4-58 AUTHORIZES APPROPRIATION TRANSFERS DURING THE LAST TWO MONTHS OF THE FISCAL YEAR; AND,
WHEREAS, IT IS NECESSARY TO TRANSFER FUNDS BETWEEN APPROPRIATIONS IN THE 2009 BUDGET;
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON THAT THE FOLLOWING BUDGET APPROPRIATION TRANSFERS BE MADE:

FROM:

TWP. CLERK	# 0120	O & E	3,500.00
TWP. CLERK	# 0120	S & W	1,625.00
ENGINEERING	# 0165	O & E	15,000.00
TAX COLLECTOR	#0145	S & W	4,500.00
TAX COLLECTOR	#0145	O & E	3,000.00
TAX ASSESSOR	# 0150	O & E	4,000.00
LEGAL	# 0155	O & E	20,000.00
WORKERS COMP	# 0215	O & E	37,500.00
PLANNING	# 0180	O & E	2,000.00
CODE			
ENFORCEMENT	# 0195	O & E	6,000.00
ZONING	# 0185	O & E	4,000.00
ZONING	# 0185	S & W	2,400.00

TO:

COUNCIL	# 0110	S & W	1,625.00
FINANCE	# 0130	S & W	6,200.00
STREETS & ROADS	# 0290	S & W	15,000.00
FLEET	# 0310	S & W	2,500.00
OTHER INSURANCE	# 0210	O & E	2,000.00
TRAFFIC SIGNALS	# 0300	O & E	1,000.00
PUBLIC ASSISTANCE	# 0345	O & E	500.00
SENIOR SERVICES	# 0371	O & E	1,000.00
FINANCE	# 0130	O & E	8,000.00
STREETS & ROADS	#0290	O & E	50,000.00
			13,000.00
EMER MANAGEMENT	#0252		2,700.00

TOTAL TRANSFER	103,525.00
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RESOLUTION NO. 280-2009

TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF CURRENT FUND APPROPRIATION BALANCES TO SURPLUS

WHEREAS, N.J.S.A. 40A:4-60 AUTHORIZES ANY UNEXPENDED BALANCES OF APPROPRIATIONS BE CANCELED PRIOR TO THE END OF THE FISCAL YEAR:

WHEREAS, THE FOLLOWING ACCOUNTS IN THE CURRENT FUND BUDGET HAVE APPROPRIATION BALANCES WHICH REMAIN UNEXPENDED, IT IS NECESSARY TO FORMALLY CANCEL SAID BALANCES SO THAT THEY MAY BE CREDITED TO FUND BALANCE:

NOW, THEREFORE, BE IT RESOVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE UNEXPENDED BALANCES FROM THE 2009 CURRENT FUND BUDGET, OTHER EXPENSES:

ENGINEERING	\$25,000.00
WORKERS COMPENSATION	\$30,000.00
POLICE S & W	\$25,000.00
POLICE O & E	\$10,000.00
DEMOLITION OF BUILDINGS	\$ 5,000.00

SOLID WASTE COLLECTION	\$75,000.00	
BUILDING & GROUNDS O & E	\$40,000.00	
ENVIRONMENTAL COMMISSION	\$ 5,000.00	
POSTAGE	\$10,000.00	
GASOLINE	\$50,000.00	
SOLID WASTE DISPOSAL	\$60,000.00	
TOTAL TRANSFER		\$335,000.00

RESOLUTION NO. 281-2009

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT THE CHIEF FINANCIAL OFFICER IS HEREBY AUTHORIZED AND DIRECTED TO REFUND MONIES TO THE FOLLOWING PERSONS FOR THE AMOUNTS AND REASONS SET FORTH:

SHERRIE COWEN, \$27.13, REFUND FROM WINTER PARADE CANCELLATION
JOHN HAAS, \$35.00, REFUND FROM WINTER PARADE CANCELLATION
RONALD GARRETT, \$25.00, REFUND FROM WINTER PARADE CANCELLATION
TERESA KIRLAND, \$37.78, REFUND FROM WINTER PARADE CANCELLATION

RESOLUTION NO. 283-2009

A RESOLUTION AUTHORIZING THE PURCHASE OF GPS MODEMS AND RELATED EQUIPMENT UNDER THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM (ID # 47-CPCPS) PURSUANT TO N.J.S.A. 40A:11-11(5)

WHEREAS, THE TOWNSHIP OF PEMBERTON, PURSUANT TO N.J.S.A. 40A:11-11(5), MAY BY RESOLUTION AND WITHOUT ADVERTISING FOR BIDS, PURCHASE ANY GOODS OR SERVICES UNDER AN APPROVED COOPERATIVE PRICING SYSTEM; AND

WHEREAS, ON OCTOBER 7, 2009, BY VIRTUE OF RESOLUTION NO.: 225-2009, THE TOWNSHIP OF PEMBERTON BECAME A MEMBER OF THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM (ID#47-CPCPS); AND

WHEREAS, THE TOWNSHIP OF PEMBERTON HAS THE NEED TO PURCHASE GPS MODEMS AND RELATED EQUIPMENT FOR THE MUNICIPAL FLEET OF VEHICLES ACCORDING TO THE ATTACHED SCHEDULE; AND

WHEREAS, THERE ARE GENERAL FUNDS AVAILABLE TO PURCHASE THE MODEMS AND RELATED EQUIPMENT, SUPPLEMENTED BY UP TO \$56,251 IN GRANT FUNDS TO BE RECEIVED BY WAY OF REIMBURSEMENT THROUGH THE FY 2009 RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM LOCAL SOLICITATION.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

1. THAT THE MAYOR IS AUTHORIZED TO PURCHASE GPS MODEMS AND RELATED EQUIPMENT AS SET FORTH ON THE ATTACHED SCHEDULE IN THE TOTAL AMOUNT OF \$85,319, AND THE MAYOR AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO EXECUTE ANY DOCUMENTS, IF ANY, NECESSARY TO COMPLETE THAT PURCHASE INCLUDING ANY CONTRACT; AND
2. THAT THE PURCHASE IS AUTHORIZED TO BE MADE FROM WPCS INTERNATIONAL, INC. UNDER THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM (ID#47-CPCPS); AND
3. THAT WE FIND THAT THIS CONTRACT BEST MEETS THE REQUIREMENTS OF THE TOWNSHIP OF PEMBERTON AND FULFILLS OUR GOAL OF IMPLEMENTING A GPS-BASED FLEET TRACKING PROGRAM THAT WILL IMPROVE SAFETY AND EFFICIENCY, AND IS EXPECTED TO RESULT IN INCREASED EMPLOYEE ACCOUNTABILITY AND PRODUCTIVITY.

BE IT FURTHER RESOLVED, THAT THIS CONTRACT IS SUBJECT TO A CERTIFICATION OF AVAILABILITY OF FUNDS BEING EXECUTED BY THE CHIEF FINANCE OFFICER.

RESOLUTION NO. 284-2009

RESOLUTION APPOINTING SPECIAL COUNSEL FOR IN REM TAX FORECLOSURES

WHEREAS, THERE EXISTS A NEED FOR SPECIAL COUNSEL FOR REPRESENTATION OF PEMBERTON TOWNSHIP IN CERTAIN *IN REM* TAX FORECLOSURES; AND

WHEREAS, THE CHIEF FINANCIAL OFFICER OF PEMBERTON TOWNSHIP HAS CERTIFIED THAT FUNDS ARE AVAILABLE IN THE 2009 MUNICIPAL BUDGET FOR THESE SERVICES IN THE AMOUNT AND ACCOUNT NUMBER AS STIPULATED IN THE ATTACHED CERTIFICATION OF FUNDS; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW, SPECIFICALLY N.J.S.A. 40A:11-5(1)(A)(I), REQUIRES THAT THE RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR SUCH SERVICES WITHOUT COMPETITIVE BIDS AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION; AND

WHEREAS, THE MAYOR HAS RECOMMENDED TO THE GOVERNING BODY THE APPOINTMENT OF ERIC M. BERNSTEIN, ESQ., OF ERIC M. BERNSTEIN & ASSOCIATES, LLC, AS SPECIAL COUNSEL FOR IN REM TAX FORECLOSURES COMMENCING ON DECEMBER 30, 2009, IN REGARD TO THE ATTACHED PROPOSAL AND LIST OF PROPERTIES;

WHEREAS, ERIC M. BERNSTEIN & ASSOCIATES, LLC IS IN THE SPECIAL COUNSEL POOL.

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, THAT CONSENT OF THE SAID GOVERNING BODY IS HEREIN GIVEN TO THE APPOINTMENT OF ERIC M. BERNSTEIN, ESQ., OF ERIC M. BERNSTEIN & ASSOCIATES, LLC, AS SPECIAL COUNSEL FOR IN REM TAX FORECLOSURES.

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

1. THE MAYOR AND CLERK ARE HEREIN AUTHORIZED TO EXECUTE AN AGREEMENT WITH ERIC M. BERNSTEIN, ESQ., OF ERIC M. BERNSTEIN & ASSOCIATES, LLC, AS SPECIAL COUNSEL FOR IN REM TAX FORECLOSURES.
2. THIS CONTRACT IS AWARDED IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET. SEQ., THROUGH THE FAIR AND OPEN PROCESS AND IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW.
3. A NOTICE OF THIS ACTION SHALL BE PRINTED ONCE IN THE TOWNSHIP'S OFFICIAL LEGAL NEWSPAPER.

RESOLUTION NO. 285-2009

RESOLUTION AUTHORIZING SALE OF MUNICIPAL PROPERTY AS A RESULT OF PUBLIC AUCTION

WHEREAS, BY RESOLUTION NO. 204-2009, THE TOWNSHIP COUNCIL AUTHORIZED THE SALE OF CERTAIN MUNICIPALLY OWNED PROPERTY THROUGH ONLINE AUCTION; AND

WHEREAS, AN ONLINE AUCTION WAS CONDUCTED RESULTING IN THE OFFER OF CERTAIN BIDS FOR THE PURCHASE OF SAID PROPERTY; 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 BID FOR THE 1980 GRUMMAN FIRE TRUCK (VIN 1P3F112CXPA093005) TO THE WOODBURY (TN) FIRE COMPANY IN THE BID AMOUNT OF \$5,050.00, AND THE MAYOR AND CLERK ARE HEREBY AUTHORIZED TO RELEASE TITLE TO SAID VEHICLE, SUBJECT TO RECEIPT OF ALL PAYMENTS DUE;

BE IT FURTHER RESOLVED, THAT THE PROPERTY IS BEING SOLD IN "AS IS" CONDITION WITH NO EXPRESS OR IMPLIED WARRANTIES AS TO THE CONDITION OR PERFORMANCE OF THE SAID VEHICLE.

RESOLUTION NO. 286-2009

A RESOLUTION AUTHORIZING SETTLEMENT IN THE MATTER ENTITLED JILLIAN KLATT V. PEMBERTON TOWNSHIP, C.P. #2006-31063

WHEREAS, THE PETITIONER, JILLIAN KLATT, FILED A WORKERS COMPENSATION CLAIM PETITION, C.P. #2006-31063 (THE "LITIGATION") AGAINST THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP"); AND

WHEREAS, THE TOWNSHIP CONTESTED THE ALLEGATIONS RAISED BY AND THROUGH THE LITIGATION; AND

WHEREAS, IN THE MEANTIME, THE PARTIES HAVE AGREED TO SETTLE THE LITIGATION THROUGH A PROPOSED ORDER APPROVING SETTLEMENT (PARTIAL TOTAL DISABILITY OF 17.5% TO THE LEFT SHOULDER WITH NO CREDIT FOR PRE-EXISTING DISABILITY); AND

WHEREAS, THE TOWNSHIP'S CLAIMS ADMINISTRATOR AND SPECIAL COUNSEL FOR WORKERS' COMPENSATION CASES HAVE BOTH RECOMMENDED THE SETTLEMENT; AND

WHEREAS, IN LIGHT OF THE RISKS AND COSTS ASSOCIATED WITH LITIGATION, THE BUSINESS ADMINISTRATOR AND MAYOR HAVE RECOMMENDED THAT THE TOWNSHIP COUNCIL APPROVE THE SETTLEMENT OF THE LITIGATION.

NOW THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, AS FOLLOWS:

1. THE SETTLEMENT OF THE LITIGATION FOR THE TOTAL SUM OF \$21,006.00 (105 WEEKS AT 2007 RATES) PLUS THE TOWNSHIP'S SHARE OF MEDICAL FEES, ATTORNEY'S FEES, AND STENOGRAPHIC SERVICE FEES (\$2,815.00) IS HEREBY APPROVED;

2. THE TOWNSHIP'S SPECIAL COUNSEL FOR WORKERS' COMPENSATION CASES, THOMAS E. KUNZ, ESQ., IS HEREBY AUTHORIZED TO SETTLE THE CLAIMS THAT WERE RAISED OR THAT COULD HAVE BEEN RAISED BY PETITIONER THROUGH THE LITIGATION IN ACCORDANCE WITH THE TERMS OF THIS RESOLUTION.

3. THE SPECIAL COUNSEL IS HEREBY AUTHORIZED TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE TERMS OF THE SETTLEMENT OF THE LITIGATION ON BEHALF OF THE TOWNSHIP. BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. THOMAS E. KUNZ, ESQ.
- B. TOWNSHIP ADMINISTRATOR
- C. TOWNSHIP CHIEF FINANCIAL OFFICER
- D. VERONICA GEORGE @ INSERVCO

6. NEW BUSINESS

***a.** Requests from various departments to expend funds in excess of \$2,000.00:

- *1. Recreation Dept.:** Purchase of stackable chairs for Senior Center in the amount of \$3,296.23.
- *2. Recreation Dept.:** Purchase of folding tables for Dominique Johnson Recreation Center in the amount of \$2,381.66.
- *3. Administration Dept.:** Purchase of fire helmets in the amount of \$9,250.00.
- *4. Administration Dept.:** Purchase of computer server fire wall in the amount of \$18,442.16.
- *5. Administration Dept.:** Purchase of GPS software and server in the amount of \$16,568.00.
- *6. Administration Dept.:** Purchase of Grant Writing services for Emergency Operations Center Grant in an amount not to exceed \$5,500.00
- *7. Water Dept.:** Purchase of engineer services from Adams, Rehmann & Heggan for updating of water system maps with GIS planning services in the amount of \$15,430.00
- *7.** Approval by Council required for payment of vouchers on bill list dated 12/28/09.

Mr. Prickett requested to pull Resolution No. 282-2009.

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

RESOLUTION NO. 282-2009

Mr. Prickett expressed that \$80,000 is a lot of money, noting he sees a lot of new vehicles on the road and that although he is an advocate of updating the Township's vehicles Council should be updated periodically throughout the year on the fleet status as opposed to being advised of a need at the time of the

request. He also expressed concern at not having seen a certification of funds. Mr. Vaz answered Mr. Prickett's various questions, explained the need and noted that Administration can provide copies of the regular reports generated. It was further determined that there was a certification of funds submitted by the CFO.

RESOLUTION NO. 282-2009

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) 2010 FORD F350 PICKUP TRUCKS UNDER STATE CONTRACT #A74202 (T2101) PURSUANT TO N.J.S.A. 40A:11-12(A)

WHEREAS, THE TOWNSHIP OF PEMBERTON, PURSUANT TO N.J.S.A. 40A:11-12(A) AND N.J.A.C. 5:34-7.29(C), MAY BY RESOLUTION AND WITHOUT ADVERTISING FOR BIDS, PURCHASE ANY GOODS OR SERVICES UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM FOR ANY STATE CONTRACTS ENTERED INTO ON BEHALF OF THE STATE BY THE DIVISION OF PURCHASE AND PROPERTY IN THE DEPARTMENT OF TREASURY; AND WHEREAS, THE TOWNSHIP OF PEMBERTON HAS THE NEED TO PURCHASE TWO PICKUP TRUCKS FOR THE DEPARTMENT OF PUBLIC WORKS; AND

WHEREAS, THERE ARE GENERAL FUNDS AVAILABLE TO PURCHASE BOTH TRUCKS;

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

1. THAT THE MAYOR IS AUTHORIZED TO PURCHASE TWO (2) 2010 FORD F350 PICKUP TRUCKS IN THE AMOUNT OF \$80,648 (2 X \$40,234) AND THE MAYOR AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO EXECUTE ANY DOCUMENTS, IF ANY, NECESSARY TO COMPLETE THAT PURCHASE INCLUDING ANY CONTRACT; AND
2. THAT THE PURCHASE IS AUTHORIZED TO BE MADE FROM DFFLM, LLC T/A DITSCHMAN/FLEMINGTON FORD UNDER STATE CONTRACT NO. A74202; AND
3. THAT WE FIND THAT THIS CONTRACT BEST MEETS THE REQUIREMENTS OF THE TOWNSHIP OF PEMBERTON AND FULFILLS OUR GOAL OF MAINTAINING A SAFE VEHICLE FLEET THAT IS SUFFICIENT TO PROVIDE PUBLIC SERVICES.

BE IT FURTHER RESOLVED, THAT THIS CONTRACT IS SUBJECT TO A CERTIFICATION OF AVAILABILITY OF FUNDS BEING EXECUTED BY THE CHIEF FINANCE OFFICER.

Motion by Scull and Cartier to approve Resolution No. 282-2009. Scull, yes; Cartier, yes; Prickett, no; Stinney, yes. Motion carried.

GENERAL PUBLIC COMMENTS:

Mrs. Stinney opened the meeting to general public comments. There being no members of the public indicating a desire to be heard, Mrs. Stinney closed the meeting to public comments.

MAYOR'S COMMENTS:

Mayor David Patriarca: Mayor Patriarca expressed that in light of the fact that there is really no one present other than the Burlington County Times, he would request to submit his State of the Township Address to the Clerk for inclusion in the meeting minutes. The Mayor noted that he can provide a copy to the Burlington County Times reporter.

COUNCIL MEMBERS' COMMENTS:

Richard Prickett: 1. Clarified a comment initially made regarding the scheduling of this meeting noting he does not have a problem with the Clerk scheduling a meeting as they have done in the past but expressed that the Council President needs to be involved in the process in the future so that there isn't any confusion as there seems to have been earlier in the meeting. 2. Wished Mark and everyone else in the room a Happy and Healthy New Year.

Ken Cartier: 1. Wished Mark a Happy New Year.

Sherry Scull: 1. Wished Mark and everyone else in the room a Happy New Year.

Diane Stinney: 1. Clarified to Mr. Prickett her earlier comments and explained that she tries to accommodate Council members as a whole. 2. Expressed to her fellow Council members that it has been an honor serving as the Council President this year. She noted that while Council did have their share of disagreements, she believes that collectively Council put the interests of their residents first and faithfully honored the oath that they all took. To many of the residents and dear

friends who requested and asked that she address the public, she thanked them for the record from the bottom of her heart for their trust and steadfast support. 3. Council President Stinney wished everyone and their families a very safe, happy, healthy and prosperous New Year, 2010 and God Bless each and every one.

The meeting was adjourned at approximately 7:10 p.m.

Respectfully submitted by:

Amy P. Cosnoski, RMC
Deputy Township Clerk

State of The Municipality Address from Mayor David Patriarca is attached and made a part of these minutes:

Township of Pemberton
State of the Municipality Address
2009

MAYOR
David A. Patriarca

Members of Council and Residents of the Township of Pemberton:

In accordance with our Township Code, the Office of the Mayor shall report annually to the Council and public the state of the municipality and the work of the previous year to include recommendations to Council of any actions or programs deemed necessary for the improvement of the municipality and the welfare of the residents.

Administration continued in 2009 to pursue the vision of accountable and responsible government along with providing a fair return of service to residents that reflects our current property tax rate.

For the past three years I have submitted budgets to Council that have required spending increases over the previous year's spending level. Unfortunately, this also occurred in every Pemberton Township budget - except one - since 1970 and probably many budgets before that. The public's demand for services and the steady increase in costs related to those services are the driving forces behind the budget's growth, but unless taxpayers are willing to let go of some of the service we have grown accustomed to, we can most likely expect regular spending increases in years to come.

Although we have just gone through three years of the hardest economic times in this Township's budget history, the less than 9.4% combined annual increase represents the second lowest budget cycle increase in the past 40 years. In my view, the numbers prove that we have been successful at the difficult job of cutting costs without cutting services.

This year's budget will prove to be my most challenging budget, but I will once again prepare and submit the budget under a self-imposed mandate to find ways to provide services with less money to do so.

Even though we continue to pay down the Township's existing debt, we continued to add debt caused by other necessary projects such as rebuilding the dam in Presidential Lakes for more than \$3 million and purchasing new fire fighting apparatus for \$1.4 million. In addition, we bear the cost of securing the future of Township assets such as restoring public buildings and repairing our roadways and other infrastructure. I am not stating that these projects are not worth

investing in, but consideration of future capital projects must be guided, in the final analysis, by the Township's ability to pay the bill.

Because Pemberton Township is under the thumb of the Pinelands Commission many development projects that might otherwise prosper in non-Pinelands Communities shy away from ours.

We are limited in our search for non-tax revenues to meet the ever growing demands for public services. Grants provide one such source. I am proud that we have been successful in receiving hundreds of thousands of dollars for important projects such as road drainage and paving programs, the construction of Imagination Kingdom II, implementation of the fleet GPS accountability system, and a reverse-911 program. We also have applications pending for nearly two million dollars in new grant money for various projects including renovations to the Presidential Lakes Fire & Rescue Squad building, needed fire equipment for all of our fire companies, improvements to the municipal parking lot in Browns Mills, and a housing rehabilitation program to help up to 12 low income homeowners improve their homes.

On the other hand, grant monies are not a reoccurring funding source and some grants require a cash match. So, we have to choose grant opportunities wisely. And as for the so-called "stimulus money," well, all I can say is Pemberton Township is still waiting for its bailout. I'm not holding my breath.

We continue to seek out more sustainable sources of revenue such as development projects that will lead to job creation and higher property values. We are also controlling the budget by reducing our workforce through attrition and reassignment of work to remaining employees. For example, a payroll clerk unexpectedly retired. We moved the payroll function to the Department of Administration instead of hiring a new employee. Likewise, the Water Superintendent retires effective tomorrow. Rather than replace him, we will implement the table of organization contained in the Township Code which places the Water Division under the supervision of the Public Works Director.

Some people have accused members of the Township Council and myself of engaging in the "ratable chase," but the truth is, we are steering the Township along the path of smart growth, which is a path of least resistance towards a sustainable level of service at a minimal cost to residents.

During the past year Pemberton Township has embarked upon many complex projects. Through the hard work of our Planning Board and our professional staff, Pemberton Township now has a Master Plan which more accurately reflects our community and addresses its future needs. The Plan utilizes smart growth principles and strikes a balance between growth and preservation in order to ensure that the economic needs of our community are met without jeopardizing the rural environment where our residents have chosen to live.

Not to be mistaken with our Master Plan, the Township's Planning Division and members of our community worked tirelessly in 2009 on an economic revitalization plan that will be presented to the Council next month. The revitalization plan targets the Browns Mills business district but its positive impacts will be felt throughout the community. The revitalization project has been running parallel with the Master Plan visioning process and is intended to complement the Master Plan with a clear direction regarding the future development of our town center. Let me set the record straight and clear up any remaining confusion instigated by a handful of people - Browns Mills is the economic town center of Pemberton Township and under the revitalization plan Browns Mills will continue to be the focus of our redevelopment efforts.

We are currently working on an unprecedented number of capital projects aimed at improving not only the image of our community but also the level of service provided to our residents.

The Lebanon Lakes Dam project in the Presidential Lakes section of the Township is nearing completion. Both the dam and the middle embankment projects have been completed to the point where we have been able to refill Washington and Jefferson Lakes between Oregon Trail and Route 70. There is still some minor work that has to be completed by our Public Works

employees, but we expect to be able to open the beach and lake for swimming in the summer 2010.

Renovation work to the Country Lakes Recreation Center on Tensaw Drive and the Dominique Johnson Center on Scrapetown Road are both nearing completion. Country Lakes is awaiting the installation of the new tile floor by our DPW workers along with some additional outdoor lighting and landscaping which our DPW workers will also complete when the weather breaks.

The Dominique Johnson Center has undergone a preliminary walk-through inspection and a short punch list of outstanding items was received by me yesterday. The building should be available for use by the public sometime within the next couple of weeks. The building has undergone a transformation which some did not think possible, but I am confident that most people will be very pleased with the changes. I am hopeful that this building will become one of our most used recreation centers here in the Township.

The contractor has begun working in the court room now that we resolved the issues caused by asbestos floor tiles that were discovered during the carpet removal. We were required to properly remove and dispose the asbestos material, which caused an unexpected delay in our schedule. The contractor should be back on schedule and completion of the project should occur in approximately six weeks. Court sessions are temporarily being held in Room 10.

Our DPW workers have been working on renovating our court offices which when completed should not only provide a safer environment for the employees but also a better service to the resident.

DPW is finishing up with the drainage work at Imagination Kingdom and a contractor has started installing the rubber surface at the site. The installation of the gazebo and the completion of the rubber surface installation have been delayed because of the colder temperatures but will resume as soon as the weather permits so as not to delay to opening of the park any longer than necessary.

The new football field and concession stand behind the Nesbit recreation building is nearing completion and we hope to begin work on the second field at that location soon.

We have completed the guiderail project on Split Rock Road with the installation of a wooden guide rail and we have been receiving positive compliments from neighboring residents on that project.

Our Recreation Department continues to raise the bar for our programs. The department strives to satisfy the many different recreational needs within our community. We are experiencing more and more users signing up for programs through our online registration program which helps us track the success of our programs that we offer.

Administration has begun the process of achieving state accreditation followed by national accreditation for our Police Department. Through the accreditation process each and every officer will have a clear understanding of our expectations for law enforcement officers who have the privilege of serving our community. They will be taught the rules and regulations and policies which they are bound to follow and which they will be held accountable for. I believe this to be a most important element of this profession because the rules and regulations set the standard for which their performance is based upon.

Including the three cadets currently in the police academy the Police Department is one officer short of having a full complement of officers authorized by ordinance. We are hoping to fill this position in time for the next available academy class early in the upcoming year.

I have set goals and objectives for the Finance Office which will resolve all issues that were pointed out in the 2008 audit. I mentioned earlier, we transferred the payroll function to the Department of Administration for efficiency and cost savings. Also, with Council's support, I brought on a financial consulting firm to assist us with the recent bond and note sales. It is my hope that Council will consider authorizing Administration to use the consultant's services in

2010 for purposes of long-range financial planning. As we face the prospect of having to finance dam work at Country Lakes – and a very large bill for that work - the services of a financial consultant could be critical.

Now that the Department of Defense has officially combined Fort Dix, McGuire AFB and Lakehurst Naval Air Station to create the first “mega base” in the country that mixes three branches of the armed service, we must look to see how this change will affect Pemberton Township.

We already know that there will be a significant increase in military personnel along with their families, not to mention the projected increase in civilian jobs on the installation. We can capture the retail consumers that the military families and civilian employees offer by promoting and implementing our Browns Mills revitalization plan. This will provide the only shopping district in close proximity to the base and will help to ensure the success of our plan.

We should also be promoting a positive community and school district for the military families to help convince them to invest in a home here in the Township and educate their children here in our school district.

We also know that having a military base within our borders does not come without some risk involved. Not only will there be an increase of air traffic at McGuire, which increases the chance for an unfortunate accident, but because of the strategic location and mission of the mega base there will no doubt be an increase for a potential terrorist attack. These risks are felt throughout our emergency service organizations such as our Police Department, Emergency Management Division, and our volunteer Fire and EMS organizations. I have been voicing these concerns to our state and federal legislative representatives and will continue to do so until we are properly funded to prepare for such an event.

In summary, 2009 was a largely successful year for Pemberton Township when measured against the reality that our country has been going through a major recession with historic unemployment rates. We started or finished many of the projects that we planned in 2007 and 2008. If we continue to stay focused on moving forward I anticipate that 2010 will be even better.