

TOWNSHIP OF PEMBERTON

REGULAR MEETING

APRIL 1, 2009

6:30 P.M.

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

PRESENT

Ken Cartier
Tom Inge
Richard Prickett
Sherry Scull
Diane Stinney

ABSENT

Also present: Mayor David Patriarca, Business Administrator Chris Vaz, Township Solicitor Representative Dave Clark, Township Engineer Chris Rehmann, Township Clerk Mary Ann Young

2. Chairwoman Stinney called the meeting to order at 6:30 P.M.
3. Closed Session Res. No. 91-2009

RESOLUTION NO. 91-2009

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

1. THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF AND ACTION UPON THE HEREINAFTER SPECIFIED MATTERS.
2. THE GENERAL NATURE OF THE SUBJECT MATTERS TO BE DISCUSSED IS AS FOLLOWS:
THERE ARE NO TOPICS FOR CLOSED SESSION AT THIS TIME
3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE-STATED SUBJECT MATTERS WILL BE MADE PUBLIC WHEN THE MATTERS HAVE BEEN RESOLVED.

4. CLOSED SESSION

Mrs. Stinney advised there are no topics for closed session at this time. Mr. Prickett asked Mrs. Stinney if he could add something to the agenda prior to going in to Closed Session. Mrs. Stinney asked Mr. Clark if he had any items to discuss at Closed Session. Mr. Prickett asked to add the spraying of the Oak Pine neighborhood for gypsy moth for the amount of approximately \$5,000 to be added to the agenda. Mrs. Stinney asked Mr. Prickett since there is no Closed Session this evening and it is advertised, if he could add that at 7:00. Mr. Prickett agreed. Mrs. Stinney convened the meeting at 6:30 pm for a break.

5. Formal action as necessary pursuant to closed session.
6. Public comments on consent agenda items only.

Mr. Prickett asked Mrs. Stinney if he could add this first so that the people would know it's on the agenda. Mrs. Stinney replied no, we're okay here. Mr. Prickett commented he just wanted to bring it to her attention. Mrs. Stinney remarked for the residents who just arrived, there was not a Closed Session this evening so there will be no formal action this evening. Mrs. Stinney continued that Mr. Prickett will be adding something to the agenda this evening so that the public will know

what he is adding is a request for a purchase over \$2,000 for additional gypsy moth spraying.

Motion by Prickett and Scull to ask the Council to add a request for a purchase over \$2,000 to the Consent Agenda for the spraying of gypsy moths at Oak Pines for an approximate cost of \$5,000. Prickett, yes; Scull, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

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

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

***8. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 92-2009
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:
MARIA KUMPF, \$763.75, ESCROW BALANCE REMAINING FROM STREET VACATION REQUEST
US BANK HOME MORTGAGE, \$97.45, OVERPAYMENT FOR ADDED ASSESSMENT, BLOCK 214, LOT 35
FIRST AMERICAN, \$1,078.66, OVERPAYMENT OF FIRST QUARTER TAXES, BLOCK 672, LOT
FIRST AMERICAN, \$695.89, OVERPAYMENT DUE TO TDV STATUS, BLOCK 627, LOT 4
FIRST AMERICAN, \$874.18, OVERPAYMENT OF FIRST QUARTER TAXES, BLOCK 685, LOT 29
WELLS FARGO REAL ESTATE TAX SERVICES LLC, \$707.95, DUPLICATE PAYMENT OF FIRST QUARTER TAXES, BLOCK 692, LOT 27
OSCAR L. EDGE, JR., \$500.00, SENIOR CITIZEN AND VETERANS DEDUCTION, BLOCK 588, LOT 8
LIFE CENTER ACADEMY, \$2,714.71, TAXES PAID ON LIEN #2008083, BLOCK 379, LOT 65
FIRST AMERICAN, \$1,027.48, OVERPAYMENT OF FIRST QUARTER TAXES, BLOCK 645, LOT 33
FIRST AMERICAN, \$857.81, OVERPAYMENT OF FIRST QUARTER TAXES, BLOCK 785, LOT 6.03
FIRST AMERICAN, \$703.65, OVERPAYMENT OF FIRST QUARTER TAXES, BLOCK 374, LOT 61
LIFE CENTER ACADEMY, \$118.47, OVERPAYMENT ON WATER BILL, BLOCK 379, LOT 65
US BANK HOME MORTGAGE, \$97.45, OVERPAYMENT DUE TO INCORRECT ADDED ASSESSMENT, BLOCK 214, LOT 35

RESOLUTION NO. 93-2009
WHEREAS, PEMBERTON TOWNSHIP REQUIRES FOR VARIOUS CONSTRUCTION AND OR HOME IMPROVEMENT PROJECTS, THAT A TREASURERS ESCROW SUB-ACCOUNT BE ESTABLISHED, AND FUNDS MAINTAINED AND/OR REPLENISHED DURING THE COURSE OF THAT PROJECT; AND
WHEREAS, PEMBERTON TOWNSHIP HAS DETERMINED THAT THE PROJECT IS NOW COMPLETE AND
WHEREAS, PEMBERTON TOWNSHIP WISHES TO REFUND THE REMAINING MONIES TO THE APPLICANT, AND OR CLOSE THE PROJECT ESCROW SUB-ACCOUNT; AND
NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF PEMBERTON TOWNSHIP, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT COUNCIL APPROVES THE CLOSING OF THAT TREASURERS ESCROW SUB-ACCOUNT AND IF ANY MONIES REMAIN ON DEPOSIT THAT THOSE FUNDS BE RETURNED TO THE OWNER/APPLICANT OF THE COMPLETED PROJECT AS FOLLOWS:

REFUND AMT.	NAME	STREET ADDRESS	CITY	STAT E	ZIP	BLOC K	LOT
\$287.50	TERRACON(AUT O ZONE)	44 S. BAYLES AVE	PORT WASHINGTON	NY	11050	530	11.10
\$22.20	DENNIS SMITH	1201 N. LAKESHORE DR.	BROWNS MILLS	NJ	08015	380	1
\$107.95	KAYAK EAST COST INC. FOR CURTIS DAVIS	8813 FT. SMALLWOOD RD.	PASADENA	MD	21122	619	10
\$145.00	DAMON JEFFERSON	264 POINTVILLE RD.	PEMBERTON	NJ	08068	812	7.04
\$92.26	WILLARD MATTHEWS	4 HORNET LANE	PEMBERTON	NJ	08068	854	53.01
\$150.00	BRUCE FLYNN	10 WYNWOOD DR.	PEMBERTON	NJ	08068	810	4+5
\$11.41	HERMINIO RUIZ-GUERRERO	515 PARDEE BLVD	BROWNS MILLS	NJ	08015	31	25
\$158.64	BUDGET LODGE	MOUNT HOLLY HOSPITALITY, LLC 13 JULIUSTOWN RD.	BROWNS MILLS	NJ	08015	539	15.01

\$10.00	JAN & MARY GELLMAN	205 PEMBERTON BROWNS MILLS RD.	BROWNS MILLS	NJ	08015	848	16
\$944.00	COMMUNICATION S ENHANCE	COMMISSION ON CAMPS, CONFER, REETREA 801 MT. MISERY RD.	BROWNS MILLS	NJ	08015	913	1
\$1146.25	PEMBERTON FARM ASSOC.	1200 CAMPUS DRIVE, RR30	MT. HOLLY	NJ	08060	779	4.04
\$9.50	RITA CRAIN (TRUSTEE)	295 S. PRICKETTS MILL RD.	SOUTHAMPTO N	NJ	08088	854	71
\$125.00	ANTHONY ALICE DONOFRIO	18103 BRANCH AVE.	HUDSON	FL.	34667	682	10
\$17.80	MICHAEL KETLER	16 CHEROKEE DR.	BROWNS MILLS	NJ	08015	601	3
\$52.50	LEO BROWN	44 RIVER ST.	BROWNS MILLS	NJ	08015	481	20-33
\$50.00	KELLY & ALBERT CANTWELL	2002 E. LAKESHORE DR.	BROWNS MILLS	NJ	08015	69	1-8
\$80.88	THOMAS & JACQUELYN JOHNSON	108 REED AVE.	BROWNS MILLS	NJ	08015	41	1-4
\$105.00	MARK MCCARTNEY	90 CLUBHOUSE RD.	BROWNS MILLS	NJ	08015	396	9-15
\$283.00	OMNIPOINT COMMUNICATION S (T-MOBIL)	400 STREET RD.	BENSALEM	PA	19020	845	20.03
\$12.50	FRANCIS LECOMPTE	41 RED OAK RD.	BROWNS MILLS	NJ	08015	525	10
\$50.75	JOSEPH AMISSON	353 BIRMINGHAM RD.	BIRMINGHAM	NJ		793	10.04
\$22.20	DENNIS SMITH	1201 N. LAKESHORE DR.	BROWNS MILLS	NJ	08015	380	1
\$99.48	AT&T WIRELESS	3220 TILLMAN DR.	BENSALEM	PA	19020	117	46
\$1125.00	AT&T WIRELESS	3220 TILLMAN DR.	BENSALEM	PA	19020	554	7
\$45.00	AT&T WIRELESS	3220 TILLMAN DR.	BENSALEM	PA	19020	554	10.02
\$402.50	BURLINGTON CTY COLLEGE	STORAGE GARAGE & KILN BLDG PO BOX 500 BD OF TRUSTEES	PEMBERTON	NJ	08068	843	1
0	JAMES FARKAS	118 TENSAW DR.	BROWNS MILLS	NJ	08015	656	32
0	OMNIPOINT COMMUNICATION -(T-MOBIL)	BELL ATLANTIC, CROWN ATLANTIC 4017 WASHINGTON	MCMURRAY	PA	15317	554	7
\$0	ACTS GOSPEL UNIV. INC.	-	BROWNS MILLS	NJ	08015	798	3
0	JAMES CLARK	334 ANEMONE ST.	BROWNS MILLS	NJ	08015	72	13-16 & 49
0	MANSFIELD LAND INVESTMENT	7 WEST MAIN ST.	MOORESTOWN	NJ	08057	786	9.01 & 10

RESOLUTION NO. 94-2009
 RESOLUTION OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF PROPERTY TAXES ON PROPERTY QUALIFYING FOR A VETERANS' PROPERTY TAX EXEMPTION WHEREAS, N.J.S.A. 54:4-3.30 PROVIDES FOR AN EXEMPTION FROM TAXES ON CERTAIN PROPERTY OWNED BY A TOTALLY DISABLED VETERAN; AND WHEREAS, IT HAS BEEN DETERMINED BY THE TAX ASSESSOR THAT PROPERTY KNOWN AS BLOCK 647 LOT 13, 64 SEPULGA DR OWNED BY PHILIP DELIO QUALIFIES FOR A VETERANS' PROPERTY TAX EXEMPTION AS OF FEBRUARY 13, 2009; AND

WHEREAS, THE DETERMINATION BY THE TAX ASSESSOR IS THE RESULT OF AN ASSIGNMENT OF A ONE HUNDRED PERCENT PERMANENT AND TOTAL WARTIME SERVICE CONNECTED DISABILITY EVALUATION FROM THE VETERANS ADMINISTRATION; AND

WHEREAS, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL PROPERTY TAXES ON BLOCK 647 LOT 13 AS A RESULT OF THE GRANTED EXEMPTION; AND

WHEREAS, THE TAXES DUE ON THE PROPERTY FROM JANUARY 1, 2009 TO FEBRUARY 13, 2009 ARE \$367.22; AND

WHEREAS, TAXES HAVE BEEN PAID ON BLOCK 647 LOT 13 IN THE AMOUNT OF \$768.61 FOR THE FIRST QUARTER OF 2009, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO REFUND THE OVERPAYMENT OF \$401.39 TO PHILIP DELIO; AND

WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES ON SAID PROPERTY AS OF FEBRUARY 13, 2009 AND AUTHORIZE THE REFUND OF OVERPAID 2009 TAXES. NOW THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AS FOLLOWS:

1. THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO CANCEL 2009 PROPERTY TAXES ON BLOCK 647 LOT 13 AS OF FEBRUARY 12, 2009, AS SAID PROPERTY HAS BEEN DETERMINED TO QUALIFY FOR A VETERANS' PROPERTY TAX EXEMPTION UNDER N.J.S.A. 54:4-3.30.
2. THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO REFUND \$401.39 TO PHILIP DELIO 64 SEPULGA DR., BROWNS MILLS, NJ 08015.
3. THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE TAX COLLECTOR, TAX ASSESSOR AND CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF PEMBERTON AND THE BURLINGTON COUNTY BOARD OF TAXATION.

RESOLUTION NO. 95-2009

RESOLUTION AUTHORIZING AWARD OF CONCESSION AGREEMENT WITH PEMBERTON YOUTH FOOTBALL DURING GAMES

WHEREAS, THE PEMBERTON YOUTH FOOTBALL (HEREINAFTER "LEAGUE") DESIRES TO PROVIDE CONCESSIONS OF FOOD AND DRINKS AT LEAGUE GAMES AT THE SPORTS COMPLEX LOCATED AT PEMBERTON-BROWNS MILLS ROAD; AND

WHEREAS, THE TOWNSHIP SOLICITOR OF THE TOWNSHIP OF PEMBERTON HAS DETERMINED THAT THIS CONSTITUTES A 'CONCESSION' PURSUANT TO THE LOCAL PUBLIC CONTRACTS LAW, AT N.J.A.C. 5:34-1.2; AND

WHEREAS, THE TOWNSHIP COUNCIL, UPON ADVICE FROM THE TOWNSHIP SOLICITOR, WISHES TO AWARD A CONCESSION AGREEMENT (HEREINAFTER THE "AGREEMENT") TO THE LEAGUE PURSUANT TO PROPOSED REGULATIONS GOVERNING CONCESSIONS (N.J.A.C. 5:34-9.4); AND

WHEREAS, THE LEAGUE'S PROVISION OF CONCESSIONS WILL PROVIDE INCOME TO SUPPORT THE LEAGUE; AND

WHEREAS, THE LEAGUE INTENDS TO SELL PRE-PACKAGED GOODS SUCH AS BOTTLES OR CANS OF DRINK AND CANDY BARS, AND MAY WISH TO SELL HOT DOGS AND OTHER PREPARED FOODS; AND

WHEREAS, THE ESTIMATED INCOME FROM THESE CONCESSIONS TO THE LEAGUE IS ANTICIPATED TO BE WELL UNDER THE CURRENT THRESHOLD UNDER THE LOCAL PUBLIC CONTRACTS LAW OF \$17,500.00; AND

WHEREAS, THE TOWNSHIP WILL NOT INCUR ANY COSTS, SERVICES OR ENDORSEMENTS AS PART OF THE CONCESSION, AND WILL ONLY BE PROVIDING THE USE OF PUBLIC PROPERTY FOR THE CONCESSIONS.

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 DOES HEREBY AWARD A CONCESSION AGREEMENT TO THE PEMBERTON YOUTH FOOTBALL TO PROVIDE CONCESSIONS AT LEAGUE GAMES, WHICH AGREEMENT SHALL BE NON-EXCLUSIVE; AND

BE IT FURTHER RESOLVED THAT THE MAYOR AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWNSHIP; AND

RESOLUTION NO. 97-2009

PEMBERTON TOWNSHIP FINAL APPROVAL OF FARMLAND APPLICATION(S)

WHEREAS, THE TOWNSHIP OF PEMBERTON IS COMMITTED TO PRESERVING, TO THE EXTENT POSSIBLE, FARMLAND WITHIN THE TOWNSHIP FOR THE BENEFIT OF THE CITIZENS OF THE TOWNSHIP OF PEMBERTON AS WELL AS FOR THE COUNTY OF BURLINGTON AND FOR THE STATE OF NEW JERSEY; AND

WHEREAS, THE BURLINGTON COUNTY AGRICULTURE DEVELOPMENT BOARD IS PROCEEDING WITH THE PRESERVATION OF THE FOLLOWING FARMS: THOMPSON/FENWICK MANOR BLOCK 846, LOTS 2.01 & 6 AND BLOCK 848, LOTS 32.01 & 32.02 THROUGH THE FARMLAND PRESERVATION EASEMENT PURCHASE PROGRAM; AND

WHEREAS, THE COUNTY REQUESTS THAT THE TOWNSHIP RECOGNIZE THAT IN THIS INSTANCE, THE 20% MUNICIPAL COST-SHARE IS NOT REQUIRED; AND

WHEREAS, IT IS IN THE BEST INTERESTS OF THE CITIZENS OF THE TOWNSHIP OF PEMBERTON TO GIVE FINAL APPROVAL ON THE COUNTY'S ACQUISITION OF DEVELOPMENT EASEMENTS FOR THE ABOVE FARM THROUGH THE FARMLAND PRESERVATION EASEMENT PURCHASE PROGRAM;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE/COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY THAT THEY GRANT FINAL APPROVAL FOR THE ACQUISITION OF DEVELOPMENT EASEMENTS ON THE AFOREMENTIONED PROPERTY THROUGH BURLINGTON COUNTY FARMLAND PRESERVATION PROGRAM.

RESOLUTION NO. 98-2009

WHEREAS, N.J.S.A. 2B:24-4(E) REQUIRES A MUNICIPALITY TO APPOINT ADDITIONAL MUNICIPAL PROSECUTORS, AS NECESSARY, TO ADMINISTER JUSTICE IN A TIMELY AND EFFECTIVE MANNER IN ITS MUNICIPAL COURT; AND

WHEREAS, THE MUNICIPAL PROSECUTOR MAY FROM TIME TO TIME BE UNAVAILABLE TO SERVE AS MUNICIPAL PROSECUTOR AT CERTAIN COURT SESSIONS; AND

WHEREAS, N.J.S.A. 2B:25-4(E) REQUIRES THE TOWNSHIP COUNCIL TO APPOINT AN ALTERNATE FOR THE MUNICIPAL PROSECUTOR FOR THOSE OCCASIONS WHEN THE MUNICIPAL PROSECUTOR IS UNAVAILABLE.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON THAT RUSSELL P. CHERKOS IS HEREBY APPOINTED AS ALTERNATE MUNICIPAL PROSECUTOR, ON AN AS NEEDED BASIS FOR THE YEAR 2009, COMMENCING ON APRIL 1, 2009 AND TERMINATING DECEMBER 31, 2009;

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

RESOLUTION NO. 99-2009

A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A GRANT APPLICATION AND MEMORANDUM OF UNDERSTANDING UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

WHEREAS, ON FEBRUARY 17, 2009, PRESIDENT OBAMA SIGNED INTO LAW THE LANDMARK AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (THE "RECOVERY ACT"). AS ONE OF ITS MANY ELEMENTS, THE RECOVERY ACT PROVIDES THE U.S. DEPARTMENT OF JUSTICE (DOJ) WITH FUNDING FOR GRANTS TO ASSIST STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT (INCLUDING SUPPORT FOR HIRING), TO COMBAT VIOLENCE AGAINST WOMEN, TO FIGHT INTERNET CRIMES AGAINST CHILDREN, TO IMPROVE THE FUNCTIONING OF THE CRIMINAL JUSTICE SYSTEM, TO ASSIST VICTIMS OF CRIME, AND TO SUPPORT YOUTH MENTORING. DOJ IS COMMITTED TO WORKING WITH OUR NATIONAL, STATE, LOCAL AND TRIBAL PARTNERS TO ENSURE THIS FUNDING INVESTS IN THE AMERICAN WORKFORCE; AND

WHEREAS, THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM IS THE PRIMARY PROVIDER OF FEDERAL CRIMINAL JUSTICE FUNDING TO STATE AND LOCAL JURISDICTIONS. JAG FUNDS SUPPORT ALL COMPONENTS OF THE CRIMINAL JUSTICE SYSTEM, FROM MULTI-JURISDICTIONAL DRUG AND GANG TASK FORCES TO CRIME PREVENTION AND DOMESTIC VIOLENCE PROGRAMS, COURTS, CORRECTIONS, TREATMENT, AND JUSTICE INFORMATION SHARING INITIATIVES. JAG FUNDED PROJECTS MAY ADDRESS CRIME THROUGH THE PROVISION OF SERVICES DIRECTLY TO INDIVIDUALS AND/OR COMMUNITIES AND BY IMPROVING THE EFFECTIVENESS AND EFFICIENCY OF CRIMINAL JUSTICE SYSTEMS, PROCESSES, AND PROCEDURES; AND

WHEREAS, THE GRANT IS FORMULA BASED AND PEMBERTON TOWNSHIP HAS BEEN NOTIFIED THAT ITS POTENTIAL ALLOCATION UNDER THE JAG PROGRAM IS \$56,251; AND

WHEREAS, JAG FUNDS MAY BE USED FOR LOCAL INITIATIVES, TECHNICAL ASSISTANCE, TRAINING, PERSONNEL, EQUIPMENT, SUPPLIES, CONTRACTUAL SUPPORT, INFORMATION SYSTEMS FOR CRIMINAL JUSTICE, AND CRIMINAL

JUSTICE-RELATED RESEARCH AND EVALUATION ACTIVITIES THAT WILL IMPROVE OR ENHANCE:

- LAW ENFORCEMENT PROGRAMS
- PROSECUTION AND COURT PROGRAMS
- PREVENTION AND EDUCATION PROGRAMS
- CORRECTIONS AND COMMUNITY CORRECTIONS PROGRAMS
- DRUG TREATMENT AND ENFORCEMENT PROGRAMS
- PLANNING, EVALUATION, AND TECHNOLOGY IMPROVEMENT PROGRAMS
- CRIME VICTIM AND WITNESS PROGRAMS (OTHER THAN COMPENSATION); AND

WHEREAS, THE MAYOR INTENDS TO SUBMIT AN APPLICATION ON BEHALF OF PEMBERTON TOWNSHIP SEEKING TO UTILIZE THE TOWNSHIP'S ELIGIBLE SHARE FOR POLICE DEPARTMENT TECHNOLOGY ENHANCEMENTS INCLUDING A REVERSE-911 SYSTEM AND PHASE I OF IMPROVEMENTS TO THE EXISTING MOBILE GLOBAL POSITIONING SATELLITE (GPS) SYSTEM; AND

WHEREAS, THE GRANT APPLICATION SHALL BE MADE PUBLIC BY THE TOWNSHIP CLERK'S OFFICE AND, TO THE EXTENT OF APPLICABLE LAW OR ESTABLISHED PROCEDURE, AN OPPORTUNITY TO COMMENT SHALL BE PROVIDED TO CITIZENS AND NEIGHBORHOOD OR COMMUNITY ORGANIZATIONS DURING THE TOWNSHIP COUNCIL MEETING SCHEDULED FOR APRIL 15, 2009.

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 AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO EXECUTE A GRANT APPLICATION UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM; AND
2. THAT THE MAYOR AND TOWNSHIP CLERK ARE ALSO AUTHORIZED TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE OTHER ELIGIBLE BURLINGTON COUNTY MUNICIPALITIES WHICH SHALL IDENTIFY THE SPECIFIC JURISDICTION THAT WILL SERVE AS THE APPLICANT/FISCAL AGENT IN ACCORDANCE WITH THE PROGRAM'S REQUIREMENTS; AND
3. THAT THE GRANT APPLICATION SHALL BE MADE PUBLIC BY THE TOWNSHIP CLERK'S OFFICE AND, TO THE EXTENT OF APPLICABLE LAW OR ESTABLISHED PROCEDURE, AN OPPORTUNITY TO COMMENT SHALL BE PROVIDED TO CITIZENS AND NEIGHBORHOOD OR COMMUNITY ORGANIZATIONS DURING THE TOWNSHIP COUNCIL MEETING SCHEDULED FOR APRIL 15, 2009.

RESOLUTION NO. 100-2009

A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A GRANT APPLICATION UNDER THE COPS HIRING RECOVERY PROGRAM

WHEREAS, THE COPS HIRING RECOVERY PROGRAM (CHRP) IS FUNDED THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (THE "RECOVERY ACT") AND OFFERS A COMPETITIVE GRANT PROGRAM DESIGNED TO ADDRESS THE FULL-TIME SWORN OFFICER NEEDS OF STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT AGENCIES NATIONWIDE. CHRP PROVIDES FUNDING DIRECTLY TO LAW ENFORCEMENT AGENCIES TO HIRE NEW AND/OR REHIRE CAREER LAW ENFORCEMENT OFFICERS IN AN EFFORT TO CREATE AND PRESERVE JOBS, AND TO INCREASE THEIR COMMUNITY POLICING CAPACITY AND CRIME-PREVENTION EFFORTS. UP TO \$1 BILLION IN GRANT FUNDING WAS APPROPRIATED FOR THIS INITIATIVE THROUGH THE RECOVERY ACT; AND

WHEREAS, CHRP GRANTS WILL PROVIDE 100 PERCENT FUNDING FOR APPROVED ENTRY-LEVEL SALARIES AND FRINGE BENEFITS OF FULL-TIME OFFICERS FOR 36 MONTHS OF GRANT FUNDING. CHRP GRANTS MAY BE USED ON OR AFTER THE OFFICIAL GRANT AWARD START DATE TO: (1) HIRE NEW OFFICER POSITIONS (INCLUDING FILLING EXISTING OFFICER VACANCIES THAT ARE NO LONGER FUNDED IN AN AGENCY'S BUDGET); (2) REHIRE OFFICERS WHO HAVE BEEN LAID OFF AS A RESULT OF STATE, LOCAL OR TRIBAL BUDGET CUTS UNRELATED TO THE RECEIPT OF GRANT FUNDING; OR (3) REHIRE OFFICERS WHO ARE SCHEDULED TO BE LAID OFF ON A SPECIFIC FUTURE DATE AS A RESULT OF STATE, LOCAL OR TRIBAL BUDGET CUTS UNRELATED TO THE RECEIPT OF GRANT FUNDING; AND

WHEREAS, THERE IS NO LOCAL MATCH REQUIREMENT FOR CHRP; HOWEVER, GRANT FUNDING REQUESTS MUST BE BASED ON THE CURRENT FULL-TIME ENTRY-LEVEL SALARY AND FRINGE BENEFITS PACKAGE OF AN OFFICER IN THE DEPARTMENT. ANY ADDITIONAL COSTS FOR HIGHER THAN ENTRY-LEVEL SALARIES AND FRINGE BENEFITS WILL BE THE RESPONSIBILITY OF THE GRANTEE AGENCY; AND

WHEREAS, THE MAYOR INTENDS TO SUBMIT AN APPLICATION ON BEHALF OF PEMBERTON TOWNSHIP SEEKING FUNDS TO HIRE TWO NEW POLICE OFFICERS IN ORDER TO FILL EXISTING VACANCIES (#56 AND #57) THAT ARE NOT FUNDED IN THE 2009 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 MAYOR AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO EXECUTE A GRANT APPLICATION UNDER THE COPS HIRING RECOVERY PROGRAM.

RESOLUTION NO. 101-2009

WHEREAS, BY RESOLUTION NO. 191-2008, ADOPTED AUGUST 20, 2008, THE TOWNSHIP COUNCIL AWARDED A CONTRACT TO RICHARD E. PIERSON CONSTRUCTION COMPANY, PO BOX 430, WOODSTOWN, NJ 08098, FOR \$2,104,335.20, FOR THE LEBANON FOREST DAM NO. 1; AND

WHEREAS, A COPY OF CHANGE ORDER NO. 1 IS ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION, WHICH CHANGE ORDER REPRESENTS A TOTAL INCREASE IN THE CONTRACT PRICE BY \$101,800.00, WHICH CHANGE ORDER IS RELATED TO MISCELLANEOUS MATERIALS AS MORE SPECIFICALLY AND ACCURATELY DESCRIBED IN THE CHANGE ORDER REQUESTED; AND

WHEREAS, THE NEW CONTRACT SUM INCLUDING THE CHANGE ORDER WILL BE \$2,206,135.20; AND

WHEREAS, THE ENGINEER AND THE BUSINESS ADMINISTRATOR, HAVE RECOMMENDED THE APPROVAL OF SAID CHANGE ORDER NO. 1; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1 ET SEQ., AND THE REGULATIONS PROMULGATED PURSUANT THERETO, N.J.A.C. 5:34-1.1 ET SEQ. PERMIT THE AUTHORIZATION OF SUCH A CHANGE ORDER IN ACCORDANCE WITH CERTAIN GUIDELINES CONTAINED THEREIN; AND

WHEREAS, THE GOVERNING BODY HAS DETERMINED, UPON THE ADVICE OF THE CONSULTING ENGINEER AND RECOMMENDATION OF THE BUSINESS ADMINISTRATOR, THAT THE PROVISIONS OF THE REGULATIONS HAVE BEEN MET AND THAT THIS RESOLUTION CAN BE ADOPTED GIVEN THE ENGINEER'S REPRESENTATIONS THAT THE REQUESTED CHANGES ARE IN ORDER AND THAT THE REASONS FOR SAME ARE ACCEPTABLE, JUSTIFIABLE, AND VALID; AND

WHEREAS, THE CHIEF FINANCIAL OFFICER HAS CERTIFIED THAT FUNDS ARE AVAILABLE TO APPROVE THIS CONTRACT IN THE AMOUNT OF \$101,800.00, IN LINE ITEM # 04-2005-200521-96605-4-90206; AND

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT CHANGE ORDER NO. 1, AS SUBMITTED BY ARH, FOR THE PROJECT NOTED ABOVE, IS HEREBY APPROVED;

RESOLUTION NO. 102-2009

RESOLUTION AUTHORIZING EXECUTION OF AMENDED CONTRACT WITH A.C. SCHULTES, INC. TO PERFORM CHANGE ORDER WORK IN THE AMOUNT OF \$42,270.00 FOR THE REPAIR AND REPLACEMENT OF WELL PUMP AND COLUMNS IN CONNECTION WITH THE WELL # 11 REHABILITATION PROJECT

WHEREAS, THE TOWNSHIP OF PEMBERTON ("TOWNSHIP") AWARDED A CONTRACT TO A.C. SCHULTES, INC. ("CONTRACTOR") FOR THE REHABILITATION OF WELL # 11 IN THE AMOUNT OF \$47,285.00; AND

WHEREAS, THE TOWNSHIP ENGINEER HAS INDICATED THAT IT IS NECESSARY TO REPAIR DAMAGED EQUIPMENT, INCLUDING THE WELL PUMP AND ADJOINING COLUMNS IN ORDER TO CONTINUE THE REHABILITATION OF WELL # 11; AND

WHEREAS, THE CONTRACTOR HAS REQUESTED AUTHORIZATION TO PERFORM THE WORK DESCRIBED WITHIN CHANGE ORDER #1 DATED MARCH 12, 2009, WHICH IS ATTACHED TO THIS RESOLUTION, AND SINCE THIS CHANGE ORDER EXCEEDS 20% OF THE ORIGINAL CONTRACT AMOUNT, HAS SUBMITTED A CERTIFICATION PURSUANT TO N.J.A.C. 5:30-11.9(B) SUPPORTING ITS REQUEST TO PERFORM THIS CHANGE ORDER WORK; AND

WHEREAS, THE TOWNSHIP HAS RECEIVED A REQUEST FOR THE CHANGE ORDER FROM THE TOWNSHIP BUSINESS ADMINISTRATOR IN ACCORDANCE WITH N.J.A.C. 5:30-11.9(C)1; AND

WHEREAS, THE CONTRACTOR IS ALREADY MOBILIZED AND PERFORMING WORK IN THE AREA, WHICH WILL RESULT IN CONSIDERABLE SAVINGS TO THE TOWNSHIP FOR THIS WORK; AND
WHEREAS, THE TOWNSHIP ENGINEER HAS RECOMMENDED THAT THE TOWNSHIP AUTHORIZE THIS CHANGE ORDER WORK AND HAS INDICATED THAT SUCH WORK QUALIFIES AS AN UNFORESEEN PROBLEM THAT COULD NOT HAVE BEEN FORESEEN AT THE TIME THE SPECIFICATIONS WERE WRITTEN; AND
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 IS HEREBY AUTHORIZED TO EXECUTE AN AMENDED AGREEMENT, IN A FORM ACCEPTABLE TO THE TOWNSHIP ATTORNEY, AUTHORIZING A.C. SCHULTES, INC. TO REPAIR AND REPLACE THE WELL PUMP AND ADJOINING COLUMNS FOR THE SUM OF \$42, 270.00 AS A CHANGE ORDER TO ITS ORIGINAL CONTRACT.
BE IT FURTHER RESOLVED THAT THE NEW TOTAL AMOUNT OF THE CONTRACT IS \$89,555.00; AND
BE IT FURTHER RESOLVED, THAT THE CHIEF FINANCIAL OFFICER HAS EXECUTED A CERTIFICATION OF FUNDS FOR THIS CONTRACT, WHICH IS ATTACHED HERETO, AND THAT SUFFICIENT FUNDS ARE AVAILABLE FOR SAID CONTRACT FROM ACCOUNT NUMBER 06-2005-200511-2106-4-20100; AND

11. NEW BUSINESS

- *e.** Requests from the Public Works Department to expend funds in excess of \$2,000.00 for the installation of a ductwork heater for the Nesbit Center, in the amount of \$2,900.
- *f.** Applications submitted for memberships, licenses, permits:
 - *1. Loud Speaker Permit Application:** a. Monique Davis, for birthday party to be held from 6pm-10pm, on 04/04/09 at the Dominique Johnson Rec. Center; b. Shelly Stradling, DJ Equipment for American Cancer Society Fundraiser to be held from 2pm-7pm, on 05/02/09 at the picnic grove of the American Legion Post, 39 Ft. Dix Road, Pemberton.
 - *2. Fire Company Memberships:** (Council confirmation/acknowledgement of new members): **Magnolia Road Fire Co.:** Firefighter Thomas P. Mulraney; **Presidential Lakes Fire & Rescue Squad.:** Contributing Members Stuart P. Williams, Carol A. Williams and Brian Lee Smith
 - *3. Special Use Permit applications:** 1. The Pitt Stop N Shop: 8 sidewalk sales during 2009, as authorized by Township Code, contingent upon their obtaining the required permits from the Construction Office for each of the 8 events.

***12.** Approval by Council required for payment of vouchers on bill list dated **3/27/09.**

Mr. Cartier requested Resolution No. 96-2009 be pulled from the Consent Agenda.

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

RESOLUTION PULLED FROM CONSENT AGENDA

Mr. Cartier informed that he needs Resolution No. 96-2009 voted on separately.

Motion by Scull and Prickett to approve Resolution No. 96-2009. Scull, yes; Prickett, yes; Cartier, abstain; Inge, yes; Stinney, yes. Motion carried.

RESOLUTION NO. 96-2009

RESOLUTION AUTHORIZING AWARD OF CONCESSION AGREEMENT WITH PEMBERTON BASEBALL ASSOCIATION, INC. DURING GAMES
WHEREAS, THE PEMBERTON BASEBALL ASSOCIATION, INC. (HEREINAFTER "LEAGUE") DESIRES TO PROVIDE CONCESSIONS OF FOOD AND DRINKS AT LEAGUE GAMES AT THE SPORTS COMPLEX LOCATED AT PEMBERTON-BROWNS MILLS ROAD; AND

WHEREAS, THE TOWNSHIP SOLICITOR OF THE TOWNSHIP OF PEMBERTON HAS DETERMINED THAT THIS CONSTITUTES A "CONCESSION" PURSUANT TO THE LOCAL PUBLIC CONTRACTS LAW, AT N.J.A.C. 5:34-1.2; AND WHEREAS, THE TOWNSHIP COUNCIL, UPON ADVICE FROM THE TOWNSHIP SOLICITOR, WISHES TO AWARD A CONCESSION AGREEMENT (HEREINAFTER THE "AGREEMENT") TO THE LEAGUE PURSUANT TO THE LOCAL PUBLIC CONTRACT LAW REGULATIONS GOVERNING CONCESSIONS (N.J.A.C. 5:34-9.4); AND WHEREAS, THE LEAGUE'S PROVISION OF CONCESSION WILL PROVIDE INCOME TO SUPPORT THE LEAGUE; AND WHEREAS, THE LEAGUE INTENDS TO SELL PRE-PACKAGED GOODS SUCH AS BOTTLES OR CANS OF DRINK AND CANDY BARS, AND MAY WISH TO SELL HOT DOGS AND OTHER PREPARED FOODS; AND WHEREAS, THE ESTIMATED INCOME FROM THESE CONCESSIONS TO THE LEAGUE IS ANTICIPATED TO BE WELL UNDER THE CURRENT THRESHOLD UNDER THE LOCAL PUBLIC CONTRACTS LAW OF \$17,500.00; AND WHEREAS, THE TOWNSHIP WILL NOT INCUR ANY COSTS, SERVICES OR ENDORSEMENTS AS PART OF THE CONCESSION, AND WILL ONLY BE PROVIDING THE USE OF PUBLIC PROPERTY FOR THE CONCESSIONS. 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 DOES HEREBY AWARD A CONCESSION AGREEMENT TO THE PEMBERTON BASEBALL ASSOCIATION TO PROVIDE CONCESSIONS AT LEAGUE GAMES, WHICH AGREEMENT SHALL BE NON-EXCLUSIVE; AND BE IT FURTHER RESOLVED THAT THE MAYOR AND TOWNSHIP CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWNSHIP.

9. OTHER RESOLUTIONS

Mrs. Stinney commented that before Council moves forward with Resolution No. 103-2009 which authorizes the budget introduction, she wanted to share a few things with the public and read the following, "In the face of the hard economic times that residents everywhere, including our town is embroiled with, I want you to know that this Council has collectively met over several meetings and thoroughly reviewed this year's budget, and line items department by department. As of today the proposed 2009 budget is \$24 million, two hundred twenty one thousand, eight hundred dollars which reflects a 9.3 cents increase. For the record 1 cent represents approximately \$87,889.00. This equates to \$93.00 per the average home assessed at \$100,000. Please note that the budget once introduced will be advertised in summary form as permitted by law, however, copies of the full budget as introduced will be available from the Township Clerk's office at no charge and extra copies will be transmitted to various locations throughout town such as the library. The public hearing will be advertised to be held on May 6th at which time the Auditor will be present to assist in addressing any questions or comments from our residents. On a final note I want to thank my fellow Council members for so diligently and harmoniously working together throughout the budget review".

103-2009 Authorizes introduction of 2009 Municipal Budget

Motion by Cartier and Scull to approve Resolution No. 103-2009.

Mr. Prickett asked how many pennies did the budget start out at and was it 9.8. Mr. Prickett noted that Council President Stinney stated 9.3 cents at the moment after five meetings and probably twenty five hours of hearings. He just wanted to get an idea of how much and since one penny is \$87,000, he wanted to get an idea of how much Council was able to cut out of the budget. Mayor Patriarca informed Administration originally submitted a budget reflecting at a 9.8 cent increase. Mr. Prickett noted Council was able to take .5 cents out of the budget. Mr. Prickett asked if there is still \$800,000 in surplus. The Mayor informed it is approximately \$780,000. Mr. Prickett noted that Council has heard a bit about concessions and sacrifices when it comes to budget and there was also talk about union concessions. Mr. Prickett asked if Administration has moved forward with that in any way and if the unions have offered any concessions. The Mayor replied not at this time. Mr. Prickett remarked that it seems to him while some of Council gave concessions, he has to commend the leadership of the Mayor giving a 20% concession in the amount of money that he has given in the budget. Mr. Prickett also recognized the Business Administrator for freezing his salary and also two Council members that took a 20% reduction in their appropriated money in the budget. These are all reductions that should be seen in the number of pennies in the budget and part of the decrease that you see here. The citizens are going to

have to make up the other concessions and sacrifice and if there is an average size house in Pemberton Township will be about \$94. That's not just this year, it will be next year and the year after and will not go away. Mr. Prickett expressed concern with the budget that he thinks there were a number of areas that could have been cut. There is a lot of padding in this budget and wants to give an example which has to do with the capital improvement plan. This will be Mr. Prickett's seventh budget since being on Council and the first six budgets had a written plan. Council started off at the last hearing last week with enough money in the budget to borrow \$3 million and at five percent down that's \$150,000 that was in the down payment part of the budget. Fortunately the Council was able to see the need for another police car, gypsy moth spraying and a fence to control ATV's and were able to reduce that to \$100,000. The Township can only borrow if the budget goes through as it is, \$2 million this year. Mr. Prickett remarked that Council talked about the capital improvement plan and the first part of the discussion was a three year road program. He had questions about that because we haven't even completed our 2008 road program yet. Mr. Prickett informed that he requested a written plan but apparently the only thing in the written plan at this point would be a road program and as you know, he has concerns regarding the 2008 road program. Mr. Prickett noted there was \$800,000 in the budget last year for a road program and one quarter of that, the Council decided to use to pave and improve North Whitesbog Road. His concern is there is \$2 million in the budget, there is \$100,000 there and 5% down to cover borrowing \$2 million and that's more than one penny that could be cut out of this budget. Mr. Prickett noted the 2008 budget is not completed but there is enough in the budget to borrow \$2 million for supposedly a road program for 2009 and we are not thinking about the economic straits that this Township is in and how people are struggling to get food on their tables and pay their taxes and we could see in our tax collection this year that we're down \$400,000. Is that because people are struggling with the economy the way it is. He would have to think so. We're going to put an additional 9.3 cent burden on this year. How is that going to affect the tax collection rate next year. It's healthy to have a surplus, \$800,000. Mr. Prickett also thinks that part of that surplus is in the budget in some of the things that he mentioned and he thinks that could be reduced. We have to think about our residents that are on fixed incomes, seniors, the vets that are going to have to pay this increase not only this year but next year and the year after; it's not going to go away. This is a special circumstance and he agrees with the Mayor and the rest of the Council that it's important to have a surplus and it's important to raise the taxes when you need to but this is a special circumstance this year with the economy the way it is. Mr. Prickett wanted to make sure that his point of view is expressed tonight so that whatever way the vote goes, that will be on the record. Mr. Prickett thanked Council President Stinney for allowing him to express his point of view. Mrs. Stinney thanked Mr. Prickett for his comments.

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

10. ORDINANCES FOR INTRODUCTION

a. ORDINANCE NO. 9-2009 (Title Read By Mrs. Stinney)

AN ORDINANCE TO AMEND RELEVANT SECTIONS OF CHAPTER 182 OF THE CODE OF THE TOWNSHIP OF PEMBERTON REGARDING EMERGENCY NO-PARKING SIGNS.

Mrs. Stinney advised the public portion will be on April 15th. Mr. Prickett asked if Council can have an explanation on the need for this ordinance from the Business Administrator or Mayor. Mr. Cartier remarked that Administration explained this when Council discussed it. Mrs. Scull commented that they did but it's alright, Council can hear it again. Mr. Prickett stated that the Council is not the only people in the room; the public is present and they deserve to hear an explanation.

Mr. Cartier expressed that he understands that but Council has been talking about this in two separate meetings over a two month period. Mr. Vaz commented that he just needs to get the files as he does not have the file with him. Mr. Cartier informed that he can provide the explanation. Mrs. Stinney noted to go right ahead. Mr. Cartier explained the roads are too narrow to have traffic parked on both sides of the roads and plow the roads. That's why they are asking for a request in the change of the ordinance to have parking strictly on one side of the road because the other ordinance is too confusing. Mr. Prickett stated to Mr. Cartier that in other words this is to clarify that so the public is fully aware that.....Mr. Cartier interjected that Mr. Prickett is correct and added that parking will be on the even side of the street instead of odd even. Mr. Prickett noted that is why it is important to talk about it. Mrs. Stinney commented that Council spoke about this, got the streets and signs and talked about this at several Council meetings.

Motion by Cartier and Scull to introduce Ordinance No. 9-2009 with a public hearing to be on April 15th. Cartier, yes; Scull, yes; Prickett, yes; Inge, yes; Stinney, yes. Motion carried.

Mrs. Stinney thanked the Council for their diligence on asking all of the questions at the Council meetings held before this particular time and if the public wishes to have additional information, she will make sure that it becomes public. It is public record now and again thanked the Council for their diligence and all of their comments throughout the meetings addressing this.

b. ORDINANCE NO. 10-2009 (Title Read By Mrs. Stinney)
AN ORDINANCE DETERMINING POSITIONS ELIGIBLE FOR THE
DEFINED CONTRIBUTION RETIREMENT PROGRAM.

Mr. Cartier commented that this is one that Council could use an explanation on because Council hasn't discussed this at all. Mr. Prickett asked if this was discussed at the budget hearing or another meeting. Mrs. Scull replied no. Mr. Cartier responded that he knows of. Mr. Prickett commented that he would agree with Mr. Cartier and added that discussion is always good. Mr. Cartier asked what this is replacing or what is it clarifying. Mayor Patriarca responded he will let Mr. Vaz provide the explanation but this is something coming down through the state and it's mandate. Mr. Vaz noted this was on an agenda awhile back and Mr. Bayer provided a summary of it. It could not be introduced at that time because Administration had to determine internally what positions would be included in the list of positions that are now going to be instead of in the PERS pension system, would be subject to the new retirement program called the Defined Contribution Retirement Program. Basically it is elected officials and appointed officials. Certain other positions that don't really apply to us and for instance we don't have legal counsel that is an actual employee; we have an outside law office that does that. The municipal court judge is another one. It would only apply to the Mayor and Township Council who are elected on or after July 1, 2007. Basically what this means is just say somebody becomes newly elected and takes office January 1, 2011. That person would be in the DCRP program and not the regular retirement system and we are all presently a part of. The intent was to save money. Mr. Prickett added to contain the cost. Mrs. Stinney encouraged the Council and noted that Mrs. Young does a wonderful job in keeping Council abreast of the legal issues that are before the state. Quite often, she has sent out about three League of Municipality laws that are coming forward. Mrs. Stinney encouraged Council to download that information and read those again because this has been going on for close to a year. Mr. Prickett asked if this could be posted on the website so the public could read this information because the public is also interested. Mrs. Stinney replied that she doesn't think it can go on the website until Council

introduces the bill. Mr. Prickett noted that the Local Finance Notices can go on the website. Mr. Vaz responded that it can all be added to the website.

Motion by Cartier and Scull to introduce Ordinance No. 10-2009 with a public hearing to be on April 15th. Cartier, yes; Scull, yes; Prickett, yes; Inge, yes; Stinney, yes. Motion carried.

11. NEW BUSINESS

- a. Discussion of possible amendments to Pemberton Township Code 64-2 regarding hours of sale for alcoholic beverages.

Mrs. Stinney commented for the public who have not been in attendance, that there have been residents who came forward and spoke about the late night annoyances that they had to endure after 2:00, 3:00 or 4:00 in the morning of bars that are open. Mrs. Stinney advised that she had asked the Mayor and he provided an update as to what has been happening with our police force in siting this bar for their annoyances. Mrs. Stinney commented to the Council that she is sure that Council had an opportunity to read the background package of the ordinances. Mr. Prickett asked Mrs. Stinney to email her notes to Council so that Council can be more familiar with what she is going to say. Mrs. Stinney responded to Mr. Prickett that those are her notes and if he wants to call her she'll.....Mr. Prickett interjected that it looks like she is reading from a written script to him.....Mrs. Stinney responded that she likes to do a nice script so that she can stay on target. Mrs. Stinney informed Mr. Prickett that if he would call her like he used to, they could have a dialogue she would be more than glad as she doesn't email very well and doesn't have too much time to sit down for email but if he would call her she would certainly address anything that he needs to address. Mrs. Stinney remarked that Council be returning to the discussion of the code, Ordinance No. 5-1985 and start a dialogue. Mr. Inge informed he has a question for the Solicitor. He has a Class C liquor license and should he abstain from this discussion. Mr. Clark answered that he does have a personal interest in the hours of operation since he is the licensee and in that case he should abstain. Mrs. Stinney asked the Council members if they want to change in the ordinance, there is a review committee as well and they can be asked to review this ordinance to come back with some suggestions to Council and they will dialogue harmoniously. Mr. Cartier had a request and it was not in any attempt to delay this in any way and it is a necessity that Council acts in some way with this because Council all received the email from the young lady that was before them at the last meeting and the problems she had this past Friday. Perhaps Council could get something from the Police Department as to any complaints that they might have received for late early morning hour noise or anything like that. The Mayor responded that Administration can look in to just what they are willing to give up at this point as there is an on going investigation. Mr. Cartier suggested any historical data prior to any investigations that are going on. Mayor Patriarca replied any citations that were issued at this point are public and Administration can get that information for Council. Mr. Cartier expressed that would be a prudent place to start with this. Mrs. Scull noted one of the things that bothers her is in the ordinance Council approved where their license was approved, there are conditions in there that obviously are not being upheld. Mrs. Scull would be very interested in knowing exactly how many violations have been filed against this business. It is important and she didn't realize the Township had bars open until 4:00 in the morning because most of them close at 2:00 and if one is open until 4:00, she is sure the Township is getting traffic from other places because she can remember her younger days when we might be here until 2:00 and then go somewhere else until 4:00 and they were behaving themselves. They weren't causing a nuisance and if there is a nuisance being caused, something needs to be done. Mr. Prickett asked Mrs. Scull how many years ago that was. The Mayor interjected it was about four

years and added that violations that have not been heard before the court are still considered not guilty. They haven't had all of their violations that may have been issued heard at this point. Mrs. Scull interjected that she doesn't really care and she wants to know how many times our Police have had to take time from their busy schedules to go over there. Mayor Patriarca remarked that you still have to consider innocent until proven guilty but this is not about one establishment. This change in this ordinance will affect all and it's basically what do we want as a standard here in Pemberton Township. Do we want our bars open until 4:00 in the morning. As Mrs. Scull stated, it does draw from other towns; when a bar closes in another town, are they now flocking to our town. There is another side of that also. Mrs. Scull commented that we'll separate that issue again. Mr. Prickett stated to the Mayor that being a retired Policeman/Detective maybe he can answer his question. What Mrs. Scull asked he thought was inappropriate in a way and shouldn't just be focused on one situation; you should look at the whole picture. He was wondering whether it would be possible to somehow associate violations and tickets with alcohol establishments; not just one but all of them occurring at certain periods of the night. The Mayor remarked that he certainly hopes that Mr. Prickett is not implying that Administration closes all liquor establishments in the Township and make it a dry town. Mrs. Scull commented that's a thought. Mr. Prickett replied that he didn't say that but it doesn't sound like a terrible idea to him. Mrs. Scull stated she said sarcastically and we're not going against the history. Mr. Prickett asked if there are more accidents occurring or more tickets issued after 2:00 or 1:00 or 3:00 and is there any way that we can quantify tickets and violations to correspond with establishments being opened in to the morning. Mayor Patriarca conveyed that you can run numbers and show DUI's that were had after 2:00 or 3:00 in the morning but you can also show DUI's that happen at 3:00 in the afternoon. You'll probably find that most DUI's would occur before the closing hours because there is a longer period of time there. From 8:00 in the morning until 2:00 and take all those numbers and then compare them to the 2:00 to 4:00 and the 4:00 to 5:00 and will probably find that most DUI's are before. Keep in mind that this is what you are looking to be socially acceptable in our town, in Pemberton and do you want 4:00 closings or 2:00 closings. The Mayor added that he doesn't know if any other than this one establishment are open any later than 2:00. Maybe some input from the license holders would be interesting to see how they feel about it; to see if they're concerned about this change. Again, it's what we want in our town for all of our residents and not just ten license holders or whatever we have at this point. They should not drive Council's decision and it should be what the residents in general would prefer. Mr. Prickett asked if it is possible if one establishment might stay open later because another one is open late; they keep up with the businesses that are in the town. Mr. Prickett expressed the Mayor's idea is good to survey the establishments to see what their preferences are. Maybe if they want to close at 1:00 for example, they are staying open until 2:00 because other establishments are and they really don't want to. Maybe they're not making a lot of money after 1:00 or 12:00 or whatever it might be. Mr. Prickett reiterated that the Mayor's suggestion is good that we send our a request for some information from those that have alcohol licenses in our town. The Mayor noted that at this point most of our license facilities are closing before the 4:00 time allowed and even before 2:00 that most other towns are. It may not be an issue with the current license holders but then again it's what you're looking to set for the way of life here in Pemberton. Do you want establishments open after 2:00. Mrs. Scull remarked to let's be realistic; this came up because we had a resident who was frustrated that has continually reported the violations and the business is still operating continuing the violations. Council wouldn't even be talking about this otherwise if it wasn't just for that one business. Mrs. Scull continued that it is important and Council does need to know how many violations have been given. Mr. Cartier conveyed that it's not so much DUI because the majority of them are probably coming from bars in town but you don't know that and don't know where they came from. His request was for the public disturbance

calls specifically to that location or the nuisance calls to that location or the noise violations to those specific locations. Those are the ones that concern him. The Mayor conveyed if they haven't been heard in court yet he doesn't know that those are things that can be considered or should be considered. Mrs. Scull conveyed it's been going on for months and should have been heard. Mr. Cartier remarked he is not talking about the ones that haven't been heard in court but there's got to be a history to this prior to any pending court hearings. The Mayor advised Administration will check to see if there are any concluded cases but he is aware of numerous pending cases since this has been brought to our attention. The Police have actively been out there and it's not just DUI's, it's disorderly conduct offenses, there are parking offenses, there's a slew of offenses that are being addressed out there but he doesn't know how many of them have been to court and Administration will check on that. Mrs. Stinney confirmed with Council that it is Council would like the Mayor to go back and dialogue with the other establishments.

b. Council's approval of PTMUA's professional contracts (as to fees).

Mrs. Stinney informed that Council has received the packet of information.

Motion by Scull and Prickett to authorize the approval for the MUA's professional contracts as presented. Scull, yes; Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

c. Discussion of proposed towing ordinance.

Mrs. Stinney expressed she is sure that Council has read the background package for this proposed ordinance. Mrs. Stinney asked Council if they would authorize Administration to draft a proposed ordinance for Council to review and consider at a future meeting. If any of the Council members have any questions, comments, concerns or input regarding the draft, she would ask that they send them to Administration so that they can incorporate them in to the draft. Mrs. Stinney encouraged the public to contact the Mayor, Business Administration or herself so that they can have good dialogue with the draft ordinance as it will be presented in further meetings. Mrs. Stinney asked Council if they would give that direction. Mr. Prickett replied he certainly would and added that all of the other activities in a municipal government are generally governed by ordinance and this is an instance where we have waited a long time for an ordinance to be considered in Pemberton Township. Mrs. Scull asked how is it handled now. Mrs. Stinney reported this has been an on-going problem according to the document that she has and she is grateful to have this come before this Council so that we can get this straightened out. Mayor Patriarca informed it is basically handled as what was formulated many years ago, the towing association which governs the program and supposedly through the Police Department but there is not much contact that goes on between the association and the Police Department as one might think. The association governs it and it came to Administrations' attention because one individual had some issues trying to get in to the association and in to the program. Whether they would qualify even if we get the ordinance under their current conditions if we get the ordinance in place, we don't know at this point. We feel it's something that should be governed as in most municipalities by the local government and not the towing association and not to say that he's not doing a good job because the Mayor doesn't know if he is or isn't because the Mayor is not in contact with him but one of the individuals that's in the towing rotation, runs the program and it's always been that way. Mrs. Scull expressed that it seems to her that it used to be there was a rotating list and if you're business was on it this week, you had towing this week and that's who they called. It wasn't rotating difference businesses and different days and if you needed two tow trucks, you called out somebody else but she thought it was the Police that handled that and asked if it worked that way now.

Mayor Patriarca responded no, and Mr. George Estelle ran it for many years and it was as smooth then as it is now. It's still a functioning operation but if you want to get on the program, somebody in the program has to approve you. Mrs. Scull added that therefore, you're taking business away from them or could be. The Mayor replied that it could be perceived to be that way but it doesn't mean that is occurring but to make sure that doesn't happen, you have to have a set of rules that is governed by the Township. Our Police Department calls them out for a tow. What they do on their own is different and asked if this involved their own personal towing. Mrs. Scull replied no. Mr. Vaz responded only when they are called out on our jobs. The Mayor stated this is something that we initiate but then we have no control over with our legislation. That's why Administration feels it's important that there is something in place that Administration is governing that they follow to be a part of. Mrs. Scull agreed that it's a little overdue probably. Mrs. Stinney asked Council for a consensus for the draft. All of Council answered yes and Mr. Cartier commented that Administration never needed his consent to draft an ordinance before. Mrs. Scull stated that Council does not want Administration wasting our lawyers time and money.....Mr. Prickett interjected that is not what Mr. Cartier said, he said they draft ordinances without Council's consensus. Mr. Prickett added that sometimes that has been a waste. Mrs. Scull agreed that sometimes it has.

d. Discussion of proposal from Rancocas Conservancy for preservation of township property.

Mrs. Stinney advised Council received a letter in regard to block 8 addressed to Mayor Patriarca and read the following: "As you may know, the Rancocas Conservancy's largest nature preserve, our North Branch Preserve, is located in your Township along the Pemberton By-Pass. In our continuing effort to grow and improve our preserves, we have identified the three Township-owned properties listed above that would make excellent additions to our preserve (see enclosed map). Under our ownership, these properties would be monitored and maintained by our organization, and as with the rest of our properties, open to the public for passive recreation. In addition, under our ownership, the Township will begin to receive Payments In-Lieu of Taxes (PILOT) for these properties. This is particularly significant for your town since Pemberton is only 80 acres short increasing your PILOT payments by 150%. This transaction alone will advance you nearly half of the way toward that goal". Mrs. Stinney informed it is signed by Christopher Jage who is the Trustee of the Rancocas Conservancy. Mrs. Stinney noted it was sent to Mr. Prickett when he was Council President. Mr. Prickett informed it was copied to him back in 2007. Mr. Cartier asked the Mayor and Business Administrator if Council just approved preserving land or giving land over to the state for the state forest out near Country Lakes that will put us over the top for PILOT within the last year. Mrs. Stinney advised it was Presidential Lakes. The Mayor replied that they are still doing work on that and Administration hasn't even got that deal sowed up yet as they are doing title work on that. Mr. Cartier asked if that is something that will eventually put us over the top on our PILOT. Mr. Cartier stated not to mislead anybody, but this was drafted back in 2007. The Mayor explained that this is basically property that is primarily wetlands and doesn't serve us a whole lot of need and it will add to the area that they are currently working on and cleaning up. They are putting some trails through there and this is property that is off of the bypass just pass the creek on the right hand side and along the bend and there is a really nice walking path down there. Administration does not see where it serves the Township as much as it would serve the Conservancy in preserving that property. Mr. Cartier asked if the engineer could provide Council with something showing exactly where the wetlands are in that area. Mayor Patriarca informed he can print something out on the GIS and can bring it up now if Mr. Cartier wants to look at it if he doesn't believe him. Mr. Cartier responded that he would because they are all not on the

right hand side of the bend and there is a property that is on the left hand side that is well away from the creek, adjacent to a dirt roadway and he would like to see that that is wet. Mr. Rehmann expressed that is a problem they have when they teach a client how to use the GIS they no longer need the engineer. Mrs. Scull stated she is confused and noted she is on the bypass going towards Pemberton and asked if it is on the left or the right. Mrs. Stinney answered the right. Mr. Cartier replied both according to the map. Mr. Prickett asked Mr. Cartier where it is on the Burlington County College side. Mr. Cartier replied the shaded triangle, block 843. Mr. Prickett asked if Duck Road is back there. Mrs. Scull answered Coleman's Bridge. Mrs. Stinney asked Council if there is a consensus to have Administration prepare this by ordinance for the next Council meeting. Mr. Cartier expressed that his consensus is that he would be okay with any part within wetlands. Mayor Patriarca asked Mr. Cartier or within the buffer. Mr. Cartier replied that we all know that buffers can be given variances and he knows it's difficult with Pinelands but it can happen and recent events have shown that. Mr. Rehmann commented that you can buffer averaging where you can increase a buffer in one spot and decrease it in another spot. Mr. Cartier agreed. Mayor Patriarca responded that the problem with this one particular site is it is 3.77 acres and as shown on the one tail end of it, it's so narrow which would consume most of it. The left side of it which would be the only developable side would be under the three acres required for a septic and there is not city sewer out there and he doesn't ever see us getting it. There are a lot of complications with that particular property. Mr. Inge did not have any comments and he was okay with preparing the ordinance for the next meeting, Mr. Cartier stated he is with what he said, Mrs. Scull agreed and Mr. Prickett commented that by doing this we increase the acreage in lieu of taxes and that brings in a little money every year because of that and if the state every buys those pieces of property that the Council has already looked at, 100 or 200 acres that was wetlands around Country Lakes and Presidential Lakes and that would set us over that minimum number and it would double, where we are bringing in about \$26,000 a year and it should double that to around \$50,000 a year and that's a good thing. The other thing is the Rancocas Conservancy maintains their properties and as the Mayor mentioned, an Eagle Scout was building a trail through there and asked the Mayor if he was a part of that. Mayor Patriarca replied no, but the Environmental Commission has been doing some work with them helping them out. Mr. Prickett continued with that being said, they would be maintaining the property and that might alleviate some problems for the Township. Mrs. Stinney commented there wasn't any other group looking through there.

GENERAL PUBLIC COMMENTS:

Mrs. Stinney opened the meeting to general public comments. Mrs. Stinney commented to the public that she and Mrs. Young have spoken many times about the sensitivity of the microphones and what they pick up and that's why the public is asked if they would keep the noise level down in the audience so that the microphones don't pick it up so if someone asks for a copy of something here, a person may say a word and then the public will make a comment and that person's word is missed. Mrs. Stinney commented that she is not picky, picky and she is grateful for the way that our residents come forward and address the Council. In the past three years that she has been here, Council sometimes disagrees and that's fine because if Council all agreed there would be nothing to address. Council agrees but she asks that Council is not disagreeable. Mrs. Stinney has read some articles where she thinks she's in class and doesn't want to hear pencils drop or whatever but it's called respect and she's grateful for that and she really wants to say that she is truly, truly grateful. She loves her residents here in Pemberton Township and loves the things that she does for her residents in Pemberton Township and wishes that she could do more but she does have to look for a job too. Mrs. Stinney reiterated that she is not trying to be picky but is grateful that we are respectful to one another so that we can hear exactly what is going on. The

Burlington County Times is here and sometimes she can't hear four or five things that are going on and she is sure the reporter is pretty trained for that. The accuracy is important for our newspaper people to come and write the things that are being said. Mrs. Stinney reiterated that she is grateful and that has been on her heart and not that articles bother her because they don't. She just wanted to say from her heart that she appreciates that and she is not picky, picky about things and be quiet but just be respectful to one another. Mrs. Stinney invited the public to come forward and if she doesn't have the answers, she will get the answers. She does not propose to have every answer to every question. Mrs. Stinney referenced her comments to Mr. Prickett respectfully were that she does make notes and if it does sound like it's scripted, it's okay. Some people can talk off the top of their heads and some can't.

Those wishing to comment were: **Bob Cushmeyer:** 1. Asked why the GIS map can't be put on the fancy tv screen so the public can see it. 2. Very hard for the public to try to equate total budget costs, cents increase and what percentage and stuff and if the budget is \$24.2 million this year, how much was it last year. Mayor Patriarca replied \$23.2. Mr. Cushmeyer commented it's an increase of \$1 million. For some reason that stands out for the public. 3. Asked if it is a transfer of ownership for the property to the Rancocas Conservancy or will it just be preserved. Mrs. Stinney replied it is going to be preserved. Mayor Patriarca informed it is a transfer of ownership. Mrs. Stinney commented if she doesn't have the answers, she'll get them for him. Mr. Cushmeyer advised there is a volkswagon bus on that piece of property. 4. Attended the Joint Land Use Study that was in New Egypt where a hearing was conducted. Understands there are four members of the policy committee that are suppose to represent Pemberton Township including Council President Stinney, but no one was at the hearing from our policy committee in Pemberton Township and asked if there is a reason for that. Mrs. Stinney responded that she can't speak for the rest of the Council members but.....Mr. Cushmeyer interjected with it's actually four people, the Mayor, Council President, Ms. Austin from the School Board and the Superintendent of Schools. Mr. Cushmeyer added that none were there and it is a pretty important process that is going on out there. Mrs. Stinney continued that she tries to incorporate herself with many, many things the best that she can. Mr. Prickett informed that he was at that hearing. Mr. Cushmeyer commented to Mr. Prickett that he is not an official representative of Pemberton Township. Mrs. Stinney stated Mr. Prickett represents Council and thanked him. There being no additional members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments.

SOLICITOR'S REPORT:

Dave Clark: 1. No report at this time.

ENGINEER'S REPORT:

Chris Rehmann: 1. Working diligently to keep Presidential Lakes on track and the importance of the water supply well improvements is that they will quickly be moving in to the point and time when that water supply well will be needed to meet our water supply needs. 2. Working on a number of projects and have submitted a report which lists the projects ARH is currently working on. 3. Reported that they are requesting the County in regard to the WaWa site at the historic train station as to why there was an inlet removed from the plans that was on the county road which may have some impact with the drainage associated with that. ARH is continuing to monitor that situation. Asked for any questions or comments on his report.

MAYOR'S REPORT:

Dave Patriarca: 1. Apologized for not attending the JLUS meeting which he has faithfully attended for dozens of meetings in the past. The Mayor checked his

schedule and did not see the meeting and it's one of two that he has missed since the start of the project. It's not that Administration is neglecting the project by no means and it was certainly an error on his part. **2.** There was a clean up conducted Saturday by the Clean Communities Committee. The clean up was in Browns Mills in the business district and around Mirror Lake, North and South Lakeshore Drive. There does still need some work there. Despite the weather conditions, there were about 35 volunteers that came out to help in this clean up and were quite pleased with that. Rita Water's Ice helped out with a location to stage from and were very generous in supply water and water ice. It was a successful clean up and if we stay on track from last year, we'll probably do at least another six or seven clean ups from last year. **3.** Leaf pick ups in area one starts on April 20th and the schedule is on line. It is usually advertised in the paper and also is on the webpage and available in the municipal building. We insist that the public have their leaves raked up, bagged, and ready to be picked up on the scheduled week that they are to be picked up or they may not get them picked up after that. **4.** Attended along with some Council members, the Country Lakes 50th Anniversary Dinner and it was a very well organized event and a nice evening to be with our local volunteer fire fighters at a time when they were celebrating an important part of their history.

Mrs. Stinney advised she will be starting out with Council comments by herself. **1.** Apologized to Mr. Cushman that she missed an opportunity to ride with the Mayor as they always ride together to these meetings. She does the best that she can. Mrs. Stinney noted how harmoniously Council works together and that Mr. Prickett attended. Mrs. Stinney will ask Mr. Prickett to provide a run down on the meeting and expressed her appreciation to Mr. Prickett for attending. **2.** Noted on the Mayor's comments regarding the 50th celebration of one of our fire companies and also Mr. Inge's commenting that GoodWill is over 100 and something. She can't imagine how a Council would not recognize any of our fire companies in their anniversaries of 25, 50, 75, 100 and so on. Mrs. Stinney hoped that not only this Council but further Councils would recognize each and every last one of the fire companies and not particularly single out one because certainly they are duly, duly in order to be recognized. Asked that a representative from the Country Lakes Fire Company come forward and asked Council to stand and recognize them. Mrs. Stinney commented that she read a letter from the Governor's office, Mrs. Scull read a letter from Congressman Adler's office, Mr. Inge and Mr. Cartier read letters from our legislators and it was really nice. Mrs. Stinney noted that Mr. Prickett was missed. Mr. Prickett informed he attended a BMIA meeting. Mrs. Stinney read the following certificate, "Pemberton Township recognizes Country Lakes Volunteer Fire Company for their 50 years of dedicated service to the Pemberton Township residents presented by Pemberton Township Council, April 1, 2009". Mrs. Stinney thanked the representative. **3.** Read an email that was forwarded to Council which was addressed to the Mayor, Chief of Police, Business Administrator and Council, "Very early Saturday morning at approximately 12:45 in the morning, we received a call from our youngest son, Brian, asking us to come over because his wife Melinda was acting weird. We dressed quickly and hurried to their home. It took me by surprise to see a police vehicle in the driveway. Melinda was lying on the bathroom floor and although it is hard to believe, looked horrible (Mrs. Stinney commented this means she's a beautiful young lady). Officer Pete Glendon was attending to her asking necessary questions and was obviously well trained as an EMT. He had arrived within three minutes of Brian's 911 call. Within 15 minutes, the emergency squad arrived with two female EMT's. Officer Glendon indicated he thought she had the flu because of the vomiting and diarrhea she was experiencing. His calm demeanor was very reassuring to us. She was transported to Virtua Hospital, was given IV fluids for severe dehydration, diagnosed with an acute gastro intestine virus and returned home at 5:00 in the morning. We want to express our sincere gratitude to Officer Glendon and the emergency squad personnel who helped us during this stressful

episode. Our community is lucky to have such outstanding personnel who can be counted on to respond without hesitation and conduct business in a very professional manner”. It is signed by Mr. and Mrs. Charles and Dona Jenkins. Mrs. Stinney commented that we do appreciate our workers. **4.** Reported that the superintendent and the Mayor and she had an opportunity to meet and discuss the budget for the school board and tomorrow will be the budget hearing for the school board. The superintendent informed there will be a ground opening of the new Pemberton ECC school. Mrs. Stinney read for the record, “The Pemberton Township ECC is estimated to have saved and created approximately 290 jobs over the life of the project. The new eighty eight, one hundred and seventy square foot, one story Pemberton Early Childhood Center will be built on an 18 acre portion of a 63 acre former farmland site. The facility for the 3, 4 and 5 year olds will include 22 pre-kindergarten classrooms, 13 kindergarten classrooms and 1 special education pre-kindergarten classroom. It will also have a combination cafeteria/auditorium, kitchen, staff development center, administrative space, a playground area and parking. This is Pemberton’s first free standing construction project built through the SDA it is scheduled to open in January 2011. Under an agreement between the SDA and the State Agriculture Board, 45 acres of the site will be left undeveloped. This space will be used for educational farming activities as approved by the Pemberton Township Board of Education”. Mrs. Stinney informed this was in the newspapers and this was something long waited. She served on the Board of Education when they first implemented this and received approval through at that time FCC. This is currently on the webpage and she wanted to applaud the Pemberton Township Board of Education and those who made this happen. **5.** Thanked Council for working with her while she went through a different procedure this evening. Will start with Mr. Inge, Mrs. Scull, Mr. Prickett and Mr. Cartier for final comments.

Tom Inge: **1.** Thanked all of the residents for coming out tonight and wished them a safe trip home.

Sherry Scull: **1.** Thanked everybody for coming out. **2.** Thought Saturday night’s event by the Country Lakes Fire Department was so well planned and so well done. They did an outstanding job and it was certainly one of the better times she has had in a while. **3.** Noticed that the Lake View Inn is coming down on Lakehurst Road. It’s a mixed feeling because that building has been there for so long but it’s also a sign of something positive and probably a little prettier to look at that is in the works. Glad to see that happen. **4.** At the last budget meeting, she left with the feeling that she has not had at a Council meeting in months. She was so proud that the five Council members and the Mayor sat and worked together, listened to each other’s suggestions, made cuts not as much to please some people but felt we had a responsible budget. None of Council want taxes to go up, it’s just not a positive thing. Taxes is a dirty word in America; however, we are very lucky to be Americans. All of Council worked together and was very proud when she left the meeting because it’s not something that has happened all the time in the past couple of months. Mrs. Scull commented she felt very good about it and just wished that every meeting they could show that much respect to each other and to the community. That’s what the community elected Council to do. Council doesn’t always have to get along but there should be a working together and not undermining each other and not trying to show up each other. Council should be here for what’s best for the community and if Council disagrees and there have been a few times when she has been on the short end of a vote, she gets over it. That’s why there is democracy and it’s doesn’t mean she should sit here for the next six months and complain because she didn’t agree with the entire decision. Council pulls together, moves on and tries to do positive things for the town. That’s her commitment and she wanted to thank all of Council and the Mayor for the wonderful meeting. Thanked Mrs. Eden for all of her hard work on the budget.

It's not an easy process and considering what they could have been facing, they made the right decisions. 5. Thanked everyone for coming out.

Richard Prickett: 1. Conveyed that Council President asked him to do a report on several meetings and he provided the following: Joint Land Use Study public hearing that took place on March 30th in New Egypt and the Central Jersey Land Conservation Forum on April 1st which the Chairman of the Planning Board attended and it lasted from 8:30 to 2:30. Both meetings were excellent in a number of ways in that they explained how the megabase perhaps is going to help Pemberton Township as far as the economy. One of the things talked about are the people that work at the megabase; there are a lot of professionals that work there that have higher than average incomes in the State of New Jersey and they are baby boomers and a lot of those folks are about to retire and that provides potential opportunities for people to fill those spots to use our education system, the Burlington County College and other education systems in south Jersey to fill those jobs. Typically they live in the community where they work so that could be a benefit to our Township. A study was done of the air fields where the planes take off and land. They wanted to find out how much noise was produced in those areas and they were able to measure that. They also put together a map that showed where most accidents take place and that is about 3,000 feet at the end of the runway to about 6,000 feet. Most of the accidents are within 3,000; not many of those but they are the danger areas between 3,000 and 6,000 feet. They compiled a map that also showed where all of the high noise levels are. Mr. Prickett commented that needs to be in the Master Plan and Mr. Cartier is a representative on the Planning Board and the Mayor is on the Planning Board as well. Mr. Prickett informed he has attended the Planning Board meetings and hasn't heard too much about the JLUS study being incorporated in there and this map definitely should be. One of the things talked about was that should not be areas where COAH housing is designated. In fact, that should reduce taking that map in to consideration; it should reduce our COAH obligation. Mr. Prickett doesn't know whether that has been approved by the COAH committee, but hopefully the Mayor and Mr. Cartier will look in to that to see if that is the direction they are going in and that map could and should be a part of our master plan. Another item has to do with infrastructure and traffic patterns and apparently that wasn't a big part of the JLUS study at this point. That's going to be another study that is coming down the pike hopefully soon and maybe some grant money. In fact at yesterday's meeting, they talked about grant money that could cover roads that are affected by the base. They have said over and over again that legal fees would be available for changing ordinances and zoning and other items that the Township might be interested in doing to be a good neighbor to the base. That's another possible benefit to the Township. Mr. Prickett also attended another meeting earlier this month on March 19th, the Northern Burlington County Growth and Preservation Plan. The Mayor also attended as well as the Planner, Rick Ragan. This plan had to do with a Route 206 study as well as the cost acceptance plan and that plan is going to be presented to our municipality for approval endorsement and from what he understands, it will come before the Planning Board as well as the Council and once it is approved and the County approves it, then what will happen is the state map will be changed to reflect those endorsements. It is important that the residents of Pemberton Township are able to get an understanding as to what this plan is all about. Mark Remza and Dave Holsack have stated that they would be willing to come to a Council meeting and give a presentation. Mr. Prickett expressed hope that the Council President would give them that invitation so they could come and do a presentation for our residents. The municipal comments are due by April 30th and somewhere around May 22nd it is going to be open for public comments. Mr. Prickett conveyed he is all for our residents being familiar with land use changes in Pemberton Township as well as the surrounding Townships and it would be really nice to hear from those Planners at one of our meetings. 2. Regretted missing the Country Lakes

50th Annual Party and recognition of a number of fire fighters, Mike Tamn being one. For many years Mr. Tamn was involved in building the fire house. Mr. Prickett was at the BMIA attending a pasta dinner with 75 attendees and as Mrs. Stinney stated his dates just got mixed and he had to serve and clean up and wasn't able to attend. **3.** Wished everyone a good night.

Ken Cartier: **1.** It's odd for him getting to go last. He appreciates that because he gets to make some announcements that Mrs. Stinney missed. **2.** Congressman John Adler will be hosting a small business summit on April 7th, between 7:00 and 8:00 pm at the Enterprise Center at Burlington County College. It will be the first in a series of panel discussions that will connect local business owners with government organizations available to answer questions and discuss valuable resources. Some of the organizations include the U.S. Small Business Administration, the New Jersey Office of Economic Growth, New Jersey Economic Development Agency, the Burlington County Economic Development and Regional Planning and Rutgers Small Business Development Center. It will be at the Mount Laurel Enterprise Center at Burlington County College. **3.** Congratulated the Country Lakes Fire Company on their 50th year. Council was presented as well as the Mayor along with some other departments in the Township with a plaque from the Country Lakes Fire Company that reads, "Presented to Pemberton Township Council for your dedicated service and support to the Country Lakes Volunteer Fire Company No. 1". It is the original badge with the current 2009 badge and will be on display. **4.** Hopefully Melinda is well on her way to recovery. **5.** Knows why the Burlington County Times is always covering Pemberton Township. He gets pointed out every time he comes to a meeting and he's the center of attention. Mrs. Scull commented he feels like a celebrity. **6.** Mr. Cartier expressed he is a little disappointed. The budget was introduced this evening. As Mr. Prickett stated earlier, it was some 25 hours worth of discussions between Council talking about the budget. Council went through line by line, page by page, department by department and every department passed by a 5-0 vote as they went through it. Mrs. Stinney advised that is correct. Mr. Cartier continued that there was ample time to revisit at the last meeting to go back if there were any concerns with the budget. Mr. Cartier expressed he is a little disappointed that Council did not introduce the budget this evening by a 5-0 vote like Council did at every single budget hearing. There were 3-2 votes and 4-1 votes when it came to cutting and adding and so on, but each department passed by 5-0. There should have been no reason why this budget wasn't introduced by a 5-0 vote here this evening. **7.** Wished everyone a safe trip home and looks forward to seeing everyone at the next meeting.

Motion to adjourn at approximately 8:30 pm.

Respectfully submitted by:

Mary Ann Young, MMC
Township Clerk