

TOWNSHIP OF PEMBERTON

MEETING MINUTES OF REGULAR MEETING

SEPTEMBER 15, 2010

6:30 P.M.

FLAG SALUTE

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

ROLL CALL

PRESENT

Ken Cartier
Tom Inge
Diane Stinney
Richard Prickett
Sherry Scull

ABSENT

None

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

CALL TO ORDER

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

CLOSED SESSION

Closed Session Res. No. 209-2010

RESOLUTION NO. 209-2010

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

1. THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF AND ACTION UPON THE HEREINAFTER SPECIFIED MATTERS.
2. THE GENERAL NATURE OF THE SUBJECT MATTERS TO BE DISCUSSED IS AS FOLLOWS:
CONTRACT NEGOTIATIONS
3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE-STATED SUBJECT MATTERS WILL BE MADE PUBLIC WHEN THE MATTERS HAVE BEEN RESOLVED.

Motion by Cartier and Stinney to approve Resolution No. 209-2010.

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

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

Council President Scull recessed the open meeting at approximately 6:32 PM for Council to go in to Closed Session and reconvened the open meeting at approximately 7:00 PM.

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

PRESENTATIONS

Administration of Oath of Office of Assistant Fire Chief by Mayor Patriarca for the Pemberton Township Volunteer Fire Company.

Mayor Patriarca administered the Oath of Office to Thomas Maahs from Presidential Lakes Fire Company as Assistant Fire Chief for the Pemberton Township Fire Department. Council offered their congratulations to Assistant Fire Chief Maahs. Mrs. Scull thanked the committee for their work on putting the Fire Department together.

CONSENT AGENDA

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

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

***MINUTES FILED BY MUNICIPAL CLERK**

Regular Meeting, September 1, 2010.

***RESOLUTIONS**

RESOLUTION NO. 210-2010

AUTHORIZING THE REFUNDING AND/OR CLOSING OF TREASURER'S ESCROW SUB-ACCOUNTS WHEREAS, PEMBERTON TOWNSHIP REQUIRES FOR VARIOUS CONSTRUCTION AND OR HOME IMPROVEMENT PROJECTS, THAT A TREASURERS ESCROW SUB-ACCOUNT BE ESTABLISHED, AND WHEREAS, THE CHIEF FINANCIAL OFFICER HAS DETERMINED THAT NUMEROUS PROJECTS ARE NOW COMPLETE; AND WHEREAS, THE CHIEF FINANCIAL OFFICER WISHES TO REFUND THE REMAINING MONIES TO THE APPLICANTS, AND CLOSE OR MERGE THE RELATED ESCROW SUB ACCOUNTS. NOW THEREFORE BE IT RESOLVED, THAT THE TOWNSHIP COUNCIL OF PEMBERTON TOWNSHIP, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY HEREBY APPROVES THE FOLLOWING REFUNDS TO THE APPLICANTS AND AUTHORIZES THE CHIEF FINANCIAL OFFICER TO CLOSE THE RELATED TREASURERS ESCROW SUB-ACCOUNTS.

REFUND AMT.	ACCT#	ACCT. NAME	MAILING ADDRESS	BLOCK & LOT
-0-	250096	MARTUCCI	7 STEWARD COURT, CLARKSBURG, NJ 08510	854 /58.02
\$200.00	130013	AMIANO CUSTOM HOMES	1529 RT. 206 TABERNACLE, NJ 08088	66/57-60
\$193.75	130023	CHARLES MARLIN	PO BOX 52 NEW LISBON, NJ 08064	435/6
-0-	130026	DONALD MEREDITH	16 BROOK RUN DRIVE MT. HOLLY, NJ 08060	786.01/2.08
\$100.00	130030	GREGORY BLONAIRE	9 WASHINGTON BLVD BROWNS MILLS, NJ 08015	717/1
-0-	130031	TIM GASKILL	316 BIRMINGHAM ROAD PEMBERTON, NJ 08068	797/2.04
\$91.50	130035	ED WHITE	384 MAGNOLIA ROAD PEMBERTON, NJ 08068	840/24.02
\$100.00	130036	KEN NAPOLI	PO BOX 283 NEW LISBON, NJ 08064	845/18
\$200.00	130038	BARBARA GUIDOTTI	729 PEMBERTON-BROWNS MILLS ROAD PEMBERTON NJ 08068	823.01/4.05
\$85.00	130042	MARGARET CARTER	29 BIRKSHIRE BROWNS MILLS, NJ 08015	848/17.02

RESOLUTION NO. 211-2010

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 1099 LOT 40, 218 COLLEGE DR. OWNED BY CHARLES H & BETTY BLAND QUALIFIES FOR A VETERANS' PROPERTY TAX EXEMPTION AS OF AUGUST 30, 2010; 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 1099 LOT 40 AS A RESULT OF THE GRANTED EXEMPTION; AND WHEREAS, THE TAXES DUE ON THE PROPERTY FROM JANUARY 1, 2010 TO AUGUST 30, 2010 IS \$2,080.80 ; AND WHEREAS, TAXES LEVIED FOR 2010 IS IN THE AMOUNT OF \$3,121.45 ON BLOCK 1099 LOT 40, OF WHICH \$2,456.14 HAS BEEN PAID, CREATING AN OVERPAYMENT. THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO REFUND THE BALANCE PAID ON TAXES IN THE AMOUNT OF \$375.34 TO THE HOMEOWNER.

WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY TO AUTHORIZE THE TAX COLLECTOR TO CANCEL BALANCE OF TAXES DUE ON SAID PROPERTY AS OF AUGUST 30, 2010 TOTALING \$665.31. 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 2010 PROPERTY TAXES ON BLOCK 1099 LOT 40 AS OF AUGUST 30, 2010, 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 TAXES IN THE AMOUNT OF \$375.34 TO: CHARLES H & BETTY J BLAND 218 COLLEGE DR., PEMBERTON, NJ 08068.
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. 212-2010

WHEREAS, MAGNOLIA ROAD FIRE COMPANY DESIRES THAT, PURSUANT TO THE PROVISIONS OF N.J.S.A. 15:8-4, CERTAIN PERSONS BE APPOINTED TO PERFORM PERMITTED POLICE DUTIES AT FIRES AND FIRE DRILLS; NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT THE BELOW LISTED MEMBER BE APPOINTED AND DESIGNATED AS FIRE POLICE OFFICER FOR A TERM OF FIVE YEARS FROM THE DATE OF THIS APPOINTMENT TO PERFORM DUTIES AS PRESCRIBED IN N.J.S.A. 15:8-4 UPON TAKING APPROPRIATE OATH BEFORE THE TOWNSHIP CLERK, A COPY OF WHICH IS TO BE FILED WITH THE CLERK AND ALSO THE SECRETARY OF THE FIRE COMPANY.
CHARLES OTTING

RESOLUTION NO. 213-2010

A RESOLUTION AUTHORIZING SETTLEMENT IN THE MATTER ENTITLED SHARIKA PERRY V. TOWNSHIP OF PEMBERTON AND AUTHORIZING THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE THE TERMS OF THE SETTLEMENT

WHEREAS, SHARIKA PERRY ("PERRY"), A RESIDENT OF THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP"), FILED A TORT CLAIM AGAINST THE TOWNSHIP (THE "CLAIM"); AND
WHEREAS, THE TOWNSHIP HAS PROPOSED SETTLING THE CLAIM FOR \$12,500 IN EXCHANGE FOR A RELEASE OF PERRY'S CLAIMS AGAINST THE TOWNSHIP; AND
WHEREAS, THE MAYOR HAS RECOMMENDED THAT THE TOWNSHIP COUNCIL APPROVE THE SETTLEMENT OF THE CLAIM.

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 CHIEF FINANCIAL OFFICER OF THE TOWNSHIP IS HEREBY AUTHORIZED TO ISSUE A CHECK IN THE AMOUNT OF \$12,500 TO SHARIKA PERRY IN FULL SETTLEMENT OF THE CLAIM UPON RECEIPT OF A RELEASE EXECUTED BY SHARIKA PERRY IN A FORM ACCEPTABLE TO THE TOWNSHIP SOLICITOR.

2. THE MAYOR IS HEREBY AUTHORIZED TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE TERMS OF THE SETTLEMENT OF THE CLAIM SO LONG AS SUCH DOCUMENTS ARE IN A FORM ACCEPTABLE TO THE TOWNSHIP SOLICITOR.

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

- A. MICHAEL RAKOSKI, ESQ.
- B. TOWNSHIP CHIEF FINANCIAL OFFICER
- C. GLUCKWALRATH LLP

RESOLUTION NO. 214-2010

A RESOLUTION OF THE TOWNSHIP OF PEMBERTON APPROVING THE AMENDED LEASE AGREEMENT WITH BROWNS MILLS FIRE COMPANY NO. 1 FOR SPACE TO HOUSE TOWNSHIP OWNED FIRE EQUIPMENT

WHEREAS, THIS RESOLUTION AMENDS THE LEASE AGREEMENT WITH BROWNS MILLS FIRE COMPANY THAT WAS APPROVED ON SEPTEMBER 1, 2010; AND

WHEREAS, BROWNS MILLS FIRE COMPANY NO. 1 ("BROWNS MILLS FIRE") IS LOCATED WITHIN THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP"); AND

WHEREAS, THE TOWNSHIP AND BROWNS MILLS FIRE DESIRE TO ENTER INTO AN AGREEMENT (THE "LEASE AGREEMENT") WHEREBY BROWNS MILLS FIRE WILL LEASE SPACE IN ITS BUILDING TO THE TOWNSHIP IN ORDER TO HOUSE TOWNSHIP OWNED FIRE APPARATUS AND EQUIPMENT; AND

WHEREAS, THE LEASE AGREEMENT WILL COMMENCE ON JANUARY 1, 2010 AND END ON DECEMBER 31, 2011; AND

WHEREAS, THE TOWNSHIP WILL PAY BROWNS MILLS FIRE A SUM OF \$12,500 ANNUALLY, AND SUCH PAYMENT WILL INCREASE BY \$250 ON JANUARY 1, 2011; AND

WHEREAS, THE TOWNSHIP COUNCIL HAS DETERMINED THAT IT IS IN THE BEST INTERESTS OF THE TOWNSHIP TO ENTER INTO THE LEASE AGREEMENT WITH BROWNS MILLS FIRE.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE LEASE AGREEMENT BETWEEN THE TOWNSHIP AND BROWNS MILLS FIRE COMPANY NO. 1 FOR SPACE TO HOUSE TOWNSHIP FIRE EQUIPMENT IS HEREBY APPROVED; AND

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

- A. BROWNS MILLS FIRE COMPANY NO. 1
- B. TOWNSHIP CHIEF FINANCIAL OFFICER
- C. GLUCKWALRATH LLP

RESOLUTION NO. 215-2010

A RESOLUTION OF THE TOWNSHIP OF PEMBERTON APPROVING THE AMENDED LEASE AGREEMENT WITH COUNTRY LAKES VOLUNTEER FIRE COMPANY NO. 1 FOR SPACE TO HOUSE TOWNSHIP OWNED FIRE EQUIPMENT

WHEREAS, THIS RESOLUTION AMENDS THE LEASE AGREEMENT WITH COUNTRY LAKES FIRE COMPANY NO. 1 THAT WAS APPROVED ON SEPTEMBER 1, 2010; AND

WHEREAS, COUNTRY LAKES VOLUNTEER FIRE COMPANY NO. 1 ("COUNTRY LAKES") IS LOCATED WITHIN THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP"); AND

WHEREAS, THE TOWNSHIP AND COUNTRY LAKES DESIRE TO ENTER INTO AN AGREEMENT (THE "LEASE AGREEMENT") WHEREBY COUNTRY LAKES WILL LEASE SPACE IN ITS BUILDING TO THE TOWNSHIP IN ORDER TO HOUSE TOWNSHIP OWNED FIRE APPARATUS AND EQUIPMENT; AND

WHEREAS, THE LEASE AGREEMENT WILL COMMENCE ON JANUARY 1, 2010 AND END ON DECEMBER 31, 2011; AND

WHEREAS, THE TOWNSHIP WILL PAY COUNTRY LAKES A SUM OF \$12,500 ANNUALLY, AND SUCH PAYMENT WILL INCREASE BY \$250 ON JANUARY 1, 2011; AND

WHEREAS, THE TOWNSHIP COUNCIL HAS DETERMINED THAT IT IS IN THE BEST INTERESTS OF THE TOWNSHIP TO ENTER INTO THE LEASE AGREEMENT WITH COUNTRY LAKES.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE THE LEASE AGREEMENT, IN A FORM LEGALLY ACCEPTABLE TO THE TOWNSHIP SOLICITOR, BETWEEN THE TOWNSHIP AND COUNTRY LAKES VOLUNTEER FIRE COMPANY NO. 1 FOR SPACE TO HOUSE TOWNSHIP FIRE EQUIPMENT; AND

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

- A. COUNTRY LAKES VOLUNTEER FIRE COMPANY NO. 1
- B. TOWNSHIP CHIEF FINANCIAL OFFICER
- C. GLUCKWALRATH LLP

RESOLUTION NO. 216-2010

A RESOLUTION OF THE TOWNSHIP OF PEMBERTON APPROVING THE AMENDED LEASE AGREEMENT WITH MAGNOLIA ROAD FIRE COMPANY FOR SPACE TO HOUSE TOWNSHIP OWNED FIRE EQUIPMENT

WHEREAS, THIS RESOLUTION AMENDS THE LEASE AGREEMENT WITH MAGNOLIA ROAD FIRE COMPANY THAT WAS APPROVED ON SEPTEMBER 1, 2010; AND

WHEREAS, MAGNOLIA ROAD FIRE COMPANY ("MAGNOLIA ROAD") IS LOCATED WITHIN THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP"); AND

WHEREAS, THE TOWNSHIP AND MAGNOLIA ROAD DESIRE TO ENTER INTO AN AGREEMENT (THE "LEASE AGREEMENT") WHEREBY MAGNOLIA ROAD WILL LEASE SPACE IN ITS BUILDING TO THE TOWNSHIP IN ORDER TO HOUSE TOWNSHIP OWNED FIRE APPARATUS AND EQUIPMENT; AND

WHEREAS, THE LEASE AGREEMENT WILL COMMENCE ON JANUARY 1, 2010 AND END ON DECEMBER 31, 2011; AND
WHEREAS, THE TOWNSHIP WILL PAY MAGNOLIA ROAD A SUM OF \$12,500 ANNUALLY, AND SUCH PAYMENT WILL INCREASE BY \$250 ON JANUARY 1, 2011; AND
WHEREAS, THE TOWNSHIP COUNCIL HAS DETERMINED THAT IT IS IN THE BEST INTERESTS OF THE TOWNSHIP TO ENTER INTO THE LEASE AGREEMENT WITH MAGNOLIA ROAD.
NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE THE LEASE AGREEMENT, IN A FORM LEGALLY ACCEPTABLE TO THE TOWNSHIP SOLICITOR, BETWEEN THE TOWNSHIP AND MAGNOLIA ROAD FIRE COMPANY FOR SPACE TO HOUSE TOWNSHIP FIRE EQUIPMENT; AND
BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. MAGNOLIA ROAD FIRE COMPANY
- B. TOWNSHIP CHIEF FINANCIAL OFFICER
- C. GLUCKWALRATH LLP

RESOLUTION NO. 217-2010

A RESOLUTION OF THE TOWNSHIP OF PEMBERTON APPROVING THE AMENDED LEASE AGREEMENT WITH PRESIDENTIAL LAKES FIRE & RESCUE SQUAD FOR SPACE TO HOUSE TOWNSHIP OWNED FIRE EQUIPMENT
WHEREAS, THIS RESOLUTION AMENDS THE LEASE AGREEMENT WITH PRESIDENTIAL LAKES FIRE & RESCUE SQUAD THAT WAS APPROVED ON SEPTEMBER 1, 2010; AND
WHEREAS, PRESIDENTIAL LAKES FIRE & RESCUE SQUAD ("PRESIDENTIAL LAKES") IS LOCATED WITHIN THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP"); AND

WHEREAS, THE TOWNSHIP AND PRESIDENTIAL LAKES DESIRE TO ENTER INTO AN AGREEMENT (THE "LEASE AGREEMENT") WHEREBY PRESIDENTIAL LAKES WILL LEASE SPACE IN ITS BUILDING TO THE TOWNSHIP IN ORDER TO HOUSE TOWNSHIP OWNED FIRE APPARATUS AND EQUIPMENT; AND
WHEREAS, THE LEASE AGREEMENT WILL COMMENCE ON JANUARY 1, 2010 AND END ON DECEMBER 31, 2011; AND
WHEREAS, THE TOWNSHIP WILL PAY PRESIDENTIAL LAKES A SUM OF \$12,500 ANNUALLY, AND SUCH PAYMENT WILL INCREASE BY \$250 ON JANUARY 1, 2011; AND
WHEREAS, THE TOWNSHIP COUNCIL HAS DETERMINED THAT IT IS IN THE BEST INTERESTS OF THE TOWNSHIP TO ENTER INTO THE LEASE AGREEMENT WITH PRESIDENTIAL LAKES.
NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE THE LEASE AGREEMENT, IN A FORM LEGALLY ACCEPTABLE TO THE TOWNSHIP SOLICITOR, BETWEEN THE TOWNSHIP AND PRESIDENTIAL LAKES FIRE & RESCUE SQUAD FOR SPACE TO HOUSE TOWNSHIP FIRE EQUIPMENT; AND
BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. PRESIDENTIAL LAKES FIRE & RESCUE SQUAD
- B. TOWNSHIP CHIEF FINANCIAL OFFICER
- C. GLUCKWALRATH LLP

***PAYMENT OF BILLS**

Approval by Council required for payment of vouchers on bill list dated 9/10/10.

Motion by Cartier and Stinney to approve consent agenda as presented.
Cartier, yes; Stinney, yes; Prickett, yes; Inge, yes; Scull, yes. Motion carried.

NEW BUSINESS

Councilman Cartier noted that there is a request by Administration to add a purchase over \$3,900 for Emergency Placement of drainage pipe at Concord and Coville Drive in the amount of \$14,100.00

Motion by Cartier and Prickett to add purchase over \$3,900 for Emergency placement of drainage pipe at Concord and Coville Drive in the amount of \$14,100.00. Cartier, yes; Prickett, yes; Stinney, yes; Inge, yes; Scull, yes. Motion carried.

Motion by Cartier and Prickett to approve emergency purchase in the amount of \$14,100 to Mac Rose Contractors Inc. Cartier, yes; Prickett, yes; Stinney, yes; Inge, yes; Scull, yes. Motion carried.

UNFINISHED BUSINESS

- a. Review of proposed ordinance to regulate solar/wind uses.

Pemberton Township Planner Owen McCabe gave those in attendance an overview of Alternative Energy issues that the State and Municipalities are currently facing. Mr. McCabe advised that although discussion should continue on an alternative energy ordinance, the Township should hold off on introducing or adopting anything until the Pinelands has finalized their policy. He noted that this has become such a discussed topic now because of the Federal tax credit which will expire on December 31, 2010 if the alternative energy project is not under construction.

Mr. McCabe advised Council against any discussion regarding the application that is currently before the Zoning Board, as any appeals would have to come before Council.

Mr. Prickett commented on some of the benefits of solar arrays as accessory uses, however expressed some concerns over possible environmental concerns with large solar arrays and what would happen if larger solar farms are, in the future, abandoned.

Mr. Inge asked if there are any current stipulations if someone wanted to install solar panels on their property. Mr. McCabe explained that there is currently none, it would have to be done through the variance process.

Mrs. Scull asked about any studies done on the health impact to those who have installed solar panels on their property. Mr. McCabe advised that he has not come across any health impact issues in his research.

Mr. Inge commented that since they have the Planner and Engineer at this meeting he would like to discuss a grant that he had recently learned about. Mr. McCabe advised that they did just receive a copy of it. Mayor Patriarca relayed that he and Paula Kosko, their Recreation Director, attended a meeting regarding the grant. Burlington County is offering \$250,000 in recreation grants from monies they have left from the Open Space Tax and they hope to offer this each year. Paul Kosko is working on the grant application for the basketball and tennis courts for this funding round and will be working with the Planner and Engineer on that. Mr. Inge commented on looking at the football fields to which Mayor Patriarca advised that could be looked at for future application and that these grants are specifically for municipally controlled properties, they are not available to the School Boards.

GENERAL PUBLIC COMMENTS:

Council President Scull opened the meeting to general public comments. Those indicating a desire to be heard were: **Karen Kritz**, Ft. Dix Road, clarified that solar panels are not counted towards impervious coverage but are not exempt from storm water management and on preserved farms there is no limitation on solar panels installed on buildings but there is a limitation on ground application based on acreage. Ms. Kritz also clarified that construction must begin by December 31, 2010 in order to receive the tax credit. She commented that solar technology has been around for quite a while as she worked in solar on the Board of Public Utilities 26 years ago. **Barbara Rich**, Moorestown, asked about the status of the Environmental Resource Inventory and was advised that the draft is done; Council is entertaining more comments and is waiting on the final version. Ms. Rich gave to Council an ANJEC report entitled "Right Side for Solar". She spoke of the Township's ability to consult professionals regarding issues and it being paid through escrow funds. Chris Rehmann, Township Engineer, advised that there is already a system in place as this occurs routinely. **Sana Syed Enz**, Preserve at Rancocas Creek, asked about the curfew time, she continually sees young children on the streets around 11pm. Ms. Enz referred to an article noting that Mt. Holly was changing their curfew time to 10pm. Mrs. Scull advised they would have the issue looked at and advised Ms. Enz to call the police non-emergency number when she sees the children on the street. **Ken Festino**, 17 Juliustown Road, noted that he received a phone call from Mr. Vaz advising that the Township is preparing a law suit against him. He does not agree with how this is being handled as they have done so much for the Township. Mrs. Scull acknowledged his frustration but advised that they could not discuss the issue if there is a pending lawsuit. Mr. Vaz commented that he was reaching out to Mr. Festino one last time as he was advised that the other party was going to be filing a law suit which the Township would

end up being a party to. **America Phillips**, Presidential Lakes, thanked the Public Works Department for their quick response to a maintenance issue on the new bridge in Presidential Lakes. Ms. Phillips asked if there is a cleanup scheduled for Presidential Lakes on September 25th, the Mayor advised that he believes that cleanup is for Country Lakes. Ms. Phillips also commented on the kids out on the streets late in the evening and also playing in the lot behind the firehouse and jumping out onto Connecticut Rd. Mr. Cartier noted at this time that the curfew for Pemberton Township is 10pm – 6am every evening. **Ray Wells**, School Board Liaison, noted that the school had an inordinate amount of late registrations for school this year. Mr. Wells asked if the Township had received the literature that was discussed at the last meeting and was advised by the Mayor that he will look into it. Mrs. Stinney asked Mr. Wells about a report a resident asked her about regarding school enrollment figures and a difference in what Mr. Wells had reported. Mr. Wells had not seen the report and advised he would look into it. Mr. Cartier noted that he is also concerned about the 160 students they are down from last year. Mr. Wells expressed that this is a State wide issue; all districts have seen a decrease in enrollment for the past few years. Mr. Inge asked about the nurse situation at the Haines School as a resident brought a concern to him. It was discussed that there are 2 nurses at that school complex that rotate among the schools and Mr. Inge will give Mr. Wells the contact information for the parent so he can get additional information. Mr. Wells also advised that the parent could come to the School Board meeting to voice her concerns. Mrs. Scull asked and was advised that Brittany had arrived safely in the Philippines with her host family.

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

SOLICITOR'S REPORT

Andy Bayer: No report.

ENGINEER'S REPORT

Chris Rehmann: Reported that the Department of Environmental Protection put out a notice on a Clean Water Financing program. The Engineer's office is researching this and notes it would be a good opportunity for the Township to obtain funding for the water system improvement projects currently being worked on. Mr. Rehmann advised that a commitment letter and planning documents must be submitted by October 4th and is requesting permission from the Township to make application with no cost to the Township. Mr. Rehmann believes they have a good chance at getting this funding since they are currently under an ACO from the State.

Motion by Inge and Stinney to authorize Engineer to make application.

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

Mr. Rehmann advised that he will email the full application to the Township Clerk's office.

Mr. Rehmann reported that they will be taking bids on September 30th for the 2010 Road Program which will include North Whitesbog Road and that they will also be receiving bids for Lemmon Avenue. This will be done as three separate bids and will offer contractors the opportunity to bid on all three.

MAYOR'S REPORT

Mayor Patriarca thanked Council for their approval on the Concord Coville project. Mayor noted that the lifeguard building has been re-sided and windows replaced and their employees did a wonderful job on that. The parking lot for Imagination Kingdom has been completed and they will be adding some reflectors

for safety. Department of Public Works is continuing brush pick up on a call-in basis. The Water Department is working on some projects and completed a project on Well #12 that they were able to do in-house and save the Township money. The Water Department is continuing some capital projects on North Lakeshore, installing fire hydrants and some new water lines. They are also looking into complaints of water quality in the Johnson Court area and looking at making it a loop system rather than the current dead end system to solve that issue. Mayor comments on some news he received on fire damage to the Peace Garden Gazebo on South Lakeshore Drive and is awaiting further information on that. Mayor advised that there will be events held for Fire Prevention week, October 3, 2010 and on October 9, 2010 noting the Fire Departments will have demonstrations at the Municipal Building field which will replace the open houses they have held in the past.

BUSINESS ADMINISTRATOR'S REPORT

Mr. Vaz gave a brief synopsis of the situation with Mr. Festino and Rita's Water Ice and advised that he has been trying to get the parties to meet and deal with this through mediation rather than go to trial. Mayor Patriarca also noted that he never refused to meet with Mr. Festino, he was aware that Mr. Vaz was handling the situation.

Mr. Inge asked about the fencing placed at Imagination Kingdom and if there have been any problems with the wood warping. Mayor Patriarca advised that they have not experienced any warping issues with this method of fencing and it has been used in other areas of the town, but they will keep an eye on it.

Council President Scull asked that the residents be advised when Mr. Vaz is calling on behalf of the Mayor so that the residents do not think that the Mayor does not call them back.

COUNCIL MEMBERS' COMMENTS

Diane Stinney: Commented on parents knowing where their kids are and would like it looked into if TAG could work with the School Board to set up programs and education for the parents and children. Mrs. Stinney noted that Community Day is October 2nd and maybe the Township could put information out then.

Tom Inge: Thanked everyone for coming out this evening, and wished everyone a safe trip home. He also thanked Ray Wells for coming and extended his appreciation for the communication between the organizations and encouraged other organizations to do the same and to send a representative out.

Richard Prickett: Noted he saw the children at the Nesbitt Center Community Day this past Saturday, noting it was a wonderful event. He relayed that he hears there is not enough to do. He expressed that if one looks in the papers and asks around, there is plenty to do, noting the Fall Fest in the Borough is coming up. He thanked everyone for coming out and wished everyone a good night.

Ken Cartier: Agreed with Mrs. Stinney in that it takes the community to raise the children and although he personally does not have any children, he has relationships with his neighbors and their children and develops a rapport and respect with them, gets involved and lets the parents know if their children are doing something wrong. He feels the Township would be a far better place if they all got involved with the children.

Sherry Scull: Agrees with getting involved with the kids and developing life long relationships. Mrs. Scull noted that the Sunbury Community Day was excellent, and thanked everyone that volunteered and donated items. She feels The Nesbit

Center is one of the best things they do and they are getting ready to expand the program over to the Dominique Johnson Center. Mrs. Scull asked for donations for that center. She announced that she received over \$9,000 in Pride grants so the Senior Prom will be able to be held in April again. She asked the Mayor to look into the leaking windows on the senior bus. Mrs. Scull advised of the Dad and Me program that will be held at the Helen Fort Middle School on November 20, 2010 and noted that on Community Day she will be doing two 1-hour bus tours of Browns Mills History. Mrs. Scull asked about a rumor she heard that the Township will not be represented at Community Day because various departments did not receive funding in their budgets for this event. Mr. Vaz clarified that the Township would be represented there.

The meeting was adjourned at approximately 8:57 pm.

Respectfully submitted:

Mary Ann Finlay, MMC
Township Clerk