

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
MAY 18, 2011
6:30 P.M.**

FLAG SALUTE

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

ROLL CALL

PRESENT

Jason Allen
Ken Cartier
Richard Prickett
Sherry Scull
Diane Stinney

ABSENT

Also present: Mayor David A. Patriarca, Solicitor Andy Bayer, Township Engineer Kelly Willis, Township Planner Rick Ragan, and Township Clerk Mary Ann Finlay.

CALL TO ORDER

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

CLOSED SESSION

RESOLUTION NO. 125-2011

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:
PBA CONTRACT NEGOTIATIONS UPDATE
GEIBEL WORKERS COMPENSATION CASE LITIGATION DISCUSSION
BERARDI POTENTIAL LITIGATION UPDATE
3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE-STATED SUBJECT MATTERS WILL BE MADE PUBLIC WHEN THE MATTERS HAVE BEEN RESOLVED.

Motion by Prickett and Stinney to approve Res. No. 125-2011. Prickett, yes; Stinney, yes; Scull, yes; Allen, yes; Cartier, yes. Motion carried.

Council President Cartier recessed the open meeting at approximately 6:31 PM to go into closed session, and then reconvened the open meeting at approximately 7:00 PM.

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

Council President Cartier reported that there would be no formal action necessary pursuant to closed session.

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

Councilwoman Scull requested to have Resolution 130-2011 pulled from the consent agenda.

Motion by Scull and Stinney to adopt consent agenda as amended.

MINUTES FILED BY MUNICIPAL CLERK

Regular Meeting, April 20, 2011; Regular Meeting, May 4, 2011.

CONSENT AGENDA RESOLUTIONS

RESOLUTION NO. 123-2011

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 HAS ACCEPTED THE APPLICATIONS OF STATTEL FARM, BLOCK 712, LOT 6 AND 7.01 FROM KEN STATTEL INTO THE FARMLAND PRESERVATION EASEMENT PURCHASE PROGRAM; AND WHEREAS, IT IS IN THE BEST INTERESTS OF THE CITIZENS OF THE TOWNSHIP OF PEMBERTON TO APPROVE THE APPLICATION OF THE ABOVE FARM FOR CONSIDERATION INTO THE CURRENT ROUND OF THE FARMLAND PRESERVATION EASEMENT PURCHASE PROGRAM; AND NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY THAT THEY AFFIRM FINAL APPROVAL AND SUPPORT OF PRESERVATION OF THE PROPERTIES LISTED ABOVE THROUGH THE BURLINGTON COUNTY FARMLAND PRESERVATION PROGRAM AT NO MUNICIPAL COST SHARE.

RESOLUTION NO. 126-2011

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:

MARK SCHNEIDER, \$37.60, OWNER NOT DOING WORK, BLOCK 277, LOT 1

RESOLUTION NO. 127-2011

WHEREAS, THE TOWNSHIP OF PEMBERTON ADOPTED RESOLUTION #63-2011, AUTHORIZING APPROVAL TO SUBMIT A LOAN APPLICATION TO THE NJEIT AS WELL AS NAMING THE AUTHORIZED REPRESENTATIVE; AND WHEREAS, SAID RESOLUTION NAMED MAYOR DAVID PATRIARCA AS THE AUTHORIZED REPRESENTATIVE; AND WHEREAS, DUE TO TIME CONSTRAINTS ASSOCIATED WITH THE SUBMISSION DEADLINE, JOSEPH C. PANTALONE, PROJECT COORDINATOR OF THE FIRM ADAMS, REHMANN & HEGGAN ASSOC., INC., TOWNSHIP ENGINEER SERVES AS THE PROJECT COORDINATOR AND ACTUALLY EXECUTED THE SUBMISSION DOCUMENTS ON BEHALF OF THE TOWNSHIP TO ASSURE COMPLIANCE WITH THE IMPENDING DEADLINES; AND

NOW, THEREFORE BE IT RESOLVED, THAT COUNCIL OF THE TOWNSHIP OF PEMBERTON, FORMALLY ACKNOWLEDGES THAT JOSEPH C. PANTALONE, PROJECT COORDINATOR OF THE FIRM ADAMS, REHMANN & HEGGAN ASSOC., INC. IS HEREBY AUTHORIZED TO ACT AS THE AUTHORIZED REPRESENTATIVE TO REPRESENT THE TOWNSHIP OF PEMBERTON IN ALL MATTERS RELATING TO THE PROJECT UNDERTAKEN PURSUANT TO THE ABOVE REFERENCED NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE LOAN TO BE EXECUTED WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE NEW JERSEY ENVIRONMENTAL TRUST. THE AUTHORIZED REPRESENTATIVE MAY BE CONTACTED AT:

JOSEPH C. PANTALONE, PROJECT COORDINATOR
ADAMS, REHMANN & HEGGAN ASSOC., INC.
850 S. WHITE HORSE PIKE
PO BOX 579
HAMMONTON, NJ 08037
PHONE: 609-561-0482

RESOLUTION NO. 128-2011

WHEREAS, THE DIVISION OF LOCAL GOVERNMENT SERVICES, STATE OF NEW JERSEY HAS THE AUTHORITY BY STATE STATUTE TO EXAMINE, REVIEW AND THEN CERTIFY ALL LOCAL GOVERNMENT BUDGETS TO THE COUNTY BOARD OF TAXATION FOR THE PURPOSE OF REAL ESTATE TAXATION, AND WHEREAS, THE BURLINGTON COUNTY BOARD OF TAXATION HAS NOT YET RECEIVED CERTIFICATION OF THE TOWNSHIP OF PEMBERTON'S BUDGET AND CANNOT STRIKE A TAX RATE UNTIL SUCH CERTIFICATION IS RECEIVED FROM THE STATE OF NEW JERSEY AND WILL THEREFORE CAUSE DELAY IN RECEIVING STATE FUNDING, AND

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT THERE WILL BE INSUFFICIENT CASH FLOW TO SUPPORT OPERATIONS IN LATE AUGUST 2011 UNLESS THIRD QUARTER REVENUE IS RECEIVED ON TIME, AND

WHEREAS, THE TAX COLLECTOR IN CONSULTATION WITH THE CHIEF FINANCIAL OFFICER HAS COMPUTED AN ESTIMATED TAX LEVY IN ACCORDANCE WITH N.J.S.A.54:4-66.3, AND THEY HAVE SIGNED A CERTIFICATION SHOWING THE TAX LEVIES FOR THE PREVIOUS YEAR, THE TAX RATES AND THE RANGE OF PERMITTED ESTIMATED TAX LEVIES;

NOW THEREFORE, BE IT HEREBY RESOLVED, THAT THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, HEREBY AUTHORIZED THAT:

1. THE TAX COLLECTOR IS HEREBY AUTHORIZED AND DIRECTED TO PREPARE AND ISSUE ESTIMATED TAX BILLS FOR THE MUNICIPALITY FOR THE THIRD INSTALLMENT OF 2011 TAXES. THE TAX COLLECTOR SHALL PROCEED AND TAKE SUCH ACTIONS AS PERMITTED AND REQUIRED BY P.L.1994, C.72 (N.J.S.A. 54:4-66.2 & 54:4-66.3).

2. THE ENTIRE ESTIMATED TAX LEVY FOR 2011 IS HEREBY SET AT \$31,133,654.69.

3. IN ACCORDANCE WITH LAW THE THIRD INSTALLMENT OF 2011 SHALL NOT BE SUBJECT TO INTEREST UNTIL THE LATER OF; THE END OF THE GRACE PERIOD, OR THE TWENTY-FIFTH CALENDAR DAY AFTER THE ESTIMATED BILLS WERE MAILED. THE ESTIMATED BILLS SHALL CONTAIN A NOTICE SPECIFYING THE DATE ON WHICH INTEREST MAY BEGIN TO ACCRUE.

BE IT FURTHER RESOLVED, THAT THE MUNICIPAL CLERK PROVIDE A CERTIFIED COPY OF THIS RESOLUTION TO THE TAX COLLECTOR.

RESOLUTION NO. 129-2011

WHEREAS, THE TOWNSHIP OF PEMBERTON, PURSUANT TO N.J.S.A. 40A:11-36(2) MAY BY RESOLUTION OF ITS GOVERNING BODY AUTHORIZE THE PRIVATE SALE OF ITS PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE WITHOUT ADVERTISING FOR RECEIPT OF BIDS WHEN SUCH PROPERTY IS SOLD TO ANOTHER CONTRACTING UNIT (INCLUDING ANY MUNICIPALITY); AND

WHEREAS, THE TOWNSHIP OF WOODLAND (WOODLAND) IS IN NEED OF A USED AMBULANCE AND THE TOWNSHIP OF PEMBERTON OWNS AN AMBULANCE THAT IS NO LONGER NEEDED FOR PUBLIC USE; AND WHEREAS, THE TOWNSHIP WISHES TO SELL THE USED AMBULANCE (VIN NO. 1FDXE45F4YHA90461, A 2000 FORD VAN) TO WOODLAND; AND

WHEREAS, THE SALES PRICE OFFERED BY WOODLAND IS \$20,000, WHICH THE TOWNSHIP ADMINISTRATION DEEMS TO BE FAIR AND REASONABLE GIVEN THE AGE AND CONDITION OF THE VEHICLE.

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 BUSINESS ADMINISTRATOR IS AUTHORIZED TO TRANSFER THE 2000 FORD VAN AMBULANCE VIN. NO. 1FDXE45F4YHA90461 TO WOODLAND TOWNSHIP AND TO EXECUTE ANY DOCUMENTS NECESSARY FOR THAT PURPOSE; AND
2. THAT THE SALE IS AUTHORIZED TO BE MADE FOR THE SALES PRICE OF \$20,000; AND
3. THAT WE FIND THAT THIS SALE BEST MEETS THE REQUIREMENTS OF THE TOWNSHIP OF PEMBERTON; AND
4. THAT A COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE TOWNSHIP CLERK OF THE TOWNSHIP OF WOODLAND.

RESOLUTION NO. 131-2011

WHEREAS, THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP") EMPLOYED AN INDIVIDUAL TO PERFORM MECHANICAL, FIRE, AND BUILDING SUB-CODE INSPECTIONS FOR THE BUILDINGS WITHIN THE TOWNSHIP; AND

WHEREAS, THIS INDIVIDUAL HAS RESIGNED FROM HIS POSITION AND AS A RESULT THE TOWNSHIP HAS A NEED FOR THE ABOVE MENTIONED SERVICES; AND

WHEREAS, THE TOWNSHIP PLANS TO ISSUE AN INVITATION TO BID ON A CONTRACT FOR THE PROVISION OF THIRD PARTY MECHANICAL, FIRE, AND BUILDING SUB-CODE INSPECTION SERVICES IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1 ET SEQ.; AND

WHEREAS, IN AN EFFORT TO AVOID ANY SAFETY ISSUES THAT MAY ARISE BEFORE BIDS CAN BE ISSUED AND AWARDED, THE TOWNSHIP ADMINISTRATION THINKS IT WOULD BE IN THE BEST INTERESTS OF THE RESIDENTS OF THE TOWNSHIP TO AWARD AN EMERGENCY CONTRACT TO THE CURRENT THIRD-PARTY SUB-CODE INSPECTOR, BUILDING INSPECTION UNDERWRITERS, INC. ("BIU"); AND

WHEREAS, BIU CURRENTLY PROVIDES PLUMBING AND ELECTRICAL SUB-CODE INSPECTION SERVICES BUT IS ALSO QUALIFIED TO PROVIDE MECHANICAL, FIRE, AND BUILDING SUB-CODE INSPECTION SERVICES; AND WHEREAS, BIU CURRENTLY PROVIDES SUB-CODE INSPECTION SERVICES IN ACCORDANCE WITH THE FOLLOWING FEES:

YEAR 1 – 69% OF DCA FEES

YEAR 2 – 69% OF DCA FEES

YEAR 3 – 69% OF DCA FEES; AND

WHEREAS, BIU HAS AGREED TO PROVIDE MECHANICAL, FIRE, AND BUILDING SUB-CODE INSPECTION SERVICES IN ACCORDANCE WITH THE SAME FEES; AND

WHEREAS, PURSUANT TO N.J.S.A. 40A:11-6, A MUNICIPALITY MAY AWARD A CONTRACT WITHOUT PUBLIC BIDDING WHEN AN EMERGENCY AFFECTING PUBLIC HEALTH, SAFETY OR WELFARE REQUIRES THE IMMEDIATE PERFORMANCE OF SERVICES; AND

WHEREAS, THE TOWNSHIP RESIDENTS' SAFETY IS AT RISK WITHOUT THE AVAILABILITY OF AN INSPECTOR TO PERFORM THE NECESSARY SUB-CODE INSPECTIONS ON ALL BUILDINGS; AND

WHEREAS, THE TOWNSHIP COUNCIL FINDS THAT IT WOULD BE IN THE BEST INTEREST OF THE TOWNSHIP OF PEMBERTON TO AWARD AN EMERGENCY CONTRACT TO BUILDING INSPECTION UNDERWRITERS, INC.

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 AN EMERGENCY CONTRACT FOR THIRD PARTY MECHANICAL, FIRE, AND BUILDING SUB-CODE INSPECTION SERVICES IS HEREBY AWARDED TO BUILDING INSPECTION UNDERWRITERS, INC. AND THAT THE MAYOR IS AUTHORIZED TO EXECUTE A CONTRACT, IN A FORM LEGALLY ACCEPTABLE TO THE TOWNSHIP SOLICITOR, BETWEEN THE TOWNSHIP OF PEMBERTON AND BUILDING INSPECTION UNDERWRITERS, INC. TO BE IN EFFECT UNTIL THE TOWNSHIP IS ABLE TO ISSUE AN INVITATION TO BID AND SUBSEQUENTLY AWARD THIS CONTRACT IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW; AND

BE IT FURTHER RESOLVED, THAT THE CHIEF FINANCIAL OFFICER HAS EXECUTED A CERTIFICATION OF FUNDS WHICH IS ATTACHED HERETO, AND THAT SUFFICIENT FUNDS ARE AVAILABLE FOR SAID CONTRACT FROM ACCOUNT NUMBER T-14-56-286-300-305; AND

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

- A. BUILDING INSPECTION UNDERWRITERS, INC.
- B. TOWNSHIP ADMINISTRATOR
- C. TOWNSHIP CHIEF FINANCIAL OFFICER
- D. GLUCKWALRATH LLP

NEW BUSINESS

Purchases at \$2,625.00 or over:

1. *Recreation Dept.: Geese Maintenance Program provided by Geese Chasers LLC, in the amount of \$3,757.00.*

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 5/13/11.

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

OTHER RESOLUTIONS

RESOLUTION NO. 130-2011

WHEREAS, THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS ESTABLISHED A STEERING COMMITTEE TO DEVELOP A REGIONAL STRATEGIC PLAN FOR BURLINGTON COUNTY'S THIRTEEN (13) NORTHERN MUNICIPALITIES; AND

WHEREAS, THE TOWNSHIP OF PEMBERTON (THE "TOWNSHIP") HAS PARTICIPATED IN THE NORTHERN BURLINGTON COUNTY STEERING COMMITTEE'S CONSENSUS-BASED PLANNING PROCESS TO DEVELOP A STRATEGIC PLAN FOR THIS REGION; AND

WHEREAS, THE STEERING COMMITTEE'S PLANNING PROCESS RESULTED IN THE COMPLETION OF A REGIONAL GROWTH AND PRESERVATION PLAN THAT ENVISIONS A FUTURE WHERE NORTHERN BURLINGTON COUNTY REGION MAINTAINS A "BALANCE OF TOWN AND COUNTRY"; AND

WHEREAS, THE REGIONAL GROWTH AND PRESERVATION PLAN RECOMMENDS A SET OF GOALS, PLANNING OBJECTIVES, POLICIES AND STRATEGIES THAT MUNICIPAL, COUNTY AND STATE AGENCIES CAN IMPLEMENT TO ACHIEVE THE REGIONAL VISION OF A "BALANCE OF TOWN AND COUNTRY"; AND

WHEREAS, THE TOWNSHIP COUNCIL HAS FOUND THE NORTHERN BURLINGTON COUNTY GROWTH AND PRESERVATION PLAN TO BE GENERALLY CONSISTENT WITH PEMBERTON TOWNSHIP'S VISION, GOALS, OBJECTIVES AND POLICIES.

6. A COPY OF THIS RESOLUTION BE SENT THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS; AND

	<u>FROM</u>	<u>TO</u>
GENERAL REVENUES		
3. MISCELLANEOUS REVENUES-SECTION G: SPECIAL ITEMS OF GENERAL REVENUE ANTICIPATED WITH PRIOR CONSENT OF DIRECTOR OF LOCAL GOVERNMENT SERVICES-OTHER SPECIAL ITEMS:		
UTILITY OPERATING SURPLUS PRIOR YEAR	\$ 182,000.00	\$ 162,400.00
RESERVE FOR SELF INSURANCE-TRUST FUND	800,000.00	430,000.00
TOTAL SECTION G: SPECIAL ITEMS OF GENERAL REVENUE ANTICIPATED WITH PRIOR CONSENT OF DIRECTOR OF LOCAL GOVERNMENT SERVICES-OTHER SPECIAL ITEMS	2,197,351.03	1,807,751.03
GENERAL REVENUES (CONT'D)		
SUMMARY OF REVENUES		
3. MISCELLANEOUS REVENUES:		
TOTAL SECTION G: SPECIAL ITEMS OF GENERAL REVENUE ANTICIPATED WITH PRIOR CONSENT OF DIRECTOR OF LOCAL GOVERNMENT SERVICES-OTHER SPECIAL ITEMS	\$ 2,197,351.03	\$ 1,807,751.03
TOTAL MISCELLANEOUS REVENUES	8,067,713.04	7,678,113.04
5. SUBTOTAL GENERAL REVENUES (ITEMS 1,2,3 AND 4)	10,057,800.00	9,668,200.00
7. TOTAL GENERAL REVENUES	\$ 23,425,940.00	\$ 23,036,340.00
8. GENERAL APPROPRIATIONS		
(A) OPERATIONS – WITHIN CAPS		
GENERAL GOVERNMENT FUNCTIONS		
GENERAL ADMINISTRATION		
SALARY & WAGES		
MAYOR/BUSINESS ADMINISTRATOR	269,329.00	266,044.76
TOWNSHIP CLERK	152,697.00	150,076.00
FINANCIAL ADMINISTRATION		
SALARY & WAGES	285,514.00	281,700.00
ASSESSMENT OF TAXES		
SALARY & WAGES	158,015.00	154,500.00
COLLECTION OF TAXES		
SALARY & WAGES	197,451.40	221,790.00
COLLECTION OF TRASH BILLING SERVICES		

SALARY & WAGES	60,750.00	58,850.00
LAND USE ADMINISTRATION		
PLANNING BOARD		
SALARY & WAGES	36,214.00	35,800.00
ZONING BOARD		
SALARY & WAGES	50,634.00	50,220.00
PUBLIC SAFETY		
POLICE		
SALARY & WAGES	4,932,708.20	4,959,884.20
INSURANCE		
WORKMENS COMPENSATION	393,000.00	23,000.00
HEALTH AND WELFARE		
ANIMAL CONTROL		
SALARY & WAGES	86,875.00	86,275.00
8. GENERAL APPROPRIATIONS		
(A) OPERATIONS – WITHIN CAPS (CONT'D)		
	<u>FROM</u>	<u>TO</u>
RECREATION AND EDUCATION		
RECREATION		
SALARY & WAGES	\$ 316,367.00	\$ 314,106.76
SENIOR SERVICES		
SALARY & WAGES	151,309.00	149,319.48
ROAD REPAIR AND MAINTENANCE		
BUILDINGS AND GROUNDS		
SALARY & WAGES	947,017.00	930,636.86
STREETS AND ROADS		
SALARY & WAGES	914,174.00	866,391.07
OTHER EXPENSES	233,107.00	258,106.98
FLEET		
SALARY & WAGES	203,130.40	229,080.40
CODE ENFORCEMENT		
TOWNSHIP CODE ENFORCEMENT		
SALARY & WAGES	112,532.00	136,838.00
MUNICIPAL COURT		
MUNICIPAL COURT		
SALARY & WAGES	297,531.00	270,494.24
TOTAL OPERATIONS (ITEM 8(A)) WITHIN “CAPS”	17,129,421.87	16,774,187.06
TOTAL OPERATIONS INCLUDING CONTINGENT – WITHIN “CAPS”	17,129,521.87	16,774,287.06
DETAIL:		
SALARIES & WAGES	9,284,879.00	9,274,644.21
OTHER EXPENSES	7,844,642.87	7,499,642.85
(H-1) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL		
PURPOSES WITHIN “CAPS”	19,449,527.37	19,094,292.56
(A) OPERATIONS – EXCLUDED FROM “CAPS”		
(A) OPERATIONS – EXCLUDED FROM “CAPS”		
INSURANCE		
EMPLOYEE GROUP HEALTH	139,111.00	104,745.81
TOTAL OTHER OPERATIONS EXCLUDED FROM “CAPS”	139,111.00	104,745.81
TOTAL OPERATIONS – EXCLUDED FROM “CAPS”	182,327.59	147,962.40
8. GENERAL APPROPRIATIONS (CONT'D)		
DETAIL:		
OTHER EXPENSES	\$ 182,327.59	\$ 147,962.40
(H-2) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL		
PURPOSES EXCLUDED FROM “CAPS”	2,552,812.63	2,518,447.44
(O) TOTAL GENERAL APPROPRIATIONS – EXCLUDED FROM		
“CAPS”	2,552,812.63	2,518,447.44
(L) SUBTOTAL GENERAL APPROPRIATIONS		
{ITEMS (H-1) AND (O)}	22,002,340.00	21,612,740.00
9. TOTAL GENERAL APPROPRIATIONS	\$ 23,425,940.00	\$ 23,036,340.00
DEDICATED WATER UTILITY BUDGET		
11. APPROPRIATIONS FOR WATER UTILITY		
OPERATING		
SALARY & WAGES	\$ 476,814.00	\$ 496,414.00
SURPLUS (GENERAL BUDGET)	182,000.00	162,400.00
TOTAL WATER UTILITY APPROPRIATION	\$ 2,019,023.00	\$ 2,019,023.00
BE IT FURTHER RESOLVED, THAT TWO CERTIFIED COPIES OF THIS RESOLUTION BE FILED FORTHWITH IN THE OFFICE OF THE DIRECTOR OF LOCAL GOVERNMENT SERVICES FOR CERTIFICATION OF THE LOCAL MUNICIPAL BUDGET SO AMENDED.		

Council President Cartier noted that there are two corrections needed, in the first Whereas and the third Whereas, it notes that the 2011 budget was approved, which needs to be changed to introduced.

Council President Cartier opened the meeting to the public for comment on Resolution 115-2011A, seeing no members of public wishing to speak the meeting was closed to the public.

Motion by Scull and Stinney to finally adopt Resolution 115-2011A. Scull, yes; Stinney, yes; Allen, yes; Prickett, yes; Cartier, yes. Motion carried.

RESOLUTION 87-2011A (resolution is attached and made a part of these minutes)

Adopts 2011 Municipal Budget

Motion by Scull and Stinney to adopted Resolution 87-2011A. Scull, yes; Stinney, yes; Allen, yes; Prickett, no; Cartier, no. Motion carried.

ORDINANCES FOR INTRODUCTION

Council President Cartier advised that he discussed with Mr. Vaz about getting ordinances together that have been previously discussed that needed to be dealt with and to put them in order of importance to benefit the residents and the first ordinance regarding fences and site triangles would effect residents that currently have applications in or are holding off on filing applications for fence permits. Council President Cartier further advised that is why he asked Mr. Vaz to send an email with all of the information and request feedback so this could be handled quickly for the benefit of the residents.

ORDINANCE NO. 11 -2011 (Title Read by Council President Cartier)

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE V “GENERAL REGULATIONS”, SECTION 190-34 (FENCES, WALLS, AND SITE TRIANGLES), TOWNSHIP OF PEMBERTON, BURLINGTON COUNTY, NEW JERSEY

Motion by Scull and Allen to introduce Ordinance 11-2011 with a public hearing on June 1, 2011.

Councilwoman Scull noted that she has had residents comment to her regarding their corner lots and the inability to install a fence over 4 feet which limits their privacy in their own back yards. . Council President Cartier advised that this ordinance addresses that issue, by allowing them to install a taller fence beginning at the rear of the home and extending to the back yard.

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

ORDINANCE NO. 12-2011 (Title read by Council President Cartier)

AN ORDINANCE OF THE TOWNSHP OF PEMBERTON ADOPTING THE REDEVELOPMENT PLAN FOR THE BROWNS MILLS TOWN CENTER REDEVELOPMENT AREA AND EXPANDED STUDY AREAS

Motion by Scull and Stinney to introduce Ordinance No. 12-2011, with a public hearing on June 1, 2011.

Owen McCabe, Planning Board Planner, addressed the Council and noted that this ordinance is coming directly from the Planning Board and this document will replace all previous versions of the Browns Mills Town Center Redevelopment Plan and encompasses the original area along with the additional area added in 2010.

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

NEW BUSINESS

Council’s confirmation and announcement of public hearing to be held on July 6th regarding Comcast Cable TV Franchise renewal application.

Council President Cartier announced that there will be a public hearing on July 6th regarding Comcast Cable’s TV Franchise renewal application during the July 6th Council Meeting, starting at 6:30 PM, anyone wishing to address that application may do so at that time. Township Clerk Mary Ann Finlay advised that she will advertise the public hearing.

GENERAL PUBLIC COMMENT

John Shaw, Browns Mills – **1.** Commented on the projector purchase and questioned if it was a necessary purchase. **2.** Noted that he heard a rumor of a fish pond being installed in the courtyard at a cost of \$7,000.00. Mayor Patriarca advised for the record that there are renovations being done in the courtyard, it will be landscaped and a water feature was discussed as part of that, and a fish pond was part of that discussion as they have an employee that is from that field, but there is nothing definite decided and whatever is done would be done at a nominal cost. **3.** Questioned if the Township still had a lobbyist and he was informed that the Township does not. **4.** Inquired of the Mayor if he had spoken to the gentleman regarding the medical insurance that he had brought up a few meetings ago. Mayor Patriarca commented that he had not heard from that gentleman. Mr. Shaw advised that he saw the gentleman a few days ago and he had noted to Mr. Shaw that he had called. Mayor Patriarca questioned who the gentleman

spoke to because the Mayor had not received notice of any calls. Mr. Shaw noted that he does not know who they spoke to.

Seeing no other members of the public wishing to speak Council President Cartier closed the meeting to the public.

Solicitor's Report

No report.

Engineer's Report

Councilwoman Scull questioned the status of the Train Station and Ms. Willis advised that the last remaining item is the change order to be approved on the State level and then the contractor will finalize that work which is the roof drains and install the water fountain while the plumber is there. The contractor will also secure the remainder of the decking and fix the problems associated with that. Ms. Willis noted that she was informed that the light poles and fixtures should be in within the next week and installed and once that is done they will finalize the punch list and get the site cleared.

Planner's Report

Councilman Prickett asked about the report submitted on the redevelopment in April and if Council received it and it was noted they had.

Mayor's Report

The Mayor reported: **1.** Department of Public Works is completing work on the new Police Entrance, it is open and operational. The Chief of Police has reported to him that it is working out very well. The Mayor commended the Public Works Department on the wonderful job they did on this project. **2.** Noted that the Township's two K-9 took part in a competition on Joint Base McGuire-Dix Lakehurst and one of the dogs took Best in Apprehension and the other took Best in Narcotics Detection and Best Overall Dog. **3.** Advised that the Department of Public Works has switched from tree removal to sidewalk repair in the Lake Valley area and again noted that the Public Works Department is doing a great job and he gives them credit for taking on a job they have not done in the past and for doing it well. **4.** Public Works is preparing to start drainage work on Harper Lane which includes 800' of pipe being connected into the Brandywine Lane drainage pipe. In addition they will be looking at doing some drainage work on College, Harvard and Rancocas Lanes and working up prices which they hope to be able to do in-house and save some money. **5.** Reported that the air sampling from the BMIA building should be done this week and they will know better when they can get back in that building to work on that project. **6.** Commented that he had been approached by some Council Members about the rumors that are going around and he encouraged the residents to call him and they will dispel the rumors with the truth. He expressed belief that as elected officials they have an obligation to instill Pemberton Pride in the decisions they make and everything comes with a price, they do a budget that outlines the costs and they try to hold to that budget. Councilman Prickett asked the Mayor about the software recently purchased for the Finance Department and expressed that he would like to be able to get the bill list on the day the agenda is distributed and that has not been happening. Mayor Patriarca advised that he has had this discussion with the Finance Department and will discuss it with them one more time, noting that there was a learning curve with the program but explained the benefits of the program and how in the long run it will help all of the departments. Councilman Prickett commented that he is pleased to hear that they are aware of the issue and addressing it.

Council Comments

Diane Stinney – Applauded the K-9 Unit and thanked them for their service and commented that she is grateful that this Administration saw fit to bring them back.

Sherry Scull – Noted that the Township is having a Memorial Day Parade and the Mayor confirmed that it is scheduled for 10 AM on May 30th on Trenton Road. Councilwoman Scull reminded the residents that the Veteran's Committee had a pin designed by Dorothy Amsden and they are being sold for \$5 and the funds go towards the memorial. She thanked everyone for coming out.

Richard Prickett – Wished everyone a good night and hoped to see everyone at the Memorial Day parade. He expressed that it is an obligation as Americans, to get out that day and recognize the sacrifices that their Veterans have made over the years.

Jason Allen – Thanked everyone for coming out.

Kenneth Cartier – **1.** Agreed with Councilman Prickett's comments, noting that Memorial Day is not the unofficial start of summer, it is a day of remembrance for those who have served and given the ultimate sacrifice for this nation. **2.** Reported that there would be a clean up in Country Lakes this Saturday, starting at 8 AM, beginning at the Country Lakes Fire House He noted there will be lunch served afterwards and that he is working on getting a donation of pizza there for the lunch. He wished everyone a safe trip home.

Meeting ended approximately 7:46 p.m.

Respectfully submitted,

Mary Ann Finlay, MMC, Township Clerk