

**TOWNSHIP OF PEMBERTON
REGULAR MEETING
MAY 4, 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: Business Administrator Christopher Vaz, Township Solicitor Andy Bayer, Township Engineer Kelly Willis, and Township Clerk Mary Ann Finlay.

CALL TO ORDER

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

CLOSED SESSION

Council President Cartier noted that there is no closed session agenda so the resolution will not be acted upon.

Council President Cartier adjourned the meeting until 7 PM.

Council President Cartier reconvened the meeting at 7pm and noted that as there was no closed session this evening so there is no formal action pursuant to closed session.

PRESENTATION

Presentation by Veterans Advisory Committee of certificate of recognition to Dorothy Amsden for design of a pin for Veterans Memorial Park.

Mr. Rudolph Irizarry presented Ms. Amsden with a certificate of recognition for her pin design and noted that she believes in and does help their troops through her artistic efforts. Councilwoman Scull noted that there are several members of the Veteran's Advisory Committee in attendance; Rudy Irizarry, Paul Tuliano Sr. and Donald Williams and expressed that she is honored to be the Council Liaison to the Veteran's Advisory Committee. Councilwoman Scull advised that the pins are on sale for \$5 each and the proceeds will go towards maintaining the new memorial.

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 pull Resolution 118-2011.

Councilman Allen requested to pull Resolution 123-2011.

Council President Cartier requested a brief recess due to concerns with the budget amendment resolution and they were contacting the auditor by telephone to clear that up.

MEETING MINUTES

Meeting minutes as filed by Clerk for Regular Meeting of April 6, 2011.

RESOLUTIONS

RESOLUTION NO. 107-2011

WHEREAS, ST. ANN'S CHURCH REQUESTED PERMISSION FROM PEMBERTON TOWNSHIP TO USE THE PROPERTY LOCATED NEXT TO THE MUNICIPAL BUILDING FOR A CANCER WALK FUNDRAISER TO SUPPORT THOSE SUFFERING FROM THE DISEASE AND THEIR CAREGIVERS IN 2011; AND
WHEREAS, THE PROPERTY WHICH THE CHURCH REQUESTED FOR THAT USE IS PARTIALLY OWNED BY BURLINGTON COUNTY ALONG WITH PEMBERTON TOWNSHIP; AND
WHEREAS, ST. ANN'S CHURCH REQUESTED PERMISSION FROM BURLINGTON COUNTY TO USE THE AREA OF LAND BETWEEN BUTTONWOOD HOSPITAL AND THE PEMBERTON TOWNSHIP MUNICIPAL BUILDING FOR A CANCER WALK FUNDRAISER IN THE 2011 CALENDAR; AND
WHEREAS, BURLINGTON COUNTY AGREED TO ALLOW THE CHURCH TO HOLD A CANCER WALK ON THAT PROPERTY SUBJECT TO PEMBERTON TOWNSHIP AGREEING TO CO-SPONSOR THE EVENT AND TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT AMONG BURLINGTON COUNTY, PEMBERTON TOWNSHIP AND ST. ANN'S CHURCH; AND
WHEREAS, ST. ANN'S CHURCH HAD AGREED TO FOLLOW ANY REQUIREMENTS THAT PEMBERTON TOWNSHIP MAY HAVE FOR THE APPROVAL OF THIS REQUEST; AND
WHEREAS, IT APPEARS THAT THE CHURCH HAS AGREED TO MAINTAIN CERTAIN INSURANCE COVERAGE AS OUTLINED IN THE STANDARD BURLINGTON COUNTY USE AGREEMENT; AND
WHEREAS, IT IS NECESSARY THAT THE CHURCH ALSO PROVIDE THAT INSURANCE COVERAGE FOR PEMBERTON TOWNSHIP BE NAMED AS AN ADDITIONAL INSURED ON THAT POLICY OF COVERAGE; AND
WHEREAS, IT IS NECESSARY FOR AUTHORIZATION TO BE PROVIDED TO THE MAYOR AND CLERK TO SIGN THE INTERLOCAL SERVICES AGREEMENT/BURLINGTON COUNTY USE AGREEMENT IN A FINAL FORM TO BE REVIEWED AND APPROVED BY THE TOWNSHIP SOLICITOR WITH THE ADDITIONAL PROVISION SET FORTH ABOVE NAMING PEMBERTON TOWNSHIP AS AN ADDITIONAL NAMED INSURED ON THE INSURANCE COVERAGE TO BE PROVIDED BY ST. ANN'S CHURCH.

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 PEMBERTON TOWNSHIP COUNCIL HEREBY GRANTS THE REQUEST OF ST. ANN'S CHURCH FOR PERMISSION TO USE THE AREA OF LAND BETWEEN BUTTONWOOD HOSPITAL AND PEMBERTON TOWNSHIP MUNICIPAL BUILDING FOR A CANCER WALK FUNDRAISER AND THE REQUEST OF PERMISSION IS SUBJECT TO THE REVIEW AND APPROVAL OF AN INTERLOCAL SERVICES AGREEMENT/BURLINGTON COUNTY USE AGREEMENT AMONG BURLINGTON COUNTY, PEMBERTON TOWNSHIP AND ST. ANN'S CHURCH IN A FORM TO BE REVIEWED AND APPROVED BY THE TOWNSHIP SOLICITOR WHICH SHALL CONTAIN A PROVISION WHEREIN ST. ANN'S WILL MAINTAIN INSURANCE COVERAGE TO BE OUTLINED IN SAID AGREEMENT WITH PEMBERTON TOWNSHIP AS AN ADDITIONAL NAMED INSURED.

RESOLUTION NO. 119-2011

WHEREAS, THE TOWNSHIP OF PEMBERTON, BY ORDINANCE NO. 26-1999, CREATED THE PEMBERTON TOWNSHIP ALLIANCE GROUP ("TAG"); AND

WHEREAS, UNDER THE PROVISIONS OF ORDINANCE NO. 26-1999, COUNCIL SHALL ANNUALLY APPOINT A CHAIRMAN WHOSE DUTIES WILL BE TO SIGN DOCUMENTS ON BEHALF OF THE ORGANIZATION, ESTABLISH AGENDAS FOR THE MEETINGS, SERVE AS THE CONTACT PERSON FOR THE ORGANIZATION WITH THE MAYOR AND COUNCIL, BUT SHALL GENERALLY HAVE NO OTHER POWER OR AUTHORITY OVER THE MEMBERSHIP;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT TAMARA KURTH BE APPOINTED AS CHAIRMAN OF TAG FOR THE YEAR 2011; AND

BE IT FURTHER RESOLVED, THAT LETHA JACKSON BE APPOINTED AS CO-CHAIRMAN OF TAG FOR THE YEAR 2011.

RESOLUTION NO. 120-2011

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:

GARY TANGIER, \$263.75, SPRING BREAK CAMP CANCELLATION
DENISE MACKINTOSH, \$125.00, SPRING BREAK CAMP CANCELLATION
RYAN VANCH, \$75.00, KARATE/SELF-DEFENSE REFUND

RESOLUTION NO. 121-2011

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 1104 LOT 13, 324 UNIVERSITY AVE. OWNED BY CARLOS A & EVELYN J RODRIGUEZ QUALIFIES FOR A VETERANS' PROPERTY TAX EXEMPTION AS OF MARCH 24, 2011; 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

RESOLUTION NO. 122-2011

BE IT RESOLVED AND ENACTED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY TO AUTHORIZE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE HOME INVESTMENT PARTNERSHIP PROGRAM.

SECTION I. CERTAIN FEDERAL FUNDS ARE AVAILABLE TO BURLINGTON COUNTY UNDER THE CRANSTON-GONZALEZ NATIONAL AFFORDABLE HOUSING ACT OF 1990 AS AMENDED. PUBLIC LAW 93-383, AS AMENDED; AND

SECTION II. IT IS NECESSARY TO ESTABLISH A LEGAL BASIS FOR THE COUNTY AND ITS PEOPLE TO BENEFIT FROM THIS PROGRAM; AND

SECTION III. AN AGREEMENT HAS BEEN PROPOSED UNDER WHICH THE PEMBERTON TOWNSHIP AND THE COUNTY OF BURLINGTON IN COOPERATION WITH THE OTHER MUNICIPALITIES WILL ESTABLISH AN INTERLOCAL SERVICES PROGRAM PURSUANT TO N.J.S.A. 40:8A-1 ET SEQ., AND

SECTION IV. THE AGREEMENT ENTITLED "BURLINGTON COUNTY CONSORTIUM AGREEMENT", BETWEEN THE COUNTY OF BURLINGTON AND CERTAIN MUNICIPALITIES LOCATED THEREIN FOR THE ESTABLISHMENT OF A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES, IS IN THE BEST INTEREST OF THE TOWNSHIP OF PEMBERTON. A COPY OF THE AGREEMENT IS

- ON FILE AT THE MUNICIPAL CLERK'S OFFICE.
- SECTION V. THE TOWNSHIP OF PEMBERTON SHALL ENTER INTO THE AGREEMENT WITH THE COUNTY OF BURLINGTON MENTIONED WITH ALL SUPPLEMENTS AND AGREEMENTS THERETO. THE MAYOR AND CLERK ARE HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWNSHIP OF PEMBERTON AND AFFIX THEREUNTO THE OFFICIAL SEAL.
- SECTION VI. ALL RESOLUTIONS OR PARTS OF RESOLUTIONS WHICH ARE INCONSISTENT HERewith ARE HEREBY REPEALED IN THE EXTENT OF THEIR INCONSISTENCY.

RESOLUTION NO. 124 –2011

WHEREAS, THE PROPERTY DESIGNATED IN PEMBERTON TOWNSHIP AS BLOCK 775, LOTS 18 AND 19, COMMONLY REFERRED TO AS THE BROWNS MILLS SHOPPING CENTER AND AN ADJOINING PARCEL OF LAND (THE "PROPERTY"), HAS BEEN DECLARED AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ. (THE "LRHL"); AND WHEREAS, THE TOWNSHIP HAS TAKEN THE NECESSARY LEGAL STEPS REQUIRED IN ORDER TO UNDERTAKE THE REDEVELOPMENT OF THE PROPERTY AND HAS ISSUED AN RFP/RFQ SEEKING TO SOLICIT PROPOSALS FROM QUALIFIED MASTER REDEVELOPERS; AND WHEREAS, THE SUBMISSION DEADLINE FOR PROPOSALS, AS INDICATED IN THE RFP/RFQ, IS MAY 13, 2011; AND WHEREAS, ON THE RECOMMENDATION OF THE TOWNSHIP PLANNER, THE TOWNSHIP HAS DETERMINED THAT IT IS NECESSARY TO OBTAIN AN UPDATED APPRAISAL ON THE PROPERTY TO AID PROPOSERS RESPONDING TO THE RFP/RFQ; AND WHEREAS, THE TOWNSHIP COUNCIL FINDS IT NECESSARY TO EXTEND THE SUBMISSION DEADLINE FOR PROPOSALS UP UNTIL JULY 20, 2011. NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY THAT THE SUBMISSION DEADLINE FOR PROPOSALS FOR THE RFP/RFQ SEEKING SOLICITATIONS FROM QUALIFIED MASTER REDEVELOPERS FOR THE REDEVELOPMENT OF THE BROWNS MILLS SHOPPING CENTER IS HEREBY EXTENDED UP UNTIL JULY 20, 2011. HOWEVER, THE TOWNSHIP ADMINISTRATION IS HEREBY AUTHORIZED TO SET THE SUBMISSION DEADLINE SOONER, SPECIFICALLY, WITHIN ONE WEEK OF THE RECEIPT OF THE APPRAISAL REPORT. WHEREAS, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL PROPERTY TAXES ON BLOCK 1104 LOT 13 AS A RESULT OF THE GRANTED EXEMPTION; AND WHEREAS, THE TAXES DUE ON THE PROPERTY FROM JANUARY 1, 2011 TO MARCH 14, 2011 ARE \$734.55; AND WHEREAS, TOTAL TAX FOR FIRST QUARTER OF 2011 - \$ 795.96 OF WHICH TAXES HAVE BEEN PAID, THE TAX COLLECTOR HAS REQUESTED AUTHORIZATION TO CANCEL BALANCE OF FIRST QUARTER 2011 TAXES IN THE AMOUNT OF \$61.41 AND ISSUE A REFUND OF \$61.41 FOR OVERPAYMENT OF 1ST ¼ 2011. WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES ON SAID PROPERTY AS OF MARCH 24, 2011. NOW THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AS FOLLOWS: THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO CANCEL 2011 PROPERTY TAXES ON BLOCK 1104 LOT 13 AS OF MARCH 24, 2011, AS SAID PROPERTY HAS BEEN DETERMINED TO QUALIFY FOR A VETERANS' PROPERTY TAX EXEMPTION UNDER N.J.S.A. 54:4-3.30. 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. THAT THE MAYOR AND COUNCIL DO HEREBY AUTHORIZE THE TAX COLLECTOR TO REFUND TAXES IN THE AMOUNT OF \$61.41 TO CARLOS A & EVELYN J RODRIGUEZ, 324 UNIVERSITY AVE. PEMBERTON, NJ 08015

NEW BUSINESS

Purchases at \$2,625.00 or over:

1. Public Works Dept.: 28 trash and recycling baskets w/lids from Jedstock, Inc., in the amount of \$6,688.00 for placement at Township athletic fields.
2. Police Dept.: Two 2011 Chevrolet Tahoe Police Vehicles from State Contract Vendor Municipal Equipment Enterprises, in the total amount of \$54,776.50.
3. Administration: Purchase of veterans war memorial for Veterans Advisory Commission, from Abby Rose, Inc., in the amount of \$16,500.00 from 2010 Capital Budget.

BILL LIST

Approval by Council required for payment of vouchers on bill list dated 4/29/11.

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

OTHER RESOLUTIONS

RESOLUTION NO. 118-2011

RESOLUTION NO. 118-2011

WHEREAS, THE MANDATORY SOURCE SEPARATION AND RECYCLING ACT, P.L. 1987, C.102, HAS ESTABLISHED A RECYCLING FUND FROM WHICH TONNAGE GRANT MAY BE MADE TO MUNICIPALITIES IN ORDER TO ENCOURAGE LOCAL SOURCE SEPARATION AND RECYCLING PROGRAMS; AND WHEREAS, IT IS THE INTENT AND THE SPIRIT OF THE MANDATORY SOURCE SEPARATION AND RECYCLING ACT TO USE THE TONNAGE GRANTS TO DEVELOP NEW MUNICIPAL RECYCLING PROGRAMS AND TO CONTINUE AND TO EXPAND EXISTING PROGRAMS; AND WHEREAS, THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION HAS PROMULGATED RECYCLING REGULATIONS TO IMPLEMENT THE MANDATORY SOURCE SEPARATION AND RECYCLING ACT; AND WHEREAS, THE RECYCLING REGULATIONS IMPOSE ON MUNICIPALITIES CERTAIN REQUIREMENTS AS A CONDITION FOR APPLYING FOR TONNAGE GRANTS, INCLUDING BUT NOT LIMITED TO, MAKING AND KEEPING ACCURATE, VERIFIABLE RECORDS OF MATERIALS COLLECTED AND CLAIMED BY THE MUNICIPALITY; AND

WHEREAS, A RESOLUTION AUTHORIZING THIS MUNICIPALITY TO APPLY FOR THE 2010 RECYCLING TONNAGE GRANT WILL MEMORIALIZE THE COMMITMENT OF THIS MUNICIPALITY TO RECYCLING AND TO INDICATE THE ASSENT OF THE TOWNSHIP OF PEMBERTON TO THE EFFORTS UNDERTAKEN BY THE MUNICIPALITY AND THE REQUIREMENTS CONTAINED IN THE RECYCLING ACT AND RECYCLING REGULATIONS; AND
WHEREAS, SUCH A RESOLUTION SHOULD DESIGNATE THE INDIVIDUAL AUTHORIZED TO ENSURE THE APPLICATION IS PROPERLY COMPLETED AND TIMELY FILED.
NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY HEREBY ENDORSES THE SUBMISSION OF THE RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND DESIGNATES DONNA MCBREEN AS THE RECYCLING COORDINATOR TO ENSURE THAT THE APPLICATION IS PROPERLY FILED; AND
BE IT FURTHER RESOLVED THAT THE MONIES RECEIVED FROM THE RECYCLING TONNAGE GRANT BE DEPOSITED IN A DEDICATED RECYCLING TRUST FUND TO BE USED SOLELY FOR THE PURPOSES OF RECYCLING.

Motion by Scull and Prickett to approve Resolution 118-2011. Scull, yes; Prickett, yes; Stinney, yes; Allen, abstain; Cartier, yes. Motion carried.

Council President Cartier noted at this time that a correction was needed to the bill list on page 3 as it has Finance Payroll Costs listed as \$31,295.00 and it should be \$312.95.

Motion by Scull and Stinney to amend previous approval to the bill list with correction to Finance Payroll Cost amount from \$31,295.00 to \$312.95. Scull, yes; Stinney, yes; Prickett, yes; Allen, yes; Cartier, yes. Motion carried.

RESOLUTION NO. 123-2011 Tabled

Councilman Allen questioned the location and the resolution was tabled so backup and clarification for the resolution could be received.

Motion by Allen and Stinney to table Resolution 123-2011 until clarification can be received. Allen, yes; Stinney, yes; Prickett, yes; Scull, yes; Cartier, yes. Motion carried.

RESOLUTION 113-2011

RESOLUTION NO. 113-2011

WHEREAS, AS OF DECEMBER 31, 2010, THE SELF INSURANCE FUND RESERVE HAS A BALANCE IN THE AMOUNT OF \$869,886; AND
WHEREAS, CLAIM RESERVES ESTABLISHED BY THE TOWNSHIP'S THIRD PARTY CLAIMS ADMINISTRATORS ARE PRESENTLY \$437,610.81; AND
WHEREAS, THE TOWNSHIP COUNCIL INITIALLY INTENDED TO USE \$800,000 OF THE RESERVE AS A SPECIAL ITEM OF REVENUE IN THE 2011 MUNICIPAL BUDGET, BUT THE DIVISION OF LOCAL GOVERNMENT SERVICES HAS RECOMMENDED THAT THE TOWNSHIP COUNCIL AMEND THE BUDGET TO REFLECT A DIFFERENT APPROACH; AND
WHEREAS, THE TOWNSHIP COUNCIL INTENDS TO ADOPT A BUDGET AMENDMENT TO ACCOMPLISH THE STATE'S RECOMMENDATION WHICH WILL INCLUDE CANCELLATION OF AN APPROPRIATION IN THE AMOUNT OF \$370,000 TO THE COST OF WORKERS' COMPENSATION CLAIMS; AND
WHEREAS, THE TOWNSHIP COUNCIL INTENDS BY THIS RESOLUTION TO FORMALLY CANCEL EXCESS FUNDS IN THE SELF INSURANCE FUND RESERVE SO THAT THOSE FUNDS CAN BE CREDITED TO SURPLUS:
NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE EXCESS AMOUNT OF \$430,000 IN THE SELF INSURANCE FUND RESERVE BE CANCELED.

Motion by Scull and Stinney to approve Resolution 113-2011. Scull, yes; Stinney, yes; Prickett, yes; Allen, yes; Cartier, yes. Motion carried.

RESOLUTION NO. 114-2011

WHEREAS, THE URBAN ENTERPRISE ZONE TRUST FUND HAS EXCESS FUNDS OF \$110,000.00 AND,
WHEREAS, THE TOWNSHIP COUNCIL DEEMS IT APPROPRIATE TO CANCEL EXCESS FUNDS, AND,
WHEREAS, IT IS NECESSARY TO FORMALLY CANCEL SAID BALANCES SO THAT THE RESERVE BALANCES CAN BE CREDITED TO SURPLUS:
NOW, THEREFORE, BE IT RESLOVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE ABOVE LISTED UNEXPENDED BALANCE OF THE URBAN ENTERPRISE ZONE TRUST FUND BE CANCELED.

Motion by Stinney and Scull to approve Resolution 114-2011. Stinney, yes; Scull, yes; Allen, yes; Prickett, yes; Cartier, yes. Motion carried.

RESOLUTION 115-2011

WHEREAS, THE LOCAL MUNICIPAL BUDGET FOR THE YEAR 2011 WAS APPROVED ON THE 16TH DAY OF MARCH, 2011; AND
WHEREAS, THE PUBLIC HEARING ON SAID BUDGET HAS BEEN HELD AS ADVERTISED; AND
WHEREAS, THE TOWNSHIP COUNCIL DESIRES TO AMEND SAID APPROVED BUDGET.
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 AMENDMENTS TO THE APPROVED BUDGET OF 2011 SHALL BE MADE AS FOLLOWS:

RECORDED VOTE:

COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
JASON ALLEN	___	___	___	___
KENNETH C. CARTIER	___	___	___	___
RICHARD PRICKETT	___	___	___	___
SHERRY L. SCULL	___	___	___	___
DIANE P. STINNEY	___	___	___	___

FROM TO

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 his concern about the appropriations going down and the revenues going up. He noted that the Auditor has assured that this resolution was correct.

 Motion by Scull and Stinney to approve Resolution 115-2011 with a public hearing to be held on May 18, 2011. Scull, yes; Stinney, yes; Prickett, yes; Allen, yes; Cartier, yes.
 Motion carried.

Councilman Prickett questioned the tax rate change and it was noted that it is still at 6.5 cents with the amendment. Councilwoman Scull asked how this is going to affect next year and asked Administration to keep an eye out for budget training classes and it was noted that the Auditors teach a class.

RESOLUTION 116-2011 – Not used

Council President Cartier noted that this was on the agenda in case Council wanted to make any other changes. There being no members of Council indicating a desire to entertain any further changes, no action was taken on the resolution.

RESOLUTION 87-2011A – Tabled

 Motion by Scull and Stinney to table Resolution 87-2011A until May 18, 2011. Scull, yes; Stinney, yes; Prickett, yes; Allen, yes; Cartier, yes. Motion carried.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 10 -2011 (TITLE READ BY COUNCIL PRESIDENT CARTIER)

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING SECTION 190-50(R) OF THE TOWNSHIP CODE, ENTITLED “PINELANDS AREA DEVELOPMENT STANDARDS”

The Township Solicitor explained the purpose of the ordinance regarding Danitom’s request regarding Density Transfer Development Rights.

 Motion by Scull and Stinney to introduce Ordinance No. 10-2011 with a public hearing to be held on June 1, 2011. Scull, yes; Stinney, yes; Allen, yes; Prickett, abstain, yes; Cartier, yes.

GENERAL PUBLIC COMMENT

Rich Koster, Browns Mills – Questioned the costs for the recycling buckets and Mr. Vaz explained the breakdown of the costs and that the money is received through a grant.

Claire Wadsworth, Browns Mills – Thanked Councilwoman Scull for recognizing her efforts on the budget. Reiterated her previous comments on the budget and expressed concern regarding the costs of needless spending.

Scott Hamilton, Browns Mills – Noted that the financial situation is not going to get any better and expressed that public comments were referred to as complainers. He advised that the government is simply spending more than they can afford and read through a list of fees and taxes that are assessed on taxpayers. He expressed that all unnecessary spending should be stopped.

America Phillips, Browns Mills – Commented that there are less and less residents coming to the meeting but expressed they may have other commitments with work and children. She questioned what is going on with the Browns Mills Shopping center and was advised by Mr. Bayer that Mr. Berardi still owns the building however the Township is in the process of exploring redeveloping the property through a developer. Ms. Phillips questioned if Mr. Berardi and absent landowners pay their taxes and she was advised that information can be found through the Tax Collectors office as it is public information. Ms. Phillips asked if Ordinance No. 10-2011 involved Presidential Lakes and it was confirmed that it did. Ms. Phillips pointed out that she has seen other developments get things from developers but has not seen that happen with Presidential Lakes.

There being no other members of the public wishing to be heard, Council President Cartier closed this portion of the meeting to the public.

Solicitor's Report

None

Engineer's Report

Ms. Willis noted that Mr. Rehmann is doing well and is back to work in the office during the day. 1. Well #13 gravel pack project is complete and they will receive a letter from the contractor giving the new elevation so they can get the final permit. 2. They received a letter today accepting the Operations & Maintenance manual for the Presidential Lakes Dam and were notified by Administration that the loan disbursement request was received and this included the middle embankment work. Ms. Willis further explained that the Township has already expended the money so this will reimburse the Township for the payments to the contractor, professionals and other expenditures on the middle embankment work. 3. Reported on the down spout issue at the Train Station and explained the contractor had sent the aluminum down spouts out to be powder coated along with the railings after the initial meeting the SHIPO and DOT and they advised the contractor that they would approve the change order and that is why the price for the last change order was so high. It was discussed with the Mayor and Councilman Prickett and the contractor was asked if an inert material could be used between the copper and aluminum to prevent a reaction and the contractor advised they could do that. That information was taken back to SHIPO and DOT and they were in agreement due to the cost and in addition for the potential for the copper material to be stolen in the future. Ms. Willis advised that at this time there is no action required by Council as they are reverting back to the previous approval for the powder coated aluminum for the down spouts. Ms. Willis further noted that the light poles and fixtures are expected to arrive and be installed within the next month. Council President Cartier expressed his concern over the oxidation between the two metals and how did they ensure that did not happen. Ms. Willis advised that there will be a two year maintenance bond put in place at the end of the project and Councilman Prickett confirmed that if there was going to be any oxidation it should occur within a year.

Mayor and or Administrator's Report

Mr. Vaz noted he had nothing to report but would be happy to answer any questions Council may have.

COUNCIL COMMENTS

Diane Stinney – Thanked and congratulated Ms. Dorothy Amsden for her beautiful pin design. She advised that Senator Menendez and the Camden County Office of Veteran's Affairs will be holding a Veteran's Information Day on Wednesday, May 18th, from 4:30pm – 7:30pm at the Camden County Boat House in Pennsauken. She further advised that her church and the True Vine Memorial church will be providing transportation for the Veteran's to attend and they can contact her for more information.

Sherry Scull – Expressed that she did not intend to offend anyone with her comments at the last meeting, however she does not apologize for the way she has voted. She commented on the spending this Council and Administration has done and noted that they have bonded for as little as possible believes if they look at this Council's record, they have done a good job at keeping the taxes as low as possible. She commented that Council has informed the Mayor and Administration that they do not want any unnecessary spending this year and they have asked everyone to buckle down so that the surplus can be built up in anticipation of year, noting that

you can not just look at what is going on today but what is going to happen a few years from now. She reiterated that she feels every one of the five Council Members take this responsibility seriously. She commented on the approval of the money for the Veteran's Memorial in Browns Mills and thanked everyone on the Committee for the work they have done for the Veteran's in the community. She thanked Dorothy Amsden and noted she is a very talented artist who not only designed the pin but also painted one of the pictures displayed in the meeting room. Commented on the group, Art for Pemberton, recently lost a great friend last month, Kevin Dowd, noting that Kevin and the other members of the group were very instrumental in helping the Historic Trust. She urged the residents to go to the Browns Mills Library to see Kevin Dowd's work displayed at the library in his honor. Thanked everyone for coming out.

Jason Allen – Noted that the past weekend the American Heart Association held a fundraiser at a local business that he had the opportunity to attend and they raised \$1,500 to promote awareness for congenital heart defects. They will be holding more fundraisers and anyone can contact him for the information. He thanked everyone for coming out and wished them a safe trip home.

Richard Prickett – Acknowledged that Mother's Day is on Sunday and that he is sure there will be flowers for sale on Lakehurst Road. He expressed that he hopes spring comes back and wished everyone a good night.

Kenneth Cartier – Expressed his gratitude towards the Council, Pemberton Township Fire Department, Pemberton Township Police Department, especially the Kreig family and the many residents for their concern and visitations during the recent loss of his father-in-law, noting his family received such heartfelt warmth from everyone and it did not go unnoticed. He thanked all the concerned citizens for coming up and making their comments regarding the budget. He thanked everyone for coming out and wished them a safe trip home.

Meeting ended approximately 8:16 PM.

Respectfully submitted,

Mary Ann Finlay, MMC, Township Clerk