

**BOROUGH OF PITMAN  
COUNCIL MEETING MINUTES  
JANUARY 23, 2017**

**Call to Order**

Time: 8:05 p.m.

**Salute to the Flag/Moment of Silence**

Councilman Blass

**Open Public Meetings Act Statement** - Pursuant to the Open Public Meetings Act, I hereby announce that adequate notice of this meeting has been provided by adopting a schedule of regular meetings for 2017, which was posted on the Borough Hall bulletin board, sent to the "South Jersey Times" and filed with the Municipal Clerk on January 7, 2017.

**Roll Call**

Councilman Austin: Present  
Councilwoman Higbee: Present  
Councilman Razze: Present  
Mayor Johnson: Present  
Clerk O'Donnell: Present

Councilman Blass: Present  
Council President Pierpont: Present  
Councilwoman Rudley: Present  
Borough Solicitor Alice: Present

**Presentation**

American Legion Dog of the Year Award  
Presentation made by David DeClement to Buckley Eisenhart and his family.

**Approval of Minutes**

**Formal Meeting and Closed Formal Meeting Minutes of December 27, 2016**

Motion: Blass

Second: Austin

Roll Call:

Councilman Austin: Yes  
Councilwoman Higbee: Yes  
Councilman Razze: Yes  
Mayor Johnson \_\_\_\_\_

Councilman Blass: Yes  
Council President Pierpont: Yes  
Councilwoman Rudley: Abstain

**Reorganization Meeting; January 7, 2017**

Motion: Blass

Second: Austin

Roll Call:

Councilman Austin: Yes  
Councilwoman Higbee: Yes  
Councilman Razze: Yes  
Mayor Johnson \_\_\_\_\_

Councilman Blass: Yes  
Council President Pierpont: Yes  
Councilwoman Rudley: Yes

**Work Session Minutes of January 9, 2017**

Motion: Blass

Second: Austin

Roll Call:

Councilman Austin: Yes  
Councilwoman Higbee: Yes  
Councilman Razze: Abstain  
Mayor Johnson \_\_\_\_\_

Councilman Blass: Yes  
Council President Pierpont: Yes  
Councilwoman Rudley: Yes

### **Committee Reports**

**Councilman Austin** read the following report:

The McCowan Memorial Library Board of Trustees will meet on January 24 at 7:00 p.m. in the library.

I attended the Combined Planning and Zoning Board meeting on January 17. Three Historic Applications were presented, and all were approved. The Board has invited the Economic Development Committee, the Chamber of Commerce, and the Historic Commission to provide input on the idea of having Broadway remain in the Historic District. This will be discussed at their next meeting to be held on February 21, 2017.

I also attended a meeting sponsored by our Housing and Code Officials tackling the vacant house problem we have in town. It was a think tank session and many ideas were presented. Hopefully we can employ some of these ideas to eliminate this problem.

### **Councilman Blass**

No report

### **Councilman Razze**

Councilman Razze announced that this evening he attended a dinner sponsored by the TRICO Joint Insurance Fund celebrating their 25<sup>th</sup> Anniversary. He noted that Pitman was one of the founding members of this very successful JIF.

In honor of the annual kick-off of Pitman's "Poetry on Parade" event, Councilman Razze read his year-end report. It was an original haiku, penned by Councilman Razze. Haiku is a very short form of Japanese poetry.

**Council President Pierpont** read the following report:

Many projects are in the works in and around Pitman. South Jersey Gas has started a multi-million dollar upgrade to service connection on several streets. This will update connections to residents as well as move those connections from the street into the "park strip". The County is also repaving Broadway, from the railroad tracks at Laurel Avenue into Glassboro. This project includes curbing and ramps at intersections. Please be very careful when driving past these construction areas.

Leaf collection is finished until spring. Please do not put loose leaves into the street. Place any collected leaves in a container or bag and place at the curb for disposal.

As a reminder, we can no longer pick up TV's, computers, microwave ovens or vacuums. These items can no longer be mixed in our regular trash stream. A container is available at Public Works for you to drop these items off for disposal.

Our trash and recycling numbers for the period of January 9 to January 20 are as follows;

Eleven loads of trash for a total of 114 tons

Twelve loads of recycling for a total of 42 tons

Two loads of bulk trash, included in the trash total

We also delivered 135 yards of ground up leaves to an orchard for composting.

The Greater Pitman Chamber of Commerce held its Biannual Lifetime Achievement Award Dinner on January 17 at Sweet Lula's Restaurant. Mrs. Karen Hickman was recognized for her many years of support to the Chamber and to the Borough of Pitman. Congratulations to Karen, and thank you!

The Green Team will meet this Thursday evening at 7:00 p.m. in the Conference Room in Borough Hall. This meeting is open to the public.

### **Councilwoman Higbee**

On January 20, Public Works Manager Fred Rodi and I attended the 2017 Clean Communities Coordinators Meeting at the Gloucester County Complex in Clayton. There was an open discussion on improving the program with ideas shared by each

town. Towns are now allowed to encumber and save 25% of their grant amount from year to year in order to purchase equipment related to storm water waste cleanup. Mr. Rodi would like to be involved with Pitman's programs, and I welcome his interest.

The next meeting of the Environmental Commission will be February 2, 2017 at 7:00 p.m. in Borough Hall.

On January 16, I attended Highland Chemical Engine Company's Annual Awards Dinner. It was good food, good company, and of course good comedy by Councilman Austin.

On January 17, I had the pleasure of attending the Pitman Chamber of Commerce Lifetime Achievement Award Dinner to honor Karen Hickman.

The 2017 municipal budget requests have been received by our CFO, and the budget packet has been put together. We will be scheduling our first budget meeting soon.

Councilwoman Rudley read the following report:

On January 1, 2017, the State of New Jersey initiated the Criminal Justice Reform program. The Pitman Police Department has been participating since day one of that program, and the transition has been relatively seamless. The Prosecutor's Office has expressed their thanks for how cooperative and successful the Pitman Police Department has been with it to date.

The following Officers are recognized and commended for not using any sick time in 2015 and 2016. Their dedication and devotion is admirable:

2015	2016
Patrolman Carson	Patrolman Bailey
Patrolman Bailey	Patrolman Pierson
Patrolman Parker	Patrolman Stefanopoulos
Patrolman Stefanopoulos	
Patrolman Weist	

The total calls for service (CAD generated only) in 2016 was 16,449.

I attended the January 17<sup>th</sup> Board of Fire Engineers meeting. They meet the third Tuesday of every month in the Conference Room in Borough Hall. These meetings are open to the public.

Congratulations to the new Chief of Highland Chemical Engine Company, Harold Mitten and to Andrew Gresko who was re-elected as Chief of Pitman Fire Company #1.

I attended the January 19<sup>th</sup> meeting of the Economic Development Committee. They continue to be actively working on ways to stimulate the business in our town. There is an open house at the Broadway Theatre, which is a free event for donation opportunities. All the money generated from this event will go toward the Theatre Avenue project.

The Economic Development Committee is also working on organizing a Ladies Night and a Stag Night to promote shopping locally. There will be more information on this in the near future.

The Senior Outreach Committee will begin its monthly meetings in February. They will meet every third Thursday of the month at 6:00 p.m., with the Economic Development Committee meeting immediately after at 7:00 p.m. The location of the meeting is still not determined.

### **Unfinished Business**

**Ordinance No. 1, 2017 – Ordinance of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Approving Amendments to the Borough of Pitman Historic Preservation Commission Design Guidelines of the Borough of Pitman, County of Gloucester, State of New Jersey**

Second Reading - Public Hearing

Motion: Austin

Second: Blass

Motion to open to the public: Razze

Time: 8:21 p.m.

Second: Blass:

No public comment.

Motion to close public hearing: Razze

Time: 8:22 p.m.

Second: Blass

Roll Call:

Councilman Austin: Yes

Councilwoman Higbee: Yes

Councilman Razze: Yes

Mayor Johnson \_\_\_\_\_

Councilman Blass: Yes

Council President Pierpont: Yes

Councilwoman Rudley: Yes

### **New Business**

**Ordinance No. 2, 2017 – Ordinance of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Amending Chapter II (Administration) Article V Entitled “Boards, Commissions, and Committees” of the Code of the Borough of Pitman (Blass)**

First Reading

Motion: Blass

Second: Higbee

Roll Call:

Councilman Austin: Yes

Councilwoman Higbee: Yes

Councilman Razze: Yes

Mayor Johnson \_\_\_\_\_

Councilman Blass: Yes

Council President Pierpont: Yes

Councilwoman Rudley: Yes

**Resolution No. 7, 2017 – Resolution of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Authorizing Legal Services as Labor Council – Long, Marmero, and Associates**

Motion: Pierpont

Second: Blass

### **Discussion**

Councilman Austin – I am against this appointment, there is absolutely no reason to remove the previous law firm that we had. There is no reason to associate with some firm that possibly has allegations that I believe is under (inaudible) for what has happened in the past. I see absolutely no reason why we are removing somebody who has helped this town out, and putting someone in with questionable credentials.

Councilman Razze – Was there any more developments or complainants filed by the Office of Ethics?

Council President Pierpont – No, you have the same information that I have.

Councilman Razze – So there was the complaint filed by the Office of Attorney Ethics against Long and Marmero for misuse of trust funds.

Council President Pierpont – Right, that was correct.

Councilman Razze – I know the solicitor said at the last meeting he believed that it had come to a resolution.

Solicitor – It turned out to be an informal admonition which is the lowest form of discipline.

Mayor – For one partner there was a reprimand, for the other partner it was the admonition.

Councilman Razzo – So one partner had an admonition of guilt and the other...

Solicitor – There was not guilt, this was discipline of informal admonition is the term.

Councilman Razzo – Does that mean that they admitted that they did wrong?

Solicitor –No, this is the Board's decision, the board made (Inaudible do to shuffling of paper) they have to supervise the bookkeeper more closely, and this was resolved some time ago.

Councilman Razzo – Did we also find out about the alleged overbilling? The city of Trenton refused to do business with this firm, because of that complaint and because of the alleged....

Council President Pierpont – There was no other complaint found on the Bar Association.

Councilman Austin – The City of Trenton, or the firm, reduced the billing to the City of Trenton because of supposedly overbilling.

Council President Pierpont – There were no other ethics charges.

Councilman Austin – So I ask again, why are we changing?

Mayor – On June 13<sup>th</sup> the Director of the Office of Attorney Ethics, Charles Centinaro, stated that a motion for discipline by consent has been filed by the Disciplinary Board. Discipline by consent is a procedure whereby a respondent may agree with an investigator, presenter, or ethics council, to admit facts constituting unethical conduct and recommends a specific discipline, or a range of specific discipline review, by the disciplinary board.

So there were two disciplines handed down as mild, as they were still disciplines for misuse of client funds to support operating costs. This is a significant allegation and now they are in Pitman.

Council President Pierpont – This was taken very seriously.

Councilman Razzo – In the complaint it actually says, \$69,000.00 of trust funds transferred to the business account to cover overdrafts. This was all taken from client trust money. \$27,000.00 payment made to Douglas Long, \$35,000.00 from September 2010 to cover payroll, \$450.00 to transfer to a credit card account, \$28,000.00 payment to Jeff Long, \$3,800.00 net over disbursements on funds on deposit.

Councilwoman Rudley (Inaudible; a lot of noise while she was speaking) To begin, this was the cheapest of the attorneys (inaudible) because they charge hourly (inaudible) as an attorney I read the entire file (inaudible) this was found by a random audit, all the money has been put back. There was an error by the bookkeeper and this was unfortunate.

I read the entire opinion, they spoke glowingly of this attorney and of their services (inaudible) this onetime error in history, and it was an admonition by consent because the discussion would be, yes, it does appear looking back on the books, the bookkeeper transferred money from the trust accounts to a payroll account, but put the money back, and that it was caught by an audit. No monies were ever, (inaudible) no clients were ever missing their money. You have a client on retainer, you don't take any money until you bill them. Here the bookkeeper did this and this was an error by a non-attorney (inaudible)

Many other towns retain their services, they are the cheapest. I know that other individuals seem to think that there is no reason to move, I disagree (cannot hear Councilwoman Rudley)

Councilman Razzo - From what I understand, because I had a chance to speak with the Chairman of the Local Ethics Board

that handles Atlantic, Cumberland, and Cape May Counties. His words were that this is a big “no-no” to tap into the Attorney Trust account and ultimately, an attorney has to sign the checks. So ultimately, one of the attorneys had to sign those checks.

Councilwoman Rudley – I don’t sign checks at my firm, and an attorney has to sign them.

Councilman Razze – The cheapest, I remember not too long ago we replaced our solicitor with a solicitor who had a higher hourly rate, so cheapest wasn’t an argument there.

Council President Pierpont – I don’t believe it’s an argument now, it’s just one of the things to take into consideration.

Councilman Austin – To go further on the actual money involved, our previous firm, and shareholder was \$180.00 per hour, an Associate was \$170.00 per hour, and the Paralegal was \$95.00 per hour. With the proposed new firm, the only fee I could find was \$150.00 which is absolutely cheaper. I’m not too sure what the other fees are, but what it gets down to is unless my figures are incorrect, in 2015 Pitman spent \$857.50 on a labor attorney. That year’s worst case scenario; we would have had to spend \$143.00 extra on keeping our present guy. In 2016, we spent \$2,555.00; it would have cost us and extra \$425.00. Yes, so there is a difference, but for that amount of money that we are spending, you got me.

Councilman Razze – (Inaudible, a lot of background noise) I want to go on record, it’s not my intention to beat a dead horse, but our responsibility to the taxpayers is to spend their money the best way possible (Inaudible, shuffling of paper) and if spending their money is having an attorney in place that has done a good job for us for four years, if it’s not broke why fix it.

Roll Call:

Councilman Austin: No

Councilman Blass: Yes

Councilwoman Higbee: Yes

Council President Pierpont: Yes

Councilman Razze: No

Councilwoman Rudley: Yes

Mayor Johnson \_\_\_\_\_

Mayor Johnson - For the record, I will not be signing this resolution, and I will be authorizing my veto rights within the form of government we have. This procedure will start tomorrow.

**Resolution No. 32, 2017 – Resolution of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Approving Acceptance of Funds to be Held in Escrow for Engineering Fees Associated With Three Projects by South Jersey Gas Company for Gas Main Renewal on Streets Included in Grid 1 and Grid 2 as Referenced in South Jersey Gas Company Work Orders #2469938, #2505152, and #2505175 in the Borough of Pitman, Gloucester County, New Jersey**

Motion: Pierpont

Second: Higbee

Roll Call:

Councilman Austin: Yes

Councilman Blass: Yes

Councilwoman Higbee: Yes

Council President Pierpont: Yes

Councilman Razze: Yes

Councilwoman Rudley: Abstain

Mayor Johnson \_\_\_\_\_

**Resolution No. 33, 2017 – Resolution of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Approving Form of Performance and Maintenance Surety Bond by South Jersey Gas Company for Gas Main Renewal Projects on Streets Included in Grid 1 and Grid 2 as Referenced in South Jersey Gas Company Work Orders #2469938, #2505152, and #2505175 in the Borough of Pitman, Gloucester County, New Jersey**

Motion: Pierpont

Second: Higbee

Roll Call:

Councilman Austin: Yes

Councilman Blass: Yes

Councilwoman Higbee: Yes

Council President Pierpont: Yes

Councilman Razze: Yes

Councilwoman Rudley: Abstain

Mayor Johnson \_\_\_\_\_

**Resolution No. 34, 2017 – Resolution of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Authorizing Application to the New Jersey Department of Transportation, Division of Local Aid, for Municipal Aid 2017 For the Resurfacing of Highland Terrace in the Borough of Pitman**

Motion: Pierpont

Second: Higbee

Roll Call:

Councilman Austin: Yes

Councilman Blass: Yes

Councilwoman Higbee: Yes

Council President Pierpont: Yes

Councilman Razze: Yes

Councilwoman Rudley: Yes

Mayor Johnson \_\_\_\_\_

**Resolution No. 35, 2017 – Resolution of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Authorizing a Closed Meeting**

The general nature of the subjects to be discussed shall be:

**Pitman Police Department Promotions (Rudley)**

**Contract Negotiations for PT Public Works Employees (Pierpont)**

Action may be taken upon returning to an open meeting.

Motion: Rudley

Second: Pierpont

Roll Call:

Councilman Austin: Yes

Councilman Blass: Yes

Councilwoman Higbee: Yes

Council President Pierpont: Yes

Councilman Razze: Yes

Councilwoman Rudley: Yes

Mayor Johnson \_\_\_\_\_

**Resolution No. 36, 2017 – Resolution of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Authorizing Advertising for Sale by Sealed Bid of One Consumption License**

Motion: Pierpont

Second: Austin

Councilman Austin: Yes

Councilman Blass: Yes

Councilwoman Higbee: No

Council President Pierpont: Yes

Councilman Razze: No

Councilwoman Rudley: Yes

Mayor Johnson \_\_\_\_\_

**Payment of Bills**

Motion: Higbee

Second: Rudley

Roll Call:

Councilman Austin: Yes

Councilman Blass: Abstain #33241; Yes to all other

Councilwoman Higbee: Yes

Council President Pierpont: Yes

Councilman Razze: Yes

Councilwoman Rudley: Yes

Mayor Johnson \_\_\_\_\_

**Event Permit Applications**

**Applicant: Pitman Republican Executive Committee**

**Event: Monthly Meetings**

Time: 8:00 pm - 9:30 pm: Fourth Wednesday of each month; no December mtg.

Location: Borough Hall Conference Room

Contact Person: Patti Kelley

Motion: Razze

Second: Blass

Roll Call:

Councilman Austin: Yes

Councilman Blass: Yes

Councilwoman Higbee: Yes

Council President Pierpont: Yes

Councilman Razze: Abstain

Councilwoman Rudley: Yes

Mayor Johnson \_\_\_\_\_

**\*Approved contingent upon the submission of a Certificate of Liability Insurance naming the Borough of Pitman as Additional Insured.**

**Applicant: Rally for the Nation Police & Schools**

**Event: Praise, Prayer, and Appreciation**

Date & Time: April 22, 2017; 1:00 p.m. – 4:00 p.m.

Location: Sunset Auditorium

Contact Person: Vicki Schneider

Motion: Razze

Second: Blass

Roll Call:

Councilman Austin: Yes

Councilman Blass: Yes

Councilwoman Higbee: Yes

Council President Pierpont: Yes

Councilman Razze: Yes

Councilwoman Rudley: Yes

Mayor Johnson \_\_\_\_\_

**\*Approved contingent upon the submission of a Certificate of Liability Insurance naming the Borough of Pitman as Additional Insured.**

**Public Portion**

Motion to open to the public: Razze

Second: Blass

Time: 8:42 p.m.

**Sam Flamma, 600 Pitman Avenue** – Mr. Flamma stated that with respect to the Labor Counsel and billable hours, there is a certain trust on how many hours they are billing. There is never a timeclock when it comes to billable hours, so we should stick with the people that we trust and have worked with and know that they can be trusted. I will find out why we are choosing this firm over a good firm who served us so well. I also think that this is partisan politics, and it doesn't belong here.

**Bruce Lowden, 41 Woodland Avenue** – I am highly offended that this is a political vote. Instead of taking the best interest in the residents, you elected to do this in a small town. No one offered any justification for switching from a non-entity to one that has a liability. I think we are entitled to an explanation.

**Schuyler Kelley, 111 Cyrus Avenue** – Regarding the borrowing of the money, and that no one knew about it. If I borrow your vehicle without you knowing it (Inaudible, he was interrupted) was that a crime? You cannot borrow funds without someone knowing.

**Jim Fortney, 502 Carew Avenue** – No bookkeeper is going to take money out of a fund without somebody telling her to do so. Someone had to have told this bookkeeper to do this.

**Jeff Sanders, 20 S. Fernwood Avenue** – As a former Councilman, I know the position that you are put in from time to time and it can be comfortable and uncomfortable. I also want to refer to Resolution #7. Council President Pierpont, you had mentioned at the re-org meeting when asked the question what was the basis for this decision, and you had said that 'we decided to go in another direction'. So based on a few weeks, and looking into it a little more, could you expand on your answer now?

Council President Pierpont – I think the answer stands on its own. As you well know, we caucus in a group and we discuss several things, and this was one of the items discussed. Councilwoman Higbee was not there at that caucus. We discussed this, and this was the direction we decided to go.

Jeff Sanders – The decision to discuss this matter to replace the former counsel; was this decision made entirely by this group?

Council President Pierpont – No, it was a discussion.



Motion to close the public portion: Razze  
Time: 8:49 p.m. Second: Blass

**Closed Meeting**

Motion to Enter into a Closed Meeting: Austin  
Time: 8:49 p.m. Second: Blass

Motion to Return to an Open Meeting: Razze  
Time: 9:30 p.m. Second: Blass

As a result of discussion in the closed meeting, the following action was taken by Council after returning to an open meeting.

**Resolution No. 37, 2017 – Resolution of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Promoting Corporal John Streater to the Rank of Sergeant of the Borough of Pitman Police**

**Department**

Motion: Rudley  
Roll Call:  
Councilman Austin: Yes  
Councilwoman Higbee: Yes  
Councilman Razze: Yes  
Mayor Johnson \_\_\_\_\_  
Second: Higbee  
Councilman Blass: Yes  
Council President Pierpont: Yes  
Councilwoman Rudley: Yes

**Resolution No. 38, 2017 – Resolution of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Promoting Patrolman Christopher Leach to the Rank of Corporal of the Borough of Pitman Police**

**Department**

Motion: Rudley  
Roll Call:  
Councilman Austin: Yes  
Councilwoman Higbee: Yes  
Councilman Razze: Yes  
Mayor Johnson \_\_\_\_\_  
Second: Razze  
Councilman Blass: Yes  
Council President Pierpont: Yes  
Councilwoman Rudley: Yes

**Resolution No. 39, 2017 – Resolution of the Mayor and Council of the Borough of Pitman, County of Gloucester, State of New Jersey Promoting Patrolman Andrew Carson to the Rank of Corporal of the Borough of Pitman Police**

**Department**

Motion: Rudley  
Roll Call:  
Councilman Austin: Yes  
Councilwoman Higbee: Yes  
Councilman Razze: Yes  
Mayor Johnson \_\_\_\_\_  
Second: Austin  
Councilman Blass: Yes  
Council President Pierpont: Yes  
Councilwoman Rudley: Yes

**Adjournment**

Motion: Razze  
Time: 9:34 p.m. Second: Blass

Respectfully Submitted,

Judith O'Donnell  
Borough Clerk/Administrator

