

# TABERNACLE TOWNSHIP COMMITTEE MEETING MINUTES

## MARCH 10, 2014

**Call to Order:** Mayor Joseph W. Barton called the meeting to order at 8:00 p.m., followed by the Pledge of Allegiance to the flag.

The Township Clerk read the Sunshine Notice Statement as follows:

**Sunshine Notice:** This meeting is called pursuant to the Open Public Meetings Law. This meeting of **March 10, 2014** was included in a list of notices sent to the Central Record, Burlington County Times and Courier Post. Posted on the bulletin board in Town Hall and has remained continuously posted as the required notices under the statute. In addition, a copy of this notice is and has been available to the public, and is on file in the office of the Municipal Clerk.

## Present

### **Roll Call:**

Kimberly A. Brown, Township Committee (**Telephone Conference**)  
Richard Franzen, Township Committee  
Stephen V. Lee, IV, Deputy Mayor  
Joseph Yates, IV, Township Committee  
Joseph Barton, Mayor

### **In attendance:**

Douglas A. Cramer, Township Administrator  
Terry W. Henry, Chief Finance Officer  
Kevin P. Frenia, Township Auditor  
Jay Renwick, Township Assessor  
La Shawn R. Barber, RMC, Township Clerk  
Peter C. Lange, Jr. Township Solicitor

### **Mayoral Comment.**

Mr. Barton reported the flag flown at half-staff in front of town hall was for Robert Lees who recently passed away. He was a former lifelong resident of Tabernacle Township, member of Junior Order of United Mechanics, a member of Tabernacle Historical Society, a member of Medford Farms Volunteer Fire Company and Zoning Board member.

### **Public Comment on agenda items only.**

Kathy Burger, 18 Woodside Drive, questioned the budget process and discussion process prior to introduction.

Stuart Brooks, 78 Moores Meadow Road, questioned the service rendered for an item on the bill list for Regan Young England Butera which was for concession stand at the Patty Bower Park.

Fran Brooks, 78 Moores Meadow Road, questioned revenues made from the snack stand and questioned the release of executive session minutes for February 2012.

Closed to the public.

### **Approval of Bills**

- On a motion made by Mr. Franzen, seconded by Mr. Yates the bills were ordered paid.  
*Motion carried.*

**Roll Call: Brown, Franzen, Lee, Yates, Barton Ayes: 5 Nays: 0**

## Ordinance

### **ORDINANCE 2014-1: ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to **.5%** unless authorized by ordinance to increase it to **3.5%** over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the **3.5%** percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the **Township Committee** of the **Township of Tabernacle** in the County of **Burlington** finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the **Township Committee** hereby determines that a **3.0 %** increase in the budget for said year, amounting to \$75,725 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the **Township Committee** hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the **Township Committee** of the **Township of Tabernacle**, in the County of **Burlington**, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the **Township of Tabernacle** shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by **3.5 %**, amounting to \$88,346 and that the CY 2014 municipal budget for the **Township of Tabernacle** be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

- Public Comment. There were no comments made from the public. Closed to the public.
- On a motion made by Mr. Yates, seconded by Mr. Franzen, Ordinance 2014-1, second reading was offered for adoption. *Carried.*

Roll Call: Brown, Franzen, Lee, Yates, Barton Ayes: 5 Nays: 0

### New Business:

**Municipal Budget Discussion.** Mr. Cramer provided an overview of the proposed operating budget at which he indicates it being a little different because of our re-assessment.

Mr. Renwick spoke on the initial affect that it had on the retables and presented a document showing the re-assessment for 2013 net evaluation taxable, reduced approximately 9.94 %. The average residence went down 10.84 %. Our last year's level, same for this year, shows the impact on the tax rates. The average taxes for residents have gone down slightly \$67.50, which is almost one percent.

Mr. Frenia spoke about the reassessment will have roughly 2.7 cents increase.

At this point, Mr. Cramer went through each line item of the proposed municipal budget indicating the increases and decreases which was based on what we spent last year. The overall increase being proposed is for administration, finance and advertising. Collection of taxes expense went up slightly since we are adding online payment for taxes as service the public. Emergency Management went up slightly for some anticipated radio purchases. Public Works E.O. has an increase for roads and schedule anticipated work. Buildings and grounds increase for anticipated repair cost and with the addition to the Community Center will be a major responsibility of the Township.

Mr. Cramer spoke of having a number of programs this year in grants that require engineering, other than survey or architect work to be paid for outside of the grants.

Mr. Cramer also spoke about there being a need for an increase for a number of vacant houses and having the ability to board up and address. There was also discussion on major break down on truck repairs and equipment.

There are some funds in the capital improvement account for building improvements to the Pepper House.

Mr. Cramer had discussion about shared service for Municipal Court with Southampton Township who is in the process of moving out of their building with majority of their offices, but not the court. The financial number they have given us to run a separate court was a little higher than anticipated. It is not believed to be situated by this year. Southampton Township is in the process of putting their budget together also. Mr. Cramer suggested making no changes to the budget until next year; have the Township get the court approval and make the transition January next year. This transition can afford us to make improvements to the annex building.

Mr. Cramer spoke about capital proposal for next year and grants received. The capital improvement fund proposal will include a portion of Sooy Place Road.

Ms. Brown spoke about the Township receiving \$4,500.00 grant for the feral cat program which will need to be in the budget.

Mr. Henry spoke about the revenue sheets and the biggest changes are the fund balance of \$400,000 from last year to keep the rate down. Capital surplus was used to pay down our debt so we increased it by \$8,000 to offset the rate. These revenues are full tax deferral. Our local tax rate could be 31cents which is about 3 to 5 cent budget increase.

Mr. Frenia spoke that the Township Committee needs to figure out what direction they want to go with the budget. As it is made up right now, we have about 2.8 million dollars. We collect school taxes for the district six month ahead of time and there is an option for us to erase that line and use the money in our surplus. One of the major disadvantages using cash flow; we have money saved in our bank that is eligible

to be paid. The argument against the idea is that money to be collected for the school and utilized to fund their budget and it can only be used one time. Some get dependent upon it and when it is gone it leaves a whole in the budget.

Mr. Frenia spoke that we will introduce and advertise for a public hearing at the next regular session in April. At that time, the public will have the opportunity to speak on the budget. The budget can be amended and depending upon what type of amendment, it can be adopted that night or you may need to have a second hearing.



Resolution 2014-54: Deferred School Taxes for Municipal Budget.

**Motion to table. Roll Call: In favor: 5 Opposed: 0**

**RESOLUTION 2014-55  
RE: INTRODUCTION OF 2014 TABERNACLE TOWNSHIP  
MUNICIPAL BUDGET**

**WHEREAS**, the Municipal Budget of the Township of Tabernacle, County of Burlington for the fiscal year 2014; and

**WHEREAS**, the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2014; and

**NOW, THEREFORE, BE IT RESOLVED**, that said budget be published in Tabernacle Township's official newspapers.

**BE IT FURTHER RESOLVED**, by the Governing Body of the Township of Tabernacle does hereby approve the following Budget for the year 2014.

**RECORD OF VOTE**

COMMITTEE MEMBER	M	S	A	N	N.V	AB
Kimberly Brown			X			
Joseph Barton			X			
Richard Franzen	X		X			
Stephen V. Lee, IV		X	X			
Joseph Yates, IV			X			

M-MOTION; S-SECOND; A-AYE; N-NAY; N.V. - NOT VOTING; AB. - ABSENT

- **Public Hearing: April 28, 2014 at 8:00 P.M.**

**RESOLUTION 2014-56  
A RESOLUTION AUTHORIZING THE RELEASE OF TABERNACLE TOWNSHIP  
COMMITTEE EXECUTIVE SESSION MINUTES**

**WHEREAS**, the Township of Tabernacle has a history of commitment to the public participation in its local government and to the corresponding need for an informed citizenry; and

**WHEREAS**, the Township Committee finds that it is permissible to release the executive Session Meeting Minutes for the following dates:

- May 29, 2012
- July 23, 2012
- December 27, 2012
- March 25, 2013
- September 23, 2013
- October 15, 2013
- October 28, 2013

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Tabernacle, County of Burlington and State of New Jersey that the Township Clerk is hereby authorized and directed to release the following approved Executive Session Meeting Minutes for the following dates:

- May 29, 2012
- July 23, 2012
- December 27, 2012
- March 25, 2013
- September 23, 2013
- October 15, 2013
- October 28, 2013

**I hereby certify the foregoing to be a true copy of a resolution adopted by the Tabernacle Township Committee at a meeting held on March 10, 2014.**

- On a motion made by Mr. Lee, seconded by Mr. Yates Resolution 2014-56 was offered for adoption. *Motion carried.*

**Roll Call: Brown, Franzen, Lee, Yates, Barton Ayes: 5 Nays: 0**

**RESOLUTION NO. 2014-57  
GRANTING BINGO LICENSES TO SENECA BOOSTER CLUB, INC.**

**WHEREAS**, the **Seneca Booster Club, Inc.** has filed an application with the Township Committee for bingo license to conduct bingos and the applicant has paid the proper fees for said licenses; and

**WHEREAS**, the Township Committee of the Township of Tabernacle believes that said applicant is qualified to conduct the bingos are bona fide active members of said organization and that the bingo will be conducted in accordance with the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq.; and

**WHEREAS**, the following **Bingo Licenses** are requested on the dates listed:

<b>BA: 2014-02</b>	<b>April 29, 2014</b>	<b>Time: 6:00-9:00 PM</b>
--------------------	-----------------------	---------------------------

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Tabernacle, in the County of Burlington and State of New Jersey, as follow:

1. That the Township Committee hereby approves the issuance of the aforementioned Bingo License.
  2. That the Township Clerk is hereby authorized to issue said license on behalf of the Township of Tabernacle.
- On a motion made by Mr. Lee, seconded by Mr. Yates Resolution 2014-56 was offered for adoption. *Motion carried.*

**Roll Call: Brown, Franzen, Lee, Yates, Barton Ayes: 5 Nays: 0**

**Old Business**

Stop Signs /Pricketts Mill Road - Mr. Lange held discussion with members of the Township Committee whether or not the Township can establish speed control regarding a previous request made by Mr. Urgo in Tabernacle Township, specifically on Pricketts Mill Road going into Southampton Township. Discussion held on consideration given for speed control and potential for radar, signage, and temporary speed control.

Balance Billing - Mayor spoke about providing information to the residents about the rescue squad billing.

Jamie Wood, Tabernacle Rescue Squad, spoke about the Township’s approach to their rescue squad’s billing service and held discussion of her research following the federal statute and obtaining an OIG Opinion for residents and nonresidents in regards to their insurance company’s coverage for co-pays, deductibles and situations where there is legitimately no insurance for service. Ms. Woods expressed Rescue Squad wanted to work as a team to make sure the Township’s wishes are granted

Mr. Lange expressed that he believes it to be sufficient for the Committee to say they do not want the residents to have to pay into balance billing or any cost unnecessarily and via our contribution to your company.

**Report of the Township Administrator**

Mr. Cramer reminded members of the Township Committee of the Elected Officials training seminar with the JIF is Wednesday, March 12<sup>th</sup> at Charlie’s Other Brother.

**Report of the Township Solicitor**

Mr. Lange reported having an executive session matter to report.

**Report of the Township Committee**

Elections - Mr. Yates reported speaking with the Township Clerk regarding County approval to move the elections out of the schools. The election polling location will no longer be at the Kenneth R. Olson Middle School. Districts one and four were moved to the Emergency Services Building.

Mr. Lee reported on attending a school board meeting tonight for their budget.

LDB Vacancy - Mayor Barton reported on making an appointment on filling a vacancy on the Land Development Board. Since an alternate position was not made during the reorganization meeting, Susan A. Brandt was selected as an Alternate 2 member to the Tabernacle Land Development Board.

Grant - Ms. Brown reported on the Township receiving its second year installment for the BCCI feral cat program.

**Public Comment**

Mark LeMire, 32 Washington Way, questioned the notification process for changing in the voting districts from the school to the new emergency services building.

Kathy Burger, 18 Woodside Drive, thanked Ms. Wood for speaking on the rescue squad billing topic. Ms. Burger questioned reimbursements made to squad members and questioned if there was a plan to formalize a subcommittee to move forward and analyze, annually for the rescue squad to be able to finance themselves.

Stuart Brooks, 78 Moores Meadow Road, thanked the Township Committee for having Ms. Wood speak, although he is disappointed that this is the second discussion held on balance billing and neither has been on the agenda or an opportunity for public questions. Mr. Brooks questions the authority for use of the wash bay facility at the emergency services building and spoke of Township management for keeping a log for controls for using the facility.

Fran Brooks, 78 Moores Meadow Road, spoke about TAA revenue being received from the snack stand and having them pay for their own insurance and questions when is this gravy train going to stop.

Mr. Yates opinioned that he disagreed. The athletic association is entitled to any revenues generated since it is used to offset the cost for registrations and shared between the programs of softball, basketball, wrestling and hockey.

Ms. Brooks spoke about the issue of balanced billing and opinioned it is simply specious after listening to the discussion of January 28, 2013 meeting as Mr. Lange recommends to Ms. Wood that she get an OIG opinion, and examining the money that is taken in relation to the \$70,000.00 the Township dedicates to the squad.

Megan Jones, Horseshoe Court, thanked Committeeman Yates for talking about the TAA and spoke of her siblings in the programs and wanting kids to get away from computers and engage with other people and learns real life skills of team work and working with others. Ms. Jones spoke about being tremendously grateful that TAA has given her as a child especially with a one family income, three kids –three sports.

Jason Litowitz, Horseshoe Court, advised the Township of a branch hanging on an electrical wire that cross the road on Route 206, shy of the Sunoco station. The branch has been hanging well before sandy. There was a concern of it falling on one's windshield.

Mayor Barton advised Mr. Litowitz that he would provide Mr. Cramer with a contact for government relations at Verizon.

**No further comments.**

**Executive Session Resolution**

**WHEREAS**, the Open Public Meetings Act, P.L. 1975, Chapter 231 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; and

**Whereas**, the Governing Body wishes to discuss potential litigation matters involving unsafe structures within the boundaries of Tabernacle Township. Pursuant to NJSA 10:4-12(B) (7) this matter will be discussed in a closed session from which the public shall be excluded.

**Closed to the public.**

**WHEREAS**, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

**NOW, THEREFORE, BE IT RESOLVED**, that the public be excluded from this meeting.

- On a motion made by Mr. Yates, seconded Mr. Franzen. **Closed to the public.**

**Roll Call: Those in favor: 5            Opposed: 0**

---

**R**reopen. On a motion made by Mr. Lee, seconded by Mr. Franzen, members of the Township Committee returned from executive session to pursue adjournment. Motion was made by Mr. Barton, seconded by Mr. Franzen.

**Roll Call: Those in favor: 5            Opposed: 0**

**Adjournment**. It was moved by Ms. Brown and seconded by Mr. Franzen to adjourn the meeting at 9:46 p.m.

Respectfully submitted,

\_\_\_\_\_  
**La Shawn R. Barber, RMC/CMR**  
**Township Clerk**  
**Approved: May 27, 2014**