

# Township of Tabernacle

# Draft

Town Hall  
163 Carranza Road  
Tabernacle, NJ 08088



## Regular Meeting Agenda

October 24, 2016 - 7:30 PM

### Governing Body

Kimberly A. Brown, Township Committee  
Joseph W. Barton, Township Committee  
Richard J. Franzen, Township Committee  
Joseph Yates, IV, Deputy Mayor  
Stephen V. Lee, IV, Mayor

### TOWN HALL ADMINISTRATIVE TEAM

Douglas Cramer, CPWM, Administrator	Terry W. Henry, Chief Finance Officer
Dante Guzzi, Township Engineer	Col. William C. Lowe, Emergency Management
Kimberly Smith, Tax Collector	Thomas Boyd, Construction Official
Peter C. Lange, Jr., Esq. Solicitor	La Shawn R. Barber, Municipal Clerk

[www.townshipoftabernacle-nj.gov](http://www.townshipoftabernacle-nj.gov)

1. **Call to Order**                      **Flag Salute**                      **Open Public Meetings Act Statement**

2. **ROLL CALL**

\_\_\_ Mr. Barton, \_\_\_ Ms. Brown, \_\_\_ Mr. Franzen, \_\_\_ Mr. Yates and \_\_\_ Mayor Lee

3. **PUBLIC COMMENT ON AGENDA ITEMS**

4. **APPROVAL OF BILLS**

5. **MINUTES FILED BY CLERK**

- September 12, 2016 (Workshop)
- September 26, 2016 (Regular)

6. **RESOLUTIONS**

**2016-109:** Authorizes the refund of permit application fee (Block 704, Lot 1)

**2016-110:** Authorizes approval for raffle license for Patrick M. Callahan Memorial Fund, Inc.

**2016-111:** Authorizes approval for release of maintenance bond (Block 1002, Lots 7.01, 8 and 9)

**2016-112:** Authorizes approval for LOSAP payment

**2016-113:** Authorizes the disposal of surplus property of Tabernacle Township

**2016-114:** Authorizes approval of issuance and sale of Special Emergency Note up to \$80,000

7. **OLD BUSINESS**

- a. Discussion of an ordinance granting renewed consent and permission to SJ Gas Company to use the public streets to furnished gas for light, heat and power in Tabernacle Township.

8. **REPORTS**

- Township Engineer
- Township Administrator
- Township Solicitor
- Township Committee

9. **PUBLIC COMMENT**

(Please state your name & address for the record, answers to questions will be addressed in reports.)

10. **ADJOURNMENT**

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

**RESOLUTION 2016-109  
AUTHORIZES THE REFUND OF CONSTRUCTION PERMIT FEE  
BLOCK 704, LOT 1**

WHEREAS, Solar City Corporation has applied for a construction permit to install a roof mounted solar panel system for a home located at 177 Sooy Place Road (Block 704, Lot 1) in Tabernacle Township; and

WHEREAS, Solar City has informed the Construction Office that they will no longer be performing the work which required this permit; and

WHEREAS, the Construction Office requests approval of the refund to Solar City in the amount of \$326.00, not including the Township's nonrefundable 20% plan review and State Training Fee pursuant to NJAC 5:23, 4.23.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Tabernacle Township, in the County of Burlington, State of New Jersey, hereby approves the request for refund in the amount of \$326.00 payable to Solar City, 1001 Lower Landing Road, #601, Blackwood, NJ 08012.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forward to the Construction Official.

October 24, 2016

LA SHAWN R BARBER, RMC  
MUNICIPAL CLERK

STEPHEN V. LEE, IV, MAYOR

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the 24 day of October 2016

La Shawn R. Barber, RMC  
Municipal Clerk

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

**RESOLUTION 2016-110  
GRANTING RAFFLE LICENSE TO THE PATRICK M. CALLAHAN  
MEMORIAL FUND, INC.**

WHEREAS, the PATRICK M. CALLAHAN MEMORIAL FUND, INC. has filed an application with the Township Committee to conduct raffles 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 raffle, are bona fide active members of said organization, and that the raffle will be conducted in accordance with the licensing law; and

WHEREAS, the following raffle license is requested on the following date listed:

<b>RA: 2016-18 Merchandise Off-Premise Draw</b>	<b>Drawing Date January 15, 2017</b>	<b>Time: 7:00 pm - 8:00 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 raffle license.
2. That the Municipal Clerk is hereby authorized to issue said license on behalf of the Township of Tabernacle.

Adopted: October 24, 2016

\_\_\_\_\_  
La Shawn R. Barber, RMC  
Municipal Clerk

\_\_\_\_\_  
Stephen V. Lee, IV, Mayor

\*\*\*\*\*

I, La Shawn R. Barber, Municipal Clerk of Tabernacle Township hereby certify that this is a true copy of a Resolution adopted by the Governing Body of the Tabernacle Township Committee on \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
La Shawn R. Barber, RMC  
Municipal Clerk

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

**RESOLUTION 2016-111**

**A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE  
RELEASING THE MAINTENANCE BOND ASSOCIATED WITH  
BLOCK 1002, LOTS 7.01, 8 and 9 IN THE TOWNSHIP OF TABERNACLE**

WHEREAS, James Gaskill, is the owner of property located in the Township of Tabernacle at Block 1002, Lots 7.01, 8 and 9; and

WHEREAS, James Gaskill has posted a Maintenance Guarantee pursuant to the requirements of the Tabernacle Township Development Ordinances and the Resolution of Major Subdivision Approval associated with said lots; and

WHEREAS, the Township's Engineer, Mr. Frank Morris, has inspected the improvements to date and found that all improvements have been completed satisfactorily and recommended that said maintenance guarantee be released pursuant to his report dated October 7, 2016; and

WHEREAS, the Township Engineer has recommended releasing the maintenance bond in the amount of \$6,845.25 conditioned upon any and all outstanding balances of NJMLUL escrows being paid and satisfied; and

WHEREAS, pursuant thereto, the Committee finds that the required improvements have been made, inspected and approved as detailed in the October 7, 2016 inspection report of Frank Morris, P.E.

NOW THEREFORE, be it resolved by the Tabernacle Township Committee that the Maintenance Bond associated with Block 1002, Lots 7.01, 8 and 9, located in Tabernacle Township shall be and is hereby released subject to the condition herein provided.

I certify that the foregoing Resolution was duly adopted at a regular meeting of the Township of Tabernacle held on the 24th day of October 2016.

DATE: October 24, 2016

\_\_\_\_\_  
La Shawn Barber, RMC  
Municipal Clerk

\_\_\_\_\_  
Stephen V. Lee, IV, Mayor

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

**RESOLUTION 2016-112  
AUTHORIZE PAYMENT - LOSAP CONTRIBUTION 2015 -  
TABERNACLE FIRE COMPANY #1 - \$24,037**

**WHEREAS**, Resolution 2015-26, adopted by the Township Committee on January 2, 2015, authorized the continuation of a Length of Service Award Program (LOSAP) and authorized Lincoln National Life Insurance Company as the provider for said LOSAP; and

**WHEREAS**, it has been determined that contributions for qualified participants from the Township in the amount of \$24,037.00 are due to the provider; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Township, Burlington County that the Chief Financial Officer is hereby directed to authorize payment in the amount of \$24,037.00 to Lincoln National Life Insurance Company for its contributions to the Township's Length of Service Award Program.

\_\_\_\_\_  
La Shawn R. Barber, RMC  
Municipal Clerk

\_\_\_\_\_  
Stephen V. Lee, IV, Mayor

**CERTIFICATION**

I, La Shawn R. Barber, Clerk of the Township of Tabernacle, in the County of Burlington, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Committee at a Regular Meeting held on the 10/24/2016.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 10/24/2016.

La Shawn R. Barber, RMC  
Municipal Clerk

**Verified, Encumbered as to  
Availability of Funds Paid:**

Date: 3/09/2015

Account No.:

PO No.:

By: \_\_\_\_\_

TERRY W. HENRY, Chief Finance Officer

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

**RESOLUTION 2016-113**

**AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY**

**WHEREAS**, the Township of Tabernacle is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Township Committee of the Township of Tabernacle is desirous of selling said surplus property in an "as is" condition without express or implied warranties:

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Tabernacle, being the governing body thereof, as follows:

1. The sale of surplus property shall be conducted through Gov/Deals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the Clerk of the Town of Tabernacle.
2. The sale is being conducted pursuant to Local Finance Notice 2008-9.
3. The surplus property is attach and made a part hereof
4. The surplus property as identified shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
5. The Township of Tabernacle reserves the right to accept or reject any bid submitted.

**Date: October 24, 2016**

\_\_\_\_\_  
**La Shawn R. Barber, RMC**  
**Municipal Clerk**

\_\_\_\_\_  
**Stephen V. Lee, IV, Mayor**

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the 24<sup>th</sup> day of October 2016.

\_\_\_\_\_  
La Shawn R. Barber, RMC  
Municipal Clerk

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

**RESOLUTION 2016-113: AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY**

**ATTACH LIST OF ITEMS TO BE SOLD**

1	1983 FORD LN 8000, DIESEL, WITH VACTOR MODEL 810 JET-VAC, 9 CU. YD., 1000 GAL WATER TANK. VIN # 1FDYR80U6DVA28285
2	1990 DODGE W-350, 4WD,GAS, WITH ENCLOSED UTILITY BODY, VIN #1B6MM3654LS769442
3	2002 DODGE VR-2500, 4WD, GAS, WITH OPEN UTILITY BODY, LIFT GATE, VIN# 3B6KF26ZX2M278160
4	MASSEY FERGUSON MODEL 1140 DIESEL COMPACT TRACTOR WITH 1246 LOADER, SERIAL # A52814
5	TORO 455D , 4WD 10 FT. MOWER, CAB, AND BROOM, SERIAL #60533
6	TURFCO TOP DRESSER MODEL 85800, SERIAL #890582
7	GILL SEEDER/AERATOR MODEL #20A500, SERIAL #2124
8	LAWNBOY PUSH MOWER
9	SWEEPSTER HBA 84 SERIES PICKUP SWEEPER FOR LARGE LOADERS, JRB QUICK CHANGE MOUNT
10	MILLER THUNDERBOLT XL AC/DC WELDER
11	GOOD ROADS 10 FT. ONE WAY SNOW PLOW
12	GOOD ROADS 10 FT. ONE WAY SNOW PLOW
13	HURRICANE COLD WATER GAS DIRECT DRIVE PRESSURE WASHER, 3 GPM/3000 PSI , HONDA 8HP MOTOR
14	BILCO METAL BASEMENT DOORS
15	CRAFTSMAN 2 PIECE (UPPER/LOWER) TOOLBOX
16	(3) SOLAR POWERED FLASHING SCHOOL ZONE SIGNS
17	(2) 4" GATE VALVE
18	MISCELLANEOUS VHS RADIOS
19	MISCELLANEOUS TIRES
20	MISCELLANEOUS STROBE LIGHTS AND LIGHT BARS
21	4 DRAWER WOODEN FILE CABINET
22	MISCELLANEOUS STREAMLIGHT AND COLEMAN SPOTLIGHT, 7 EACH
23	2 CULTER-HAMMER BREAKER BOXES
24	2 GASOLINE/DIESEL HOSES AND NOZZLES
25	MISCELLANEOUS CONCRETE ANCHORS



**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

TOWNSHIP OF TABERNACLE, NEW JERSEY

RESOLUTION NO. 2016-114

---

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$80,000 OF SPECIAL EMERGENCY NOTES OF THE TOWNSHIP OF TABERNACLE; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

---

**BACKGROUND**

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, inter alia, municipalities to adopt ordinances authorizing special emergency appropriations for the preparation and execution of a complete program of revaluation of real property; and

WHEREAS, the Township Committee of the Township of Tabernacle, County of Burlington, New Jersey ("Township"), has duly and finally adopted Ordinance 2013-3 ("Ordinance") appropriating the sum of \$200,000 to fund the revaluation of real property in the Township ("Project"); and

WHEREAS, Section 55 of the Local Budget Law, *N.J.S.A. 40A:4-55*, authorizes the Township to issue special emergency notes to finance the costs of the Project and requires the Township to pay, at maturity, one-fifth of the total amount authorized under the Ordinance; and

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

WHEREAS, the Township has heretofore issued its Special Emergency Notes of 2015, Series A in the principal amount of \$120,000 to temporarily finance the costs of the Project ("Prior Notes"); and

WHEREAS, the Prior Notes mature on November 2, 2016; and

WHEREAS, it is the desire of the Township to issue its special emergency notes in the principal amount of up to \$80,000, as further described in Exhibit "A", the proceeds of which, together with other available funds of the Township in the amount of \$40,000, will be used to repay the principal of the Prior Notes at maturity; and

WHEREAS, pursuant to the Local Budget Law and the Ordinance, it is the intent of the Township Committee to hereby authorize, approve and direct the issuance and sale of such special emergency notes for the Project as further described in Exhibit "A" attached hereto, to ratify and confirm certain actions heretofore taken by or on behalf of the Township, and to make certain related determinations and authorizations in connection with such issuance and sale.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:**

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

**Section 1.** Pursuant to the Local Budget Law, the issuance of special emergency notes of the Township, to be designated, substantially, "Township of Tabernacle, County of Burlington, New Jersey, Special Emergency Notes of 2016, Series A" ("Notes"), in an aggregate principal amount of up to \$80,000, is hereby authorized, approved, ratified and confirmed.

**Section 2.** The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

**Section 3.** At the next meeting of the Township Committee after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the Township Committee, the principal amount, rate of interest and the name of the purchaser of the Notes.

**Section 4.** The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law, *N.J.S.A. 40A:4-55(b)*.

**Section 5.** The Notes shall be issued in bearer form in denominations of \$50,000 or greater. The Notes shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

Township affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the Township Clerk or Deputy Township Clerk.

**Section 6.** The Notes are ultimately payable from ad valorem taxes that shall be levied upon all taxable real property in the Township without limitation as to rate or amount.

**Section 7.** The Township hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

**Section 8.** The Township hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 9.** The Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

**Section 10.** The Township hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Township hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Township during the period from January 1, 2016 to December 31, 2016, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 10, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Township: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

**Section 11.** All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Treasurer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

---

**Section 12.** The Mayor, Chief Financial Officer, Treasurer and Township Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

**Section 13.** All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

**Section 14.** This Resolution shall take effect immediately upon adoption this 24th day of October, 2016.

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Draft

Exhibit "A"

Ordinance Number	Notes Authorized	Notes Outstanding	Available Funds	Notes to be Issued
2013-3	\$200,000	\$120,000	\$40,000	\$80,000

DATE: OCTOBER 24, 2016

\_\_\_\_\_  
LA SHAWN R. BARBER, RMC  
MUNICIPAL CLERK

\_\_\_\_\_  
STEPHEN V. LEE, IV, MAYOR

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the \_\_\_\_ day of October 2016.

\_\_\_\_\_  
La Shawn R. Barber, RMC  
Municipal Clerk