

Tabernacle Township Committee

Regular Meeting Minutes of February 22, 2016

Mayor Stephen V. Lee, IV called the regular meeting to order at 7:30 p.m. followed by the Flag Salute.

Sunshine Notice: This meeting was called pursuant to the Open Public Meetings Act. This special meeting of February 22, 2016 was 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.

Roll Call Those in attendance were:

Governing Body

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

Administrative Team

Douglas Cramer, CPWM, Administrator
Kevin P. Frenia, Township Auditor
Terry Henry, Chief Finance Officer
Peter C. Lange, Jr., Township Solicitor
Dan Guzzi, Township Engineer
Col. William Lowe, Emergency Management
La Shawn R. Barber, RMC, Municipal Clerk

Public Comment

- Stuart Brooks, 78 Moores Meadow Road, question the resolution regarding street opening permit.
- Fran Brooks, 78 Moores Meadow Road, questioned bill list item regarding grant writing, and Tabernacle Fire Company tools. The Township Committee was thanked for changing the order of the agenda.

Approval of Bills

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

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

Approval of Minutes

January 25, 2015 (Special Budget Workshop). Motion made by Mr. Barton, seconded by Ms. Brown.

Roll Call: Ayes: Barton, Brown, Franzen, Lee Abstain: Yates Nays: 0 Motion carried.

January 25, 2015 (Regular & Executive). Motion made by Mr. Franzen, seconded by Mr. Barton.

Roll Call: Ayes: Barton, Brown, Franzen, Lee Abstain: Yates Nays: 0 Motion carried.

Resolutions

Tabled Last month

RESOLUTION 2016-37: APPROVING STREET OPENING PERMIT FOR SOUTH JERSEY GAS COMPANY

TABLED: 375 Medford Lakes Road, Block 802.01, Lot 4;

- Mr. Guzzi spoke of wanting South Jersey Gas to move the location of the opening however have not received a response. Mr. Guzzi recommends this resolution be tabled until next meeting until he can speak with SJ Gas regarding the moving the opening.
- Mr. Guzzi spoke about street opening permits and the costs associated with paving of roads which come before the Township Committee for review. The moratorium is for a newly paved road to avoid cutting a patch on the road. Depending on how long the road was paved consideration from the Township Committee is made to waive approval of the application. There is no written standard for hardships, other than using common sense since standard of where the opening would be and the impacted of the opening on the Engineer's analysis. It is a Township Committee policy decision.

- Mr. Barton spoke that we do not have a moratorium ordinance for roads and is something the Township Committee should consider.
- **On a motion made by Mr. Franzen, seconded by Mr. Yates Resolution 2016-37 was tabled until the Township Engineer can recommend approval.**

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

**RESOLUTION 2016-39:
GRANTING RAFFLE LICENSE TO SENECA EAGLES BAND PARENTS ASSOCIATION, INC.**

WHEREAS, the **SENECA EAGLES BAND PARENTS ASSOCIATION, 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 bingo and raffle, are bona fide active members of said organization, and that the raffle will be conducted in accordance with the raffle Licensing Law, N.J.S.A. 5:8-24 et seq.; and

WHEREAS, the following **Raffle License** are requested on the dates listed:

RA: 2016-05 On-Premise Draw - Merchandise	April 8, 2016	Time: 6pm-Midnight
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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.

➤ **On a motion made by Ms. Brown, seconded by Mr. Franzen, Resolution 2016-39 was offered for adoption.**
Roll Call: Barton, Brown, Franzen, Yates, Lee Ayes: 5 Nays: 0 Motion carried.

**RESOLUTION 2016-40:
GRANTING BINGO AND RAFFLE LICENSE TO PTA TABERNACLE TOWNSHIP, INC**

WHEREAS, the **PTA Tabernacle Township, Inc.** has filed an application with the Township Committee to conduct BINGO and 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 bingo and raffle, are bona fide active members of said organization, and that the bingo and raffle will be conducted in accordance with the Bingo and Raffle Licensing Law, N.J.S.A. 5:8-24 et seq.; and

WHEREAS, the following **Bingo and Raffle License** are requested on the dates listed:

BA: 2016-01 - Bingo	April 29, 2016	<u>Time: 6-9 PM</u>
RA: 2016-03 On-Premise Draw - 50/50 Cash	April 29, 2016	<u>Time: 6-9 PM</u>
RA: 2016-04 On-Premise Draw - Merchandise	April 29, 2016	<u>Time: 6-9 PM</u>

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 and Raffle 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. Yates, seconded by Mr. Barton, Resolution 2016-40 was offered for adoption.**
Roll Call: Barton, Brown, Franzen, Yates, Lee Ayes: 5 Nays: 0 Motion carried.

**RESOLUTION 2016-41
A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE AUTHORIZING THE PLACEMENT OF
TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR TABERNACLE PTA, INC**

WHEREAS, a request has been made for permission to place temporary signage in the public right of way associated with certain Township roads for the week of April 8th thru May 4th, 2016; and

WHEREAS, the request has been made by the Tabernacle PTA, Inc. in order to promote the upcoming bingo and raffle fundraiser **which will take place on April 29, 2016**; and

WHEREAS, the Township Committee is desirous of assisting the Tabernacle PTA, Inc. in promoting this beneficial activity.

NOW, THEREFORE, BE IT RESOLVED, that the Tabernacle Township Committee, in the County of Burlington, State of New Jersey, does hereby temporarily suspend the zoning regulations prohibiting such signage included in Tabernacle revised Ordinances Chapter 17 Section 22.12 "Off Site Commercial Advertising Signs".

The Township Committee further hereby authorizes the Tabernacle PTA, Inc. and/or its representatives to place temporary signage in the public right of way and along Tabernacle public roads promoting the upcoming games of chance fund raiser for Tabernacle PTA, Inc. as aforementioned under the following conditions:

1. All signs shall be placed at least 6' off of any paved road surface and shall be placed in the public right of way with adult supervision.
2. All temporary **signs shall be removed within 5 days** after conclusion of the event.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Construction Official and to President of the Tabernacle PTA, Inc.

➤ **On a motion made by Mr. Barton, seconded by Mr. Franzen Resolution 2016-41 was offered for adoption.**
Roll Call: Barton, Brown, Franzen, Yates, Lee Ayes: 5 Nays: 0 Motion carried.

RESOLUTION 2016-42
AWARDING CONTRACT FOR 2015 PARK IMPROVEMENTS PHASE II TO STRUCTURES AT
PATTY BOWKER AND PRICKETT'S MILL PARKS

WHEREAS, the Tabernacle Township Committee has received sealed proposals for construction and repairs to structures located at the Patty Bowker and Prickett's Mill Parks located in the Township of Tabernacle, Burlington County, NJ; and

WHEREAS, N.J.S.A. 40A:11-4 states that a contract, the cost of which would exceed \$17,500.00 in a fiscal year, shall be awarded only after public advertising for bids and bidding therefore; and

WHEREAS, there has been public advertisement for bids and the Municipal Clerk has received and opened bids on February 10, 2016 at 11:00 A.M. for the purpose of awarding a contract for the aforementioned construction and repair to structures located at the Patty Bowker and Prickett's Mill Parks; and

WHEREAS, the Township Engineer, Dante Guzzi, has reviewed the bids and determined the lowest bid to be in conformance with the bid specifications and has advised that a certain entity is the lowest qualified responsible bidder for said contract and has recommended that the Municipality award said contract or reject the bids within sixty (60) days as required by N.J.S.A. 10A: 11-4; and

WHEREAS, the Township's Chief Financial Officer has certified that there are sufficient funds available for the purpose of awarding a contract to said entity and his certification being attached hereto and made a part hereof.

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 follows:

1. That the Chief Financial Officer, based upon the aforementioned certificate, has declared that there are sufficient funds available for the aforesaid purpose, and that the Township Committee hereby directs that the hereinafter expenditure be charged against such funds.
2. That the Township Committee, for the aforementioned reasons, **hereby declares that Allstate Landscaping & Construction, 134 Old Marlton Pike, Medford, NJ 08055 is the lowest qualified bidder** for the aforementioned contract and hereby awards a contract to the said entity for the aforesaid purpose in the amount of **\$140,534.00** in accordance with the terms and conditions of the Bid Proposal, the Notice to Bidders and Specifications, copies of which are on file in the Office of the Municipal Clerk and available for public inspection during regular business hours.
3. That the award to **Allstate Landscaping & Construction** is consistent with the legal requirements of the lowest responsible bidder, which conforms, to all specification requirements and applicable statutory provisions.
4. That the Township Committee hereby directs the Municipal Clerk to return the bid securities to the unsuccessful bidders in accordance with N.J.S.A. 40A: 11-4.

5. That the Township Committee does hereby direct the Township Mayor and Clerk to execute any contract documents which are necessary to effectuate the terms of this Resolution which shall be prepared by or reviewed by the Office of the Township Attorney.

- Mr. Guzzi spoke of the project to address work at Patty Bowker and Pricketts Mill Parks.
- **On a motion made by Mr. Yates, seconded by Mr. Franzen, Resolution 2016-42 was offered for adoption.**

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

Motion: Parade Permit – Jeep Jamboree USA: 22nd Annual Pine Barrens Jeep Jamboree

Event Date: March 17-19, 2016. Motion to approve was made by Mr. Barton, Mr. Yates, seconded the motion.

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



Budget Preliminary Budget Discussion – Part II

Keven Frenia, Township Auditor spoke of receiving preliminary budget figures from the Administrator and Chief Finance Officer and clipped them into the budget. While he understands the initial direction to put a budget together with no tax increases, he pointed out that it is unique this year because our fund balance is down from about a million to a half a million dollars.

Mr. Frenia spoke about the desires of the Township Committee to have a zero tax increase budget. However it was explained the following realistic choices that should be considered is to replenish the \$450,000-\$500,000 surplus. Consideration should be given to defer the school taxes, cut the municipal budget or increase taxes.

Mr. Frenia indicated that we have not deferred school taxes for several years. The Township is the tax collecting entity for all of the taxing bodies that affect the people who pay taxes in Tabernacle; we collect for the County, School, Regional School, etc. We collect for the schools six months in advance of when the monies are due. So at any point of time we would have six months of school taxes on the books as a liability. In order to keep taxes down, the State would allow us to defer those takes, in other words, wipe off the liability off our books and utilize the money we already collected to fund our budget. The only risk you run is when the money is gone, if you become dependent on it, then you may find yourself with a revenue hole in the budget that you cannot fill.

Mr. Henry spoke about the 2015 unexpended fund balance for next year would result in \$66,000 to the budget for every penny.

Mayor Lee expressed not being in favor of borrowing the money to defer school taxes and was in favor of looking at the expense side to make modifications.

Mr. Cramer suggested that a possible solution would be to do a combination of a three recommendations made by the Auditor. He would like the Township Committee to realize when you cut \$450, 000 in the budget, you will cut services.

Members of the Township Committee spoke that they will need more time to consider their choices prior to first reading of the budget.



REPORTS

Emergency Management

Col. Lowe reported on the Basic Emergency Operations Plan in which he needed Mayor Lee's signature on the plan and advised that it is available for Township Committee review; however not available to the public.

Township Engineer



Mr. Guzzi reported the Radio Tower application was sent back to The Pinelands Commission and once it is returned, we will go out to bid.

Township Administrator

Budd Court – The Township received sufficient money from the bond to finish up on Budd Court. We would like to add Fox Chase and Sleepy Hollow Road to the 2014 – 2015 Road Program.

Farmland Assessment – Mr. Cramer reported on a letter from Mr. and Mrs. Brooks concerning a farmland assessment application to the Assessor. There seems to be a discrepancy with the farmland assessment forms and regulations. Mr. Renwick is going to the County regarding an appeal and since we are already in litigation with Ms. Brooks concerning a neighbor's property it will allow the County to make the decision. Mr. Renwick will not comment on it until review of Counsel since we are in litigation.

Concession Stand – Moving forward and will need advice concerning the dedication plaque.

Township Solicitor

Mr. Lange reported that he will have an added executive session for potential litigation regarding matters related to 9 Worrell Road belonging to the Longstreet property.

Township Committee

Mr. Barton thanked Col. William Lowe for the information he provided for the Emergency Operations Plan. Mr. Barton also spoke about a tribute and scholarship award for Kevin Tuno, deceased Burlington County Emergency Management Coordinator. Scholarships are awarded through the Military Affairs Organization in which a Tabernacle Student was the recipient of receiving \$2,500.00.

Mr. Yates reported the sub-committee for emergency services is still in working progress and will try to have it ready for the next meeting.

Public Comment

Eric Peterson, Medford Township Resident, submitted a proposal for solar panel development at the old landfill and hopes that his company can bring revenue to the Township.

Fran Brooks, Moores Meadow Road, spoke about the budget surplus and questioned the importance for the recreation line item in the budget.

Mr. Henry responded to her questions and explained the budget surplus. Mr. Cramer spoke of the line items that come out of the recreation would include the fund for Memorial Day Parade, senior dinner, senior bus trip, tree lighting, wreaths, etc.

Ken Hall, 66 Summit Drive, questioned the status of an old D.R. Horton Property on Tabernacle Road. Annually the property maintenance keeps going down.

Mr. Cramer spoke the change when D.R. Horton left and it is being actively marketed. It is believed to be at least one prospective buyer.

Mayor spoke about the role of the Mayor and his decision to change to order of public comments after reports during the meeting and the possibility of having a sign in sheet.

Executive Session Resolution

Whereas, the Governing Body wishes to discuss contract negotiations for provisions of emergency services, ongoing litigation matters related to Fran Brooks vs. Township of Tabernacle and potential litigation matters related to the Longstreet property located at 9 Worrell Road. Pursuant to N.J.S.A. 10:4-12(B) (7) these matters will be discussed in a closed session from which the public shall be excluded. **Closed to the public.**

- On a motion made by Mr. Yates, seconded by Mr. Franzen, members of the Township Committee went into executive session at 8:36 p.m.

All in favor: Ayes: 5 Nays: 0 Motion carried.

Reopen.

Adjournment

Members of the Township Committee came out of executive session to pursue adjournment at 10:44 p.m.

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

Respectfully submitted,

La Shawn R. Barber

La Shawn R. Barber, RMC

Municipal Clerk

Approved: March 14, 2016