

# Tabernacle Township Committee Minutes

## Town Hall Meeting of July 18, 2016

Mayor Stephen V. Lee, IV called Tabernacle Township Committee meeting to order with the Salute to the Flag and the reading of the Open Public Meetings Act Statement.

**OPEN PUBLIC MEETING STATEMENT:** This meeting was called pursuant to the Open Public Meetings Act. This special meeting of July 18, 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 OF GOVERNING BODY:** Joseph W. Barton, Township Committee; Kimberly A. Brown, Township Committee; Richard J. Franzen, Township Committee; Joseph Yates, IV, Deputy Mayor and Stephen V. Lee, IV, Mayor – **ALL PRESENT**

**ADMINISTRATIVE TEAM:** Douglas Cramer (Administrator); Dante' Guzzi (Engineer); Terry Henry (Chief Finance Officer); Peter C. Lange, Jr. (Solicitor); Douglas Stuart (Environmental Consultant) and La Shawn R. Barber (Registered Municipal Clerk).



### **MOMENT OF SILENCE**

A moment of silence was given to Tabernacle Resident Tom Wright and the President of Tabernacle Fire Company Leonard Rovinsky.

### **PUBLIC COMMENT**



Stuart Brooks, Moores Meadow Road, questioned the bill list item regarding remaining projects of the former Engineer, Alaimo Group, Jersey Pines Overhead Door, Seneca High School and billings for Seneca H.S. Parent Group. Mr. Brooks questioned the anticipated schedule for the TRS contract.

Mr. Cramer spoke of Aliamo billings are not complete as there are additional punch list items to be addressed. The repair was made to bay door at the fire house. The billings made for Seneca are for grant money received from County approved Municipal Alliance programs.

Fran Brooks, Moores Meadow Road, questioned bill list item for The Bank of NY Mellon, Capehart & Scatchard, P.A. and questioned if there is a match grant amount for the Municipal Alliance.

Mayor Lee asked if Township appointed bond counsel for this year. Madam Clerk Barber advised that Bond Counsel and Architect were tabled during reorganization.

Mr. Henry addressed the bond payment The Bank of NY Mellon and billing for Capehart & Scatchard.

Closed to the public.

### **APPROVAL OF BILLS**



On a motion to pay the bills was made by Ms. Brown, seconded by Mr. Barton the bills were ordered paid.

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

### **APPROVAL OF MINUTES**

May 9, 2016 (workshop) minutes:

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

Motion made by Mr. Franzen, seconded by Mr. Barton.

**Ayes: 5 Nays: 0 Motion carried.**

May 23, 2016 (regular & executive) minutes:  
**Roll Call: Barton, Brown, Franzen, Yates, Lee**

Motion made by Mr. Barton, seconded by Ms. Brown.  
**Ayes: 5            Nays: 0            Motion carried.**

June 1, 2016 (special budget) minutes:  
**Roll Call: Barton, Brown, Franzen, Yates, Lee**

Motion made by Mr. Barton, seconded by Ms. Brown.  
**Ayes: 5            Nays: 0            Motion carried.**

June 13, 2016 (regular) minutes:  
**Roll Call: Barton, Brown, Franzen, Yates, Lee**  
Motion carried.

Motion made by Mr. Barton, seconded by Mr. Yates.  
**Ayes: 4            Nays: 0            Abstain: Brown**

June 13, 2016 (executive) minutes:  
**Roll Call: Barton, Brown, Franzen, Yates, Lee**

Motion made by Mr. Barton, seconded by Mr. Yates.  
**Ayes: 5            Nays: 0            Motion carried.**

### **DISCUSSION: (TAA) TABERNACLE ATHLETIC ASSOCIATION**

Mayor Lee spoke of the new snack stand at Patty Bowker Park and need for a formal agreement for use of that facility by TAA. A brief conversation was started with Township Committee, in that the President of TAA will meet with Mayor Lee and Deputy Mayor Yates regarding the proposed agreement. They will report back to the Township Committee of their findings in the near future.

### **CORRESPONDENCE**

*Homeschooler, Adam Cunard* - Mayor Lee spoke of a letter received by Adam Cunard, a 14 year old home schooled student, interested in playing sports at Seneca High School. It was understood that Adam attended the Board of Education Meeting in April 2016 at Lenape District to make a formal request. It has been the policies of the district not to allow individual who are not currently enrolled in the district take part in any of their activities; even if they are taxpayers of residing in the municipality. Adam Cunard's father was in attendance and expressed his desire for support from Mayor, Township Committee, Senators and Freeholders to aide in his son's defense to get Lenape Regional High School District to change their policy.

Mayor Lee asks the sentiments of the governing body. Ms. Brown questions if the district's policy is specific only to homeschoolers?

Andy Cunard (Father), Pine Cone Court, spoke that the district's policy is specific excluding homeschoolers.

Mr. Barton spoke that he would reach out and like to hear from the Mayors of surrounding communities on their position. Mr. Yates spoke that he would like to hear from the Superintendent of Schools, Mr. Bende, as well as the sending districts.

### **ORDINANCE - SECOND READING**

**2016-4: AN ORDINANCE REPEALING AND READOPTING CHAPTER IX ARTICLE II OF THE TABERNACLE GENERAL ORDINANCES ENTITLED "BUILDINGS UNFIT FOR HUMAN OCCUPANCY" AND ESTABLISHING THE NEW JERSEY STATE HOUSING CODE STANDARDS FOR HUMAN OCCUPANCY AND APPOINTING THE TOWNSHIP ADMINISTRATOR OR HIS/HER DESIGNEE AND THE BURLINGTON COUNTY BOARD OF HEALTH AS THE PUBLIC AUTHORITY.**

**WHEREAS**, there are dwellings in this Township unfit for human habitation, due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, and other conditions rendering such dwellings unsafe or insanitary, or dangerous or detrimental to the health or safety and otherwise inimical to the welfare of the residents of this Township; and

**WHEREAS**, N.J.S.A. 40:49-5.1 authorizes any municipality to enact, amend or supplement ordinances, establishing, amending or supplementing rules and regulations affecting the construction, reconstruction or repair of buildings, ordinances for fire prevention and ordinances establishing fire prevention codes, and health ordinances establishing, amending or supplementing rules and regulations affecting the installation, maintenance, repair and control of the plumbing, ventilation and drainage of buildings and the connection thereof with an outside sewer, cesspool or other receptacle, by reference to such rules

and regulations in any such ordinance and without the inclusion of the text thereof therein, if the rules and regulations to be adopted are printed or otherwise reproduced in book form as a code or as a part of a code of such rules and regulations; and

**WHEREAS**, a copy of the New Jersey State Housing Code located at NJAC 5:28 (2013), marked as to indicate plainly what portion thereof, if less than the whole, is intended to be adopted, is annexed to this ordinance; and

**WHEREAS**, three copies of said code have been placed on file in the office of the municipal clerk, upon the introduction of this ordinance and will remain on file there until final action is taken on this ordinance for the use and examination of the public; and

**WHEREAS**, it is in the public interest for the Township of Tabernacle to establish such standards and to enforce those standards.

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

**CHAPTER IX ARTICLE II OF THE TABERNACLE GENERAL ORDINANCES ENTITLED "BUILDINGS UNFIT FOR HUMAN OCCUPANCY" is hereby repealed in its entirety and replaced as follows:**

**9-2 BUILDINGS UNFIT FOR HUMAN OCCUPANCY.**

**9-2.1 Burlington County Health Department/Township Administrator or his/her designee; Public Officer.**

The Tabernacle Township Administrator or his/her designee and the Burlington County Health Department, acting through its officers, agents and employees, be and are hereby designated and appointed to exercise the powers prescribed by this ordinance and are hereinafter called the "Public Officer."

**9-2.2 Conditions Causing Unfit Dwellings.**

Any dwelling within the Township of Tabernacle is hereby declared to be unfit for human habitation if conditions exist in such dwelling which are dangerous or injurious to the health or safety of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of the Township including, without limiting the generality of foregoing, defects therein increasing the hazards of fire, accident or other calamities, lack of adequate ventilation, light or sanitary facilities, dilapidation; disrepair, structural defects; uncleanness or failure to conform to other laws of the State of New Jersey, ordinances of this Township or of the local Board of Health of this Township regulating the safety and sanitation of dwellings.

**9-2.3 Adoption of New Jersey State Housing Code.**

- a. Pursuant to the provision of Chapter 21, P.L. 1946 (N.J.S.A. 40:49-5.1) the "New Jersey State Housing Code" as approved by the Departments of Health and Environmental Protection and filed in the Secretary of State's Office located at N.J.A.C. 5:28 as modified herein by section 9-2.3 (b) is hereby accepted, adopted and established as a standard to be used as a guide in determining the fitness of a building for human habitation or occupancy or use. A copy of the "New Jersey State Housing Code" so marked as to indicate plainly what portions thereof are intended to be adopted, and three (3) copies of same, similarly marked, have been placed on file in the Office of the Township Clerk and are available to all persons desiring to use and examine the same.
- b. Modifications to New Jersey State Housing Code N.J.A.C. 5:28 (2013).
  - i. § 5:28-1.5 (a) is deleted in its entirety.
  - ii. The first sentence of § 5:28-1.5 (b) is deleted and replaced to read as follows: *Garbage and Rubbish shall be stored in receptacles of metal or other approved material.*
  - iii. The first sentence of § 5:28-1.6 (a) is deleted and replaced to read as follows: *Every habitable room above grade shall have at least one window or skylight facing directly to the outdoors.* The second and third sentences of § 5:28-1.6 (a) are deleted in their entirety.
  - iv. The first sentence of § 5:28-1.6 (c) is deleted in its entirety. The second sentence of § 5:28-1.6 (c) is deleted and replaced to read as follows: *Every outlet and fixture shall be maintained in good and safe condition, and shall be connected to the source of electric power.*
  - v. The first sentence of § 5:28-1.8 (a) is deleted and replaced to read as follows: *Every dwelling shall have heating facilities which are properly installed, maintained in good and safe working condition, and are*

*capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments located therein.* The second sentence of § 5:28-1.8 (a) is deleted in its entirety.

vi. § 5:28-1.11 is deleted in its entirety.

#### **9-2.4 Charges That Building Unfit for Human Occupancy; Hearing.**

Whenever a petition is filed with the Township Committee by a public authority or by not less than five (5) residents of the Township, charging that any dwelling located therein is unfit for human habitation, or whenever it appears to the Township Administrator or his/her designee, from their own investigation, that any dwelling is unfit for human habitation, the Township Administrator or his/her designee shall make a preliminary investigation of the charges if the basis of their action is a petition and if their preliminary investigation of the charges discloses a basis therefor or if their own investigation furnishes such a basis to them, issue and cause to be served upon the owner of and parties in interest in such dwelling a complaint, stating the charges in that respect and containing a notice that a hearing will be held before the Township Administrator or his/her designee at a place therein fixed not less than ten (10) days nor more than thirty (30) days after the serving of the complaint.

#### **9-2.5 Owner's Right to Answer Complaint.**

The owner and parties in interest shall have the right to file an answer to the complaint and to appear in person or by attorney and give testimony at the place and time fixed in said notice of hearing.

#### **9-2.6 Rules of Evidence Not Controlling.**

The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Township Committee.

#### **9-2.7 Hearing.**

At the time and place stated in the notice or at such time and place to which the hearing shall be adjourned, the Township Administrator or his/her designee shall hold a hearing at which complainants, if any, and the owner and parties in interest and witnesses shall be heard and at which the Township Administrator or his/her designee shall publicly state the results of their investigation.

#### **9-2.8 Determination by Township Administrator or his/her designee That Dwelling is Unfit; Order Issued.**

If after such notice and hearing the Township Administrator or his/her designee determines that the dwelling under consideration is unfit for human habitation, they shall state in writing their determination and findings of fact in support thereof and shall issue or cause to be served upon the owner thereof and parties in interest an order:

- a. If the repair, alteration or improvement of the dwelling can be made at a reasonable cost in relation to the value of the dwelling, requiring the owner (to the extent and within the time specified in the order) to repair, alter or improve the said dwelling to render it fit for human habitation or, at the option of the owner, to vacate and close the dwelling as a human habitation; or,
- b. If the repair, alteration or improvement of the dwelling cannot be made at a reasonable cost in relation to the value of the dwelling requiring the owner (within the time specified in the order) to remove or demolish such dwelling.

#### **9-2.9 Owner Fails to Act; Township Committee to Act.**

If the owner fails to comply with an order so issued by the Township Administrator or his/her designee to repair, alter or improve, or, at the option of the owner to vacate and close the dwelling, the Township Administrator or his/her designee may cause such dwelling to be repaired, altered or improved, or to be vacated and closed; the Township Administrator or his/her designee may cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

#### **9-2.10 Removal or Demolition of Building by Township Committee.**

If the owner fails to comply with an order to remove or demolish the dwelling, the Township Administrator or his/her designee may cause such dwelling to be removed or demolished.

### **9-2.11 Costs to Become Tax Lien.**

The amount of:

The cost of the filing of legal papers, expert witnesses' fees, search fees and advertising charges incurred in the course of any proceeding taken under this chapter, and

Such cost of such repairs, alterations or improvements, or vacating and closing, or removal or demolition, if any, or the amount of the balance thereof remaining after deduction of the sum, if any, realized from the sale of materials derived from such building or from any contract for removal or demolition thereof, shall be a municipal lien against the real property upon which such cost was incurred. If the building is removed or demolished by the enforcement official, he shall sell the materials of such building. There shall be credited against the cost of the removal or demolition thereof, including the clearance and, if necessary, leveling of the site, the proceeds of any sale of such materials or any sum derived from any contract for the removal or demolition of the building. If there are no such credits or if the sum total of such costs exceeds the total of such credits, a detailed statement of the aforesaid costs and the amount so due shall be filed with the Municipal Tax Assessor or other custodian of the records of tax liens, and a copy thereof shall be forthwith forwarded to the owner by registered mail. If the total of the credits exceeds such costs, the balance remaining shall be deposited in the Superior Court by the enforcement official, shall be secured in such manner as may be directed by such Court and shall be disbursed according to the order or judgment of the Court to the persons found to be entitled thereto by final order or judgment of such Court. Any owner or party in interest may, within 30 days from the date of the filing of the lien certificate, proceed in a summary manner in the Superior Court to contest the reasonableness of the amount or the accuracy of the costs set forth in the municipal lien certificate.

### **9-2.12 Powers Granted to Township Administrator or his/her designee.**

In addition to the powers in this section granted to the Township Administrator or his/her designee, the Township Administrator or his/her designee shall also have the following powers:

- a. To investigate the dwelling conditions in the Township in order to determine which dwellings therein are unfit for human habitations:
- b. To administer oaths, affirmations, examine witnesses and receive evidence.
- c. To enter upon premises for the purpose of making examinations; provided, that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession.
- d. To appoint and fix the duties of such officers, agents and employees as they deem necessary to carry out the purposes of the section.
- e. If the repair, alteration or improvement of the said dwelling cannot be made at a reasonable cost in relation to the value of the dwelling requiring the owner (within the time specified in the order) to remove or demolish such dwelling.

### **9-2.13 Municipalities' Powers Not Impaired.**

Nothing in this section shall be construed to impair or limit in any way the power of this Township to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

### **9-2.14 Violation.**

The failure, neglect or refusal of any person to comply with any order made by the Township Administrator or his/her designee pursuant to the provisions hereof or the hindrance by any person of the Township in making any investigation under this section shall constitute a violation of this section.

### **9-2.15 Emergency.**

Whenever the Construction Official finds that an emergency exists which requires immediate action to protect the public health or safety he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Notwithstanding the other provisions of this ordinance, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Construction Official shall be afforded a hearing as soon as possible. After such hearing, depending upon his findings as to whether the provisions of this ordinance have been complied with, the Construction Official shall continue such order in effect, or modify it, or revoke it.

### **9-2.16 Occupancy.**

No person shall occupy as owner occupant or rent to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not conform to the provisions of the "New Jersey State Housing Code" established hereby as the standard to be used in determining whether a dwelling is safe, sanitary and fit for human habitation."

**9-2.17 Service of Notice.**

Service of any notice, order or other document pursuant to the provisions of this ordinance may be served personally or by certified mail return-receipt requested. In the case of the owner such notice shall be mailed to the owner's address, if known, otherwise to the owner's address as shown on the tax records of the municipality and, in the case of the tenant to the premises. In the event either cannot be found and the address is unknown then the notice may be mailed to the last known address, if any, affixed to the building mentioned in the notice and a digest of the notice published in the official newspaper of the Township. Service may be made in any other manner provided for service of process by the laws or rules of Court of the State of New Jersey."

**9-2.18 Statutory Provisions.**

This section is adopted pursuant to the provisions of Chapter 112 of the Laws of 1942 of the State of New Jersey (R.S. 40:48-2.3 to R.D. 40:48-2.12, as amended and supplemented).

**9-2.19 Penalty.**

Any person or persons, firm or corporation or association violating this section or any of the provisions thereof, shall, upon conviction, be liable to the penalty stated in Chapter I, Section 1-5.

**Public Comment**

Mr. Lange explained that this ordinance will allow the Code Enforcement Officer have responsibilities to handle unfit dwellings.

**There were no further comments**

- **On a motion made by Mr. Yates, seconded by Ms. Brown, Ordinance 2016-4, on second reading, was offered for adoption.**

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

**RESOLUTIONS**



**RESOLUTION 2016-86  
RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE  
FOR WWJR, LLC**

**WHEREAS**, Tabernacle Township has received an application for renewal of Plenary Retail Consumption License for the 2016-2017 term for the following license premise:

- 1. 0335-33-003-009 \* WWJR, LLC/One More Bar & Grill, 1375 Route 206, Tabernacle, NJ 08088; and**

**WHEREAS**, the law requires that an Alcoholic Beverage Licensee Retail Clearance Certificate must be granted by the Division of Taxation prior to renewal; and

**WHEREAS**, all fees have been deposited and required paper work filed with the Township Clerk having no written objections filed opposing the renewal application.

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

- 2. The Township Committee does hereby find that the applicants are qualified to be license according to all Statutory, Regulatory, and local governing ABC laws and regulations.**

**BE IT FURTHER RESOLVED**, as per Title 33, the Township Clerk is authorized to issue said licenses for the year 2016-2017 and filed a certified copy of this Resolution with the New Jersey Division of Alcoholic Beverage Control.

- On a motion made by Mr. Franzen, seconded by Ms. Brown, Resolution 2016-86 was offered for adoption.

Roll Call: Barton, Brown, Franzen, Yates, Lee Ayes: 4 Nays: 0 Abstained: Lee Motion carried.

**RESOLUTION 2016-87**

**REQUESTING THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES GRANT PERMISSION TO APPROVE THE INSERTION OF AN ITEM OF SPECIAL REVENUE IN THE 2016 BUDGET ENTITLED "MUNICIPAL ALLIANCE GRANT"**

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Township of Tabernacle has received notice of an award of \$12,212.00 from the Municipal Alliance Grant, and wishes to amend is 2016 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of Tabernacle, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of.....\$12,212.00

Which is now available as revenue from:

Miscellaneous Revenues:

Special with Items of General Revenue Anticipated Prior Written Consent of the Director of the Division of Local Government Services:

State and Federal Revenues Off-set with Appropriations:

**2016 Municipal Alliance Grant**

**BE IT FURTHER RESOLVED** that the like sum of.....\$12,212.00

be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by Revenues:

**2016 Municipal Alliance Grant**

- On a motion made by Ms. Brown, seconded by Mr. Yates, Resolution 2016-87 was offered for adoption.

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

**RESOLUTION NO. 2016-88**

**APPROVING SPECIFICATIONS AND AUTHORIZING TO SOLICIT BIDS FOR 2016 ROAD PROGRAM**

**WHEREAS**, it is the desire of the Township of Tabernacle to receive sealed proposals for the 2016 Road Program; and

**WHEREAS**, sealed proposals will be prepared by Dante Guzzi Engineering Associates L.L.C., located at 418 Stokes Road, Medford, New Jersey 08055.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of Tabernacle Township, in the County of Burlington, State of New Jersey hereby approves plans, specifications and forms of bids and authorizes Municipal Clerk to receive sealed bids for the 2016 Road Program.

**BE IT FURTHER RESOLVED** that sealed proposals is to be delivered or mailed to the Tabernacle Township, 163 Carranza Road, Tabernacle, New Jersey 08088, on August 17, 2016 at 11:00 A.M. where sealed bids will be opened publicly.

- On a motion made by Mr. Yates, seconded by Ms. Brown, Resolution 2016-88 was offered for adoption.

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

**RESOLUTION 2016-89**

**AUTHORIZING REFUND FOR PERSON-TO-PERSON TRANSFER FEE**

**Whereas**, applicant IL Villaggio Tabernacle, Inc. has applied for a person to person Alcoholic Beverage Control application on June 17, 2016; and

**Whereas**, a Person-to-person transfer is required when a license passes from one ownership entity to another and the Municipal fee is - ten percent (10%) of the annual liquor license renewal fee for a person-to-person transfer; and

**Whereas**, on June 23, 2016 the Municipal Clerk received notification that IL Villaggio Tabernacle, Inc. will not be proceeding with the purchase of the Tabernacle Inn and has asked to withdraw the person to person application and refund for transfer of the ABC license.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of Tabernacle Township, in County of Burlington, State of New Jersey, approve said request for refund \$250.00, payable to IL Villaggio Tabernacle, Inc. , 211 Berlin Road, Ste A, Cherry Hill, NJ 08034.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forward to the Chief Finance Officer.

- **On a motion made by Mr. Barton, seconded by Ms. Brown, Resolution 2016-89 was offered for adoption.**

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

**RESOLUTION 2016-90  
ACCEPTING THE CORRECTIVE ACTION PLAN FOR MUNICIPAL AUDIT**

**WHEREAS**, the Committee of the Township of Tabernacle received the 2015 Audit Report and accepted it by virtue of Resolution 2016-82 on June 13, 2016; and

**WHEREAS**, a Corrective Action Plan was required; and

**WHEREAS**, the Chief Financial Officer has submitted a Corrective Action Plan that is on file.

**THEREFORE, BE IT RESOLVED**, that the Tabernacle Township Committee does acknowledge the receipt of the Corrective Action Plan.

**BE IT FURTHER RESOLVED**, that the Township Clerk be directed to forward a copy of this Resolution to the Division of Local Government Services.

- **On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2016-90 was offered for adoption.**

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

**RESOLUTION 2016-91  
AUTHORIZING SUBMISSION OF COUNTY OF BURLINGTON DOCUMENTS FOR FINAL REIMBURSEMENT  
OF GRANT FUNDING**

**WHEREAS**, in 2011, the Township of Tabernacle received a Municipal Park Development Program Grant from the County of Burlington in the amount of \$250,000.00 to fund New Concession Building for Patty Bowker Field, 122 Patty Bowker Road, Tabernacle, NJ, Block 504, Lot 19; and

**WHEREAS**, these contracts were awarded to Parks & Billak General Contractors, 412 W. Evergreen Ave., Somerdale, NJ 08083 and Ranco Construction Inc., 2 Coleman Court, Southampton, NJ 08088 for performance of the work in the 2011 County Recreation Grant along with the assistance of Tabernacle Township volunteers; and

**WHEREAS**, in 2013, the Township of Tabernacle received a Municipal Park Development Program Grant from the County of Burlington in the amount of \$250,000.00 to fund Dugout Shelters and ADA compliant bleachers for Patty Bowker Field located at 122 Patty Bowker Road (Block 504, Lot 19) and 434 Pricketts Mill Road (803.01, Lots 18 & 19); and

**WHEREAS**, this contract was awarded to Allstate Landscaping & Construction, 134 Old Marlton Pike, Medford, NJ 08055 for performance of the work described above. State Contract awards went to Ben Shaffer and Associates, Inc, P.O. Box 844, Lake Hopatcong, NJ 07849 and MRC Incorporated, P.O. Box 106, Spring Lake, NJ 07762; and

**WHEREAS**, work under these contracts was complete in May 2016 and the Township's Engineer did inspect and certify that the work was complete in conformance with contract plans and specifications and all other applicable requirements and has authorized final payment to the contractors.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Tabernacle, County of Burlington, State of New Jersey that the scope of work associated with the **2011 and 2013 Burlington County Park Development Program Grants are complete.**



**BE IT FURTHER RESOLVED**, that the submission to the County of Burlington of the documents necessary to receive final reimbursement of grant funds is hereby authorized.

- **On a motion made by Mr. Yates, seconded by Mr. Barton, Resolution 2016-91 was offered for adoption.**

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

## REPORTS

**Emergency Management Coordinator / Community Emergency Response Team** – Col. Lowe spoke of the CERT Plan for the Multiple Jurisdiction Point of Distribution (Multi-POD). The county has concerns for NJ public health agencies to respond to potential public health emergencies in the event of a virus crisis. Operations plans were discussed to simultaneously distribute medical countermeasures (oral medications) to county residents via Municipal Points of Distribution. Tabernacle will consist of Medford, Medford Lakes, Shamong, Woodland, Washington and Bass River.

**Environmental Consultant** – Mr. Stuart spoke of the 2006 Richter Road groundwater contamination report and the 2016 Fact Sheet which was requested by the Township to be updated by NJDEP due to it being out of date. It has two different case names and the Fact Sheets were posted at different locations on their website; furthermore there was no draft provided for review. Mr. Stuart spoke of significant issues for the Fact Sheet to be relied upon for existing or future affected homeowner's drinking water from a known contaminated area. The facts surrounding the contamination source in the 2016 Fact Sheet do not include those Directive Letter findings which explain how the contamination occurred. There is no information included relative to new or replacement wells construction in the affected area for homeowners. The sampling schedule presented in the Fact Sheet is contrary to what has been presented by DEP to conduct annual (not a switch to biennial) monitor wells and select homeowner drinking water wells. Mr. Stuart will contact NJDEP regarding these points, as well as the status results for the May sampling events.

**Township Engineer** – Mr. Guzzi reported on the new administrative process for the street opening permit and advised that everything is going well with the spot checks.

**Township Administrator** - Mr. Cramer reported on the Household Hazardous Waste Collection Day held this past Saturday at the public works yard, reporting that it went well. Spoke of receiving all LOSAP information from the Department of Community Affairs and it is currently in review with the Chief of Tabernacle Fire Company for their members. Mr. Cramer noted that he will put a list of equipment together no longer needed for public use.

**Township Solicitor** - Mr. Lange spoke of having the need for executive session discussions.

**Township Committee** – Committeeman Barton spoke of having a conference call with MacArthur regarding national security briefing.

**Township Committee** – Committeeman Franzen spoke of attending the annual Chicken Barbeque sponsored by the Historical Society and Tabernacle Rescue Squad held this past Saturday. Many residents attended the successful event.

**Township Committee** - No report from Committeewoman Brown.

**Township Committee** - No report from Deputy Mayor Yates.

**Township Committee** – Mayor Lee reported on attending the Carranza Memorial, it was a nice event as usual. Commented on looking into an issue regarding household chickens in Tabernacle as pets and spoke of receiving correspondence from a gentleman from the Department of Animal Science at Rutgers; Mayor Lee will provide the information to Mr. Lange for review which is a draft document that gives guidance to public entities. Mayor Lee spoke of receiving an email from a resident regarding internet connection service, some residents have Comcast others do not, and there is Verizon wireless program. Mayor Lee spoke of his plans to attend a BPU public hearing about internet connection in rural communities to represent Tabernacle on August 8<sup>th</sup>. Received a letter

from a resident regarding questions about firehouse usage; Mr. Cramer was asked to schedule a meeting with Chief Smith and Deputy Mayor Yates and Mayor Lee.

### PUBLIC COMMENT

Eric Peterson, SCS Engineers/Old Indian Mills Road, spoke of his introduction proposal to install solar at the Tabernacle landfill and request an opportunity to present the proposal to improve the environmental conditions. The Township Committee suggests that Mr. Peterson meet with Tabernacle Environmental Consultant and Township Engineer to answer some questions. It was noted that Mr. Peterson did not have any successful projects in The Pinelands Commission jurisdiction.

Fran Brooks, Moores Meadow Road, questioned the status of legislation regarding rental unit registrations for the process of notifying rental properties. Mr. Lange spoke that it continues to be an open issue as there is no legislation advancing at this time. Registration is required without a fee and all referrals are sent to the Code Enforcement Office. Ms. Brooks suggest the Committee be provided with list of charges regarding items associated with bond counsel, spoke about the TAA snack stand agreement asking if the public would have an opportunity to comment.

Cheryl Smith, Hill Road, announced that she is now Acting President for Tabernacle Fire Company and Stuart Rubin is Acting Head Trustee.

Sean Cole, 438 Medford Lakes Road, spoke of being a homeschooler and encourages Township Committee to support the homeschooler Andy Cunard and his request.

Douglas Stuart, spoke of the district not accommodating home schooled 1% students and spoke of personally wanting to support Andy Cunard.

Stuart Brooks, Moores Meadow Road, spoke of his disappointment that Lenape District have not given Andy Cunard a written explanation and spoke of his support.

George Jackson, Woodside Drive, spoke of his support for Adam Cunard participating in after school activities even though his parents pay taxes. Even though he understands the Township does not have jurisdiction over the school, however suggest the Township support Adam Cunard.

Tom Hedden, TAA, spoke that it has been a problem policy and supports Andy Cunard.

Committeeman Barton spoke that he would like to contact the surrounding communities to find out their position; whether they have similar issues because he cannot imagine this has is the first time this came up. He would like the Township Committee to send a letter in support of Andy Cunard.

Committeewoman Brown spoke of making a call to the representative of Lenape Board of Education, Dr. Bende.

### EXECUTIVE SESSION RESOLUTION

Whereas, the Governing Body wishes to discuss the following pursuant to N.J.S.A. 10:4-12(B (7) from which these matters will be discussed in a closed session at which the public shall be excluded.

- a) Litigation matters involving Brooks v. Township of Tabernacle
  - b) Contract negotiation with Tabernacle Township and Tabernacle Rescue Squad
- Motion was made by made by Ms. Brown, seconded by Mr. Franzen, members of the Township Committee went into executive session at 9:35 p.m.

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

Reopen meeting.

Members of the Township Committee came out of executive session in which the Mayor announced that a copy of the draft version of the contract for Tabernacle Rescue Squad, Inc. would be available to the public in a few days. It is likely that public comment will be held at a future meeting.

**ADJOURNMENT**

Motion to adjourn the July 18, 2016 Township Committee meeting was made by Ms. Brown, seconded by Mr. Franzen. The meeting was adjourned at 11:05 p.m.

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

Respectfully submitted,

La Shawn R. Barber, RMC/CMR  
Municipal Clerk

**Approved: 8/22/2016**