

**TABERNACLE TOWNSHIP COMMITTEE MEETING MINUTES
JULY 13, 2015**

The Workshop Meeting of the Tabernacle Township Committee was called to order by Mayor Kimberly A. Brown at the Town Hall Municipal Complex, 163 Carranza Road, Tabernacle at 7:33 P.M. The meeting commenced with the flag salute.

Township Clerk Barber read the Open Public Meetings Act Statement:

SUNSHINE NOTICE STATEMENT: THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT THIS MEETING OF JULY 13, 2015 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 REQUIRED UNDER THE STATUTE.

Governing Body

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

All Present

Professionals

Douglas Cramer, CPWM, Administrator
Terry Henry, Chief Finance Officer
Peter C. Lange, Jr., Esq. Solicitor
La Shawn R. Barber, Municipal Clerk

Public comment

Jason Litowitz, Horseshoe Court, questioned the Mutual Aid Resolution and status on the Fran Brooks law suit against the Township.

Approval of Bills

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

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

New Business

Brian Monahan, Risk Management Consultant and Paul Forlenza, Deputy Executive Director, presented a presentation about the Township's renewal process for BURLCO JIF Benefits in which a Resolution is scheduled this meeting.

Old Business

Mr. Cramer requested the Township Committee to consider introducing the following 2015 Capital Bond Ordinance request at the next regular meeting, having a second reading in August.

Mr. Yates questioned the Road Program and percent for engineering charges.

Mr. Barton spoke about the Gate Road drainage pipe issue and not being in favor of spending money on Gate Road when the matter should be between the resident and South Jersey Gas.

Mr. Lee spoke of inviting South Jersey Gas and the residents of Gate Road to the next meeting to give explanation and reconsider claim before the Township spends money on Gate Road.

Mr. Lee asked for specific building and grounds projects to be considered. Mr. Cramer will provide a breakdown prior to introduction of the Ordinance.

- Mr. Yates motion was made to allow Mr. Cramer have Bond Counsel prepare bonding ordinance without a final decision on Gate Road.

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

Item	2015 Road Program
1)	Lakeview and Spring Drives Paving Improvements
2)	Medford Lakes Road Alternate Paving & Improvements
3)	Zimmerman Road Drainage Improvements
4)	Sohn Way Drainage Improvements
5)	Brace Lane Drainage Improvements
6)	Gate Road Drainage Improvements
7)	Hill Road, Wynn Road, Worrell Road , Richter Road, Cramer Road Drainage Improvement
	Bond Request
	\$1,230,000.00

Item	2015 Township Building Improvements
1)	Pepper House
2)	Public Works Building
3)	Town Hall
4)	Community Center
	Bond Request
	\$750,000.00

Item	2015 Truck and Equipment Purchase Request	Bond Request
1)	Utility Body Truck with Plow and Lift Gate	\$45,000.00
2)	Medium Dump Truck with Plow/ Sander / Spray System	\$105,000.00
3)	Large Dump Truck with Plow /Sander / Spray System	\$170,000.00

**2015 Total Bonding Request:
\$2,300,000.00**

Ordinance [FIRST READING]

ORDINANCE 2015-9: AN ORDINANCE AMENDING CHAPTER IV, ENTITLED "PROPERTY MAINTENANCE" OF THE "REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF TABERNACLE, NEW JERSEY" ADDING A NEW SECTION TO ESTABLISH STANDARDS FOR THE REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE BY CREDITORS

- On a motion made by Mr. Barton, seconded by Mr. Lee, Ordinance 2015-9 on first reading was offered for adoption. The public hearing is scheduled for August 10, 2015 at 8:00 p.m.

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

Resolutions

RESOLUTION 2015-89

RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSE FOR MURPHYS IN THE PINES, LLC.

WHEREAS, Tabernacle Township has received an application for renewal of Plenary Retail Distribution License for the 2015-2016 term for the following license premise:

1. 0335-44-004-001 * Murphy's in the Pines / Murphy's in the Pines, LLC, 381 Medford Lakes Road, Tabernacle, NJ 08088

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 licenses for the year 2015-2016 and file a certified copy of this Resolution with the New Jersey Division of Alcoholic Beverage Control.

- On a motion made by Mr. Lee, seconded by Mr. Yates, Resolution 2015-89 was offered for adoption.

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

RESOLUTION 2015-90

RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE FOR LEISURE TIME INNS, INC. / TABERNACLE INN.

WHEREAS, Tabernacle Township has received an application for renewal of Plenary Retail Consumption License for the 2015-2016 term for the following license premise:

1. 0335-33-001-004 * Leisure Time Inns, Inc./ Tabernacle Inn - 1488 Route 206, Tabernacle, NJ 08088

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 2014-2015 and files a certified copy of this Resolution with the New Jersey Division of Alcoholic Beverage Control.

- On a motion made by Mr. Franzen, seconded by Mr. Lee, Resolution 2015-90 was offered for adoption.

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

RESOLUTION 2015-91

RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE FOR PPDA INC. / VILLAGE PUB & PACKAGE GOOD.

WHEREAS, Tabernacle Township has received an application for renewal of Plenary Retail Consumption License for the 2015-2016 term for the following license premise:

1. 0335-33-002-006 * VILLAGE PUB & PACKAGE GOODS/ T/A PPDA, INC. 539 CHATSWORTH ROAD, TABERNACLE, NJ 08088

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 2015-2016 and files a certified copy of this Resolution with the New Jersey Division of Alcoholic Beverage Control.

- On a motion made by Mr. Lee, seconded by Mr. Yates, Resolution 2015-91 was offered for adoption.

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

RESOLUTION 2015-92

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 2015-2016 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 2015-2016 and files a certified copy of this Resolution with the New Jersey Division of Alcoholic Beverage Control.

- On a motion made by Mr. Barton, seconded by Mr. Franzen, Resolution 2015-92 was offered for adoption.

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

RESOLUTION 2015-93

A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE AUTHORIZING THE PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR TABERNACLE RESCUE SQUAD

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 **July 13th**; and

WHEREAS, the request has been made by Tabernacle Rescue Squad in order to promote their upcoming Annual Chicken Barbeque **which will take place Saturday, July 18th** ; and

WHEREAS, the Township Committee is desirous of assisting the Tabernacle Rescue Squad 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 Rescue Squad and/or its representatives to place temporary signage in the public right of way and along Tabernacle public roads to promote this event 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 Tabernacle Rescue Squad.

- On a motion made by Mr. Yates, seconded by Mr. Franzen, Resolution 2015-93 was offered for adoption.

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

RESOLUTION 2015-94

AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, Emergency Medical Service, fire departments, fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD- 5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App.A9-33 et. seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" N.J.A.C. 5:75A et. seq., and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality and/or fire district to enter into a mutual aid and assistance agreement with the County of Burlington and other municipalities including, but not limited to, municipal police, Emergency Medical Service or fire departments, volunteer fire companies or EMS organizations and/or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

NOW, THEREFORE, BE IT RESOLVED, by the Township _____
Committee _____ of the Township _____ of Tabernacle,

County of Burlington, and State of New Jersey as follows:

- A. That the Mayor _____ is hereby authorized and directed to enter into the Burlington County Mutual Aid and Assistance Agreement Between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.
- B. That the Mayor and Township Clerk of the Township of Tabernacle are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the Township.
- C. That the Township Clerk is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the Agreement with the Burlington County Department of Public Safety Services, Office of Emergency Management. Said Office shall serve as the central repository and shall maintain a master listing of all Participating Units to the Mutual Aid and Assistance Agreement.

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2015-94 was offered for adoption.
Roll Call: Barton, Franzen, Lee, Yates, Brown Ayes: 5 Nays: 0 Motion carried.

RESOLUTION 2015-95
A RESOLUTION OF THE TOWNSHIP OF TABERNACLE AWARDING A CONTRACT FOR PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 40A:11-5 AND TABERNACLE TOWNSHIP ORDINANCE 2-23

WHEREAS, there exists a need for the services of a professional planner to provide planning services related to the Township’s review and response to the municipal fair share affordable housing mandates of the New Jersey Supreme Court; and

WHEREAS, the New Jersey Supreme Court has issued an order to return jurisdiction of Mount Laurel disputes and municipal efforts to comply with the Mount Laurel doctrine articulated in Southern Burlington County NAACP v. Tp. of Mount Laurel, 92 N.J. 158 (1983) on March 10, 2015, to the Superior Court of New Jersey; and

WHEREAS, Bach Associates has submitted a proposal for services in association with the Township’s review and response to the municipal fair share affordable housing mandates dated June 25, 2015 in the amount of \$2,800.00; 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; and

WHEREAS, the Local Public Contracts law N.J.S.A. 40A:11-1 et seq. requires that the Resolution authorizing the award of a contract for "professional services" with or without competitive bids and the resulting contract be available for public inspection; and

WHEREAS, the Local Public Contracts law further requires that a Notice of the award of the contract be printed as a legal advertisement.

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Tabernacle this 13th day of July, 2015, as follows:

1. The firm Bach Associates, PC., of Haddon Heights, New Jersey be and the same is hereby appointed as planning consultant to the Township of Tabernacle for the limited purpose as aforesaid.
2. This contract is awarded as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law and pursuant to the fair and open process included in Tabernacle Township Ordinance section 2-23 because said contract encompasses a professional service recognized and regulated by law.
3. The Mayor and Township Clerk are hereby authorized and directed to execute any and all 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.
4. Notice of this action shall be published once as a legal advertisement in the official newspaper of the Township of Tabernacle within ten (10) days of its adoption.

- On a motion made by Mr. Lee, seconded by Mr. Franzen, Resolution 2015-95 was offered for adoption.
Roll Call: Barton, Franzen, Lee, Yates, Brown Ayes: 5 Nays: 0 Motion carried.

RESOLUTION 2015-96
RE: AUTHORIZING THE APPROVAL TO PLACE MOBILE HOMES ON PERSONAL PROPERTY

WHEREAS, request was made for permission to place (2) two temporary mobile homes on the of property located at 117 Sooy Place Road in Tabernacle Township as the Basciani Family home sustained storm damage rendering it uninhabitable; and

WHEREAS, the need for (2) two temporary trailers on the property would eliminate issues of hardship on the family; and

WHEREAS, approval would be needed for not more than (6) six months from the date of adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of Tabernacle Township, in the County of Burlington, State of New Jersey, hereby authorizes the Basciani Family to place (2) two temporary mobile homes on the property located at 117 Sooy Place Road in Tabernacle Township for a time period not to exceed six months.

- On a motion made by Mr. Barton, seconded by Mr. Lee, Resolution 2015-96 was offered for adoption.
Roll Call: Barton, Franzen, Lee, Yates, Brown Ayes: 5 Nays: 0 Motion carried.

RESOLUTION 2015-97
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the **Annual Report for the year 2014** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article,

shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Committee of the Township of Tabernacle, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

- On a motion made by Mr. Franzen, seconded by Mr. Lee, Resolution 2015-97 was offered for adoption.

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

RESOLUTION 2015-98

RE: APPROVING STREET OPENING PERMIT FOR SOUTH JERSEY GAS COMPANY.

WHEREAS, South Jersey Gas Company, Rt. 54 Folsom, New Jersey 08034 has applied for a street opening permit for installing gas main at the following locations of Tabernacle Township:

- 14 Germain Road, Block 1302, Lot 1.03
- 18 Germain Road, Block 13.02, Lot 1.01 ;and

WHEREAS, the Township Engineer reviewed said application and schematic for approval of this installation and recommends that a permit be issued with these following stipulations and this permit will be contingent upon all fees and permits paid and bonds posted as required in Tabernacle Township General Code Ordinances.

WHEREAS, this resolution and the street opening authorized herein are specifically conditioned upon the applicant meeting the following requirements.

1. The Township Engineer shall be notified at least 48 hours in advance on any construction.
2. All asphalt paving openings must be restored with the following specification:
 - a. Two inch (2") thick, Hot Mixed Asphalt (HMA) 9.5M64, which replaces the Marshall mix design, top course. All top course paving must be completed 48 hours after installing stabilized base paving.
 - b. Six inch (6") thick, HMA 19M64, stabilized base course.
 - c. 20:1 sand/cement subbase.
 - d. Provide tack coat on all surfaces before paving.
3. All non-asphalt pavement restorations (i.e. lawns, etc.) shall be completed within 30 days. All lawns shall be restored with sod. The Township Engineer shall approve all other restorations.
4. Inspection escrow must be posted with the Township before start of construction.
5. The applicant must provide all outside agency approvals, as required.
6. SJG contractor will notify all residents along proposed pipeline path prior to construction start. Along with this notification, homeowners will be asked to notify the contractor of any items of concern that relate to their property (underground private structures such as sprinklers, property markers, septic and wells, etc.) along with landscaped areas.
7. SJG Contractor will attempt to meet with residents during the construction project to address concerns they might have.
8. SJG contractor will videotape area where pipeline is to be installed prior to construction start for documentation purposes.
9. Proposed pipeline will be installed by a combination of bore, plow and open-cut methods. Bore and plow are the preferred means of construction, but when open cutting of trenches occurs during construction of the project, the contractor will make every effort to keep disturbance to a minimum.
10. SJG contractor will restore all areas disturbed to same conditions and all non-vegetated areas must be reseeded.
11. All Township roads and paved driveways must use bore method of installation.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Tabernacle Township, in the County of Burlington, State of New Jersey, hereby approves said application of a street opening permit for installation of gas service.

BE IT FURTHER RESOLVED that this resolution and the street opening authorized herein is specifically conditioned upon the applicant installing all pipelines under private paved driveways and public streets by boring under the private paved driveways and public streets. The applicant is not authorized to install pipeline by openly trenching through paved private driveways located in the right of way and/or public utility easement nor through public streets.

- On a motion made by Mr. Lee, seconded by Mr. Franzen, Resolution 2015-98 was offered for adoption.

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

Resolution 2015-99

Authorizing the Execution of a Contract Renewing Membership In The BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, Township of Tabernacle (hereinafter the "MUNICIPALITY") is a member of the Burlington County Municipal Joint Insurance Fund (hereinafter the "FUND"); and

WHEREAS, the MUNICIPALITY'S membership terminates as of January 1, 2016 unless earlier renewed by a Contract between the Township of Tabernacle and the FUND; and

WHEREAS, N.J.S.A. 40A:11-5 (1) (m) provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and

WHEREAS, N.J.S.A. 40A:11-6.1(b) provides that the Township of Tabernacle shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon a determination, in writing, that the solicitation of competitive quotations is impracticable; and

WHEREAS, in accordance with N.J.A.C. 5:34-2.3, a designated official of the Township of Tabernacle, has filed a certificate with the governing body describing in detail, as set forth below in this Resolution, why this Contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and

WHEREAS, it has been determined that the purchase of insurance coverage and insurance consultant services by the Township of Tabernacle requires a unique knowledge and understanding of the municipal exposures and risks associated with the operation of a municipal entity, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and

WHEREAS, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage, and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the Township of Tabernacle; and

WHEREAS, it is the goal of the Township of Tabernacle to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the MUNICIPALITIES exposure; and

WHEREAS, the FUND has provided comprehensive insurance coverage to member municipalities since 1991; and

WHEREAS, since 1991, the Fund has continually refined all of the types of coverage that it provides to its members so that it offers comprehensive insurance coverage and limits to all members that is unique and cannot be purchased from a single entity in the commercial insurance market; and

WHEREAS, the FUND has also developed and made available to its members Safety, Risk Management, and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and

WHEREAS, the FUND provides the Township of Tabernacle with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial and Legal services; and

WHEREAS, the FUND is one of the most financially sound Municipal Joint Insurance Funds in New Jersey, and the FUND operates with strong fiscal controls, member oversight, and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and

WHEREAS, as an existing member of the FUND, the Township of Tabernacle would be renewing its membership in an organization with experienced and dedicated FUND Professionals who provide specialized services to the members; and

WHEREAS, the membership of the FUND includes many neighboring municipalities that have uniquely similar exposures to the Township of Tabernacle, and with whom the MUNICIPALITY has existing inter-local arrangements; and

WHEREAS, all of the aforementioned factors categorize the award of this Contract as an "extraordinary, unspecifiable service" that cannot be duplicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the MUNICIPALITY'S membership in the FUND; and

WHEREAS, for all of the aforementioned reasons, it is impracticable for the Township of Tabernacle to seek competitive quotations for a Contract to provide the procurement of insurance coverage and consultant services; and

WHEREAS, the FUND has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and as such is an agency of the municipalities that created it; and

WHEREAS, N.J.S.A. 40A:11-5(2) also provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and

WHEREAS, the FUND meets the definition of an agency as set forth in N.J.S.A. 40A:11-5(2); and

WHEREAS, for all of the aforementioned reasons, the Township of Tabernacle desires to enter into a Contract to renew its membership with the FUND for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.

NOW THEREFORE, be it resolved by the governing body of the Township of Tabernacle as follows:

1. The Township of Tabernacle agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.
2. The Mayor and Clerk of the Township of Tabernacle shall be and hereby are authorized to execute the "Contract to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the MUNICIPALITY'S renewal of its membership.
3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the MUNICIPALITY, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.
4. The Municipal Clerk of the Township of Tabernacle is authorized and directed to place a notice of the adoption of this Resolution and the award of this Contract in the official newspaper of the Township of Tabernacle.

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- On a motion made by Mr. Barton, seconded by Mr. Yates, Resolution 2015-99 was offered for adoption.

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

Public Comment

Sheila Benson, 16 Gate Road, spoke about her flooding problem in her driveway being ankle deep which has gone on for about two years. She said that she has not submitted a claim form to South Jersey Gas. When initially speaking to South Jersey Gas, she was told that it was not their problem and initially was pushed off to Crown Construction (sub-contractor), so she reached out to the Township Administrator who had the Township Engineers assess the issue. The water is coming from the street and drainage into her driveway. When completing the application for gas installation, South Jersey never asked her to complete any form indicating the location of any underground utility piping that would be in the way when the gas line was installed; moreover she had no idea when they were coming for the installation.

Mr. Barton suggested having all parties involved help resolve this issue. It was decided to set up a meeting with representatives of South Jersey Gas, Township Engineer (Jeff Paul), property owners (16 Gate Road-Benson), two members of the Township Committee and the Township Administrator.

Mr. Yates thanked Mayor Brown for waiving the three minute rule as it was not a public comment rather a direct concern.

Jason Litowitz, Horseshoe Court, mentioned the job well done from Public Works Department during the storm and tree removals. Mr. Litowitz said he was unable to attend the hearing last week and wanted an update summary regarding Brooks vs. Tabernacle / Mr. Brick case.

No further comments.

Report of the Township Administrator

Mr. Cramer asked for the ability to hire up to three additional part-time public works employees for brush clean-up season. The motion was made by Mr. Franzen, seconded by Mr. Lee.

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

The Fire Company and Rescue Squad were thanked for their support during this storm. Both volunteer organizations spent a lot of time out on calls and were available to assist Mr. Cramer by removing a tree 1:00 a.m. off Oak Shade Road. The residents were thanked for jumping in the next day and days after the storm and cleaning up the areas in front of their houses. It made it easier for the Township to move along.

Mr. Cramer spoke of receiving a written request for equipment release from Mr. Horn for permission to release his firefighting helmet which is no longer of service to Tabernacle Township for any firefighting service in recognition of his service to the community and keepsake purpose only.

- The motion was made by Mr. Lee, seconded by Mr. Yates.

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

Report of the Township Solicitor

Mr. Lange reported that Mr. Pagliuso is out of time and the Township will pull his letter of credit.

Mr. Lange reported the Court Conference regarding the hearing on the matter of Fran Brooks v. Township was rescheduled to August 24th, 2015.

Mr. Lange spoke that the Crown Castle stipulation has been filed and the matter is resolved. It was resolved by them accepting the valuation of \$700,000 which was placed on the property by Mr. Renwick. While we did not get any back tax revenue, we prevailed with respect to the assessment and going in the future will make a difference in taxes to be paid on that property.

Report of the Township Committee

Mayor Brown spoke about Ms. Brooks written questions were answered in previous meetings by members of the Township Committee. Mayor Brown paraphrased the Township Committee's comments by stating that the Township Committee has reviewed the budget of the squad and at the time numbers were given to make a decision on what was being budgeted. Since we moved forward and passed the budget, those numbers are no longer relevant and we have no purpose for them. Any questions regarding Shamong Township should be addressed to that municipality.

Mr. Barton spoke about the New Jersey State Police from Red Lion Barracks urging residents to lock their vehicles at all times, even while parked in private driveways and advise against leaving valuables in your car because there have been a number of thefts from vehicles within the Township, and "unlocked vehicles are an easy target."

Mr. Barton spoke about the Tuesday, June 23rd storm and advised that Col. Lowe had the OEM office open 24/7 working out of the EMS building having direct contact with Atlantic City Electric. There were two direct lines with Atlantic Electric open from 8pm to 8am and 8am to 8pm. There were two different liaisons on the substations on Flyatt Road. This was an unusual storm having seventy hour mile winds. Every street in Tabernacle was green covered with trees, leaves and branches. Mr. Cramer was thanked as he had his crew that worked continuous moving trees away from the roads.

The FEMA threshold was met in Burlington County and Gloucester County. The Governor has agreed to sign the request and the Federal Government is considering it at this point.

Mr. Lee spoke about Verizon NJ's Bona Fide Retail Request (BFRR) Program. A communication Program is to encourage residents that do not live in an area where you can get cable television or wireless communication that is dependable. Mr. Lee will work with the Township Clerk on getting the word on our website.

Mr. Lee said that he met with Deputy Mayor Franzen, Mr. Cramer and fire company leadership to go over the contract as requested by Mayor Brown. We are in the process of getting some of the questions that we had to the Township Solicitor for clarification to report back to the Township Committee at our next meeting.

Mr. Yates thanked the emergency management personnel, fire department and rescue squad for the phenomenal job they did during the storm.

Mr. Yates thanked the emergency management service during the recent tornado and storm and said it was nice seeing the neighbors helping others during the storm.

Mr. Franzen said he attended the 87 Annual Carranza Memorial Ceremony. We were graced with the presence of the head of the Air Force for the Country of Mexico who gave a nice speech.



Mayor Brown spoke about one of the most amazing things she noticed with this storm is that "Tabernacle was truly Tabernacle through that storm." The residents came out and helped one another, with generators, ice, coolers, and chain saws to assist with tree cutting. It was awesome to see it once again. The emergency services truly came out on all counts, as well as the CERT and the Radio Club.

Mayor Brown said she will not be in attendance of the next meeting, July 27, 2015.

This Committee was asked to give a couple of names to the Pine Barrens Festival for recognition person of the year - Mr. Rudy Saldan was nominated and selected.

Resolution 2015-100 ~ EXECUTIVE SESSION

WHEREAS, the Governing Body wishes to discuss Tabernacle Township's obligation with New Jersey Supreme Court Order regarding COAH Regulations and ongoing litigation matter of FRAN BROOKS v. TOWNSHIP OF TABERNACLE, LASHWN R. BARBER, in her Official capacity as Municipal Clerk and Records Custodian of the Township of Tabernacle and ROBERT BRICK, Defendants. Pursuant to N.J.S.A. 10:4-12 (B) (7), these matters will be discussed in a closed session in which the public shall be excluded. 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.

- On a motion made by Mr. Lee, seconded by Mr. Yates, Resolution 2015-100 was offered for adoption. Members went into executive session at 9:27 p.m.

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

Reopen Meeting.

ADJOURNMENT.

There was no further business before the Township Committee; the meeting was adjourned at 10:10 p.m. The motion was made by Mr. Lee. Mr. Barton seconded the motion.

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

Respectfully submitted:

LaShawn R. Barber

**La Shawn R. Barber, RMC/CMR
Municipal Clerk**

Approved: 8/10/2015