

Tabernacle Township Committee Town Hall Meeting Minutes - April 9, 2018

Mayor Joseph Barton 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 meeting of April 9, 2018 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 - Governing Body

Kimberly A. Brown, Township Committee (Absent)

Richard J. Franzen, Township Committee

Stephen V. Lee, IV, Deputy Mayor

Joseph Yates, IV, Township Committee

Joseph W. Barton, Mayor

Administrative Team

Douglas A. Cramer, CPWM, Administrator

Terry W. Henry, Chief Finance Officer

Dante Guzzi, Township Engineer

Peter C. Lange, Jr., Township Solicitor

La Shawn R. Barber, RMC, Municipal Clerk

Public Comment - Agenda Items

Stuart Brooks, Moores Meadow Road, commented on Resolution 2018-50 – General Obligation Bond. Asked about items being bonded; various road improvements / equipment for the fire company and estimated costs. Raised questions regarding the budgets costs; shared service agreement with Woodland Township and Bass River; questions the monthly rent payment and the proposed salaries and wages.

Mayor Barton spoke that Township Committee will go into detail when the Committee discusses the Resolution.

Fran Brooks, Moores Meadow Road, spoke about the agendas appearing on the website; questioned Committee's discussion regarding revenue and anticipated fees for Municipal Court Shared Service with Woodland Township; questioned the accurate assessed estimate and wanting to know the numbers involved for this five year contact; questioned the financial benefit for Tabernacle Township and the number of hours to be added to the Township employees for shared service; questioned if other Townships were examined for a shared service agreement; questioned the relationship with Woodland Township and Bass River.

Closed public portion.

Approval of Bills

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

Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0 Absent: 1 Carried

New Business

RESOLUTION 2018-50

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$4,900,000 OF GENERAL OBLIGATION BONDS, SERIES 2018, OF THE TOWNSHIP OF TABERNACLE; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID BONDS FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE BONDS

BACKGROUND

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the Township Committee of the Township of Tabernacle, County of Burlington, New Jersey ("Township"), has, pursuant to bond ordinances 2014-06, 2015-03, 2015-10, 2017-8 and 2017-10, each duly and finally adopted and published in accordance with the requirements of the Local Bond Law (collectively, the "Bond Ordinances"), authorized the issuance of general obligation bonds or bond anticipation notes of the Township to finance the costs of certain capital improvements, as set forth in and authorized by the Bond Ordinances, all as more particularly described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, on October 11, 2017, the Township issued its bond anticipation notes of 2017, Series A, in the principal amount of \$3,584,500 ("Prior Notes"), to temporarily finance the costs of the improvements authorized by bond ordinances 2014-06, 2015-03 and 2015-10 ("Prior Improvements"); and

WHEREAS, the Prior Notes mature on May 15, 2018; and

WHEREAS, the Township has not yet issued any obligations to finance the costs of certain improvements authorized by bond ordinances 2017-8 and 2017-10 ("New Improvements," and together with the Prior Improvements, the "Improvements"); and

WHEREAS, it is the desire of the Township to issue its general obligation bonds in the aggregate principal amount of up to \$4,900,000, as further described in Exhibit "A", the proceeds of which, together with other available funds of the Township, will be used to: (i) permanently finance the costs of various capital improvements and the acquisition of various capital equipment by the repayment at maturity of the Prior Notes; (ii) permanently finance the costs of various capital improvements and the acquisition of various capital equipment for which obligations have been authorized but not yet issued; and (iii) pay certain costs and expenses incidental to the issuance and delivery of the Bonds (collectively, the "Project"); and

WHEREAS, pursuant to the Local Bond Law and the Bond Ordinances, it is the intent of the Township Committee hereby to authorize, approve and direct the issuance and sale of such bonds, to ratify and confirm certain actions heretofore taken by or on behalf of the Township, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Bond Law and the Bond Ordinances, the issuance and sale of general obligation bonds of the Township, to be designated substantially "Township of Tabernacle, County of Burlington, New Jersey, General Obligation Bonds, Series 2018" ("Bonds"), in an aggregate principal amount of up to \$4,900,000 for the Project, is hereby authorized and approved.

Section 2. The Bonds shall be dated their date of delivery and shall mature on April 1 in the years and amounts set forth below:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2019	\$380,000	2025	\$450,000
2020	435,000	2026	450,000
2021	445,000	2027	460,000
2022	450,000	2028	460,000
2023	450,000	2029	470,000
2024	450,000		

The term of the Bonds is equal to or less than the average period of usefulness of the Project being financed through the issuance of the Bonds. Interest on the Bonds shall be payable initially on April 1, 2019 and semiannually thereafter on October 1 and April 1 in each year until maturity or earlier redemption. The Bonds are subject to redemption prior to their stated maturity dates as set forth below.

The Chief Financial Officer is hereby authorized to revise the principal amounts and/or interest payment dates set forth in the maturity schedules above in accordance with the Local Bond Law.

Section 3. The Bonds shall be general obligations of the Township. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the Bonds and, to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 4. The Bonds maturing on and after April 1, 2025, are subject to redemption prior to their stated maturity dates at the option of the Township, upon notice as set forth below, as a whole or in part (and, if in part, such maturities as the Township shall determine and within any such maturity by lot) on any date on and after April 1, 2024, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest to the redemption date.

Notwithstanding the foregoing, the Chief Financial Officer is hereby authorized to determine whether the Bonds shall be subject to redemption and/or to revise the dates upon which the Bonds shall be subject to redemption, all in accordance with the Local Bond Law.

Section 5. Notice of redemption with respect to the Bonds shall be given by mailing first class mail in a sealed envelope with postage pre-paid not less than thirty (30) days nor more than sixty (60) days prior to the redemption date to the owner of every bond of which all or a portion is to be redeemed at his or her last address, if any, appearing on the registration books of the Paying Agent (hereinafter defined). So long as the Bonds are issued in book-entry-only form, all notices of redemption will be sent only to the Securities Depository (hereinafter defined) and not be sent to the beneficial owners of the Bonds. Failure of an owner of the Bonds to receive such notice or of the Securities Depository to advise any participant or any failure of a participant to notify any beneficial owner of the Bonds shall not affect the validity of any proceedings for the redemption of Bonds. Such notice shall specify: (i) the series and maturity of the Bonds to be redeemed; (ii) the redemption date and the place or places where amounts that are due and payable upon such redemption will be payable; (iii) if less than all of the Bonds are to be redeemed, the letters and numbers or other distinguishing marks of the Bonds to be redeemed; (iv) in the case of a Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed; (v) that on the redemption date there shall become due and payable with respect to each Bond or portion thereof to be redeemed, the redemption price; and (vi) that from and after the redemption date interest on such Bonds or portion thereof to be redeemed shall cease to accrue and be payable.

Section 6. The Bonds will be issued in fully registered book entry only form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both the principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository ("Securities Depository"). The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 through book-entries made on the books and the records of DTC and its participants. The principal of and interest on the Bonds will be paid to DTC by the Township on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of DTC as listed on the records of DTC as of the fifteenth (15th) day of the month immediately preceding an interest payment date. The Bonds will be executed on behalf of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer, attested by the Township Clerk or the Deputy Township Clerk, and shall bear the affixed, imprinted or reproduced seal of the Township thereon.

Section 7. The Township is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary in order to provide that the Bonds will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

Section 8. In the event that DTC may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds in denominations of \$5,000, or any integral multiple thereof ("Registered Bonds"). The beneficial owner under the book-entry system, upon registration of

the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 9. The preparation of a preliminary official statement ("Preliminary Official Statement") relating to the Bonds, and the distribution of said Preliminary Official Statement to prospective purchasers of the Bonds and others having an interest therein, are hereby authorized and directed. The Mayor, Administrator, Chief Financial Officer and Township Clerk are each hereby authorized to deem the Preliminary Official Statement "final", as contemplated by paragraph (b)(1) of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended ("Rule 15c2-12").

Section 10. The appointment of McElwee & Quinn, LLC, Cherry Hill, New Jersey ("Printer"), to provide electronic and/or physical dissemination of the Preliminary Official Statement and Official Statement (hereinafter defined) is hereby authorized, approved, ratified and confirmed. The Chief Financial Officer of the Township is hereby authorized and directed to enter into an agreement with Printer for the services to be provided.

Section 11. The appointment of Phoenix Advisors LLC, Bordentown, New Jersey, to serve as municipal advisor and dissemination agent ("Municipal Advisor" and "Dissemination Agent") to the Township in connection with the issuance and sale of the Bonds is hereby authorized, approved, ratified and confirmed. The Chief Financial Officer of the Township is hereby authorized to enter into an agreement with the Municipal Advisor and Dissemination Agent for the services to be provided.

Section 12. The Chief Financial Officer is hereby authorized to solicit proposals for, and engage the services of, a qualified institution to serve as paying agent ("Paying Agent") for the Bonds. The Chief Financial Officer is hereby authorized to execute and deliver an agreement with the Paying Agent.

Section 13. Pursuant to the Local Bond Law, the Chief Financial Officer ("Sale Official") is hereby authorized to sell and award the Bonds at a public sale. The sale of the Bonds shall be in accordance with the provisions of the Local Bond Law and the advertised terms of such public sale. If necessary or desirable, the Sale Official is hereby authorized to postpone, from time to time, the date and time established for receipt of bids for the sale of the Bonds in accordance with the Local Bond Law. If any date fixed for receipt of bids and the sale of the Bonds is postponed, the Sale Official is hereby authorized to announce an alternative sale date at least forty-eight (48) hours prior to such alternative sale date. The Sale Official is hereby authorized and directed to cause a summary notice of sale and a notice of sale of the Bonds to be prepared and disseminated in accordance with the Local Bond Law. At the next meeting of the Township Committee after the sale and award of the Bonds, the Sale Official shall report, in writing, to the Township Committee the principal amount, the rate or rates of interest, the maturity dates, the dates upon which interest on the Bonds shall be paid, the price and the purchaser or purchasers of the Bonds.

Section 14. The utilization of i-Deal LLC, New York, New York, to provide electronic bidding services to the Township in connection with the competitive sale of the Bonds ("Bidding Agent") through the use of the Bidding Agent's BIDCOMP/PARITY auction system, pursuant to the Local Bond Law and the regulations promulgated thereunder, is hereby authorized, approved, ratified and confirmed.

Section 15. The preparation of a final official statement ("Official Statement") with respect to the Bonds is hereby authorized and directed. Within seven (7) business days of the sale of the Bonds and in sufficient time to accompany any confirmation that requests payment from a customer, the Township will deliver sufficient copies of the Official Statement to the purchaser of the Bonds in order for the same to comply with Paragraph (b)(4) of Rule 15c2-12. The Mayor, Administrator, Chief Financial Officer and Township Clerk are each hereby authorized to execute the Official Statement, and the distribution thereof to purchasers and others is hereby authorized and directed. The execution of the final Official Statement by the Mayor, Administrator, Chief Financial Officer and Township Clerk shall constitute conclusive evidence of approval by the Township of the changes therein from the Preliminary Official Statement. The Mayor, Administrator, Chief Financial Officer and Township Clerk are each hereby authorized to approve any amendments of or supplements to the Official Statement.

Section 16. In order to assist the underwriters of the Bonds in complying with the secondary market disclosure requirements of Rule 15c2-12, the Mayor, Administrator, Chief Financial Officer and Township Clerk are each hereby authorized to execute on behalf of the Township before the issuance of the Bonds an agreement with the Dissemination Agent, providing for the preparation and filing of the necessary reports in accordance with Rule 15c2-12.

Section 17. The Township hereby covenants that it will not make any use of the proceeds of the Bonds or do or suffer any other action that would cause: (i) the Bonds to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code") and the Income Tax Regulations promulgated thereunder; (ii) the interest on the Bonds to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Bonds to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 18. The Township hereby covenants as follows: (i) it shall timely file such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 19. To the extent not otherwise exempt, the Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Bonds.

Section 20. The Township hereby designates the Bonds as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b) (3) of the Code. For purposes of this designation, the Township hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Township during the period from January 1, 2018 to December 31, 2018, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Bonds.

For purposes of this Section 20, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Township: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 21. Application to S&P Global Ratings, acting through Standard & Poor's Financial Services LLC, and/or Moody's Investors Service for a rating of the Bonds, and the furnishing of certain information concerning the Township and the Bonds, for the purpose of qualifying the Bonds for municipal bond insurance, are hereby authorized, ratified, confirmed and approved.

Section 22. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Administrator, Chief Financial Officer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Bonds are hereby ratified, confirmed, approved and adopted.

Section 23. The Mayor, Administrator, Chief Financial Officer and Township Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the Bonds not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinances, or by this or any subsequent resolution, and the signatures of the Mayor, Administrator, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 24. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 25. This resolution shall take effect immediately upon adoption this 9th day of April, 2018.

Exhibit "A"

Ordinance No.	Improvements/ Project	Bonds or Notes Authorized	Notes Outstanding	Bonds To Be Issued
2014-06	Completion of Various Capital Improvements	\$807,500	\$807,500	\$807,500
2015-03	Acquisition of a Pumper Truck	592,000	592,000	592,000
2015-10	Completion of Various Capital Improvements; Acquisition of Various Capital Equipment	2,185,000	2,185,000	2,185,000
2017-8	Acquisition of Various Heavy Equipment	337,250	0	337,000
2017-10	Various Road Improvements; Acquisition of Various Equipment for the Fire Company	978,500	0	978,500
	Total	\$4,900,250	\$3,584,500	\$4,900,000

Discussion: A meeting with Senator Dawn Addiego will be made by Shamong Township (Shamong Township is District 8 and Tabernacle Township is District 9). Deputy Mayor Lee will be advised of any future meetings.

- On a motion made by Mr. Lee, seconded by Mr. Yates, Resolution 2018-50 was offered for adoption.

Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0 Absent: 1 Carried

Discussion:

Mr. Cramer spoke that Town Hall has become a building that is not suited for court and someday it will require a major commitment to continue to use Town Hall for our municipal court. Taking on a shared service will improve surplus over time; all of this is based on the Burlington County Judicial System on final approvals. The court dates will be in Woodland Township; all other court business will be held at Tabernacle Town Hall and the court office hours will remain the same.

Mr. Franzen added that this is “not a done deal.” The County’s Judicial System will make sure this shared service is good for both Townships. The revenue may just cover the costs of the move and eventually become a washout.

The sub-committee members, Mr. Lee and Mr. Franzen were in agreement.

Mayor Barton thanked the sub-committee for their comments and spoke of it being more convenient to not have municipal court sessions in Town Hall.

**RESOLUTION 2018-51
A RESOLUTION AUTHORIZING THE TOWNSHIP OF TABERNACLE
TO ENTER INTO A SHARED SERVICES AGREEMENT WITH
WOODLAND TOWNSHIP FOR THE PROVISION OF MUNICIPAL COURT SERVICES**

WHEREAS, the Tabernacle Township Committee recognizes the need to provide the residents of the Township with appropriate cost savings measures and the need to take advantage of opportunities to provide cost savings in the administration of local government services for the benefit of all residents; and

WHEREAS, Woodland Township has requested that the Township of Tabernacle allow Woodland Township to utilize the Tabernacle Municipal Court services; and

WHEREAS, Tabernacle Township and Woodland Township have negotiated the terms and conditions of an agreement for the provision of such services to Woodland Township by Tabernacle Township as detailed in the attached Shared Services Agreement; and

WHEREAS, the Township of Tabernacle evidences its desire to enter into such Agreement through passage of this resolution; and

WHEREAS, the Municipalities are authorized by the “Shared Services Act”, N.J.S.A. 40A:65-4, et seq. to enter into any contract for the joint provision of any service which any party to the agreement is authorized to render within its own jurisdiction; and

WHEREAS, the parties have agreed to participate in the Shared Services Agreement between the Municipalities and enter into the agreement establishing the respective rights and obligations of the parties regarding this Shared Services Agreement;

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NOW, THEREFORE, BE IT RESOLVED by the Township of Tabernacle that:

1. The attached Shared Services Agreement between the Township of Tabernacle and Woodland Township shall be effective according to its terms.
2. The Mayor of Tabernacle Township is hereby authorized to sign, seal, execute and witness/attest the Agreement.
3. The Mayor and Township Administrator are authorized to take any action necessary to implement the terms of the Shared Services Agreement.

I HERBY CERTIFY that the forgoing is a true copy of the Resolution adopted by the Tabernacle Township Committee at their meeting held on April 9, 2018.

SHARED SERVICES AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____, by and between the TOWNSHIP OF TABERNACLE, a municipal corporation of the State of New Jersey, with its principal offices located at 163 Carranza Road, Tabernacle, New Jersey 08088, and the TOWNSHIP OF WOODLAND, a municipal corporation of the State of New Jersey with its principal offices located at 3900 Route 563, Chatsworth, New Jersey 08019.

WITNESSETH

WHEREAS, the “Uniform Shared Services and Consolidation Act” at N.J.S.A. 40A:65-1 et seq., (the “Act”), allows municipalities to enter into agreements for shared services with other municipalities to provide or receive any service that the local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, each local unit authorized to enter into an agreement under the Act may do so by the adoption of a resolution; and

WHEREAS, the agreement must comply with the requirements of N.J.S.A. 40A:65-7 and specify the services to be performed under the agreement, procedures for payment, assignment and allocation of responsibility for meeting standards between and among the parties; and

WHEREAS, Chapter 12, municipal courts, at N.J.S.A. 2B:12-1(c) provides that “two or more municipalities, by ordinance or resolution, may agree to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and to agree to appoint judges and administration without establishing a joint municipal court. Where municipal courts share facilities in this manner, the identities of the individual courts shall continue to be expressed in the captions of orders and process”; and

WHEREAS, the Township of Tabernacle and the Township of Woodland desire to share facilities, equipment, office staff and record storage in accordance with N.J.S.A. 2B:12-1 in order to conserve resources and to provide for a more efficient and more economically sound municipal court system, with the Township of Tabernacle being the Lead Municipality; and

WHEREAS, the Township of Woodland has agreed to allow the Township of Tabernacle to utilize Woodland’s court room and Municipal Court offices effective upon the execution of the Agreement and notice to and the approval of the Administrative Office of the Courts (hereinafter, “the AOC”) and the Assignment Judge of the Burlington County Superior Court (hereinafter, “the Assignment Judge”), whichever occurs later; and

WHEREAS, the Governing Bodies of both the Township of Tabernacle and the Township of Woodland desire to enter into an agreement to establish the obligations in connection with the shared court facilities and staff and provide the shared court sessions.

WHEREAS, this Agreement is established in accordance with the Uniform Share Services and Consolidation Act, P.L. 2007, c.63 at N.J.S.A. 40a:65-1, et. seq. (“the Agreement”).

NOW, THEREFORE, with the foregoing Recitals incorporated herein by reference and in consideration of the mutual covenants, agreements and considerations contained herein, the Township of Tabernacle and the Township of Woodland, intending to be legally bound, do hereby agree as follows:

1. The Township of Tabernacle and the Township of Woodland hereby agree to the sharing of Woodland Township’s court facilities by the Township of Tabernacle’s Municipal Court as authorized by N.J.S.A. 2B:12-1(c) which shall provide for the establishment of the Township of Tabernacle Municipal Court in Woodland (which arrangement shall hereinafter be referred to as the “Shared Court”). The Township of Woodland agrees to provide a courtroom, chambers, office space and equipment. The Township of Tabernacle will provide supplies and employees for the Shared Court.
2. All court sessions will be located at 3900 Route 563, Chatsworth, New Jersey 08019. Court sessions will be conducted twice per month as assigned.

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3. The court administrative offices of the shared court shall be located at 163 Carranza Road, Tabernacle, New Jersey 08088.
4. The Township of Tabernacle shall have sole discretion in appointment of Municipal Court judges, prosecutors, public defenders and any other employees needed to provide Municipal Court services in accordance with the requirements of N.J.S.A. Title 2B.
5. The Township of Tabernacle shall be responsible for the compensation of all personnel referenced in Paragraph 4. In addition, the Township of Tabernacle shall be responsible for any and all costs for auditing the Municipal Court of the Township of Woodland.
6. In accordance with N.J.S.A. 2B:12-1, the identities of the individual courts shall continue to be expressed in the captions of the orders and process. The courtroom session of the "Municipal Court of the Township of Tabernacle" shall be held in the Municipal Court Complex in the Township of Woodland.
7. As compensation to the Township of Tabernacle for providing Municipal Court services, the Township of Tabernacle shall have the right to retain all fees and costs assessed for the Township of Woodland cases including those assessed for violations of the Woodland local code issued by Woodland Township Code Enforcement and the Woodland Township Zoning Officer.
8. Tabernacle Township will pay Woodland Township a rental fee of \$1200.00 per month for the use of the Woodland Township court room. Woodland Township will be responsible to maintain the court room and ancillary areas clean and in accordance with the requirements of Administrative Office of the Courts and the Municipal Division of the Burlington County Superior Court. In the event that capital improvements or modifications to the Court Room and/or ancillary areas associated with the Court Room are required by the regulations of the New Jersey Administrative Office of the Courts and/or the Burlington County Vicinage Division of Municipal Courts, as modified from time to time, and/or all other applicable laws including but not limited to the Americans with Disabilities Act, then in such event, the parties will negotiate how such improvements will be funded by the parties.
9. Tabernacle Township will be responsible, at its sole cost and expense, for the armored service or other service ensuring the safe deposit of all cash and checks received by the Court into the account of the Tabernacle Municipal Court.
10. Each party will be responsible for and will pay for any and all administrative costs associated with the negotiation and finalization of the agreement and for enforcement of the Shared Service Agreement in the event of any dispute.
11. The Township of Woodland and the Township of Tabernacle mutually agree that the shared Municipal Court services, judges, and other personnel have, possess and exercise all functions, powers and duties of the jurisdiction of a municipal court as proscribed under N.J.S.A. 2B:12-1 et seq., and any amendments hereto.
12. The Township of Woodland agrees to annually review the case loads with the Municipal Court Administration of the Township of Tabernacle to ensure proper distribution and assignment of workload.
13. The Township of Tabernacle shall provide monthly reports to the Township of Woodland as to all revenues deposited in the Township of Tabernacle's Municipal Court account for the Township of Woodland Municipal Court cases.
14. The Agreement shall commence as of November 1, 2018 and notice to and the approval of the AOC and the Assignment Judge, whichever occurs later, and shall remain in effect until December 31, 2023. Either party may terminate the agreement after providing a written notice to the other party of intent to terminate. Said written notice shall be given to the respective parties' Township Clerk/Administrator at least 180 days prior to the requested termination. In addition to any notice requirements herein, the parties shall provide an additional ninety (90) days written notice of termination to the Administrative Office of the Courts and the Assignment Judge prior to the scheduled termination as a condition precedent to the termination of this Agreement.
15. At its own expense, the Township of Woodland shall transfer all Municipal Court records to the Township of Tabernacle on or before September 1, 2018. All records of the Township of Woodland shall be kept separate from the Township of Tabernacle records. All records shall be kept confidential unless otherwise determined by applicable law. Access shall only be given to authorized court personnel or AOC personnel in accordance with applicable law and AOC guidelines.
16. The Township of Tabernacle's Court Administrator and Judge shall meet with the Township of Woodland personnel upon request prior to the transition to ensure an effective transition prior to the operation of the shared Municipal Court.
17. The parties to this Agreement recognize that the Municipal Court employees are exclusively Township of Tabernacle employees. The Township of Tabernacle shall be responsible for the costs of claims made by or against said employees

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and court security, including court costs and reasonable attorneys' fees in defense of any and all claims against the employee, the Township of Tabernacle, or the Township of Woodland arising out of any act or omission of the employee regardless of which Municipal Court session is in progress, including but not limited to workers' Compensation claims, Tort Claims and any other state or federal actions.

- 18. In accordance with N.J.S.A. 40A:65-4(b), a copy of this Agreement shall be filed with the Division of Local Government Services in the Department of Community Affairs.
- 19. In the event that any court of competent jurisdiction shall declare any section of this agreement invalid for any reason, all other sections shall remain in full force and effect.
- 20. This Agreement represents the entire agreement between the parties and may not be modified or amended except by written agreement between the parties.
- 21. All notices, statements or other documents required by this Agreement shall be hand-delivered or mailed to the designated municipal representative.
 - a. The designated municipal representative for the Township of Tabernacle is:
Township Clerk
Township of Tabernacle
163 Carranza Road
Tabernacle NJ 08088
 - b. The designated municipal representative for the Township of Woodland is:
Township Clerk
Township of Woodland
3900 Route 563
Chatsworth, NJ 08019

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed by their respective officers duly authorized and have caused this Agreement to be dated as of the day and year written above.

WITNESS AND ATTEST:

TOWNSHIP OF TABERNACLE

La Shawn R. Barber, RMC, CMR
Township Clerk
(Seal)

Joseph W. Barton, Mayor

TOWNSHIP OF WOODLAND

Maryalice Brown, RMC, CTC, CMR
Township Clerk/Administrator
(Seal)

William DeGroff, Mayor

Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0 Absent: 1 Carried

Discussion: Parade Permit Application and License for Urban Promise Ministries, Inc.

Mr. Yates questioned the number of people attending the event and if the bicyclers would be riding single file.

Mr. Cramer spoke of parade route and that OEM and TRS have been notified as they are every year and there are no concerns from either OEM or TRS. Township Clerk will remind Urban Promise Ministries, Inc. to follow the statute for N.J.S.A. 39:4-14.1 Rights, duties of bicycle riders on roadways, exemptions.

- On a motion made by Mr. Lee, seconded by Mr. Yates, Resolution 2018-51 was offered for adoption.

Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0 Absent: 1 Carried

Special Events Ordinance

Mr. Franzen commented that he believes the Special Events Ordinance is a very good idea and should be revisited in the future. Combining this with the Parade Permit Ordinance is a good idea for special events such as the Christmas Tree Lighting, Memorial Day and the Seneca High School graduation. Something should be placed in writing for a preparedness plan for which we would streamline the process, such as meeting with specific guidelines of a proposed Ordinance. Solicitor Lange was asked to prepare the proposed Ordinance to specifically tailor the needs of Tabernacle Township after fielding comments from members of the Township Committee.

Old Business

Public Safety Director and OEM Positions - Sub-Committee Members (Deputy Mayor Lee and Committeeman Yates) reported they are continuing to receive and review applications; interviews will be scheduled.

Carranza Road Paving – Covered in the Bond review.

Longstreet Property (9 Worrell Road) – Solicitor Lange reported on the property being subject to yearlong enforcement activity; history of hoarding and health conditions; subsequently the owners passed away and the property continued to deteriorate; at a point in time, Township initiated proceedings to remediate. The property has a significant tax liability in an approximate amount of \$50,000. There is a prospective buyer that is subject to the Township’s tax lien. Mr. Lange spoke that it is not the Township Committee’s responsibility to be involved; it is a tax lien and any transaction can occur between the estate and a potential buyer with the sale price being subject to the tax lien and convey good title to the property. Mr. Lange reminds all parties that the best option is to have a private sale between the buyer and seller which would expedite the process to receive clear title.

Public comment

William Murphy, Wynn Road, spoke of his interest in the property and commented that on a few offers made on the property that has been in disarray for over 25 years. The sellers would like to break even, as it is an eye sore, and would also like to see it back on the tax role.

Fran Brooks, Moores Meadow Road, spoke of being unclear of the tax liability amount on this property and questions what the owners are actually asking; questions how this benefits the tax payers to forego the money and questions why it is the Township’s responsibility to forgo the expense.

Solicitor Lange advised the total amount owed being under \$60,000 including interest; the owners are asking to be forgiven on part of the lien. If the Township Committee opts to be involved and auction the tax sale lien, at an amount less than the full amount due the Township Committee can still foreclose the lien. If Township acquires the property and goes to private auction, it is indicated that the Township is willing to accept a lower amount. The amount of \$60,000 does not cover any amount of any cleanup costs that the sellers would like to re-coop. The risk for the Township being there is another year’s worth of taxes, more interest and exceeds the appraised value. If not sold, the Township would acquire the property in which would have to be sold; the Township will not recover the taxes and interest that was accumulated.

A Resolution will authorize the sale; the sale will be publically advertised and posted in five public locations within the Township with a 14 day notice of sale; once the auction is completed, then the bids will be brought to a subsequent meeting. If no bids are made, everything remains the status quo.

- On a motion made by Mr. Franzen, seconded by Mr. Yates, authorization was given to Solicitor Lange to move forward with preparing a Resolution for an auction in the amount of \$8,000.00 less than the asking tax lien.

Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0 Absent: 1 Carried

Report of the Township Engineer

Mr. Guzzi reported on the speed limit research for New Road (Township Road) / Chatsworth Road (County Road). A proposed letter has been drafted and will be sent to NJDOT to perform field inspections, traffic counts and speed study and review of reports to reduce a speed limit. NJDOT has certain standards which need to be in compliance. The Township Committee will authorize moving forward with an amount not to exceed \$3,200.00. Township is seeking a speed limit of 35 MPH. (when school is in session, the speed limit is 25 MPH).

The Township Committee agreed that other Township roads should also be studied, whether speed limits be reduced or raised.

Report of the Township Administrator

Carranza Road Cost Estimate - Mr. Cramer spoke of road paving with an approximate amount being \$600,000; it is hopeful to partner with Shamong Township for the cost share of the road paving.

Drainage Issues - presently we are working the drainage issues around the Township. A brush contractor has been hired to supplement some of the sections in the Township.

Brush Pickup - Public Works is working to finish up all the brush clean up by Memorial Day weekend. We have been offered a chipping machine while ours in repair at no cost.

Public Works - Mr. Cramer thanked Public Works Department for their help moving furniture while carpet was being installed and also thanked Thomas Boyd for installing trim throughout Town Hall.

Report of the Township Solicitor

No other reports.

Report of the Township Committee

Mayor Barton acknowledged a Boy Scout who attended the Township meeting as part of his badge requirements; Murphy's Market will donate the proceeds of a 100 foot hoagie during their re-opening on Saturday, April 14, 2018; two Eagle Scouts will be honored at a upcoming Court of Honor; a Boating Safety Course will be conducted at the EMS Building May 8 and May 15 from 6:00 p.m. to 10:00 p.m.; Mayor Barton reported attending a study seminar at Rutgers regarding taxes.

Deputy Mayor Lee mentioned that he will attend the Carranza Memorial in July 14, 2018 at 1:00 P.M.

Public Comment

Stuart Brooks, Moores Meadow Road, commented on the shared service agreement questioning the revenues and projected expenses for Woodland Township; Urges the Township Committee to increase the revenues for the budget; questioned fees that cover the administrative costs; spoke of Township Committee's budget message to increase surplus, yet the structure in place is actually increasing TRS' surplus; questioned the target surplus.

Mayor Barton spoke of the Township Auditor receiving questions and has been invited to discuss the surplus.

Fran Brooks, Moores Meadow Road, commented on the shared service Resolution and agreement costs for renovating the building in order to meet court standard; spoke of not being in favor with the legitimacy of the shared service contract; questioned the arrangement of Woodland Township and Bass River; spoke of being embarrassed because there is zero substance in the discussion; spoke of there not being any discussion regarding moving the court to the emergency Services Building as there is plenty of room; Questioned the status of the NJDOT contract.

Mayor Barton spoke of the Township Committee knowing of the agreement with Bass River and revenue; spoke of Tabernacle's revenue and felt that this is a win for both Townships.

With no more comments from the public, Mayor Barton closed public portion.

Adjournment

- On a motion made by Mr. Lee, seconded by Mr. Yates, the meeting was adjourned at 9:32 p.m.

Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0 Absent: 1 Carried

Respectfully submitted,

La Shawn R. Barber, RMC
Municipal Clerk

Approved: 05/21/2018