

Tabernacle Township Committee Minutes of October 24, 2016

Mayor Lee called the meeting to order at 7:30 p.m. followed by the Flag Salute.

Sunshine Notice: This meeting was called pursuant to the Open Public Meetings Act. This special meeting of October 24, 2016 was sent to the Central Record, Burlington County Times and Courier Post. Posted on the bulletin board in Town Hall and has remained continuously posted as the required notices under the statute. In addition, a copy of this notice is and has been available to the public, and is on file in the office of the Municipal Clerk.

Roll Call Those in attendance were:

Governing Body

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

Administrative Team

Douglas Cramer, CPWM, Administrator
Terry Henry, Chief Finance Officer
Dante Guzzi, Township Engineer
Peter C. Lange, Jr., Township Solicitor
La Shawn R. Barber, RMC, Municipal Clerk



Moment of Silence: Mayor Lee announced the passing of Neva Moore who has been an important part of our community since 1977 as well as serving on the Tabernacle School Board. Mayor Lee asked for a moment of silence.

Public Comment on Agenda Items

Fran Brooks, Moores Meadow Road, commented on the bill list for payments made to the Alaimo Group for a contract charge and Emergency Management Services billing in the amount of \$22,000 for preventative maintenance service. Ms. Brooks also questioned the mileage reimbursement for the Tax Collector.

Stuart Brooks, Moores Meadow Road, questioned the bill list item for Creative Product Source for the Wellness Day in which pens were given away for promotional for the Township and CERT.

Mr. Cramer spoke of the requirements for JIF reimbursements.

Close public comment.

Approval of Bills

Motion made by Mr. Yates, seconded by Mr. Barton, to approve the bills. Motion carried.

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

Approval of Minutes

Motion made by Mr. Franzen, seconded by Mr. Yates to approve the meeting minutes of September 12, 2016 as presented. Motion carried.

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

Motion made by Mr. Barton seconded by Mr. Franzen to approve the meeting minutes of September 26, 2016 as presented. Motion carried.

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

RESOLUTIONS

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

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

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

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

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

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

- On a motion made by Mr. Barton, seconded by Mr. Yates, Resolution 2016-109 was adopted.

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

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

WHEREAS, the PATRICK M. CALLAHAN MEMORIAL FUND, INC. has filed an application with the Township Committee to conduct raffles and the applicant has paid the proper fees for said licenses; and

WHEREAS, the Township Committee of the Township of Tabernacle believes that said applicant is qualified to conduct the raffle, are bona fide active members of said organization, and that the raffle will be conducted in accordance with the licensing law; and

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

RA: 2016-18 Merchandise Off-Premise Draw	Drawing Date January 15, 2017	Time: 7:00 pm - 8:00 pm
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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tabernacle, in the County of Burlington and State of New Jersey, as follow:

1. That the Township Committee hereby approves the issuance of the aforementioned raffle license.
2. That the Municipal Clerk is hereby authorized to issue said license on behalf of the Township of Tabernacle.

- On a motion made by Mr. Yates, seconded by Mr. Barton, Resolution 2016-110 was adopted.

Roll Call: Barton, Brown, Franzen, Yates Ayes: 4 Nays: 0 Absent: 1 Motion carried

RESOLUTION 2016-111

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

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

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

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

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

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

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

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2016-111 was adopted.

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

RESOLUTION 2016-112

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

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

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

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

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

- On a motion made by Mr. Barton, seconded by Mr. Yates, Resolution 2016-112 was adopted.

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

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

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

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

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

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

ATTACH LIST OF ITEMS TO BE SOLD

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

17	(2) 4" GATE VALVE
18	MISCELLANEOUS VHS RADIOS
19	MISCELLANEOUS TIRES
20	MISCELLANEOUS STROBE LIGHTS AND LIGHT BARS
21	4 DRAWER WOODEN FILE CABINET
22	MISCELLANEOUS STREAMLIGHT AND COLEMAN SPOTLIGHT, 7 EACH
23	2 CULTER-HAMMER BREAKER BOXES
24	2 GASOLINE/DIESEL HOSES AND NOZZLES
25	MISCELLANEOUS CONCRETE ANCHORS

- On a motion made by Mr. Franzen, seconded by Mr. Barton, Resolution 2016-113 was adopted.
Roll Call: Barton, Franzen, Yates, Lee Ayes: 4 Nays: 0 Absent: 1

**TOWNSHIP OF TABERNACLE, NEW JERSEY
RESOLUTION 2016-114**

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

BACKGROUND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 10. The Township hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Township hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Township during the period from January 1, 2016 to December 31, 2016, and the amount of obligations designated

as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

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

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

Section 12. The Mayor, Chief Financial Officer, Treasurer and Township Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

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

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

Exhibit "A"

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

- On a motion made by Mr. Barton, seconded by Mr. Yates, Resolution 2016-114 was adopted.

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

Old Business

Mr. Barton held discussion with members governing body of an ordinance submitted from SJ Gas Company requesting the Township to grant the renewed consent and permission for SJ Gas Company to use the public streets to furnish gas for light, heat and power in Tabernacle Township. Mr. Barton suggested having the term approval for less than 50 years.

Mr. Lange suggested to identify the particular utility by name be listed in the ordinance.

Mr. Franzen spoke of being comfortable with five years.

Mr. Lange will prepare a draft ordinance for review of the Township Committee for their next meeting in November.

Mayor Lee spoke of receiving a letter from Michael Russo

Report of the Township Engineer

2016 Road Program – Mr. Guzzi said this project is scheduled to start tomorrow, October 25, 2016 on Foxchase Road, working straight through. Project should be completed this fall before the holidays, minus some punch list items.

Municipal Park Project – The tennis court rehab at Pricketts Mill Park was awarded last month. Mr. Guzzi reported that we have been working with the contractor hoping to have a preconstruction meeting this week and scheduled to get the project done this fall as well.

Report of the Township Administrator

2017 Municipal Park Development Program – We are looking at a continuation of the projects that we have done for Patty Bowker and Pricketts Mill Park to finish the dugouts and provide shelter over picnic tables at both playgrounds.

Mayor Lee announced that the Tabernacle Township 2017 Parks Improvements Construction Cost Estimate will be available in Municipal Clerk's Office without an OPRA Request.

Mr. Cramer reported on the interview process for replacement of Elwood Parks and Mr. Dudley who will be retiring at the end of the year in December.

Mr. Cramer spoke of the fall festival being well attended.

Mr. Cramer reminded the Mayor of the NJ League of Municipalities Mel educational session for Township Committee members and Mayors, November 16th at 3:45 PM. Each member that attends the Township will receive a \$250 credit towards Mel.

Report of the Township Solicitor

Mr. Lange spoke about the Land Development Board process concerning the chicken ordinance and their review as they requested be granted an extension of 45 days for referral to the Township Committee.

Best Practices

Mr. Henry reported on the Best Practices worksheet and explained the Township is required to do this every year. There are a number of things considered resulting in Tabernacle Township being in the 90% status as far as state aid

Report of the Township Committee

Christmas Tree Lighting – Mr. Franzen asked for a motion to approve the facilities for the use of the Christmas Tree lighting ceremony on December 2, 2016.

- The motion was made by Mr. Franzen, seconded by Mr. Barton. **Ayes: 4** **Nays: 0**

Tabernacle Fire Company – Mr. Barton congratulated Tabernacle Fire Company for their open house it was a great night. The emergency services were also thanked for their efforts during the Tabernacle Fall Festival.

Mayor Lee thanked everyone who put the event together for Tabernacle Fall Festival as it was put together by volunteers (Cub Scout Pack and Education Foundation of Tabernacle).

Mayor Lee spoke of having a dialog with legislatures and lawmakers regarding local issues and spoke that Congressman MacArthur certainly knows where Tabernacle is on the map.



Chicken Ordinance – Mayor Lee spoke of having a lot of dialog about the chicken ordinance resulting in some people being excited. It was important for the Land Development Board to take a look at the ordinance to clarify exactly where the setback issues are because is something that the LDB deals with. We are very much in favor of having a review. In talking with the folks from Rutgers, it would be beneficial for our community to hear directly from Rutgers to talk about chickens and what it really means and how it impacts a community. Mayor Lee spoke of giving the formal invitation to Rutgers at a date to be determined and announced in November 2016.



Defibrillator – Mayor Lee spoke about the importance and need to place defibrillators at our new snack stand and in the parks. At this point, Chief of Tabernacle Rescue Squad, George Jackson spoke of the process for early CPR interventions, placing defibrillator machines in both parks (Pricketts Mill and Patty Bowker) and gave a brief demonstration of how the CPR machine operates.

Public Comment

Stuart Brooks, Moores Meadow Road, spoke of the deadline and items to appear on the agenda. Mr. Brook also spoke about the reoccurring volunteer groups scheduling agenda request.

Ron Moule, Carranza Road, spoke about Haas Pit and its approval to remove and restore sand as well as its monitoring well sampling. Mr. Moule was advised by Mr. Barton to attend the next Land Development Board meeting.

Keith Zane, 14 Richter Road, spoke about the success of the fall event and the Township Committee was thanked for their support.

Fran Brooks, Moores Meadow Road, spoke of wanting a list of all fire company line officers on the fire company website.

Mayor Lee advised Ms. Brooks to reach out to the President of Tabernacle Fire Company who was in attendance of the meeting; Cheryl Smith.

Motion to adjourn the October 26, 2016 Township Committee meeting was made by Committeeman Franzen seconded by Committeeman Barton, the meeting was adjourned at 8:32 p.m.

- **Ayes: 4 Nays: 0**

Respectfully submitted,

La Shawn R. Barber, RMC
Municipal Clerk

Approved: 11/28/2016