

Township of Tabernacle

Town Hall
163 Carranza Road
Tabernacle, NJ 08088



Meeting Agenda

August 22, 2016 - 7:30 PM

Governing Body

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

TOWN HALL ADMINISTRATIVE TEAM

Douglas Cramer, CPWM, Administrator	Terry W. Henry, Chief Finance Officer
Dante Guzzi, Township Engineer	Col. William C. Lowe, Emergency Management
Kimberly Smith, Tax Collector	Thomas Boyd, Construction Official
Peter C. Lange, Jr., Esq. Solicitor	La Shawn R. Barber, Municipal Clerk
Douglas Stuart, Environmental Consultant	

www.townshipoftabernacle-nj.gov

DRAFT AGENDAS ARE SUBJECT TO CHANGE

1. Mayor Stephen V. Lee, IV calls Tabernacle Township Committee Meeting to order with the Salute to the Flag and the reading of the Open Public Meetings Act Statement. TIME:

2. **ROLL CALL**

___ Mr. Barton, ___ Ms. Brown, ___ Mr. Franzen, ___ Mr. Yates and ___ Mayor Lee

3. **Public comment on agenda items.**

4. **APPROVAL OF BILLS**

5. **APPROVAL OF MINUTES**

July 18, 2016 (regular & executive)

6. **NEW BUSINESS**

Presentation: Proposed Eagle Scout Project by Patrick Begley

Discussion: Proposed Chicken Ordinance

7. **OLD BUSINESS**

Discussion: Potential Contract Approval for Tabernacle Township and Tabernacle Rescue Squad, Inc.

8. **RESOLUTIONS**

Resolution 2016-92: Authorizing the refund of a construction permit fee: Block 1202, Lot 30.01

Resolution 2016-93: Award of contract for 2016 Road Program.

Resolution 2016-94: Authorizing Township Administrator to advertise and hire for one (1) full-time position in the Department of Public Works.

Resolution 2016-95: Approving raffle license application for Seneca Eagles Band Parents Association, Inc.

Resolution 2016-96: Approving raffle applications for the Church of Holy Eucharist.

Resolution 2016-97: Approving Settlement of Litigation.

Resolution 2016-98: Release of Executive Session Minutes.

Resolution 2016-99: Approving Change Order No. 2 for 2015 Local Road Program.

Resolution 2016-100: Authorization to go out to bid for 2016 Park Project.

9. **Reports**

- Township Engineer
- Township Administrator
- Township Solicitor
- Township Committee

10. **Public Comment**

(Please state your name & address for the record)

11. **Adjournment**

DRAFT

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2016-92
AUTHORIZING THE REFUND OF CONSTRUCTION PERMIT FEE**

WHEREAS, Sunrun Installation Services has applied for a construction permit to install a roof mounted solar panel system for a home located at 63 Bozarthtown Road (Block 1202, Lot 30.01) in Tabernacle Township; and

WHEREAS, Sunrun, Inc. has informed the Construction Office that the homeowner, Tammy Alvarez, has decided not to move forward with the project; and

WHEREAS, the Construction Office requests approval of the refund to Sunrun Inc. in the amount of \$288.00, 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 **\$288.00 payable to Sunrun Inc., 20 West Stow Road, Suite 2, Marlton, NJ 08053.**

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

AUGUST 22, 2016

La Shawn R. Barber, RMC
Municipal Clerk

STEPHEN V. LEE, IV, MAYOR

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the 10 day of August 2015

La Shawn R. Barber, RMC
Municipal Clerk

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2016-93
AWARDING CONTRACT FOR 2016 ROAD PROGRAM**

WHEREAS, the Tabernacle Township Committee has received sealed proposals for work to be performed in connection with 2016 Road Program; and

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

WHEREAS, there has been public advertisement for bids and the Township Clerk has received and opened bids on August 18, 2016 at 11:00 A.M. for the purpose of awarding a contract for 2016 Road Program and has advised that a certain entity is the lowest qualified responsible bidder for said contract and has recommended that the Municipality award said contract or reject the bids within sixty (60) days as required by N.J.S.A. 10A:11-4; and

WHEREAS, the Township's Chief Financial Officer, as required by N.J.A.C. 5:30-1, has certified that there are sufficient funds available for the purpose of awarding a contract to said entity, said certification being attached hereto and made a part hereof.

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

1. That the Chief Financial Officer, based upon the aforementioned certificate, has declared that there are sufficient funds available for the aforesaid purpose, and that the Township Committee hereby directs that the hereinafter expenditure be charged against such funds.
2. That the Township Committee, for the aforementioned reasons, **hereby declares that Arawak Paving is the lowest qualified bidder** for the aforementioned contract and hereby awards a contract to the said entity for the aforesaid purpose in the amount of **\$467,900.00** in accordance with the terms and conditions of the Bid Proposal, the Notice to Bidders and Specifications, copies of which are on file in the Office of the Township Clerk and available for public inspection during regular business hours.
3. That the award to Ranco Construction Inc. is consistent with the legal requirements of the lowest responsible bidder, which conforms, to all specification requirements and applicable statutory provisions.

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

4. That the Township Committee hereby directs the Township Clerk to return the bid securities to the following unsuccessful bidders in accordance with NJSA 40A: 11-4:

1	Landberg Construction, 446 Clarkstown Road, Mays Landing, NJ 08330
2	Trap Rock Industries, 460 River Road, Kingstown, NJ 08528
3	American Asphalt, 100 main Street, W. Collingswood Hts, NJ
4	A.E. Stone, Inc, 1435 Doughty road, Egg Harbor Twp, NJ 08234
5	Hess Companies, 25 First Avenue, Belford, NJ 07716

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

DATE: August 22, 2016

Stephen V. Lee, IV, Mayor

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

I, La Shawn R. Barber, Clerk of Tabernacle Township hereby certify that the forgoing is a true copy of a Resolution duly adopted by the Governing Body of the Township of Tabernacle, County of Burlington, and State of New Jersey, held this 22th day of August, 2016.

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

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2016-94
AUTHORIZING TOWNSHIP ADMINISTRATOR TO ADVERTISE AND HIRE FOR
ONE (1) FULL-TIME POSITION IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Township Administrator and Director of Public Works has recommended to the governing body the need to hire a full time Public Works Laborer to fill the retirement position of Elwood Parks in the Department of Public Works; and

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Tabernacle, County of Burlington, State of New Jersey hereby authorizes the Township Administrator to advertise and hire for a position for the Department of Public Works.

Adoption Date: August 22, 2016

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

Stephen V. Lee, IV, Mayor

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the 10 day of August 2016

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

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION NO. 2016-95
GRANTING RAFFLE LICENSE TO SENECA EAGLES BAND PARENTS
ASSOCIATION, INC.**

WHEREAS, the **SENECA EAGLES BAND PARENTS ASSOCIATION, INC.** has filed an application with the Township Committee to conduct raffles and the applicant has paid the proper fees for said licenses; and

WHEREAS, the Township Committee of the Township of Tabernacle believes that said applicant is qualified to conduct the bingo and raffle, are bona fide active members of said organization, and that the raffle will be conducted in accordance with the raffle Licensing Law, N.J.S.A. 5:8-24 et seq.; and

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

RA: 2016-12 Off-Premise Draw 50/50	Ticket Sale: 9/15/2016 – 11/24/2016 Drawing: 11/24/2016 – 10:00 A.M.
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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.

Adopted: August 22, 2016

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

Stephen V. Lee, IV, Mayor

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the 10 day of August 2016

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

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION No. 2016-96
GRANTING RAFFLE LICENSES TO THE CHURCH OF THE HOLY
EUCHARIST**

WHEREAS, the Church of the Holy Eucharist has filed applications with the Township Committee for raffle licenses to conduct raffles during their annual Pine Barrens Festival, 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 raffles are bona fide active members of said organization and that the raffle will be conducted in accordance with the New Jersey administrative Code 13:47; and

WHEREAS, the following raffle licenses are requested on the dates and during the hours listed:

- a) **RA: 2016-13 – (On-Premise - Merchandise)**
 Drawing: January 28, 2017Hours: 7:00 pm to 10:00 p.m.
 Snow Date: February 4, 2017 (10:00 pm)

- b) **RA: 2016-14 – (Off- Premise Draw - Super 50/50)**
 Ticket Sale Date: 11/01/2016 – 01/28/2017.....Hours: 10:00 p.m.
 Drawing: January 28, 2017 (10:00 pm) Snow Date: February 4, 2017

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 Township Clerk is hereby authorized to issue said license on behalf of the Township of Tabernacle.

AUGUST 22, 2016

La Shawn R. Barber, RMC
 Municipal Clerk

Stephen V. Lee, IV, Mayor

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the 22 day of August 2016

La Shawn R. Barber, RMC
 Municipal Clerk

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

RESOLUTION 2016-97

**A RESOLUTION OF THE
TOWNSHIP OF TABERNACLE
APPROVING SETTLEMENT OF LITIGATION**

WHEREAS, litigation was commenced in the Superior Court of New Jersey, Law Division, Burlington County under Docket Number **BUR-L-000043-15** captioned **FRAN BROOKS, Plaintiff, v. TOWNSHIP OF TABERNACLE, La SHAWN R. BARBER** in her official capacity as Municipal Clerk and Records Custodian of the Township of Tabernacle and **ROBERT BRICK**, Defendants making certain claims against the Township and the Township Clerk related to the New Jersey Open Public Records Act; and

WHEREAS, the litigation was defended by the Township's Solicitor, Peter C. Lange Jr. Esq.; and

WHEREAS, the Township Solicitor has recommended settlement of the litigation under terms which are now acceptable to the Township of Tabernacle in consideration of the further risks of appeal and the cost shifting mechanisms included in OPRA and in view of the Township's exposure to further attorney's fees and for other appropriate considerations; and

WHEREAS, counsel for the Plaintiff has agreed on behalf of Fran Brooks to accept the payment of \$18,000.00 in full settlement of all claims against the Township; and

WHEREAS, counsel for plaintiff has filed the attached stipulation of dismissal with the court.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, that the Township shall resolve the above referenced litigation according to such terms.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Tabernacle Township Committee at a meeting held on August 23, 2016.

Township of Tabernacle

La Shawn R. Barber, RMC/CMR
Municipal Clerk

Stephen Lee IV, Mayor

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2016-98
A RESOLUTION AUTHORIZING THE RELEASE OF TABERNACLE TOWNSHIP
COMMITTEE EXECUTIVE SESSION MINUTES**

WHEREAS, the Township of Tabernacle has a history of commitment to the public participation in its local government and to the corresponding need for an informed citizenry; and

WHEREAS, the Township Committee finds that it is permissible to release the executive Session Meeting Minutes for the following dates:

02-09-15 Portion concerning Brooks v. Tabernacle previously redacted for release is now released in whole.

02-23-15

07-13-15

07-27-15

01-04-16

01-25-16

02-22-16 Partial release is recommended. Only portion of the minutes concerning Brooks v. Tabernacle can be released.

03-14-16

07-18-16 Partial release is recommended. Only portion of the minutes concerning Brooks v. Tabernacle can be released.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tabernacle, County of Burlington and State of New Jersey that the Township Clerk is hereby authorized and directed to release the following approved Executive Session Meeting Minutes for the following dates:

02-09-15 Portion concerning Brooks v. Tabernacle previously redacted for release is now released in whole.

02-23-15

07-13-15

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

Page 2
Resolution 2016-98

07-27-15

01-04-16

01-25-16

02-22-16 Partial release is recommended. Only portion of the minutes concerning Brooks v. Tabernacle can be released.

03-14-16

07-18-16 Partial release is recommended. Only portion of the minutes concerning Brooks v. Tabernacle can be released.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Tabernacle Township Committee at a meeting held on August 22, 2016.

TOWNSHIP OF TABERNACLE

**LA SHAWN R. BARBER, RMC/CMR
MUNICIPAL CLERK**

STEPHEN V. LEE IV, MAYOR

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

**LA SHAWN R. BARBER, RMC
MUNICIPAL CLERK**

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION #2016-99
A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE ADOPTING
CHANGE ORDER NO. 2 TO A CONTRACT BETWEEN THE TOWNSHIP OF
TABERNACLE AND ARAWAK PAVING COMPANY, INC. FOR THE 2015 LOCAL ROAD
PROGRAM PROJECT**

WHEREAS, on September 28, 2015 the Township Committee awarded the contract for the LAKEVIEW DRIVE AND SPRING DRIVE ROAD IMPROVEMENTS in the amount of \$205,700.00 to Arawak Paving Company; and

WHEREAS, Change Orders are regulated by Local Finance Board regulation N.J.A.C. 5:34-4; and

WHEREAS, approval by the Mayor and Committee is required for all Change Orders; and

WHEREAS, The Administrator and Alaimo Group Consulting Engineers have recommended that the Mayor and Committee approve Change Order No.2 as described below;

Change Order #2

Description of change in scope of work: See attached Change order #2

The amount of the reduction is \$2,072.00; and

WHEREAS, the adjusted amount of this contract based upon Change Order No. 2 is \$198,340.04;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle in the County of Burlington as follows:

1. Change Order No. 2 to the contract between the Township of Tabernacle and Arawak Paving Company, Inc. is hereby authorized by the Township; and
2. The Mayor is hereby authorized and directed to execute Change Order No. 2.

I certify that the foregoing Resolution was duly adopted at a regular meeting of the Committee of the Township of Tabernacle held on the 22nd day of August 2016.

Township of Tabernacle

By _____
LaShawn R. Barber, RMC
Municipal Clerk

By: _____
Stephen V. Lee, IV, Mayor

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2016-100
AUTHORIZE TOWNSHIP ENGINEER TO PREPARE SPECIFICATION AND
SOLICIT BIDS FOR 2016 PARKS PROJECT**

WHEREAS, it is the desire of Tabernacle Township to receive sealed proposals for the 2016 Parks Project for the Pricketts Mill Tennis Court Rehabilitation in Tabernacle Township; and

WHEREAS, specifications will be prepared by the Township Engineer and sealed proposals will be received by the Municipal Clerk's Office at 163 Carranza Road, Tabernacle, NJ 08088.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Tabernacle Township, in the County of Burlington, State of New Jersey, hereby authorizes the Township Engineer to prepare specifications and solicit bids for the 2016 Parks Project in Tabernacle Township.

BE IT FURTHER RESOLVED upon advertised notice that sealed proposals is to be delivered or mailed to the Municipal Clerk in Tabernacle Township, where **sealed bids will be opened publicly**.

Date: August 22, 2016

STEPHEN V. LEE, IV, MAYOR

**LA SHAWN R. BARBER, RMC
MUNICIPAL CLERK**

I, La Shawn R. Barber, Clerk of Tabernacle Township hereby certify that the forgoing is a true copy of a Resolution duly adopted by the Governing Body of The Township Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, held ____ day of _____, 2016

**La Shawn R. Barber, RMC
Registered Municipal Clerk**