

Tabernacle Township Committee

Minutes of September 12, 2016

Mayor Stephen V. Lee, IV called the meeting to order at 7:38 p.m. followed by the Flag Salute.

Sunshine Notice: This meeting was called pursuant to the Open Public Meetings Act. This special meeting of September 12, 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 (Absent)
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 Financial Officer
Peter C. Lange, Jr., Township Solicitor
La Shawn R. Barber, RMC, Municipal Clerk
Dante Guzzi, Township Engineer (Absent)

Mayoral Proclamation: Mayor Lee presented the following proclamations on behalf of the Governing Body



Proclamation In Recognition of Service Elwood Parks

WHEREAS, Elwood Parks, was born on August 19, 1954, and raised in the community of Tabernacle, New Jersey graduating from the Tabernacle Schools in 1969 and began his highly decorated career with the Township of Tabernacle on March 30, 1973; and; during Elwood's tenure serving as a highly-valued and dedicated member of Tabernacle Township's Public Works Team, he has witnessed first-hand the growth and progress of our community for an unprecedented forty-three years; and

WHEREAS, Elwood has proudly served in multiple areas of responsibility within the Township of Tabernacle, the Medford Farms Volunteer Fire Co., Tabernacle Rescue Squad, Tabernacle Fire Company No. 1, and various community organizations; and

WHEREAS, Elwood consistently maintained the highest level of professionalism and dedication to the residents of Tabernacle, and proudly served with the support of many past and present colleagues, including, but not limited to Joe Zimmerman, Anthony Russo, Jr., Frank Grungo, Richard Haines, Everett Haines, Douglas Cramer, Kevin Worrell, Barclay Phillips, Rodger Montgomery, Robert Palfy, William Dudley and Charles Poinsett; and

WHEREAS, the present and past members of the Tabernacle Township Committee and the thousands of residents they have represented are proud and eternally grateful for Elwood's dedication and loyalty to the community, and extend sincere thanks and gratitude specifically to the entire Parks Family for their continued support of Elwood throughout his career; and

WHEREAS, Elwood Parks, who is today being honored by friends, family and his grateful community of Tabernacle are deeply appreciative to Elwood for allowing us to the opportunity to join in the celebration of his 43 years of service to the Township of Tabernacle and; on the occasion of Elwood's retirement from service, the Tabernacle Township Committee proudly recognizes Elwood Parks for outstanding public service; and wishes to memorialize his service to all the residents of Tabernacle Township with this proclamation.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Tabernacle, County of Burlington, State of New Jersey recognize and express heartfelt appreciation to Elwood Parks for his 43 years of service to the residents of Tabernacle, New Jersey and extends our best wishes for many years of happiness in the future.

- In recognition, Elwood Parks was presented a gold plated "Key to the Township."



Office of the Mayor Proclamation Constitution Week

Whereas, September 17, 2016 marks the 229th Anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention in Philadelphia, Pennsylvania; and

Whereas, it is fitting and proper to accord official recognition to this magnificent document and those patriots that who were instrumental in the creation of said document and; that all Americans participate in the patriotic celebrations which will commemorate the occasion; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

Therefore, I, Stephen V. Lee, IV, and Mayor of Tabernacle Township do hereby proclaim the week of September 17 through 23 as Constitution Week and urge all citizens to study the Constitution, and reflect on the privilege of being an American with the rights and responsibilities which that privilege involves.

In witness whereof, I have hereunto set my hand and caused the Seal of the Township of Tabernacle to be affixed this 12th of September in the year of our Lord, 2016.

APPROVAL OF BILLS

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

Roll Call: Franzen, Yates, Lee Ayes: 3 Nays: 0 Absent: 2 Motion carried.

NEW BUSINESS - TABLED FOR FUTURE MEETING

Members of the Township Committee tabled the following discussions until full membership of the Governing Body is present:

- Proposed ordinance granting renewed consent and permission to SJ Gas Company to use the public streets to furnished gas for light, heat and power in Tabernacle Township; and
- Potential contract approval for Tabernacle Township and Tabernacle Rescue Squad, Inc.; and
- Facility Use / License Agreement by and between Tabernacle Township and Tabernacle Athletic Association (TAA).

Roll Call: Franzen, Yates, Lee Ayes: 3 Nays: 0 Absent: 2 Motion carried.

OLD BUSINESS

Proposed Ordinance of wild animals and regulation of the maintenance of agricultural animals on non-agricultural properties, entitled "standards for keeping chicken."

PUBLIC COMMENTS

James Jones, Wimbledon Way, expressed concerns regarding predator issues; sanitation and penalties regarding the proposed chicken ordinance.

Sandy Leichner, Summit Drive, expressed concerns regarding predator issues, monitoring and penalties regarding the proposed chicken ordinance and concern of sanitation, health codes and code enforcement and would be regulated by the ordinances.

Fran Brooks, 78 Moore's Meadow Road, thanked Committee for changes on the agenda and questions the Bill List, expressed concerns regarding chicken production; sanitation; penalties; commercial and residential development; deed restrictions and sales regarding the proposed chicken ordinance. Thanked Committee for the change on the first reading of the Ordinance.

Jason Litowitz, Horseshoe Court, spoke of not in being in favor of the chicken ordinance and spoke that having chickens make it harder for a neighbor to sell their property as it will cause the neighboring property's value to decrease. Additionally, this will reduce the influx of families with children from coming into town. The reduction in influx of children will further cause our school district's enrollment numbers to fall. This further enrollment reduction will hurt the school district even more when

the state gets around to reallocating school aid. This reduction in state aid to the schools will cause the school district to either drastically reduce services, massively increase taxes, or some combination thereof. All of which means it will be harder to sell any property in town, thereby lowering everyone's property value.

Mark LeMire, Washington Way, shared his concerns and asked if a census would be conducted of the chickens and it also concerns regarding neighbor disputes should another animal attack a chicken.

Stuart Brooks, Moores Meadow Road, shared his concerns regarding neighbors in the manure management and sanitation management.

It was noted that comment would be made after the Land Development Board meeting on September 19, 2016.

Public comment was closed.

ORDINANCE - FIRST READING

ORDINANCE 2016-5

PROHIBITION OF WILD ANIMALS AND REGULATION OF THE MAINTENANCE OF AGRICULTURAL ANIMALS ON NON-AGRICULTURAL PROPERTIES/STANDARDS FOR KEEPING CHICKENS

- Public Hearing date is set for September 26, 2016 at 7:30 P.M.
 - This Ordinance will be reviewed by the Land Development Board for Master Plan consistency review.
 - On a motion made by Mr. Yates, seconded by Mr. Franzen, Ordinance 2016-5 on first reading was adopted.
- Roll Call: Franzen, Yates, Lee Ayes: 3 Nays: 0 Absent: 2 Motion carried.**

NEW BUSINESS

RESOLUTION 2016-101

AUTHORIZE CANCELLATION OF CERTAIN PROPERTY TAXES AND REIMBURSEMENT PURSUANT TO ONE HUNDRED PERCENT TOTALLY DISABLED VETERAN EXEMPTION

WHEREAS, Patricia M. Rehberger, owner and resident of 80 Summit Drive (Block 305, Lot 4.07) has applied for exemption from property taxes as a 100% percent Totally Disabled Veteran pursuant to NJSA 54:4-3.30; and

WHEREAS, said application has been received by the Township Assessor; and

WHEREAS, the Assessor has reviewed the application and requisite proofs, and finding them to be in order, recommends approval of the exemption; and

WHEREAS, the exemption commences July 1, 2016 in accord with certification of 100% disability granted by the Department of Veterans Affairs; and

NOW THEREFORE BE IT RESOLVED by Tabernacle Township Committee that the Tax Collector is hereby authorized to cancel the 2016 property taxes pursuant to totally disabled veteran status to Patricia M. Rehberger, property owner of 80 Summit Drive, Tabernacle, NJ 08088.

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to reimburse \$1942.73 (calculation: 2016 Third Quarter Paid \$1,648.64 and Fourth Quarter 2016 paid \$294.09 = \$1,942.73) to Patricia M. Rehberger, owner and resident of 80 Summit Drive, Tabernacle (Block 305, Lot 4.07).

BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Tax Collector and Assessor.

- On a motion made by Mr. Yates, seconded by Mr. Franzen, Resolution 2016-101 was adopted.
- Roll Call: Franzen, Yates, Lee Ayes: 3 Nays: 0 Absent: 2 Motion carried.**

RESOLUTION 2016-102

ADOPTING PERSONNEL POLICIES AND PROCEDURES

WHEREAS, it is the policy of Tabernacle Township to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work

Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Township Committee that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Tabernacle Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Tabernacle Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township of Tabernacle shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that Peter C. Lange, Jr. is hereby appointed as Employment Attorney to advise the Township of Tabernacle in personnel matters.

BE IT FURTHER RESOLVED that the Township Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Township Clerk and the Township Attorney shall assist the Township Administrator in the implementation of the policies and procedures in this manual.

- On a motion made by Mr. Yates, seconded by Mr. Franzen, Resolution 2016-102 was adopted.
Roll Call: Franzen, Yates, Lee Ayes: 3 Nays: 0 Absent: 2 Motion carried.

MOTIONS

Parade Permit: Pinelands Preservation Alliance (PPA) – Tour de Pines 2016 Bicycle Ride: Event Date: October 2, 2016.

- On a motion made by Mr. Yates, seconded by Mr. Franzen, Tour de Pines 2016 Bicycle Ride was approved.
Roll Call: Franzen, Yates, Lee Ayes: 3 Nays: 0 Absent: 2 Motion carried.

Parade Permit: Meteor Motorcycle Club – Ride in the Pines Dual Sport Motorcycle Ride. Event Date: October 22-23, 2016.

- On a motion made by Mr. Yates, seconded by Mr. Franzen, Ride in the Pines Dual Sport Motorcycle Ride was adopted.
Roll Call: Franzen, Yates, Lee Ayes: 3 Nays: 0 Absent: 2 Motion carried.

REPORT OF THE TOWNSHIP ADMINISTRATOR

The LOSAP information was posted as of September 1, 2016. The Wellness Fair September 9, 2016 was well attended.

REPORT OF THE TOWNSHIP SOLICITOR

No reports.

REPORT OF THE TOWNSHIP COMMITTEE

Committeeman Franzen – Tree Lighting Meeting Schedule: October 6, 2016 and November 3, 2016 at 7:30 p.m. and Tree Lighting Ceremony is Friday, December 2 at 7:30 at Town Hall.

Deputy Mayor Yates – Had the privilege of being introduced to the new superintendent of schools. He has known new the superintendent since he was about seven years old and is happy to have him representing our Township schools.

Mr. Yates also commented that people residents have contacted him regarding the Junior Mechanics Cemetery and indicated that the Township Solicitor would be looking into the matter.

Mayor Lee also commented on the aesthetics of Junior Mechanics Cemetery and spoke of received calls. Attended and commented that the Wellness Fair was very nice; toured the Sequoia building and said the improvements are beautiful; also met with the new superintendent.

PUBLIC COMMENT

Fran Brooks. Moores Meadow Road, expressed her concerns again regarding chicken ordinance; commented on the use of the term Best Managing Practicing (BMP), which is designed for commercial growers.

Stuart Brooks. Moores Meadow, commented that the Fire Chief was present the last meeting however is concerned that the Chief gave a report and left the meeting. Mr. Brooks wanted to be able to ask him questions and also would like for the Chief to be in attendance of any future meetings.

ADJOURNMENT

- Motion made by Mr. Yates, seconded by Mr. Franzen. The meeting was adjourned at 8:47 p.m.
Roll Call: Franzen, Yates, Lee Ayes: 3 Nays: 0 Absent: 2 Motion carried.

Respectfully submitted:

La Shawn R. Barber, RMC/CMR
Municipal Clerk

Approved: 10/24/2016