

TABERNACLE TOWNSHIP COMMITTEE

MINUTES OF SEPTEMBER 26, 2016

Deputy Mayor Joseph Yates IV 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 September 26, 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 (Absent)
Stephen V. Lee, IV, Mayor

Administrative Team

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

PUBLIC COMMENT

Fran Brooks, Moores Meadow Road, questioned charge items on the bill list item in which Mr. Cramer responded. Ms. Brooks questioned if the contract for TRS and TAA would adopt by Resolution or Ordinance.

No further comments.

APPROVAL OF BILLS

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

Roll Call: Barton, Franzen, Lees **Ayes: 3 Nays: 0 Absent: 2**

EAGLE SCOUT PRESENTATION

Patrick Boegly presented his idea for an Eagle Scout Project for Pricketts Mill Park by the basketball courts. Patrick is planning on doing an entry way with a boardwalk to a circle area outlined by the logs and wood chips with benches and information board that will address wildlife. This area will give people a space to reflect, read, animal watch etc. This will be in the area to the right of the basketball courts. Patrick is looking for approval from the Township Committee for the project to commence sometime in the spring.

Mayor Lee asked for a motion for approval. The motion was made by Mr. Barton, seconded by Mr. Franzen.
Motion carried.

Roll Call: Barton, Franzen, Lees **Ayes: 3 Nays: 0 Absent: 2**

MINUTES FILED BY CLERK

Motion made by Mr. Barton, seconded by Mr. Franzen to approve the meeting minutes of **August 22, 2016** (regular) as presented. Motion carried

Roll Call: Barton, Franzen, Lees **Ayes: 3 Nays: 0 Absent: 2**

Mr. Barton indicated that he will not be voting on the second set of minutes, therefore resulting in lack of quorum. Motion to TABLE meeting minutes of September 12, 2016 was made by Mr. Barton, seconded by Mr. Franzen as presented. Motion carried

Roll Call: In favor: 3 Opposed: 0 Absent: 2

ORDINANCE

Second Reading: Proposed Ordinance of wild animals and regulation of the maintenance of agricultural animals on non-agricultural properties, entitled “standards for keeping chicken.”

Mayor Lee asked for a motion to continue the hearing until the next meeting of October 24, 2016. The Ordinance is in current review with the Land Development Board to make comment and recommendation.

VOTE ON ADOPTION – MOTION TO TABLE

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

RESOLUTIONS

RESOLUTION 2016-15 AUTHORIZING APPOINTMENT OF ARCHITECT OF RECORD

WHEREAS, there exists a need for a Township Architect in the Township of Tabernacle; and

WHEREAS, funds are available for this purpose and a contract shall be award through a fair and open process in accordance with Tabernacle Township local Ordinance 2005-17.

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

SECTION 1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreements with: **Regan, Young, England & Butera** as Township Architect subject to review of the rate schedules and approval by the Township Committee as to the respective contracts.

SECTION 2. As follows:

1. Regan, Young, England & Butera, whose business address is 456 High Street, Mt. Holly, NJ 08060 is hereby appointed Township Architect of Record for the year 2016. Said appointment shall expire upon the Reorganization Meeting of the Township Committee in 2016.
2. A contractual agreement summarizing the services to be performed by Regan, Young, England & Butera as Township Architect is hereby approved and execution of the contract is authorized.
3. A copy of the aforementioned contractual agreement shall be filed in the Office of the Township Clerk and made available for public inspection.
4. The Business Entity Disclosure Certification shall be placed on file with this resolution.
5. The Township Clerk is hereby authorized to publish a “Notice of Award” of said contract in the official newspaper in accordance with the Local Public Contracts Law, within ten (10) days of its passage.

- On a motion made by Mr. Franzen, seconded by Mr. Barton, Resolution 2016-15 was adopted.

- Mayor spoke of his private involvement with the firm.

Roll Call: Ayes: Barton, Franzen Nays: 0 Absent: 2 Abstain: Lee Motion carried.

RESOLUTION 2016-103

RE: A RESOLUTION OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY REQUESTING THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES GRANT PERMISSION TO APPROVE THE INSERTION OF AN ITEM OF SPECIAL REVENUE IN THE 2016 BUDGET ENTITLED "2016 MUNICIPAL PARK DEVELOPMENT GRANT."

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Tabernacle has received notice of an award of **\$77,000.00** from the Burlington County Freeholder Board, and wishes to amend is 2016 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Tabernacle, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of.....**\$77,000.00**

Which is now available as revenue from:

Miscellaneous Revenues:

Special with Items of General Revenue Anticipated Prior Written Consent of the Director of the Division of Local Government Services:

State and Federal Revenues Off-set with Appropriations:

2016 Municipal Park Development Program

BE IT FURTHER RESOLVED. The sum of **\$77,000** shall be appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by Revenues:

2016 Park Development Grant

- On a motion made by Mr. Franzen, seconded by Mr. Barton, Resolution 2016-103 was adopted.

Roll Call: Barton, Franzen, Lee Nays: 0 Absent: 2 Abstain: 0 Motion carried.

RESOLUTION 2016-104

AUTHORIZING THE AWARD OF CONTRACT FOR 2016 PARK PROJECT

WHEREAS, the Tabernacle Township Committee has received sealed proposals for work to be performed in connection with 2016 Parks Project for the Pricketts Mill Tennis Court Rehabilitation; 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 Municipal Clerk has received and opened bids on September 22, 2016 at 11:00 A.M. for the purpose of awarding a contract for 2016 Park Project 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 All Surface Asphalt, 2805 Bridge Avenue, Point Pleasant, NJ 08742 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 **\$80,152.50** 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 Municipal Clerk are available for public inspection during regular business hours.
3. That the award to All Surface Asphalt is consistent with the legal requirements of the lowest responsible bidder, which conforms, to all specification requirements and applicable statutory provisions.
4. That the Township Committee hereby directs the Municipal Clerk to return the bid securities to the following unsuccessful bidders in accordance with NJSA 40A: 11-4:

1	American Athletic, 2050 Route 206, Vincentown, NJ 08088
2	West Bay Construction, 133 Pleasant Avenue, Absecon, NJ 08201
3	Jersey Construction 838 Piney Hollow road, Hammonton, NJ 08037

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

- On a motion made by Mr. Barton, seconded by Mr. Franzen, Resolution 2016-104 was adopted.

Roll Call: Barton, Franzen, Lee Nays: 0 Absent: 2 Abstain: 0 Motion carried.

**RESOLUTION 2016-105
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 17 Summit Drive (Block 301, Lot 3.04) in Tabernacle Township; and

WHEREAS, Sunrun, Inc. 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 Sunrun Inc. in the amount of \$332.00, 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 **\$332.00 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.

- On a motion made by Mr. Franzen, seconded by Mr. Barton, Resolution 2016-105 was adopted.

Roll Call: Barton, Franzen, Lee Nays: 0 Absent: 2 Abstain: 0 Motion carried.

**RESOLUTION 2016-106
GRANTING RAFFLE LICENSE TO SENECA PARENTS GROUP**

WHEREAS, the **SENECA PARENTS GROUP** 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 bingo and raffle will be conducted in accordance with the licensing law; and

WHEREAS, the following **Bingo and Raffle Licenses** are requested on the dates listed:

BA: 2016-15 Bingo	November 3, 2016	Time: 6:15 pm-9:00 pm
RA: 2016-16 Merchandise Raffle On – Premise Draw	November 3, 2016	Time: 6:15 pm-9:00 pm
RA: 2016-17 50/50 Cash On – Premise Draw	November 3, 2016	Time: 6:15 pm-9:00 pm

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. Barton, seconded by Mr. Franzen, Resolution 2016-106 was adopted.

Roll Call: Barton, Franzen, Lee Nays: 0 Absent: 2 Abstain: 0 Motion carried.

MOTION

Parade Permit: Pine Barrens 500 – Adventure Ride/ Eco –Tour. Nov 11, 12, 13, 2016

- On a motion made by Mr. Franzen, seconded by Mr. Barton the parade permit for Pine Barrens 500 Adventure Ride was approved.

Roll Call: Barton, Franzen, Lee Nays: 0 Absent: 2 Abstain: 0 Motion carried.

OLD BUSINESS

SJ Gas Company - Mr. Barton held discussion with members of the Township Committee regarding a request from SJ Gas Company for the adoption of an ordinance to grant renewed consent. This ordinance would give permission to use the public streets to furnished gas for light, heat and power in Tabernacle Township. Mr. Barton spoke of Title 48 which governs and applies to all utilities in the state of NJ, and expressed his opposition to the 50 year term of the consent. Mr. Barton suggests the Township Committee discuss including all utilities and set a more reasonable time, not 50 years; this would provide the Township the leverage to correct any service related issue. There was no decision made at this time.

Mayor Lee expressed the following discussions will be tabled until the full attendance of the governing body is present:

- Contract approval for Tabernacle Township and Tabernacle Rescue Squad, Inc.
- Facility use/license agreement by and between Tabernacle Township and Tabernacle Athletic Association (TAA).

- Motion made to table was made by Mr. Franzen, seconded by Mr. Barton. Motion carried

Roll Call: In favor: 3 Nays: 0 Absent: 2 Motion carried.

Report of the Township Engineer

2015 Road Program – Mr. Guzzi reported on the pre-construction meeting, Arawak Paving is the contractor is scheduled to begin work next week.

2016 Park Project - A pre-construction meeting will be set up.

Mayor Lee spoke about the two items tabled for this meeting and expressed to the public that he believes it to be really important for the five members of the Township Committee to have some good dialog on these items.

Report of the Township Administrator

Tire Collection – Mr. Cramer reported on the tire collection throughout the entire town and will continue. The public was asked to give the office a call for collection. There is a limit of 8 tires per household and truck tires are not permitted.

JIF Training – Mr. Cramer spoke about the Joint Insurance Fund training for Ethics for local government officials. It will be provided at the NJ League of Municipalities Conference at 3:45 p.m. on Wednesday, November 16, 2016.

Report of the Township Solicitor

No report.

Report of the Township Committee

Committeeman Barton spoke about the Tabernacle Historical Society has filed two permits in the Construction Office for improvements to the historic buildings at the Tabernacle Cemetery and Tabernacle Township Board of Education Friendship School building. Request was made to waive the municipal fee on both permits.

**RESOLUTION 2016-107
AUTHORIZING THE CONSTRUCTION OFFICIAL TO ADJUST AN ACCOUNT PURSUANT TO
TABERNACLE HISTORIC BUILDINGS**

WHEREAS, Tabernacle Historical Society is a non-profit organization trying to preserve historic buildings in Tabernacle Township; and

WHEREAS, Tabernacle Historical Society has applied for building permits necessary for repairs to the Tabernacle Memorial Cemetery Building located at 174 Carranza Road (Block 403, Lot 24) and Tabernacle Township Board of Education Friendship School located at 180 Carranza Road (Block 1201, Lot 28); and

WHEREAS, the Tabernacle Historical Society requests the Township Committee waive the costs of the permits for these specific repairs.

Tabernacle Memorial Cemetery Building (Block 403, Lot 24)	\$176.00
Tabernacle Township Board of Education / Friendship School House (Block 1201, Lot 28)	\$ 55.00

NOW THEREFORE BE IT RESOLVED by the Tabernacle Township Committee of Tabernacle Township, County of Burlington, and State of New Jersey hereby approves the request to waive the cost of the inspection permit fees for the Tabernacle Memorial Cemetery and Tabernacle Township Board of Education Friendship School in Tabernacle Township.

- A motion was made by Mr. Barton, seconded by Mr. Franzen to adopt Resolution 2016-107. The doctrine of necessity was invoked to allow the members of the governing body to perform their duty to vote when there may be an appearance of a conflict with members of the Historical Society.

Roll Call: Barton, Franzen, Lee Nays: 0 Absent: 2 Abstain: 0 Motion carried.

Report of the Construction Code Official

Unsafe Structures - Tom Boyd met with members of the Township Committee to report on two cases. The property located at 68 Summit Drive has been in court for a number of years regarding property maintenance and we will be back in court once again on October 4th. The property at 9 Worrell Road next court appearance will be on October 4th. In conjunction, Mr. Boyd spoke that he would like permission to work with the Township Solicitor on two other properties that fit the description of unsafe structures. Avenue B has been vacant and abandoned for an excessive seven years due to the lack of maintenance on the dwelling and the building is in such a condition to be rotted out on the exterior with potential structural issues. The property on Moore Road had suffered a fire a few years ago, and the owners are in the process of rebuilding; however, the building project has stopped at this point. There is evidence in the building that person is utilizing it as a residence and or for bathroom facility. The building is filled with debris and is an area for vermin insects. There were no objections.

- Motion was made by Mr. Franzen, seconded by Mr. Barton. Those in favor: 3 Opposed: 0

Mr. Boyd wanted the Township Committee to be aware should they receive any complaints about a property on Lee Drive. There is a home on Lee Drive that is vacant and abandoned with vehicles in the yard. We have been unable to make contact with the homeowner while trying several resources. We are attempting to serve notice.

Mr. Boyd reported on working with several commercials in an effort to understand their businesses uniform fire code violations to businesses throughout our community. As a result, our office was investigated by Regulatory Affairs in which they found no deficiencies on our part.

Mr. Boyd received his certification from Rutgers for Noise Enforcement as an official.

Public comment

George Bates, 88 Oakshade Road, spoke about the chicken ordinance moving along fast and suggested that the Township find out how the whole Township feels about chickens because he sees a lot of problems as it would be a quality of life issue. Mr. Bates expressed that he does not understand the rush.

Judy Sailer, South Park Road, spoke of representing Tabernacle Cub Scout Pack 439 and the Education Foundation of Tabernacle Township to request permission to place temporary signage in the public right of way for the Annual Tabernacle Community Fall Festival event on October 23rd.

RESOLUTION 2016-108 AUTHORIZING THE PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR TABERNACLE COMMUNITY FALL FESTIVAL

WHEREAS, a request has been made from Cub Scout Pack 439 and the Education Foundation of Tabernacle for permission to place temporary signage in the public right of way associated with certain Township roads for the week of **October 1st, 2016**; and

WHEREAS, in order to promote the Tabernacle Community Fall Festival on Sunday October 23, 2016 at Seneca High School, request is being made to post signs in various places around the Township; and

WHEREAS, the Township Committee is desirous of assisting Cub Scout Pack 439 and the Education Foundation of Tabernacle in promoting this beneficial activity.

NOW, THEREFORE, BE IT RESOLVED, that the Tabernacle Township Committee, in the County of Burlington, State of New Jersey, does hereby temporarily suspend the zoning regulations prohibiting such signage included in Tabernacle revised Ordinances Chapter 17 Section 22.12 “Off Site Commercial Advertising Signs.”

The Township Committee further hereby authorizes the Cub Scout Pack 439 and the Education Foundation of Tabernacle and/or its representatives to place temporary signage in the public right of way and along Tabernacle public roads to promote this event as aforementioned under the following conditions:

1. All signs shall be placed at least 6 feet off of any paved road surface and shall be placed in the public right of way with adult supervision.
2. All temporary **signs shall be removed within 5 days** after conclusion of the event.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Tabernacle Construction Official.

- On a motion made by Mr. Franzen, seconded by Mr. Barton, Resolution 2016-108 was adopted.
- The motion was amended to include waiving the municipal fee for the construction permit to allow the posting of the 12’ x 3’ sign.

Roll Call: Barton, Franzen, Lee Nays: 0 Absent: 2 Abstain: 0 Motion carried.

Mayor Lee asked the Township Committee for a motion for any agenda item to be on for a meeting to will be submitted to the Clerk’s Office by 4 p.m. Wednesday prior to the meeting to allow the Municipal Clerk’s Office an opportunity to have on the agenda. Agenda items subject to change will be addressed by the Mayor. The motion was made by Mr. Franzen, seconded by Mr. Barton.

Roll Call: Barton, Franzen, Lee Nays: 0 Absent: 2 Abstain: 0 Motion carried.

Amanda Williams, 6 Shearer Court, spoke about being in support of the Township adopting a chicken ordinance.

Christine Headely, 39 Washington Way, spoke about being a new resident to Tabernacle and not knowing of restrictions on chickens and is in favor of the ordinance.

Stuart Brooks, Moores Meadow Road, spoke of liking the idea of having the items submitted to the Clerk in advance for the agenda for public comment.

Closed to the public.

Adjournment

On a motion made by Mr. Barton, seconded by Mr. Franzen the meeting of September 26, 2016 was adjourned at 8:22 p.m.

Respectfully submitted,

La Shawn R. Barber, RMC/CMR
Municipal Clerk

Approved: 10/24/2016