

## Tabernacle Township Committee Minutes June 10, 2013

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**Call to Order:** Mayor Stephen V. Lee, IV called the meeting to order at 7:30 p.m., followed by the Pledge of Allegiance to the flag.

The Township Clerk read the Sunshine Notice Statement as follows:

**Sunshine Notice:** This meeting is called pursuant to the Open Public Meetings Law. This meeting of June 10, 2013 was included in a list of notices 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:

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

### Also In attendance:

- Douglas A. Cramer, Township Administrator
- Terry W. Henry, Chief Finance Officer
- Peter C. Lange, Jr. Township Solicitor
- La Shawn R. Barber, RMC, Township Clerk

### **Public Comment on agenda items only**

Fran Brooks, 78 Moores Meadow Road, questioned the percent increase for Resolution 2013-84.

Mr. Cramer spoke of it being two percent.

Ms. Brooks further wanted clarified the amount that the Township will be using \$132K as a target for the EMS Power Stretcher and Loading System.

No further comments. Closed to the public.

### Approval of Bills

- On a motion made by Ms. Brown, seconded by Mr. Franzen, to approve the bills as presented. Upon a roll call, the vote was unanimous and the motion carried.

**Roll Call: Barton, Brown, Franzen, Lee                      Ayes: 4                      Nays: 0**

### Old Business: Discussion – Vacant Property Ordinance

Mr. Lange spoke that the vacant property ordinance is ready to be proposed, as there were no comments received by his office. There were no amendments made to the latest version as discussed at the regular meeting.

Mr. Franzen spoke of a neighboring property that was a problem and would like to see this ordinance introduced by title.

### **ORDINANCE 2013-5: AN ORDINANCE OF THE TOWNSHIP OF TABERNAACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY REGULATING THE MAINTENANCE OF VACANT AND ABANDONED PROPERTIES**

- On a motion made by Mr. Franzen, seconded by Ms. Brown, Ordinance 2013-5, first reading, was offered for adoption. Carried.

- Public Hearing Date: June 24, 2013 at 8:00 P.M.

**Roll Call: Barton, Brown, Franzen, Lee                      Ayes: 4                      Nays: 0**

# Resolutions

## RESOLUTION 2013-84 SETTING OF SPECIFIC SALARIES FOR SPECIFIC EMPLOYEES

**WHEREAS**, the Tabernacle Township Committee has adopted the 2013 Salary Ordinance; and

**WHEREAS**, the Township Chief Financial Officer has recommended increases in consultation with other supervisory personnel and members of the Township Committee.

**NOW THEREFORE BE IT RESOLVED** that the Township Committee hereby sets the following salaries within the guidelines of the 2013 Salary Ordinance.

TITLE	2013 BI-WEEKLY SALARY
Mayor	192.31
Township Committee	192.31
Township Administrator	821.78
Municipal Clerk	1,937.25
Deputy Municipal Clerk	230.97
Director of Public Works	2,848.87
Chief Finance Officer	821.78
Deputy Treasurer	226.44
Tax Collector	1,656.12
Tax Search Officer	52.68
Municipal Improvement Search Officer	52.68
Registrar of Vital Statistics	307.97
Deputy Registrar	112.57
Tax Assessor Secretary	341.90
Land Development Board Secretary	398.89
Construction Official	1,482.54
Zoning Officer	679.52
Technical Assistant to Construction	1,336.20
Code Enforcement Officer	652.27
Plumbing Subcode Official	294.23
Electrical Subcode Official	294.23
Fire Subcode Official	194.85
Fire Protection Inspector	80.28
Office Clerk	1,169.03
Municipal Court Judge	597.00
Municipal Court Administrator	1,430.05
Deputy Court Administrator	108.10
Municipal Court Sound Recorder	48.73
Municipal Court Public Defender	80.02
Municipal Court Prosecutor	360.01
Municipal Court Attendant	91.21
Emergency Management/Safety Coordinator	255.00

PUBLIC WORKS EMPLOYEES	SPECIFIED SALARIES
CLASSIFICATION	MINIMUM
Utility I Supervisor	\$26.52
Utility I (39 years)	\$28.02
Utility I (22 years)	\$23.13
Utility II Parks & Recreation Forman	\$19.38
Utility II	\$17.85

ON CALL SUB-CODE OFFICIAL	SPECIFIED HOURLY SALARIES
Electrical Subcode	\$21.80
Plumbing Subcode	\$21.80
Fire Subcode	\$21.80
Building Subcode	\$21.80

PART TIME EMPLOYEES	SPECIFIED SALARIES
Seasonal Snowplow Driver	\$22.00 hour
Equipment Operator/Seasonal Snowplow Driver	\$27.00 hour

SHARED SERVICE TITLE	2013 BI-WEEKLY SALARY
Construction Official, Building Subcode Official, Building Inspector, Fire Inspector and Code Enforcement Officer <ul style="list-style-type: none"> <li>F.Robert Perri \$9,240</li> </ul>	\$ 355.38
Electrical Subcode Official and Electrical Inspector <ul style="list-style-type: none"> <li>Edward Miceli \$2,475</li> </ul>	\$ 95.19
Plumbing Subcode Official and Plumbing Inspector <ul style="list-style-type: none"> <li>William Rebel \$2,475</li> </ul>	\$ 95.19
Fire Subcode Official <ul style="list-style-type: none"> <li>Thomas L. Thorn, III \$550</li> </ul>	\$ 21.50
Technical Assistant and Zoning Official <ul style="list-style-type: none"> <li>Lisa A. Love \$4,620</li> </ul>	\$ 177.69

Dog Census Warden Salaries: These hourly wages reflect the current salary, which includes time and a half.

- ❑ On a motion made by Ms. Brown, seconded by Mr. Barton, Resolution 2013-84 was offered for adoption. Carried.
- ❑ **Mr. Cramer spoke that it being a two percent increase across the board. There were no salary increases for part time employees, substitution code officials or governing body members.**

**Roll Call: Barton, Brown, Franzen, Lee      Ayes: 4      Nays: 0**

**RESOLUTION 2013-85**

**APPROVING SPECIFICATIONS AND AUTHORIZING TO SOLICIT BIDS FOR 2012 CDBG FUNDING - ARCHITECTURAL BARRIER REMOVAL AT PATTY BOWKER PARK, PHASE III.**

**WHEREAS**, Tabernacle Township has applied for Community Development Block Grant Funding for Phase 3 of ADA compliance projects at Patty Bowker Park; and

**WHEREAS**, Tabernacle Township received a FY 2012 grant from the CDBG in the amount of \$65,000.00. The contract for this project must be completed and paid for by September 30, 2013; and

**WHEREAS**, it is the desire of the Township of Tabernacle to receive sealed proposals for Community Development Block Grant Funding for Phase 3 of ADA compliance projects at Patty Bowker Park; and

**WHEREAS**, sealed proposals will be received by the Township Clerk on June 21, 2013, no later than 10:00 AM, at Tabernacle Town Hall, 163 Carranza Road, Tabernacle, NJ 08088.

**NOW, THEREFORE, BE IT RESOLVED**, the Township Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, hereby approve specifications and authorize Township Clerk to **receive sealed bids for the Architectural Barrier Removal at Patty Bowker Park, Phase III.**

**BE IT FURTHER RESOLVED** that sealed proposals are to be delivered or mailed to the Township Clerk in Tabernacle Township, where sealed bids will be opened on Friday, June 21, 2013 at 10:00 AM.

- On a motion made by Mr. Franzen, seconded by Ms. Brown, Resolution 2013-85 was offered for adoption. Carried.

- Mr. Cramer spoke that this is a continuation of the pathway that has been started in phases 1 & 2 around all the fields that connect back to the concession area and parking lots. In addition there will be partially added with recreation grant money that we anticipate having left over from the concession stand.
- Mr. Morris spoke that this will be advertised in the Burlington County Times tomorrow with receipt of bids on June 21<sup>st</sup> with the hopeful date of award on June 24<sup>th</sup>.

**Roll Call: Barton, Brown, Franzen, Lee                      Ayes: 4                      Nays: 0**

**Resolution 2013-86  
Awarding Contract –New Road Bread & Cheese Run Culvert Replacement**

**WHEREAS**, the Tabernacle Township Committee has received sealed proposals for New Road Bread & Cheese Run Culvert Replacement; 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 June 5, 2013 at 10:00 A.M. for the purpose of awarding a contract for New Road Bread & Cheese Run Culvert Replacement 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 Underground Utilities Corp., 711 Commerce Road, Linden, NJ 07036 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 **\$248,000.00** 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 **Underground Utilities Corp.** 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 Township Clerk to return the bid securities to the following unsuccessful bidders in accordance with NJSA 40A: 11-4:

2	Paramount Enterprises, Inc., 116 Saddlebrook Court, Box 3228, Cherry Hill, NJ 08034.
3	Walters Marine Construction, Inc., 414 Woodbine Ocean View Road, Ocean View, NJ 08230.
4	Mazzara Trucking & Excav. Corp., 276 Jacobstown-New Egypt Road, Wrightstown, NJ 08562.
5	Montana Constr. Corp., Inc., 80 Contant Avenue, Lodi, NJ 07644.
6	Fred M. Schiavone Constr., Inc., 2057 Tuckahoe Road, PO Box 416, Malaga, NJ 08328.
7	Perna Finnigan, Inc., 1921 E. Sherman Avenue, Vineland, NJ 08361.
8	Perna Construction, LLC, 730 9 <sup>th</sup> Street, Hammonton, NJ 08037.
9	Paetzold Construction, Co., Inc., 514 Trenton Road, Browns Mills NJ 08015.
10	Shore Connection, Inc., 304 Forge Road, Unit 10, West Creek, NJ 08092.
11	Mathis Construction Co., Inc., 1510 Route 539, Suite 1, Little Egg Harbor Twp., NJ 08087.

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 and which shall be prepared by or reviewed by the Office of the Township Attorney.
- On a motion made by Mr. Franzen, seconded by Ms. Brown, Resolution 2013-86 was offered for adoption. Carried.
  - Mr. Morris spoke that on June 5<sup>th</sup> we received 11 bids from contractors; the low bid was \$248,000 from Underground Utilities Corporation, Lindon, NJ. Recommendation was made for the award. The bids ranged from \$248,000 - \$566,888.00, our estimate was \$314,000.

**Roll Call: Barton, Brown, Franzen, Lee                      Ayes: 4                      Nays: 0**

**RESOLUTION 2013-87  
APPROVING SPECIFICATIONS AND AUTHORIZING TO SOLICIT BIDS FOR AN  
EMS POWER STRETCHER AND LOADING SYSTEM**

**WHEREAS**, it is the desire of the Township of Tabernacle to receive sealed proposals for an EMS Power Stretcher and Loading System; and

**WHEREAS**, sealed proposals will be received by the Township Administrator on July 11, 2013, no later than 10:00 AM, at Tabernacle Town Hall, 163 Carranza Road, Tabernacle, NJ 08088.

**NOW, THEREFORE, BE IT RESOLVED**, the Township Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, hereby approve specifications and authorize Township Clerk to **receive sealed bids for the EMS Power Stretcher and Loading System.**

**BE IT FURTHER RESOLVED** that sealed proposals are to be delivered or mailed to the Township Administrator in Tabernacle Township, where sealed bids will be opened on July 11, 2013 at 10:00 AM.

- On a motion made by Ms. Brown, seconded by Mr. Franzen, Resolution 2013-87 was offered for adoption. Carried.
- Mr. Barton spoke that he would like to modify the bid for one, two or three as he is not sure of the real need for three. In speaking of his research, there are eight volunteer companies in Burlington County out of forty towns that have these type stretchers, and none of them have three, other than Moorestown. Most towns only have one. Mr. Barton spoke that he would like to be convinced why we would need three. These are very expensive and expensive to maintain.
- Mr. Cramer spoke about the ability to modify the bid for a price on a single and to list it as a possibility of up to three.
- Mr. Lange spoke about additional modification to add language of the public bidding statute exists to promote as much competition as possible, not only for one particular brand or type of item, but for competing. Methodologies and manufacturers for same or similar substantially similar types of items that would perform in the same way. We have an obligation to invite that to see what else might be out there. In order to be compliant with the public bidding statute we have to invite the alternates and not write it in such a way that no one can make an offer. The following language will be added to include any manufacturer or seller of an alternate system offering the same or similar functionality, and offering substantially the same or similar performance standards is invited to submit a bid as a same or substantially similar product. Also, the Township can reject any and all bids for any reason or for no reason.
- Mr. Franzen expressed that he is fine with the additional modification language added with respect to the statute; however expressed that he is not in agreement with one or two of these devices. Mr. Franzen spoke that he is comfortable with the original bid.
- Mayor Lee expressed that this would allow us the option to buy.
- Ms. Brown amended her motion to reflect the changes to the specifications, Mr. Franzen seconded the motion.

**Roll Call:    Ayes: Barton, Brown, Lee                      Nays: Franzen                      Absent: Yates**

**RESOLUTION 2013-88  
REDEMPTION OF MUNICIPAL TAX LIEN**

**WHEREAS**, the Tax Collector has received full payments for Municipal Tax Sale Certificates held by Tabernacle Township; and

**WHEREAS**, the Tax Collector has recommended that the following Municipal Tax Sale Certificate be cancelled:

<b>Certificate Number</b>	<b>Block/Lot</b>	<b>Payment Received</b>
#12-00010	324/5	\$7,138.68

**AND;**

**WHEREAS**, the Tax Collector has recommended that this aforementioned tax sale certificates be redeemed as per Township lien placed on the block and lot.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Tabernacle, in the County of Burlington, State of New Jersey, that the tax sale certificate be cancelled.

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign it, and Township Clerk is authorized to forward a copy of this Resolution to the Tax Collector.

- On a motion made by Ms. Brown, seconded by Mr. Franzen, Resolution 2013-88 was offered for adoption. Carried.

**Roll Call: Barton, Brown, Franzen, Lee                      Ayes: 4                      Nays: 0**

**RESOLUTION 2013-89  
RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE FOR LEISURE TIME  
INNS, INC. / TABERNACLE INN.**

**WHEREAS**, Tabernacle Township has received an application for renewal of Plenary Retail Consumption License for the 2013-2014 term for the following license premise:

1. 0335-33-001-004 \* Leisure Time Inns, Inc./ Tabernacle Inn - 1488 Route 206, Tabernacle, NJ 08088

**WHEREAS**, the law requires that an Alcoholic Beverage Licensee Retail Clearance Certificate must be granted by the Division of Taxation prior to renewal; and

**WHEREAS**, all fees have been deposited and required paper work filed with the Township Clerk having no written objections filed opposing the renewal application.

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

1. The Township Committee does hereby find that the applicants are qualified to be licensed according to all Statutory, Regulatory, and local governing ABC laws and regulations.

**BE IT FURTHER RESOLVED**, as per Title 33, the Township Clerk is authorized to issue said licenses for the year **2013-2014** and files a certified copy of this Resolution with the New Jersey Division of Alcoholic Beverage Control.

- On a motion made by Mr. Franzen, seconded by Mr. Barton, Resolution 2013-89 was offered for adoption. Carried.

**Roll Call: Barton, Brown, Franzen, Lee                      Ayes: 4                      Nays: 0**

**RESOLUTION NO. 2013-90  
RE: AMENDING 2013 INVESTMENT OF FUNDS RESOLUTION**

**Whereas**, the Treasurer is required to invest Township monies in order to earn interest on idle funds.

**Now, Therefore, Be It Resolved**, by the Township Committee of the Township of Tabernacle, in the County of Burlington, State of New Jersey, that the following institutions be and are hereby designated for investment purposes only for the Township of Tabernacle:

**1. ALL BANKS AND CREDIT UNIONS THAT ARE COVERED BY THE GOVERNMENTAL UNIT DEPOSITORY PROTECTION ACT (GUDPA) AS AUTHORIZED BY THE STATE OF NEW JERSEY**

**Be It Further Resolved**, the Treasurer is authorized to wire monies to any of the above, in the name of Tabernacle Township in order to obtain the best interest.

- On a motion made by Ms. Brown, seconded by Mr. Franzen, Resolution 2013-90 was offered for adoption. Carried.
- **Mr. Henry spoke that credit unions were added and municipalities are allowed to invest, as they are offering higher rates of money market rates. We want to reflect the change in our adopted Resolution.**

**Roll Call: Barton, Brown, Franzen, Lee                      Ayes: 4                      Nays: 0**

## New Business

### Shared Service Energy Aggregation Program

Mr. Cramer held discussion about the Shared Service Energy Aggregation Program put through the legislature which opens it up to the residents and commercial users within your township. The Township would have a couple of choices down the road to decide. Residents will have to opt to be out of the program, commercial businesses will have to opt in the program. It was clear that the County would take the lead to set up meetings and prepare advertisements making sure all the residents knew exactly what was going on. Township Committee is being asked by July 1<sup>st</sup> to send in a non-binding statement of interest in participation.

Committeeman Barton expressed that he looks at this as slamming someone into something until they make a positive move to get out.

Mayor Lee expressed that the Committee will kick this around within the next two weeks and makes a decision at the next meeting.



### Tabernacle Board of Fire Commission

Two members of the Commission were in attendance to discuss the vote for a fire truck on July 6<sup>th</sup> on the upcoming ballot. Rudy Saldan (Summit Drive) and Michael Callaghan (Moore Road West) were in attendance.

Mr. Saldan spoke about the upcoming special election is for a new pumper to come into Medford Farms Volunteer Fire Company. Truck 4311 is twenty years old and time for a replacement.

Mr. Callaghan spoke about their debt soon to be retired this year and asking for \$650,000 for a new pumper which would include everything that goes on the vehicle.

Mr. Franzen questioned the replacement of other trucks in the near foreseeable future.

There was discussion on the July 6<sup>th</sup> date, which is a fourth of July weekend having a lot of people on vacation. Mr. Franzen expressed a way to allay some of the fears that people may be thinking that you are trying to push it through when no one is around, is to obtain an absentee ballot. At this point he urged that a fact sheet mailing be put out to explain that people will have an opportunity to vote.



### **Report of the Township Administrator**

Request received from Joe Hanley Sr., Patty Bowker Road, regarding a paper street of Lenape Trail, asked for it to be vacated. Mr. Cramer would like the Solicitor to look into it and report back to the Committee at its July meeting.

Seeing that there were no objections from the Committee, Mr. Lange will research the history of the dedication and determine the practical result of vacating the road and if any public purpose exists for the road or what effect it may have on township operations.

### **Report of the Township Solicitor**

Mr. Lange provided a brief report on traffic restrictions and posting in which he advised that any action taken to regulate any motor vehicle traffic in State Forest would be preempted to the extent that there is a State statute that establishes that regulation.

### **Report of the Township Engineer**

The revised digitized road maps were delivered to the Township. This will be used as a base plan for zoning and tax maps eventually for the Township.

South Jersey Gas is back in town now working in the area of Anne, Lee and Summit Drive. There are 44 openings in that area alone. South Jersey Gas is planning 40-60 miles of gas mains in Tabernacle within five years.

We are finalizing the local road program basically for Flyatt Road and Patty Bowker. In addition, finalizing the Medford Lakes Road Improvement project in which the Township received \$205,000 grant from NJDOT.

### **Report of the Township Committee**

Mayor Lee advised that there will be a lot of traffic activity specifically in the area of Patty Bowker because Tabernacle Athletic Association has their Pinelands Tournament this weekend.

Mayor Lee reported that he will also be attending the Seneca graduation.

### **Public Comment**

Mayor Lee opened the meeting for public comment and spoke for an effort to try to improve the efficiency of our meeting; he is asking for comments be limited to about three (3) minutes and have residents be prompt and direct in their comments to the Committee.

Betsy Piner, Tabernacle Recreation Committee, announced that on June 20<sup>th</sup> at 7:00 p.m. the American Legion Post 11 of Mount Holly will host showing a film on the Carranza Memorial which will be held at the old rescue squad building. This is open to the public.

Fran Brooks, 78 Moores Meadow Road, spoke of the traffic ordinance speed limit on Carranza Road to Moores Meadow has to be modified or amended because of the park near the Wharton Track and further spoke of her concern of the turtle emergence as she opinioned the speed limit being too high.

Mr. Lange explains the difference is that the State NJDOT sets the speed limit to lead the charge as it is posted.

Ms. Brooks made comments about the fire truck and spoke that Nancy Freeman, Treasurer for the fire district, was not in attendance and she spoke of her having a strong understanding of discussing the budget. Ms. Brooks further spoke that there being justification for the truck coming on the ballot during the summer and it has to do with the budget. It is unfortunate that there is a lot of misinformation and misunderstanding. The bottom line is if people vote it down there will not be a truck over at the emergency services building.

Ms. Brooks raised question regarding the policy of non-township participants for TAA and payments thereof and asks the position of the Township Committee with respect to reimbursement.

Ms. Brooks spoke about vendor bills and the amount of time the Township is required to pay the bill.

- At this time, Mayor Lee turned the gavel over to Committeeman Franzen since he had to leave the meeting.

Stuart Brooks, Moores Meadow Road, spoke about the previous litigation between the fire company and rescue squad as it was stated that the fire company did not have access to the emergency squad building because the litigation was on going. Now that the litigation has been settled, questioned if access to the emergency services building has been provided.

Mr. Franzen spoke that it will be looked into and that an answer will be provided by the next meeting.

Mr. Brooks spoke about TAA records and suggest the Township ask for their records to bridge the lack of records that exist in the Township.

**New Business.** Seeing there was no new business before the Township Committee, Mr. Franzen moved forward to adjournment.

**Adjournment.** The motion was made by Ms. Brown, seconded by Mr. Barton to adjourn the meeting at 8.37 p.m.

**Roll Call:      Ayes: Barton, Brown, Franzen      Nays: 0      Absent: Yates, Lee**

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Respectfully submitted,

La Shawn R. Barber, RMC/CMR  
Township Clerk

**Approved: 07/22/2013**