

MINUTES OF THE TOWNSHIP COMMITTEE WORKSHOP TOWN HALL MEETING OF AUGUST 11, 2014

The meeting was called to order by Mayor Joseph Barton followed by the flag salute.

Sunshine Notice: This meeting is called pursuant to the Open Public Meetings Law. This meeting of **August 11, 2014** 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:

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

Also In attendance:

Terry W. Henry, Chief Finance Officer
Eileen Baitzel, Deputy Township Clerk
Elaine Kennedy, RMC

Mayor Barton invited Sgt. Ditmier from the Red Lion State Police Barracks to make a report before the meeting proceeded.

Sgt. Ditmier reported the State Police's pro-active approach caused substantial progress in addressing the drug abuse situation in Tabernacle as reported by its residents at a previous township meeting. A large number of arrests have been made; and that the residents should see a marked improvement. He reported that he had not seen very many "No Trespassing" signs posted by the residents and felt that should be better addressed. He reported that the State Police had even been using helicopter surveillance in attempts to keep track of activities pertaining to drug sales and the use of ATV's that had been reported as creating noise and nuisance issues. Unfortunately, no ATVs had been spotted. Mr. Lange provided a definition of eluding in that anyone attempting to avoid arrest or capture could be subject to felony charges. Sgt. Ditmier reported that a number of new State Trooper recruits were expected to join the force soon and that should bolster their ranks.

Committeemen Lee and Yates both expressed appreciation to Sgt. Ditmier for the efforts afforded by the Red Lion State Police Barracks and Mayor Barton encouraged the residents to be proactive in contacting the police if they have any concerns. Mr. Lees advised the residents that Sgt. Ditmier grew up in Tabernacle. Sgt. Ditmier advised the Governing Body to advise him if there were issues in other areas of the township.

The Public was invited to make comments to Sgt. Ditmier.

Ken Hall of 66 Summit Drive spoke of the very professional conduct of the troopers and thanked them for all their efforts in addressing the concerns of his fellow residents.

Being no further comment from the public, Mayor Barton closed public comment.

The Committee thanked Sgt. Ditmier for his report.

Public Comment on Agenda Items Only

Ken Hall, 66 Summit Drive -- questioned what the procedure was for the introduction of the Rental Ordinance. Mr. Lange outlined the procedure.

Public Comments Closed.

Approval of Bills

- On a motion made by Ms. Brown, seconded by Mr. Lee, the bills were ordered paid.

Roll Call: Brown, Lee, Yates, Barton Ayes: 4 Nays: 0

Motion carried.

First Reading: An Ordinance of the Township of Tabernacle, County of Burlington and State of New Jersey Establishing Rental Property Regulations and Licensing Requirements

On a motion made by Ms. Brown, seconded by Mr. Lee Ordinance 2014-4, on first reading was offered for introduction with public hearing to be held at the 8/25/2014 Regular Meeting..

Roll Call: Brown, Lee, Yates, Barton Ayes: 4 Nays: 0

Motion carried.

Resolutions

Resolution 2014-129

Re: Extending Third Quarter Tax Payment Grace Period

Whereas, State approval of the 2014 Budget was delayed and the tax rate could not be certified until final approval was given by the Department of Community Affairs; and

Whereas, Governor Whitman signed into law A179 as P.L. 1994, Chapter 72, which statute provides taxpayers a minimum 25 day payment period from the date tax bills is mailed.

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 grace period for the 2014 Third Quarter Tax payment is extended to 25-day payment period from the date tax bills are mailed resulting in a tax payment deadline of September 2, 2014.**

Be It Further Resolved, certified copies of this resolution be forward to the Tax Collector, Auditor and Treasurer.

- On a motion made by Mr. Yates, seconded by Mr. Lee, Resolution 2014-129 was offered for adoption.

Roll Call: Brown, Lee, Yates, Barton Ayes: 4 Nays: 0

Motion carried.

**RESOLUTION 2014-130
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, 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: 2014-09 – Off Premise Draw (Super 50/50).....Date: 01/24/2015 or 01/31/2015**
Snow date

Ticket Sale: 11/01/2014 – 01/24/2015Hours: 10:00 p.m.

- b) **RA: 2014-10 – On Premise Draw (Merchandise).....Date: 01/24/2015 or 01/31/2015**
Snow date

Ticket Sale: 01/24/2015Hours: 7:00 p.m. to 10:00 p.m.

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.

- **Doctrine of Necessity was invoked because majority members of the Committee have a connection with the church thereby allowing the Governing Body to take action on this local issue.**

- On a motion made by Mr. Lee, seconded by Ms. Brown, Resolution 2014-130 was offered for adoption.

Roll Call: Brown, Lee, Yates, Barton Ayes: 4 Nays: 0

Motion carried.

RESOLUTION 2014-131

PRELIMINARY APPROVAL EASEMENT PURCHASE FOR FARMLAND PRESERVATION OF GRACE ABRAMS BLOCK 1002 LOT 6.

WHEREAS, the Township of Tabernacle is committed to preserving, to the extent possible, farmland within the Township for the benefit of the citizens of the Township of Tabernacle as well as for the County of Burlington and for the State of New Jersey; and

WHEREAS, the Burlington County Agriculture Development Board has accepted the application of Grace Abrams, Block 1002 Lot 6 into the 2014 Farmland Preservation Easement Purchase Program; and

WHEREAS, it is in the best interests of the citizens of the Township of Tabernacle to approve the applications of the above farm for consideration into the 2014 Farmland Preservation Easement Purchase Program;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tabernacle, County of Burlington and State of New Jersey that they support preservation of the properties listed above through the Burlington County Farmland Preservation Program.

- On a motion made by Mr. Lee seconded by Mr. Yates , Resolution 2014-131 was offered for adoption.

Roll Call: Brown, Lee, Yates, Barton Ayes: 4 Nays: 0
Motion carried.

Old Business

- Mr. Lange reported for the Committee his conversation with Mr. Pagliuso explaining that the Committee had been very patient with Mr. Pagliuso's delays in completing the improvements required at Budd Court. He had advised Mr. Pagliuso that if the improvements were not completed immediately the alternative would involve proceedings to make a claim against the irrevocable letter of credit. Mr. Pagliuso was asked to propose a plan for immediate completion of the work. Mr. Pagliuso had requested to be heard by the Committee at the meeting. At this point Mr. Pagliuso was invited to speak before the Committee.

Mr. Pagliuso, Medford, NJ informed the Committee that he had originally developed 5 houses for Budd Court. Three had been sold and one has been listed for almost four years. The last lot has not been built upon. The recession has hit him hard and he does not have any finances to complete the project until the last properties are sold as that is where the profit lies. He asked the Committee for an extension. He felt he could address the landscaping issues in the fall. If the housing market got better in the spring, he could hopefully sell the remaining properties and then he would have the money to finish the road.

Kim Brown questioned him about the status of the detention basin that had not been addressed. Mr. Pagliuso did not have that on his checklist of items. It came to light that the last report he had from the engineer was based on that of Lord, Worrell & Richter and not the report that Alaimo Group had presented. Mr. Lee felt that the road work was more important than the landscaping. Mr. Yates

commented that the Township cannot take possession of the road until all the work had been completed. Mr. Pagliuso was adamant that he did not have the funds at this time to complete that work. He was willing to address the landscaping in the fall. Peter Lange asked Mr. Pagliuso to compose a letter outlining when he anticipated addressing the matters on the checklist and have this letter presented before the next meeting.

- Mayor Barton reported that he and Mr. Lee had met as part of the subcommittee to discuss the candidates for the Township Prosecutor position and were making a recommendation to the rest of the Committee that their choice of candidate was Christopher K. Koutsouris.

**Resolution 2014-132:
A Resolution Appointing A Temporary Township Prosecutor**

WHEREAS, Tabernacle Township Committee has since become aware of the need to fill the position of a Temporary Township Prosecutor after Mark Tarantino submitted his resignation from the Township of Tabernacle; and

WHEREAS, recommendation was made by the Tabernacle Township Committee to appoint Christopher K. Koutsouris of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors of 620 West Lacey Road, Forked River, NJ 08731 as the Temporary Township Prosecutor on the basis of his qualifications, experience and certification as a Counsellor at Law.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, hereby approve the appointment for Christopher K. Koutsouris as **Temporary Township Prosecutor for the Township of Tabernacle for a salary of \$367.20 per session, effective September 1, 2014.**

- On a motion made by Mr. Lee, seconded by Mr. Yates, Resolution 2014-132 was offered for adoption.

Roll Call: Brown, Lee, Yates, Barton Ayes: 4 Nays: 0
Motion carried.

REPORTS:

Report of the Township Solicitor

Mr. Lange spoke that he had an item for discussion to be held in Executive Session concerning the William C. Kirsch matter.

Committee Reports

Mr. Lee reported that he had attended Boy Scout Troop 439 camping expedition in Pennsylvania. He reported that the troop from Tabernacle was very professional and orderly in the parade. Mr. Lee also reported he had attended the Girl Scout rededication ceremony of the new dam at Camp Inawendawin.

Mayor Barton gave a report that the Committee had received a letter signed by ten residents living on or near the Patty Bowker Road area complimenting all who had worked on the realignment project. They reported that the road was much safer due to this work on Patty Bowker Road.

Public Comment

Fran Brooks, 78 Moores Meadow Road – thanked the Committee for supplying her request for the Tabernacle Rescue Squad budget information. She passed copies to the Committee and asked if the notes in the margins were that of Mayor Barton only or of other Committee members. Mayor Barton replied that the notes were his alone. Ms. Brooks asked if a rebuttal had been submitted to the Local Finance Board yet, to which Mr. Lange advised that they had not at this time.

Ian McDowel, 14 New Road – spoke to the Committee that he was concerned about the decrease in the number of members who were responding to emergency calls and believed it was a direct result of the Committee’s decision to dissolve the Fire District. Mr. Lange asked Mr. McDowel if this lack of response was being done for spite. Mr. McDowell also stated that this has stopped the construction of the new fire truck that had been authorized by the voters. The camaraderie is low and believes that the petition was a cancer to the organization. He also commented that he had not seen any report from the Committee and wanted to know if they were ever going to see it.

Stuart Brooks, 78 Moores Meadow Road – felt that he had to comment on Mr. Lange’s comment about being the lack of response being done for spite. He asked how the Committee intended to fix this problem.

Closed to the public.

Executive Session Resolution

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss ongoing litigation in the matter of Township of Tabernacle v. William C. Kirsch, (45 North Drive). Pursuant to NJSA10:4-12(B) (7) these matters will be discussed in a closed session from which the public shall be excluded.

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED, that the public be excluded from this meeting.

- On a motion made by Mr. Franzen, seconded Mr. Yates. **Closed to the public at 8:35p.m.**

Roll Call: Those in favor: 4 Opposed: 0

Rreopen. Mayor Barton reconvened to the regular meeting at 8:44 p.m.

Roll Call: Those in favor: 4 Opposed: 0

Adjournment

Ms. Brown made a motion to adjourn and it was seconded by Mr. Yates. Committee agreed to adjourn the meeting at 8:47 PM.

Respectfully submitted:

Eileen Baitzel
Deputy Township Clerk