

# TABERNACLE TOWNSHIP COMMITTEE MINUTES OF AUGUST 26, 2013

The meeting was called to order by Mayor Stephen V. Lee, IV followed by the flag salute.

**Sunshine Notice:** This meeting is called pursuant to the Open Public Meetings Law. This meeting of **August 26, 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: Those in attendance were:**

**Governing Body**

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

**Professionals**

Douglas Cramer, CPWM, Administrator  
Frank S. Morris, Engineer  
Terry Henry, Chief Finance Officer  
Peter C. Lange, Jr., Esq. Solicitor  
La Shawn R. Barber, Township Clerk



**PUBLIC COMMENT:**

Fran Brooks, 78 Moores Meadow Road, questioned the contents of Corrective Action plan Resolution.

Chief Finance Officer Henry spoke of it being a couple of items in the audit and the Resolution would address those items. It was noted during the audit that the change fund in the Municipal Court was short by \$20.00. It was also noted that the Township did not maintain an accurate journal ledger accounting for the trust fund.

There were no further public comments.

**P****ROCLAMATION:** Members of the Township Committee presented proclamations to members of the Russo Family.



***Proclamation***

**Whereas**, the **Anthony and Mildred Russo, Jr. Family** having established their family farm in the Township of Tabernacle in 1940; and

**Whereas**, they began a successful farming operation growing fruits and vegetables and later a highly successful retail and wholesale operation; and

**Whereas**, the business has continued to grow and prosper benefiting the residents of Tabernacle and our surrounding communities under the guidance of their children, grandchildren and great-grandchildren who honor the traditions, values, and work ethic inspired by **Anthony and Mildred Russo, Jr.**; and

**Whereas**, The Township of Tabernacle has benefited from the service of Anthony Jr. and Joseph Casano as former members of the Township Committee and Planning Board, respectively and;

**Whereas**, many of the churches, schools, volunteer organizations and Township of Tabernacle have benefited from the generosity of the Russo family; and

**Whereas**, this family's efforts should be recognized to demonstrate how an effectively run family farm business can be beneficial to the region creating and enhancing the type of community that residents are proud to call home and others seek to live in.

**Now Therefore**, we the members of the Tabernacle Township Committee on the 12<sup>th</sup> Day of August 2013 present this Proclamation to **Natalie Casano, Madeline Capelli** and **Anthony Russo, III** in memory of their parents **Anthony and Mildred Russo, Jr.** and recognize their multi-generational family's efforts to continue the legacy of hard-work, citizenship and volunteerism begun by their parents many years ago in

serving this community and wish them well as they continue their essential work in the Township of Tabernacle.



#### **APPROVAL OF BILLS**

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

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

#### **APPROVAL OF MINUTES**

- On a motion made by Mr. Barton, seconded by Ms. Brown, the minutes of **July 22, 2013 regular meeting** was offered for adoption.

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

## **Resolutions**

**Discussion:** Members of the Township Committee had discussion regarding open ended street openings permits. It was suggested for the Township Engineer give South Jersey Gas a deadline for completing the ongoing project.

#### **RESOLUTION 2013-115**

**RE: APPROVING STREET OPENING PERMIT FOR SOUTH JERSEY GAS COMPANY.**

**WHEREAS**, South Jersey Gas Company, Rt. 54 Folsom, New Jersey 08034 has applied for a street opening permit for installing gas main at the following location of Tabernacle Township: **6 Winchester Court (Block 804.01, Lot 6.02); and**

**WHEREAS**, the Township Engineer reviewed said application and schematic for approval of this installation and recommends that a permit be issued with these following stipulations and this permit will be contingent upon all fees and permits paid and bonds posted as required in Tabernacle Township General Code Ordinances.

**WHEREAS**, this resolution and the street opening authorized herein are specifically conditioned upon the applicant meeting the following requirements.

1. The Township Engineer shall be notified at least 48 hours in advance on any construction.
2. All asphalt paving openings must be restored with the following specification:
  - a. Two inch (2" thick, Hot Mixed Asphalt (HMA 9.5M64), which replaces the Marshall mix design, top course. All top course paving must be completed 48 hours after installing stabilized base paving.
  - b. Six inch (6" thick, HMA 19M64, stabilized base course
  - c. 20:1 sand/cement subbase
  - d. Provide tack coat on all surfaces before paving
3. All non-asphalt pavement restorations (i.e. lawns, etc. shall be completed within 30 days. All lawns shall be restored with sod. The Township Engineer shall approve all other restorations.
4. Inspection escrow must be posted with the Township before start of construction.
5. The applicant must provide all outside agency approvals, as required.
6. SJG contractor will notify all residents along proposed pipeline path prior to construction start. Along with this notification, homeowners will be asked to notify contractor of any items of concern that relate to their property (underground private structures such as sprinklers, property markers, septic and wells, etc. along with landscaped areas.
7. SJG Contractor will attempt to meet with residents during the construction project to address concerns they might have.
8. SJG contractor will videotape area where pipeline is to be installed prior to construction start for documentation purposes.
9. Proposed pipeline will be installed by a combination of bore, plow and open-cut methods. Bore and plow are the preferred means of method, but open cutting of trench during construction project will occur, but contractor will make effort to keep at a minimum.
10. SJG contractor will restore all areas disturbed to same conditions and all non-vegetated areas must be reseeded.

11. All Township roads and paved driveways must use bore method of installation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of Tabernacle Township, in the County of Burlington, State of New Jersey, hereby approves said application of a street opening permit for installation of gas services.

**BE IT FURTHER RESOLVED** that this resolution and the street opening authorized herein is specifically conditioned upon the applicant installing all pipelines under private paved driveways and public streets by boring under the private paved driveways and public streets. The applicant is not authorized to install pipeline by openly trenching through paved private driveways located in the right of way and/or public utility easement nor through public streets.”

- On a motion made by Mr. Franzen, seconded by Mr. Barton, **Resolution 2013-115** was offered for adoption.

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

#### **RESOLUTION 2013-116**

#### **RE: APPROVING STREET OPENING PERMIT FOR SOUTH JERSEY GAS COMPANY.**

**WHEREAS**, South Jersey Gas Company, Rt. 54 Folsom, New Jersey 08034 has applied for a street opening permit for installing gas main at the following location of Tabernacle Township: **150 Flyatt Road (Block 802.01, Lot 30); and**

**WHEREAS**, the Township Engineer reviewed said application and schematic for approval of this installation and recommends that a permit be issued with these following stipulations and this permit will be contingent upon all fees and permits paid and bonds posted as required in Tabernacle Township General Code Ordinances.

**WHEREAS**, this resolution and the street opening authorized herein are specifically conditioned upon the applicant meeting the following requirements.

1. The Township Engineer shall be notified at least 48 hours in advance on any construction.
2. All asphalt paving openings must be restored with the following specification:
  - a. Two inch (2” thick, Hot Mixed Asphalt (HMA 9.5M64, which replaces the Marshall mix design, top course. All top course paving must be completed 48 hours after installing stabilized base paving.
  - b. Six inch (6” thick, HMA 19M64, stabilized base course
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  - d. Provide tack coat on all surfaces before paving
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5. The applicant must provide all outside agency approvals, as required.
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authorized to install pipeline by openly trenching through paved private driveways located in the right of way and/or public utility easement nor through public streets.”

- On a motion made by Mr. Franzen, seconded by Mr. Barton, **Resolution 2013-116** was offered for adoption.

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

#### **RESOLUTION 2013-117**

**RE: APPROVING STREET OPENING PERMIT FOR SOUTH JERSEY GAS COMPANY.**

**WHEREAS**, South Jersey Gas Company, Rt. 54 Folsom, New Jersey 08034 has applied for a street opening permit for installing gas main at the following location of Tabernacle Township: **26 Woodside Drive (Block 309, Lot 14); and**

**WHEREAS**, the Township Engineer reviewed said application and schematic for approval of this installation and recommends that a permit be issued with these following stipulations and this permit will be contingent upon all fees and permits paid and bonds posted as required in Tabernacle Township General Code Ordinances.

**WHEREAS**, this resolution and the street opening authorized herein are specifically conditioned upon the applicant meeting the following requirements.

1. The Township Engineer shall be notified at least 48 hours in advance on any construction.
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  - a. Two inch (2” thick, Hot Mixed Asphalt (HMA 9.5M64, which replaces the Marshall mix design, top course. All top course paving must be completed 48 hours after installing stabilized base paving.
  - b. Six inch (6” thick, HMA 19M64, stabilized base course
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3. All non-asphalt pavement restorations (i.e. lawns, etc. shall be completed within 30 days. All lawns shall be restored with sod. The Township Engineer shall approve all other restorations.
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- On a motion made by Mr. Franzen, seconded by Mr. Barton, **Resolution 2013-117** was offered for adoption.

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

**RESOLUTION 2013-118**

**RE: APPROVING STREET OPENING PERMIT FOR SOUTH JERSEY GAS COMPANY.**

**WHEREAS**, South Jersey Gas Company, Rt. 54 Folsom, New Jersey 08034 has applied for a street opening permit for installing gas main at the following location of Tabernacle Township:

**6 Woodside Drive (Block 309, Lot 6); and**

**WHEREAS**, the Township Engineer reviewed said application and schematic for approval of this installation and recommends that a permit be issued with these following stipulations and this permit will be contingent upon all fees and permits paid and bonds posted as required in Tabernacle Township General Code Ordinances.

**WHEREAS**, this resolution and the street opening authorized herein are specifically conditioned upon the applicant meeting the following requirements.

1. The Township Engineer shall be notified at least 48 hours in advance on any construction.
2. All asphalt paving openings must be restored with the following specification:
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- On a motion made by Mr. Franzen, seconded by Mr. Barton, **Resolution 2013-118** was offered for adoption.

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

**RESOLUTION NO. 2013-119**

**GRANTING RAFFLE LICENSES TO THE CHURCH OF THE HOLY EUCHARIST**

**WHEREAS**, the **Church of the Holy Eucharist** has filed an application with the Township Committee for raffle licenses to conduct raffles and the applicant has paid the proper fees for said licenses; and



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 Mr. Yates, **Resolution 2013-120** was offered for adoption.

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

**Resolution 2013-121**

**Awarding Contract – 2013 NJDOT Municipal Aid Project – Medford Lakes Road**

**WHEREAS**, the Tabernacle Township Committee has received sealed proposals for **N.J.D.O.T Municipal Aid Project – Medford Lakes Road**; 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 21, 2013 at 10:00 P.M. for the purpose of awarding a contract for **N.J.D.O.T Municipal Aid Project – Medford Lakes Road** 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 American Asphalt Co., Inc., 116 Main Street, W. Collingswood Hgt., NJ 08059 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 **\$236,272.95** 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 **American Asphalt Co., Inc.** 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:

1	Earle Asphalt Company, 1800 Hwy. 34, PO Drawer 556, Farmingdale, NJ 07727.
2	GWP Enterprises, Inc., 4344 Tuckahoe RD, P.O. 498, Franklinville, NJ 08322.
3	Bogey’s Trucking & Paving, Inc., 1779 Delsea Drive, Depford, NJ 08096.
4	A.E. Stone, 1435 Doughty Road, Egg Harbor Twp., NJ 08234.
5	G.A. Barrett, LLC., 329 Lakedale Road, Berlin, NJ 08009

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 Ms. Brown, seconded by Mr. Franzen, **Resolution 2013-121** was offered for adoption.

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

**RESOLUTION 2013-122**

**A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE AUTHORIZING THE PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR PINE BARRENS NATIVE FRUITS, LLC.**

**WHEREAS**, a request has been made for permission to place temporary signage in the public right of way associated with certain Township roads for the month of September till the end of October 2013; and

**WHEREAS**, the request has been made by **Pine Barrens Native Fruits, LLC** in order to promote their upcoming **Cranberry Harvest Tour** which will take place **October 4th through 26<sup>th</sup>, 2013**; and

**WHEREAS**, the Township Committee is desirous of assisting the Pine Barrens Native Fruits, LLC 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 **Pine Barrens Native Fruits, LLC** and/or its representatives to place temporary signage to promote this event as aforementioned under the following conditions:

1. This signage shall be placed on Block 801, Lot 1 in Tabernacle Township.
2. This temporary **sign 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 Construction Official and Pine Barrens Native Fruits, LLC.

- On a motion made by Mr. Yates, seconded by Mr. Franzen, **Resolution 2013-121** was offered for adoption.

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

**Resolution 2013-123**

**RE: Accepting the Corrective Action Plan for Municipal Audit**

**WHEREAS**, on July 22, 2013 the Committee of the Township of Tabernacle accepted the 2012 Audit Report by virtue of Resolution 2013-106; and

**WHEREAS**, a Corrective Action Plan was required; and

**WHEREAS**, the Chief Financial Officer has submitted a Corrective Action Plan that is on file.

**THEREFORE, BE IT RESOLVED**, that the Tabernacle Township Committee does acknowledge the receipt of the Corrective Action Plan.

**BE IT FURTHER RESOLVED**, that the Township Clerk be directed to forward a copy of this Resolution to the Division of Local Government Services.

- On a motion made by Ms. Brown, seconded by Mr. Franzen, **Resolution 2013-123** was offered for adoption.

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

**RESOLUTION 2013-124**

**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 2013 BUDGET ENTITLED "RECEIVED FUNDING FROM THE NJDOT FISCAL YEAR 2013 MUNICIPAL AID PROGRAM FOR MEDFORD LAKES ROAD IN THE AMOUNT OF \$205,000.00."**

**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 equal amount, and

**WHEREAS**, the Township of Tabernacle has received **\$205,000.00** from **NJDOT** and wishes to amend its 2013 Budget to include this amount as revenue.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the Township Committee 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 2013 in the sum of **\$205,000.00** which is now available as revenue from:

- State & Federal Grant Fund: NDOT Local Aid Grant – Medford Lakes Road.
- Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

**BE IT FURTHER RESOLVED** that the sum of **\$205,000.00** be hereby appropriated under the caption State & Federal Grant Fund:

- NJDOT GRANT – MEDFORD LAKES ROAD.

- On a motion made by Mr. Franzen, seconded by Mr. Yates, **Resolution 2013-124** was offered for adoption.

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

#### **REPORT OF THE TOWNSHIP ENGINEER**

New Road Bread and Cheese Run Culvert are on schedule. The current schedule to shutdown New Road will be from September 23, 2013 to October 14, 2013 due to the precast concrete culvert. The construction signs are already posted.

It might be a good idea to invite South Jersey Gas to discuss their checklist. Brown is concerned of things sitting out there a year.

#### **REPORT OF THE TOWNSHIP ADMINISTRATOR**

Recycle Bank Program is coming up on its renewal period in November; Tabernacle has been a part of it for five years. At this point, Mr. Cramer spoke of the participation rate being an excellent percentage among Township residents which included people using their points for frequent flier miles and saved money in coupons. Mr. Cramer will report in October with a recommendation whether or not to continue the program.

#### **REPORT OF THE TOWNSHIP COMMITTEE**

Committeeman Barton reported on the fire truck in which he spoke of a letter received from John Burger, Chairman of Board of Fire Commissioners addressed to the Mayor, as follows:

*Dear Mayor Lee*

*At its August 15<sup>th</sup> 2013 meeting, the Tabernacle Township Board of Fire Commissioners voted to respectfully decline the offer of the Township Committee to purchase the Moorestown fire truck. As of now, that truck does not meet our current needs. The Board created a truck committee and would like to work together with the Township Committee to find a different truck that will better serve the needs of our residents. We hope the Township Committee will support our special election for a new fire truck on October 12, 2013. If you wish to discuss the question, please feel free to contact me.*

At this point, Mr. Barton spoke of not receiving a report from the Committee that looked at the truck, but it is forth coming.

Mayor Lee spoke of being in attendance with the Lieutenant Governor who has been going to farm markets throughout New Jersey and who made a visit at Russo Fruit and Vegetable Market.

#### **PUBLIC COMMENT.**

Stuart Brooks, 78 Moores Meadow Road, spoke of the last Fire Commission meeting at which there was extensive discussion about the Moorestown truck indicating that it would cost roughly a minimum \$150k to buy and equip a truck.

Mayor Lee spoke of being in dialog with John Burger, Board of Fire Commissioner regarding the truck and spoke of the commitment to find a fire truck to put in the EMS building and spoke of their plan to move forward with the Commissioners.

Stuart Brooks asked a series of questions regarding the number of Township employees certified to do fire and rescue; if they respond on payroll and also questioned if the Township pays for their training. Last, Mr. Brooks questioned the number of people responding to a call.

Fran Brooks, 78 Moores Meadow Road, questioned if the Township plans to vote on the stretcher issue at the next meeting and made comments of Mr. Barton's analysis in terms of using resource management and liking his approach to purchase the stretchers. Ms. Brooks further spoke that no cost analysis was done to determine if it will save money and if this is done incrementally as to what it will cost the Township tax payers.

There were no further comments. Closed.

**ADJOURNMENT.**

Seeing no further business before the Committee, motion made by Ms. Brown, seconded by Mr. Franzen the meeting was adjourned at 8:43 P.M. *Carried.*

**Roll Call: Barton, Brown, Franzen, Yates, Lee**

**Ayes: 5**

**Nays: 0**

Respectfully,

---

La Shawn R. Barber, RMC/CMR  
Township Clerk

**Approved: 9/23/2013**