

**Minutes of the Tabernacle Township Committee
Town Hall Meeting – October 15, 2013**

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 October 15, 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 (absent)
Joseph Yates, IV, Deputy Mayor
Stephen V. Lee, IV, Mayor

Also In attendance:

Douglas A. Cramer, Township Administrator
La Shawn R. Barber, RMC, Township Clerk
Peter C. Lange, Jr. Township Solicitor

Public Comment on agenda items only.

Fran Brooks, 78 Moores Meadow Road, questioned Resolution 2013-138 which authorized the issuance of notes. The Chief Finance Officer advised this resolution takes the action to authorize the emergency notes being received.

There were no further comments.

Approval of Bills: Motion was made by Ms. Brown, seconded by Mr. Barton, to approve the bills as presented. Upon a roll call, the vote was unanimous and the motion carried.

Roll Call: Barton, Brown, Yates, Lee Ayes: 4 Nays: 0 Absent: 1

New Business

INTRODUCE: ORDINANCE 2013-7: AN ORDINANCE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY VACATING THE PAPER STREET KNOWN AS LENAPE TRAIL.

- **Public Hearing: 10/28/2013 * 8:00 p.m.**
- On a motion made by Mr. Franzen, seconded by Mr. Barton, Ordinance 2013-7, on first reading was offered for adoption.

Roll Call: Barton, Brown, Yates, Lee Ayes: 4 Nays: 0 Absent: 1

Resolutions

RESOLUTION NO. 2013-138

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$200,000 OF SPECIAL EMERGENCY NOTES OF THE TOWNSHIP OF TABERNACLE; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

BACKGROUND

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, inter alia, municipalities to adopt ordinances authorizing special emergency appropriations for the contractually required severance liabilities resulting from the layoff or retirement of employees; and

WHEREAS, the Township Committee of the Township of Tabernacle, County of Burlington, New Jersey, has duly and finally adopted Ordinance 2013-3 ("Ordinance") appropriating the sum of \$200,000 to fund the revaluation of real property in the Township ("Project"); and

WHEREAS, Section 55 of the Local Budget Law, *N.J.S.A.* 40A:4-55, authorizes the Township to issue special emergency notes to finance the costs of the Project and requires the Township to pay, at maturity, one-fifth of the total amount authorized under the Ordinance; and

WHEREAS, it is the desire of the Township to issue its special emergency notes in the principal amount of up to \$200,000, as further described in Exhibit "A", the proceeds of which will be used to finance the Project; and

WHEREAS, pursuant to the Local Budget Law and the Ordinance, it is the intent of the Township Committee to hereby authorize, approve and direct the issuance and sale of such special emergency notes for the Project as further described in Exhibit "A" attached hereto, to ratify and confirm certain actions heretofore taken by or on behalf of the Township, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law, the issuance of special emergency notes of the Township, to be designated, substantially, "Township of Tabernacle, County of Burlington, New Jersey, Special Emergency Notes of 2013, Series A" ("Notes"), in an aggregate principal amount of up to \$200,000, is hereby authorized, approved, ratified and confirmed.

Section 2. The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

Section 3. At the next meeting of the Township Committee after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the Township Committee, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 4. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law, *N.J.S.A.* 40A:4-55(b).

Section 5. The Notes shall be issued in bearer form in denominations of \$100,000 or greater.

The Notes shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the Township affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the Township Clerk or Deputy Township Clerk.

Section 6. The Notes are ultimately payable from ad valorem taxes that shall be levied upon all taxable real property in the Township without limitation as to rate or amount.

Section 7. The Township hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 8. The Township hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 9. The Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 10. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Treasurer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 11. The Mayor, Chief Financial Officer, Treasurer and Township Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 12. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 13. This Resolution shall take effect immediately upon adoption this 15th day of October, 2013.

Exhibit "A"

Ordinance Number	Notes Authorized	Notes Outstanding	Notes to be Issued
2013-3	\$200,000	\$0	\$200,000

- On a motion made by Mr. Franzen, seconded by Ms. Brown, Resolution 2013-138 was offered for adoption.

Roll Call: Barton, Brown, Yates, Lee Ayes: 4 Nays: 0 Absent: 1

RESOLUTION 2013-139

A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE AUTHORIZING THE PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR SENECA YOUTH TRAVEL BASKETBALL ORGANIZATION.

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 week of **October 15th**; and

WHEREAS, the request has been made by the Seneca Youth Travel Basketball Organization in order to promote their upcoming basketball tryouts which will take place **October 15th through October 25th**; and

WHEREAS, the Township Committee is desirous of assisting the Seneca Youth Travel Basketball Organization 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 Seneca Youth Travel Basketball Organization 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' 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 Construction Official and Director of the Seneca Youth Travel Basketball Organization.

- On a motion made by Ms. Brown, seconded by Mr. Yates, Resolution 2013-139 was offered for adoption.

Roll Call: Barton, Brown, Yates, Lee Ayes: 4 Nays: 0 Absent: 1

RESOLUTION 2013-140

RESOLUTION OF TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, EXPRESSING SUPPORT FOR EFFORT BY NEW JERSEY CONGRESSIONAL MEMBERS TO HAVE FEMA EXTEND OCTOBER 29 DEADLINE FOR SANDY-IMPACTED HOMEOWNERS TO FILE INSURANCE CLAIMS.

WHEREAS, the Governing Body of Tabernacle Township finds and declares that under the National Flood Insurance Program (NFIP) managed by Federal Emergency Management Agency (FEMA), Sandy-impacted homeowners must file a Proof of Loss (POL) form, a statement on the amount that the homeowner is claiming under his or her flood insurance policy, by **October 29th** in order to be eligible for coverage for flood damage; and,

WHEREAS, the Governing Body further finds and declares that many Super Storm Sandy-impacted are still in the rebuilding process and, therefore, do not have a complete accounting of their repair costs as they are still waiting for repair work to begin on their homes; and,

WHEREAS, the October 29 deadline does not provide ample time for Sandy-impacted homeowners to file a Proof of Loss (POL) form that is inclusive of the appropriate costs of rebuilding their homes so that homeowners can receive all the benefits they are entitled to; and,

WHEREAS, it is imperative that the federal government recognize the hardships endured by Sandy-impacted homeowners and make a greater effort to provide for their recovery needs in order to prevent homeowners from losing their homes; and,

WHEREAS, in representing the 9th Legislative District Senator Christopher J. Connors, Assemblyman Brian E. Rumpf and Assemblywoman Dianne C. Gove continue to work with officials at every level of government in support of efforts to assist victims of Super Storm Sandy; and

WHEREAS, the Governing Body wishes to express its support for the bipartisan efforts by members of the New Jersey Congressional Delegation, in calling on FEMA to grant a six-month extension for the thousands of Sandy-impacted homeowners to file insurance claims.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Tabernacle, County of Burlington, as follows:

1. The Governing Body supports the bipartisan efforts by members of the New Jersey Congressional Delegation, in calling on FEMA to grant a six-month extension for the thousands of Sandy-impacted homeowners to file insurance claims.

- On a motion made by Ms. Brown, seconded by Mr. Yates, Resolution 2013-140 was offered for adoption.

Roll Call: Barton, Brown, Yates, Lee Ayes: 4 Nays: 0 Absent: 1

**RESOLUTION 2013-141
AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO DISPOSE OF OBSOLETE
TOWNSHIP EQUIPMENT**

WHEREAS, the Township Administrator has advised the Township Committee that there is obsolete equipment that is no longer needed for public use; and

WHEREAS, NJSA 40A:11-36 authorizes the disposition of personal property not needed for public use without public sale when the fair market value of the property is less than 15% of the bid threshold; and

WHEREAS, the equipment, specifically with various models and accessories are as follows:

MONITORS – FAX MACHINES – PRINTERS – TOWERS – TYPEWRITERS - COPIERS.

- 2 Dell Keypads / PIN 04N454
- 2 Dell Adapters / Model No. PA – 6
- H/P Keypads / Model No. SK-2502
- 2 Lanier Recorders / Serial No. 1S2000 / 100633
- Dell Monitor / Model M782
- Dell Monitor / Nec - JC1736VMA
- Goldstar / Model 1460 SVGA / Serial MC 30104973
- Dell / Model No E151FPP
- Giga View / Serial No. 3DA488B1300991
- HP / Serial No. MY82904924 / Model # D2832A
- Fax Machines / Copiers / Typewriter
- Microline Printer / Serial No. 908B2497371
- Epson Le Printer / Serial No. 0030011543
- Canon Typewriter / Model No. S32016208
- H/P Printer / Model No. C6427B
- H/P Printer / Model No. C5190
- Okidata Printer / Model No. GE7100A
- Cannon Printer Serial No. 532016207
- Olyfax Fax Machine / Model No. 352 / Serial No. usop002754
- Cannon Fax Machine / Serial No. ULN41882
- Cannon Fax Machine / Serial No. UEW03225
- Okidata Printer / Serial No. 906B0069047 / Model No. GE8281A
- Epson Printer / Serial No. OTG1058318

- H/P Printer Serial No. MX96GICOMF
- Brother Fax Machine Serial No. U6132M5233124
- NEC Printer Serial No. S60074933
- H/P Printer CNR1B121765
- Dupli Fax Typewriter Serial No. S32016234
- Canon Fax Machine Serial No. ULR37251
- IBM Tower Serial No. KCH2ZTV
- H/P Tower Serial No. US84101675 Magnstream Tower
- Dell Tower Serial No. D3LWR11
- Nec Tower Serial No. P386N10757
- Dell Tower Serial No. F3LWR11
- Dell Tower Serial No. 48VRY41

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tabernacle, County of Burlington are obsolete equipment referenced by the Township Administrator, which is no longer needed for public use by the Township shall be disposed of according to the manner as prescribed by law.

- On a motion made by Mr. Barton, seconded by Mr. Yates, Resolution 2013-141 was offered for adoption.

Roll Call: Barton, Brown, Yates, Lee Ayes: 4 Nays: 0 Absent: 1

Old Business

Burlington Farmland Preservation Program – Acquisition Targeting List, there was a request for Municipal Review.

Mr. Cramer advised that he is on the targeting list and a pending applicant. At this point, Mr. Cramer presented a highlighted tax map for Committee review of the properties listed based on the priority of the current and pending applications. Everything is located in agriculture-production or special-agriculture with two exceptions. There is property on Carranza Road that is in regional growth residential regional high school district and two properties on Patty Bowker Road that are partially in the rural development district #2 as they face Patty Bowker Road.

Mr. Cramer recused himself from any further discussion.

Mr. Lange pointed out that request be made and that written comments or recommendations be received from the County by November 15th.

Mayor Lee spoke that since Committeeman Franzen is not in attendance to have any comments to the Township Solicitor, Clerk or Administrator by our next meeting in October. This would allow plenty of time until the November deadline.

Motion

Parade Permit: Pine Barrens 300 – November 16th & 17th, 2013

- On a motion made by Mr. Yates, seconded by Ms. Brown, Pine Barrens 300 Parade Permit for November 16-17th, 2013 was approved contingent upon the Township Clerk receiving the correct check which was erroneously sent to Washington Township.

Roll Call: Barton, Brown, Yates, Lee Ayes: 4 Nays: 0 Absent: 1

Report of the Township Administrator: None

Report of the Township Solicitor: None:

Report of the Township Committee: None



Public Comment.

Commissioner John Berger, Tabernacle Fire District reported on the special election for the fire pumper on Saturday. The truck has passed the public's approval by a vote of 182 to 179. All members of the public that came out to vote on Saturday were thanked. A truck will be put in the emergency services building tomorrow night.

John Yelito, 5 Moore Road West, questioned the language in a Land Development Board Resolution for Neubert's car storage facility.

Mr. Yelito was advised that his issue is with Land Development Board approval and this matter should go back to their meeting.

Mr. Brooks, Moores Meadow Road, spoke of a Central Record article regarding a discussion John Berger had with Township Committee providing a truck in the emergency services building and further spoke of not being sure if the truck will have the required drivers to take it to fires, or if there were enough seating.

Committeewoman Brown spoke that the logistics for putting a fire truck is something that the Fire Commissioners handles, not the Township Committee.

Fran Brooks, 78 Moores Meadow Road, spoke that the Township Committee should be concerned about the logistics for placing a truck in the new EMS building.

Mayor Lee spoke that the Fire Commissioners decide what fire truck goes into the building, not the Township Committee.

Shane McCausland, 346 Pricketts Mill Road, spoke that the fire company received notification of the fire truck going to the (ESB) Emergency Services Building today.

George Jackson, Chief of Tabernacle Rescue, reported the squad being nominated through the State Department of Health as one of the best EMS volunteer agencies in the State. Also reported the stretchers were delivered to VCI today. The first truck will go in on Wednesday; the second truck will go in next Thursday for installation. Training will be provided to the new members.

There were no further comments.

New Business: Best Practice Survey

Chief Finance Officer, Terry Henry reported on the survey that comes out every year as part of the Governor's Tool Kit requirement to answer survey questions. There were fifty questions deemed to be best practices that we should be following. Tabernacle is in the ninety percent which means that we will receive our full State Aid. There were no questions.

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 contract negotiations involving the proposed occupancy contract with the Tabernacle Rescue Squad and a proposed Shared Service Agreement covering the provision of Municipal Court services in Tabernacle." Pursuant to NJSA 10:4-12(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.

- Motion made by Ms. Brown, seconded by Mr. Barton. Closed to the public

Roll Call: Ayes: Those in favor: 4 Nays: 0

Reopen. Members of the Township Committee returned from executive session and returned to the open meeting to pursue adjournment.

Adjournment: On a motion made by Mr. Barton, seconded by Mr. Lee.

Roll Call: Barton, Brown, Yates, Lee Ayes: 4 Nays: 0 Absent: 1

Respectfully submitted,

La Shawn R. Barber, RMC/CMR
Township Clerk

Approved: 11/25/2013