

**REGULAR MEETING MINUTES  
TOWNSHIP COMMITTEE  
November 25, 2013**

**Call to Order:** Mayor Stephen V. Lee, IV called the meeting to order at 8:03 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 November 25, 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:**

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

*MOMENT OF SILENCE: MAYOR ORDERED THERE BE A MOMENT OF SILENCE FOR THE PASSING OF ROBER PERRI'S SON (BOBBY).*

**Public Comment on agenda items only.**

Fran Brooks, 78 Moores Meadow Road, questioned an item on the bill list and spoke about the fire district hiring a special council to review the Tabernacle Fire District Facility Use/License Agreement and questioned if the Township will be tabling the ordinance.

Mayor Lee spoke of receiving recent notification from their new council requesting an opportunity to review the agreement. There were no objections from the Township Committee to table the ordinance.

Ms. Brooks spoke of the executive session topic of moving the municipal court out of town hall.

Mayor Lee spoke that Committeeman Franzen is spearheading a buildings and grounds committee to discuss different options for uses of our facilities down the road. Moving the court was one of them. No decision was made at this point. There will certainly be public comment regarding issues or changes we look to down the road.

**Recess to Board of Health Meeting:** Motion made by Mr. Lee, seconded by Mr. Franzen, seconded by Mr. Barton. Those in favor: 4 Opposed: 0

**Sunshine Notice:** This notice has been given by the Tabernacle Township Board of Health in accordance with the sunshine law in the following manner: Posted on the bulletin board on June 17, 2013, notices sent to The Central Record and Burlington County Times on June 26, 2013; filed written notice with the Township Clerk on the same date.

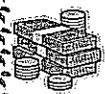
Burlington County Health Officer, Holly Cucuzzella, provided a health report which addressed issues and inspections contained within the jurisdiction of Tabernacle Township. She spoke about the adult immunization program and senior citizen legal services availability for our aging community and announced that the animal shelter will be open on Sundays. Ms. Cucuzzella also highlighted a new service from Burlington County Health Department on Consumer Affairs, "Knowing Your Rights." A box of information was left for town hall residents.

Public comment. There were no comments from the public.

- Seeing no further comments, motion to return to the regular meeting was made by Ms. Brown, seconded by Mr. Barton.

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

**Approval of Bills**



- On a motion to pay the bills, made by Mr. Franzen, seconded by Mr. Barton, the bills were ordered paid. *Carried*  
**Roll Call Ayes: Barton, Franzen, Lee Nays: 0 Abstain: Brown Absent: Yates**

**Approval of Minutes**

- September 23, 2013 executive session minutes was offered for approval. Mr. Franzen made the motion; Mr. Barton seconded the motion. *Carried*  
**Roll Call: Barton, Brown, Franzen, Lee Ayes: 4 Nays: 0 Absent: 1**
- October 15, 2013 workshop session minutes were offered for approval. Mr. Barton made the motion; Ms. Brown seconded the motion. *Carried*  
**Roll Call: Ayes: Barton, Brown, Lee Nays: 0 Abstain: Franzen Absent: Yates**
- October 15, 2013 executive session minutes were offered for approval. Ms. Brown made the motion; Mr. Barton seconded the motion. *Carried*  
**Roll Call: Ayes: Barton, Brown, Lee Nays: 0 Abstain: Franzen Absent: Yates**
- October 28, 2013 regular session minutes were offered for approval. Ms. Brown made the motion; Mr. Franzen seconded the motion. *Carried*  
**Roll Call: Ayes: Barton, Brown, Franzen Nays: 0 Abstain: Lee Absent: Yates**

# ORDINANCE

**Motion to Table: Second Reading: Ordinance 2013-8: An Ordinance of Tabernacle Committee pursuant to NJSA 40A:12-14 authorizing the Township to enter into a facility use/license agreement with Tabernacle Fire District No.1.**

- On a motion made by Ms. Brown, seconded by Mr. Franzen, Ordinance 2013-8 was tabled, thus giving the opportunity for the new hire Fire District Council an opportunity to review said agreement. *Carried.*
- **Roll Call: Barton, Brown, Franzen, Lee Ayes: 4 Nays: 0 Absent: 1**

**Second Reading: Ordinance 2013-9: An Ordinance of the Tabernacle Township Committee pursuant to NJSA 40A:12-14 authorizing the Township to enter into a facility use / license agreement with Tabernacle Rescue Squad, Inc.**

WHEREAS, the Township of Tabernacle owns Block 404, Lot 16.11, on the municipal tax map commonly referred to as the Tabernacle Emergency Services Building located at 134 New Road, Tabernacle, NJ; and WHEREAS, said property serves the public through its use as an emergency services building; and WHEREAS, the Tabernacle Rescue Squad Inc. intends to occupy the property pursuant to its principal purpose of providing emergency medical services to the general public and community; NOW THEREFORE, be it ordained by the Tabernacle Township Committee that the Facility Use/ License Agreement is hereby adopted in the form attached to this Ordinance; and BE IT FURTHER ORDAINED that the Mayor and Township Administrator are hereby directed and authorized to execute the Agreement to accomplish the above purpose. This ordinance shall become effective immediately upon final passage and publication as required by law.

- Motion made by Mr. Franzen, seconded by Mr. Franzen.

**Public Comment.** There were no comments from the public.

- Mr. Lange spoke of a few minor changes made by Tabernacle Rescue Squad’s Attorney which did not change the substance of the agreement.
- On a motion made by Mr. Franzen, seconded by Mr. Franzen, Ordinance 2013-9, second reading was offered for adoption. *Carried.*  
**Roll Call: Barton, Brown, Franzen, Lee Ayes: 4 Nays: 0 Absent: 1**

*Agreement: See last page minutes.*

# RESOLUTION

**RESOLUTION 2013-151**

**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: 321 Medford Lakes Road; 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 Ms. Brown, Resolution 2013-151 was offered for adoption. *Carried.*

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

**RESOLUTION 2013-152**

**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: 80 Richter Road: (Block 329, Lot 3); 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 Ms. Brown, Resolution 2013-152 was offered for adoption. *Carried.*

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

**RESOLUTION 2013-153  
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: Carranza and Malone Roads

410 Carranza Road (Block 1402, Lot 1.03)	2 Malone Drive (Block 1402, Lot 19.02)
418 Carranza Road (Block 1402, Lot 4)	3 Malone Drive (Block 1402, Lot 20.03)
432 Carranza Road (Block 1402, Lot 20.04)	4 Malone Drive (Block 1402, Lot 19.03)
436 Carranza Road (Block 1402, Lot 20.06)	5 Malone Drive (Block 1402, Lot 20.02)
Blank	12 Malone Drive (Block 1402, Lot 19.01)

; 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 Ms. Brown, Resolution 2013-153 was offered for adoption.** *Carried.*

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

**RESOLUTION 2013-154  
APPROVING REFUND FOR SOUTH JERSEY GAS PERMIT FEE  
STREET OPENING PERMIT – 23 FOXSPARROW TURN**

**WHEREAS**, South Jersey Industries has applied and paid for a street opening permit for property located at 23 Foxsparrow Turn for Block 207, Lot 4; and

**WHEREAS**, On October 28, 2013 Tabernacle Township Committee approved Resolution 2013-145 for street opening permit located at 23 Foxsparrow Turn (Block 207, Lot 4); and

**WHEREAS**, the customer has cancelled their request for gas installation after the application already was approved; and

**WHEREAS**, South Jersey Industries request refund for application and escrow fee amounts be returned to them since their customer cancelled their application.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of Tabernacle Township, in County of Burlington, State of New Jersey, approve said request to refund application and escrow fee in the amount of \$400.00 payable to South Jersey Industries, Route 54, Folsom, NJ 08037.

- **On a motion made by Mr. Franzen, seconded by Mr. Barton, Resolution 2013-154 was offered for adoption.** *Carried.*

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

**RESOLUTION 2013-155  
APPROVING MUNICIPAL ALLIANCE GRANT APPLICATION  
TERM YEAR: January 1 – June 30, 2014**

**WHEREAS**, the Township of Tabernacle, County of Burlington, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Burlington.

NOW, THEREFORE, BE IT RESOLVED by the Township of Tabernacle, County of Burlington, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of application for the Tabernacle Municipal Alliance grant for term year January 1- June 30, 2014 in the amount of \$12,845.01.
  2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
- On a motion made by Ms. Brown, seconded by Mr. Franzen, Resolution 2013-155 was offered for adoption. *Carried.*

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

## REPORTS

### Report of the Township Engineer

New Road Culvert Replacement - This project is finished with only a couple of punch list items remaining.

Medford Lakes Road Project – This project is complete.

2013 Local Road Program – We are currently working on this program and started paving Flyatt Road today.

Patty Bowker/New Road Intersection – Working with the Township Administrator to make this a safer intersection.

### Report of the Township Administrator

Mr. Cramer reported on the intersection of Patty Bowker Road and New Road. There was a resident request for something to be done about the speeding and try to alleviate near misses occurring as they come off of New Road onto Patty Bower. We will be pulling the intersection back slightly to make the radius conform to the requirements of NJDOT for truck traffic management. It is within the contract that we have on Patty Bowker Road. It will be a change item in the quantity used. There will be some increased asphalt, paving markings and curbing. Mr. Cramer asked for a motion for the change to pull back the intersection. Seeing no objections, Ms. Brown made the motion, Mr. Franzen seconded the motion.

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

Snack Stand – Mr. Cramer spoke about working on the snack stand for about two years, and having an issue for the last ten months regarding electric installation into the snack stand and removing light controls from the old building into the new building. We have gone through four electrical contractors who graciously offered at one point or another to volunteer; however, with the economy change and the amount of workload that has developed as a result of Superstorm Sandy, time constraints have dried up those offers. Two electricians have given quotes which were above the bid threshold, so we cannot utilize the quotes. Mr. Cramer request permission to pursue having specifications finalized to go out to bid early next year and have it prepared by the Architect of Record. This project will come out of the grant, however; the cost of the professionals is not allowed to be charged against the grant. There are a core group of volunteers, on the carpentry, plumbing and heating side who are willing to continue. At this point, Mr. Cramer thanked the volunteers for moving this project along as well as we have been able to.

Mr. Cramer asked for a motion to move forward having specification finalized to utilize the quotes for electric installation into the snack stand. The motion was made by Ms. Brown, Mr. Barton seconded the motion. *Motion carried.*

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

Community Development Block Grant (CDBG) – There will be a public hearing on December 9<sup>th</sup>, 2013, as well as a resolution. We are proposing to do pad work for additional handicap bleachers at Patty Bowker. If funds extend to Pricketts Mill Park we would like to probably use our recreation grant.

Mr. Cramer gave a reminder to the Township Committee of the JIF Elected Officials Seminar to be held on January 30<sup>th</sup> in Hammonton and on March 12<sup>th</sup> in Eastampton. Mr. Barton's application was already received.

**Report of the Township Solicitor**

Mr. Lange reported receiving a letter from Patrick McAndrew, a local attorney with regard to his client, Mr. Anderson. Mr. Anderson is the owner of Block 601, Lot 7 in the Township also referred to as lot 76 & 77 on the Medford Park subdivision map, which also is reflected on the tax map. Mr. Perri was contacted about development permits for reconstructing homes on those lots; hereto for, there has only been one home on that parcel. It was unclear to Mr. Perri whether there are, in fact, two lots. It is the understanding the home that has been demolished did not straddle the line and was constructed exclusively on one of the lots. Somehow, since it has been in common ownership and there was only one house on the lot, the tax office suspected this conveniently gave them one designation for tax bill purposes and one block and lot. Mr. Perri wanted to make sure there was no need to go back to the land development board to subdivide these lots. The deeds that have transferred the property over time have all uniformly referred to the two separate blocks and lots that have existed since the Medford Park subdivision lots 76 & 77. Mr. Lange spoke of his research and opinion of it being in fact two lots, as there were no mergers by operation of law and no deed of consolidation. Mr. Lange will prepare a letter to Mr. Perri and copy Mr. McAndrew indicating his conclusions.

Mr. Lange reported on an anomaly house number issue for Anne Drive. A new homeowner (Giordano) was referred to as 30a Anne Drive has requested the address 30a be eliminated in favor of the regular numbering. Rather than change an address when it was discovered at the time of subdivision that the addresses did not go in order, they took away address 32 from the present lot it is associated with and gave the contiguous lot 30a. The address 32 was already assigned to the Deckers. Mr. Lange researched the statute which indicates in conjunction with the County; the Township determines the 911 map has the power to assign the change. The Giordanos are requesting the change. The Deckers oppose the change as it was indicated that they have been with this address for many years and it would be a hardship to them having to change a lot of things, even their deed. It was questionable if emergency services would have any increased difficulties in identifying and locating an emergency call. It is incumbent upon the Township Committee to determine whether it is absolutely necessary to have the addresses lined up 28, 30, 32, 34, 36, etc. or whether or not the scheme as it currently exists would be the preference of the Deckers is satisfactory, and that it would then be 28, 30, 30a, 32, 36, 38, etc.. The Township Committee decided to explore the County's input to determine if it is appropriate to consider correcting any and all address anomalies which may exist Township wide before determining whether or not to make the change which has been requested for Anne Drive.

**Report of the Emergency Management Coordinator**

Col. William Lowe spoke of his recommendation to look at the entire Township for the address changes.

Col. Lowe further spoke of the Emergency Operations Plan to identify situations and then look at coordination of efforts to resolve or address it. Mr. Lowe provided a draft hazardous mitigation plan of the Township. This year we are looking at the Township annexed to the Burlington County Hazardous Mitigation Plan, to be reviewed by certain officials in the Township and then to be submitted to the County. On December 12<sup>th</sup>, the County will have a public hearing on the entire plan to be adopted by the County Freeholders. The plan will be returned to the Township to have a public hearing and a resolution to adopt our annex plan.

**Report of the Township Committee**

Mayor Lee reported on attending the NJ League of Municipalities and having had a good experience for learning and making contacts with NJDEP and 9<sup>th</sup> District Legislators for discussions regarding grants for our building and grounds projects.

Mayor Lee also thanked the residents for his re-election and spoke of being humble to serve as a member of the Township Committee and this year as Mayor.



**Public Comment.**

Fran Brooks, 78 Moores Meadow Road, questioned why Committeewoman Brown abstained from voting on the bills. Ms. Brown indicated she saw a bill through the Municipal Alliance with her son's name on it.

Ms. Brooks spoke about her OPRA request of putting audio meetings on the website.

Mayor Lee spoke of having discussion with members of the Township Committee who feel as though it is not something worthy at this time to spending tax dollars on or entertaining at this point. It does not mean we will not do it ever, just not at this time. The minutes are posted; we encourage people to come to the meeting to participate.

Stuart Brooks, 78 Moores Meadow Road, spoke about the Committee entertaining discussion of allowing the placement of a sign for a cranberry bog tour, and the tour is over but the sign frame remains.

Mr. Decker, 32 Anne Drive, spoke about a letter written to the Township Committee from him and his wife feeling very strong with having the assigned house number 32, and it being good luck and comfort for their family.

Jamie Wood, 7 Kenmere Drive, spoke that she appreciates the Township Committee not putting the recordings on line, as she disagrees and would much rather see a room full a people that can ask and answer questions than going one way.

Jack Miller, Coach-18 Forest Lane, spoke about being proud of how the girls have played. The Division 3 Girls' Soccer Team won the Tabernacle Tournament. This is the first time a Tabernacle team won! Appreciation was given to Tabernacle Athletic Association and Lynne Hedden for all the work they do for the Township!



Mayor Lee spoke about Linda Jagelia working for The Central Record writing articles and stories about Tabernacle. Recognition and appreciation was given to her for attending our Township meetings.

George Jackson, Chief Tabernacle Rescue Squad, spoke that on November 15<sup>th</sup> the Squad was awarded the 2013 outstanding Volunteer EMS Agency through the State Department of Health Office of Emergency services. The award was held at a conference in Atlantic City.

Sean Vena, Wicklow Drive, presented a signed petition to Mayor Lee requesting to dissolve the Tabernacle Fire District.

The petition was turned over to the Township Clerk for certification.

There were no further comments from the public.

### **Township Clerk's Report (3<sup>rd</sup> quarter report) July, August, September**

#### **Vital Statistics**

(Life, Death and pursuant of happiness)

- **Life:** Home births reported: None
- **Death:** Resident deceased record: Total of 8 cases for this quarter.
- **Happiness:** There were 8 marriage licenses issued.
- There were 11 certified copies with raised seals of vital records issued.
- No Civil Union or Domestic Partnerships issued this quarter.
- We are fully compliant/up and running with the same sex marriage software templates.
- Third Quarter State Report reports there were 8 licenses issued.
- This quarter the Township received \$200.00, State received \$24.00.

#### **Dog Account**

- There were a total of 818 dog licenses issued. As of the end of September the balance was \$7,566.30 in the Dog account. Of that amount the mandatory dog census and payroll will be coming out of that balance.
- We collected \$484.00 in late charge fees.
- 5 Court summons issued. 2 failures to appear warrants issued by the Judge.
- Saturday, January 11, 2014, Annual Rabies Clinic Day 9am- Noon.
- Again, thanks to efforts of our Deputy Municipal Clerk, Eileen Baitzel she worked really hard.

#### **Records Management**

As you know the Municipal Clerk is the custodian of records and charged with balancing the public's trust for their rights to access of records, as well as maintaining the operation in the Municipal Clerk's office from being disruptive. This can be quite challenging; especially when you have the need to comply with our statutory duties.

At some point, the Municipal Clerk will be asking this governing body for passage of a Resolution to support Senate Bill No. 3025 which was introduced on 11/7/2013. This bill provides the answers to the Governor's questions when he Vetoed Bill S-2433 / A-1857, which would provide that the President of the Municipal Clerks Association of NJ serve as a member of the Government Records Council. This bill just makes sense!

Opra Requests

- In an effort to give the governing body a better report of time spent completing these request. The Clerk's Office responded to 24 Opra Requests.
- We have spent an approximate 17 hours for research and completing these request.
- There are 3 open requests currently on the Municipal Clerk's desk.

RFP/RFQ Notices

- 2014 Notice of RFP/RFQ for Professionals was published 11/10/2013, due in Clerk's Office on 12/2/2013 at 2pm.
- 2014 Notice for the LDB was published 10/06/2013 was due and received on 11/2/2013.
- Citizen Leadership Notices was published on 11/12/2013. Forms are due Friday, December 6, 2013. Invited residents who wish to be considered for appointment to the LDB, Recreation, TAA, Historical Society and Municipal Alliance Committee.

Poling Election Districts 1 & 4

- Request was made for election districts (1 & 4) are moved out of the schools to the new EMS building. The Board of Elections will need to certify new suggested polling place next year.

Close – Out Meeting

- Scheduled for December 30, 2013 at 10 A.M. as advertised.

2014 Reorganization Meeting

- Date has been set for January 2, 2013 at 7 pm

Executive Session Resolution

Whereas, the Governing Body wishes to discuss the ongoing contract negotiations involving a proposed Shared Service Agreement covering the provision of Municipal Court services in Tabernacle. Pursuant to NJSA 10:4-12(B) (7) this matter will be discussed in a closed session from which the public shall be excluded. Motion made by Ms. Brown, seconded by Mr. Franzen.

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

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

- Motion made by Ms. Brown, seconded by Mr. Barton.

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

Respectfully,

La Shawn R. Barber, RMC/CMR  
Township Clerk

Approved: 12/30/2013

satisfaction of the Township.

X. Independent Agent. Nothing contained herein shall be deemed or construed by the parties hereto or by any third-party as creating the relationship of principal and agent, partners, joint ventures or other similar such relationship between the parties hereto. It is understood and agreed that no provision contained herein nor any acts of the parties hereto create a relationship other than the relationship of licensor and licensee.

XI. Amendments, Governing Law and Venue. Amendments and alterations to this Agreement shall be in writing. This Agreement shall be governed by the laws of the State of New Jersey and the parties agree that this Agreement is performed in Burlington County, New Jersey.

XII. Severability. If any provision of this Agreement shall fail or be stricken for any reason whatsoever, the remainder of this Agreement shall remain in full force and effect.

This Agreement is made and entered into on the 31<sup>st</sup> day of December, 2013.

TABERNACLE RESCUE SQUAD, INC.

TABERNACLE TOWNSHIP

By: Amil Ruxton  
Amil Wood, President

By: Stephen W. Lee, IV  
Stephen W. Lee, IV, Mayor

**2013 FACILITY USE LICENSE AGREEMENT  
BY AND BETWEEN TABERNAACLE TOWNSHIP AND  
TABERNAACLE RESCUE SQUAD, INC.**

This Use Agreement and License is entered into by and between the TOWNSHIP OF TABERNAACLE, of Burlington County, New Jersey (hereinafter referred to as the "TOWNSHIP"), and the TABERNAACLE RESCUE SQUAD, INC. a non-profit corporation of the State of New Jersey (hereinafter referred to as the "Squad") acting by and through their duly authorized representatives, and is effective 10/21/2013.

For and in consideration of the mutual undertakings hereinafter set forth, the parties agree as follows:

**I. License Agreement.** The Squad acknowledges that the Township has granted the Squad, and the Squad has accepted a revocable, non-exclusive license (this "License Agreement") to occupy the Premises as described herein subject to the terms and conditions of this License Agreement. This license is contingent upon and provided as a direct result of the selection and designation of the Tabernacle Rescue Squad, Inc. as the designated emergency medical and rescue service provider for the Township of Tabernacle.

The Squad understands that for any reason or no reason including but not limited to the Squad's violation of any of the terms of this License Agreement or of the Terms, Provisions, Conditions, Rules and Regulations adopted from time to time by the Township or if the Squad's occupancy or use of the Premises violates any laws, rules, or regulations, or for any other reason, the Township may rescind the designation of Tabernacle Rescue Squad, Inc. as the designated emergency medical and rescue service provider for the Township of Tabernacle and send the Squad a **SIX MONTH** written notice (a "Revocation Notice") thereby revoking this License Agreement and any and all rights granted to the Squad hereunder, including without limitation, any right to use and/or occupy the Premises and upon the expiration of such **SIX MONTH** period, this License Agreement shall be revoked and any and all rights granted to the Squad hereunder shall expire.

If the Township at any time sends a Revocation Notice, such Revocation Notice shall be sent to the Squad at PO Box 2021 Tabernacle NJ 08088 and the Township's service of such Revocation Notice may be made, at the Township's option, by certified mail or by overnight mail via a recognized national overnight delivery service. In the event the Township sends a Revocation Notice by certified mail or otherwise, the Squad acknowledges that such notice shall be effective **SIX MONTHS** after the date of receipt by Squad.

In the event that the Township elects to serve the **SIX MONTH** notice as aforesaid, the Squad agrees that upon the expiration of the **SIX MONTH** period, this License and all rights of the Squad pursuant to the License Agreement, shall have expired, ceased, and come to an end as if the date contained in such notice were the date contained herein as the terminating date of this License Agreement and the Squad agrees to promptly surrender possession of the Premises to the Township.

facilities from damage or abuse, to assure the maintenance of order and to protect the safety and welfare, as well as, the health of persons using such facilities. The Squad agrees to comply with the Rules and Regulations established by the Township with respect to the use and occupancy of the Premises, as same may hereafter be amended, all of which are deemed to be incorporated herein and made a part hereof

The Squad understands and agrees that it may not cause, maintain, or permit conditions in the Premises which do not meet reasonable standards of cleanliness and order and/or which inhibit the Township from utilizing the Premises for its purposes and/or which require the Township to cure the conditions by incurring additional expenses and/or which cause damage to the Premises, furnishings or fixtures.

The Township hereby designates and authorizes the Township Administrator as its agent for the purpose of exercising the Township's rights and obligations under this agreement.

**IV. Maintenance and Utilities.** The Squad shall be responsible for and pay any and all costs associated with cleaning the premises, repairs to or replacement of kitchen appliances, vending machines, washing machines, ice machines and/or air compressors. The Squad shall also be responsible for any and all costs associated with overhead door maintenance and landscaping maintenance. The Squad shall keep the grounds in a landscaped and maintained condition to the satisfaction of the Township.

The Township shall be responsible for and pay any and all costs associated with heating the building located upon the premises, maintenance of the emergency stand-by generator, maintenance and upkeep of the heating and air conditioning systems, trash service to the premises, regular mowing of the training and exercise yard and any and all major building and/or roof repairs.

The Township and the Squad will share equally all costs associated with phone system repairs, copier repairs and routine non-structural building maintenance and repair costs, except to the extent that such obligations have been assigned to the Squad or the Township pursuant to the language of this Agreement.

The Squad shall pay for the costs attributed to its phone lines and the Township will pay for the costs associated with the Township lines servicing the building located upon the premises.

The Squad shall be responsible for and pay for electric service to the premises. The Township shall be responsible for and pay for all other utilities not specifically mentioned herein.

Any and all costs associated with the operation and maintenance of the vehicle wash bay located at the premises will be divided equally between the Township, the Squad and the Tabernacle Fire District No. 1. Any future use of the vehicle wash bay by others will be billed at the discretion of the Township.

**V. Assignment of License.** The Squad shall not assign this license agreement nor shall it license the premises or any portion thereof to any third party.

The Squad agrees to indemnify and hold the Township harmless from all liability, costs, and damages (including attorney's fees incurred by the Township) arising from the Squad's failure to promptly surrender possession of the Premises to the Township as required hereunder upon the Township's election to terminate this License Agreement and revoke the license hereunder as aforesaid. The Squad shall, upon demand, at any time or times (after notice as aforesaid is rendered by the Township) execute, acknowledge, and deliver to the Township, without expense to the Township, any and all instruments that may be necessary and proper to evidence the surrender of the Premises to the Township and/or recovery of possession of the Premises by the Township.

**II. Description of Premises.** The Township agrees to permit the use of its facilities known as Block 404, Lot 16.11, on the municipal tax map, and commonly referred to as the Tabernacle Emergency Services Building located at 134 New Road, Tabernacle, NJ, hereinafter called the "Premises", for so long as Squad is the designated provider of emergency medical and rescue services in the Township.

**III. Use of Premises.** The Squad shall have shared, non-exclusive use of the Premises for providing the Township with necessary emergency medical, ambulance and rescue services 24 hours a day, seven (7) days a week, consistent with reasonable emergency medical service practices and procedures under the direction of the Chief of the Tabernacle Rescue Squad, Inc. and in coordination with the Township Administrator and the Tabernacle Office of Emergency Management consistent with the Squad's agreement for the provision of emergency medical and rescue services to the Township of Tabernacle.

The Squad will coordinate its activities and occupancy to insure that they do not conflict with use by any and all other Township officials, volunteers and employees who are provided shared occupancy of the Premises as deemed appropriate by the Township. Without limiting same, the Squad's occupancy will be concurrent with the use of the building by the Township Office of Emergency Management, the Pinelands Regional CERT, its subordinate substation use by fire company personnel authorized to occupy the premises and any other persons so designated by the Township.

The Squad shall not engage in any business on the Premises or do anything in connection therewith which shall be in violation of any existing State or Federal law or municipal ordinances.

All activities conducted on the Premises and use made thereof shall be so conducted as not to constitute a nuisance or annoyance adjoining property owners. No alcoholic beverages shall be sold or consumed on the Premises.

The Township reserves and maintains sole and exclusive possession of the premises subject to this License Agreement. The Township reserves their right to exclude any individual or group from the Premises based on conduct, which it determines in its sole discretion, to be objectionable or contrary to the Township's interests.

The Township may establish and publish rules and regulations and amend same from time to time for the use of the premises and facilities designed to protect the premises and

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**VI. Non-discrimination.** During the occupancy and performance of its respective duties and responsibilities as related to this License Agreement, the Squad shall not discriminate on the basis of race, creed, color, age, national origin, religion, sex or disability in accordance with current State or Federal laws.

**VII. Indemnification/Insurance.** The Squad understands that the Township's insurance does not protect the Squad's personal property, whether located on the Premises or elsewhere in the Building, due to loss or damage from fire, water, theft, or other causes.

The Squad acknowledges that the Township provides the Squad with certain insurances through the Joint Insurance Fund. If such insurance coverage is canceled on notice to the Squad, the Township hereby advises the Squad that it must obtain, at the Squad's sole cost and expense, its own liability insurance and other insurance for protection of its property against losses due to fire, water, theft, and other causes.

The Township shall not be liable to the Squad or the Squad's agents, officials, employees, contractors, members and/or guests for any damage to person or property caused by an act of negligence or malfeasance of the Squad or the Squad's agents, officials, employees, contractors, members and/or guests and the Squad agrees to indemnify and hold the Township, its officers, officials and employees harmless from any and all claims for any such damage arising out of the activities of the Squad, its agents, officials, employees, contractors, members or guests.

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In the event that the Squad is required to obtain any insurance for its own benefit, the Squad shall provide the Township, on demand, with a Certificate of Insurance evidencing the existence of Workmen's Compensation Insurance for the Squad volunteers and evidencing the existence of a policy of public liability insurance in a reasonable amount to be determined by the Township naming the Township as an additional insured under the coverage obtained and maintained by the Squad. The Premises shall at all times be kept insured by adequate public liability insurance protecting the Township with coverage and limits which are satisfactory to the Township.

The Township will obtain and maintain insurance, at its sole cost and expense, protecting the building against loss due to fire or other casualty.

**VIII. Use by the Township.** The Township reserves the right to utilize the facilities on reasonable notice to the Squad for any reason.

**IX. Financial Records/Reports.** The Squad shall, upon the signing of this License Agreement and thereafter, annually, on each anniversary of this license agreement, submit a financial report to the Township Clerk setting out and describing their financial condition to the

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