

Minutes of Tabernacle Township Committee Town Hall Meeting *April 28, 2014

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

Sunshine Notice: This meeting is called pursuant to the Open Public Meetings Law. This meeting of **April 28, 2014** was included in a list of notices sent to the Central Record, Burlington County Times and Courier Post. Posted on the bulletin board in Town Hall and has remained continuously posted as the required notices under the statute. In addition, a copy of this notice is and has been available to the public, and is on file in the office of the Municipal Clerk.

Roll Call:

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

Also In attendance:

Douglas A. Cramer, Township Administrator
Terry W. Henry, Chief Finance Officer
Kevin P. Frenia, Township Auditor
La Shawn R. Barber, RMC,CMR Township Clerk

Mayoral Comment.

Mr. Barton announced adding Resolution 2014-80 to the agenda. RESOLUTION 2014-80, A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD FOR THE DISSOLUTION OF THE TABERNACLE FIRE DISTRICT NO. 1. PURSUANT TO N.J.S.A. 40A:14-91.

Public Comment on agenda items only

Stuart Brooks, 78 Moores Meadow Road, questions the available copies of Resolution 2014-80, its public comment and action to be taken on this issue.

Fran Brooks, 78 Moores Meadow Road, questioned a conflict provision of the personnel manual with employees, the CDBG Grant provisions of Resolution 2014-77 for the Interlocal agreement to approve participation in the program and the need for public comment on Resolution 2014-80.

Approval of Bills: On a motion made by Mr. Lee, seconded by Mr. Franzen the bills were ordered paid.
Motion carried.

Roll Call: Brown, Franzen, Lee, Yates, Barton Ayes: 5 Nays: 0

Approval of Minutes

- On a motion made by Mr. Franzen, seconded by Mr. Yates, minutes of February 10, 2014(workshop) was offered for adoption. *Carried.*

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

- On a motion made by Mr. Franzen, seconded by Mr. Yates, minutes of February 24, 2014(regular) was offered for adoption. *Carried.*

Roll Call: Brown, Franzen, Lee, Yates, Barton Ayes: 5 Nays: 0

- Tabled:** Minute of March 10, 2014 was tabled. Motion made by Ms. Brown, seconded by Mr. Lee. *Carried.*

Roll Call: In favor: Ayes: 5 Nays: 0

2014 Municipal Budget

RESOLUTION 2014-66

RE: AUTHORIZE READING OF TITLE FOR 2014 MUNICIPAL BUDGET

WHEREAS, pursuant to the Local Budget Law, NJSA 40A: 4-8 authorized the budget, as advertised, may be read by title only if at least one week prior to the date of the hearing, a complete copy of the approved budget, as advertised is posted in the public place where notice are customarily posted in the principal municipal building of the municipality; and

WHEREAS, copies of said budget is made available to each person requesting the same during said week and during the public hearing; and

WHEREAS, the governing body passes by not less than a majority of the full membership, determines that the budget shall be read by its title and declares that the conditions set forth in the law have been met.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Tabernacle Township, in the County of Burlington, State of New Jersey, hereby authorize reading of title for the 2014 Municipal Budget and declares that the conditions set forth in the law have been met.

RECORD OF VOTE

COMMITTEE MEMBER	M	S	A	N	N.V	AB
Joseph Barton			X			
Kimberly A. Brown	X		X			

Richard J. Franzen			X			
Stephen V. Lee, IV		X	X			
Joseph Yates, IV			X			
M-MOTION; S-SECOND; A-AYE; N-NAY; N.V. – NOT VOTING; AB. - ABSENT						

DISCUSSION: 2014 Municipal Budget (professionals)

MUNICIPAL BUDGET AS INTRODUCED.

Mr. Frenia spoke that the budget was introduced on March 10th at which we are on a (3) three year review cycle. This is the year to be reviewed. The State has reviewed the budget and approved it with one minor change, which will be address after the public hearing and we will be able to adopt the budget this evening.

PUBLIC HEARING. Open to the public.

Stuart Brooks, 78 Moores Meadow Road, questioned the amount and terms of the contribution to the Tabernacle Rescue Squad.

Committeeman Yates recommends the squad keeping \$70K because they had a short fall of about \$32K on legal fees.

Linda Jagiela, The Central Record, questions the tax rate increase amount.

Mr. Frenia spoke of an increase of 5.2 cents, compared to last year keeping in mind that the assessed valuation has gone down. The drop in the assessed valuation created an increase in the tax rate itself of about three cents. The additional tax level has created an increase of about two cents. The rate will be 30.8 cents. On a \$200K home, the increase will be roughly about \$43.00 a year.

Fran Brooks, 78 Moores Meadow Road, spoke about money management of the Township Solicitor’s billings and provided examples such as the Urgo traffic control issue and review of Opra request bills.

Closed to the public.

Mr. Frenia spoke about the following two amendments which were read in full. The PERS bill was finalized between the time that we introduced the budget and tonight. That bill dropped roughly \$10K. The only other amendment to the budget is with position of the employee group insurance. We were asked to move \$3,200 from inside the cap to outside the cap. The reduction and employee retirement system reduced the amount to be raised by taxes by a similar amount.

RESOLUTION 2014-67

WHEREAS, the Local Municipal Budget for the year 2014 was approved on the 10th day of March 2014, and;

WHEREAS, the public hearing on said budget has been held as advertised, and;

WHEREAS, it is the desire to **amend** said approved budget;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Tabernacle, County of

Burlington, that the following amendments to the approved budget of 2014 be made:

RECORDED VOTE: AYES 5 NAYS 0
 ABSTAINED 0 ABSENT 0

FROM

CURRENT FUND:

6. Amount to be Raised by Taxes for Support of Municipal Budget:

(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	2,056,361.00	2,047,860.00
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7. Total General Revenues	3,506,834.00	3,498,333.00
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GENERAL APPROPRIATIONS:

(A) Operations - Within "CAPS" Employee Group Insurance	252,838.00	249,638.00
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Total Operations {Item 8(A)} Within "CAPS"	2,447,288.00	2,444,088.00
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Total Operations Including Contingent Within "CAPS"	2,477,288.00	2,474,088.00	
Detail:			
Other Expenses (Including Contingent)		1,605,253.00	1,602,053.00
(E) Deferred Charges & Statutory Expenditures:			
(1) Deferred Charges Emergency Authorizations			
(2) Statutory Expenditures:			
Contributions to Employee Retirement System	96,100.00	87,663.00	
Total Deferred Charges & Statutory Expenditures Within "CAPS"	162,100.00	153,663.00	
(H-1) Total General Appropriations for Municipal Purposes			
Within "CAPS"			2,639,388.00
(A) Other Operations Excluded from "CAPS":			
Employee Group Insurance		-	3,200.00
Total Other Operations - Excluded from "CAPS"		-	3,200.00
(H-2) Total General Appropriations for Municipal			
Purposes Excluded from "CAPS"		734,180.00	737,380.00
(I) Type I District School Debt Service:			
(J) Deferred Charges & Statutory Expenditures - Local School -			
Excluded from "CAPS"			
(K) Total Municipal Appropriations for Local District School			
Purposes (Items (I) & (J) - Excluded from "CAPS"			
(O) Total General Appropriations Excluded from "CAPS"	734,180.00	737,380.00	
(L) Subtotal General Appropriations Items (H-1) & (O)	3,373,568.00	3,365,131.00	
(M) Reserve for Uncollected Taxes		133,266.00	133,202.00
9. Total General Appropriations		\$ 3,506,834.00	\$ 3,498,333.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for his certification of the Local Municipal Budget so amended.

- **Hearing: Public Comment on amendment.** There were no public comments on the amendment.
- On a motion made by Ms. Brown, seconded by Mr. Franzen, Resolution 2014-67 was offered for adoption. *Carried.*

Roll Call: Brown, Franzen, Lee, Yates, Barton Ayes: 5 Nays: 0

2014 MUNICIPAL BUDGET RESOLUTION ADOPTION

- On a motion made by Mr. Lee, seconded by Mr. Franzen, Resolution to adopt 2014 Municipal Budget was offered for adoption. *Carried.*

Roll Call: Brown, Franzen, Lee, Yates, Barton Ayes: 5 Nays: 0



RESOLUTION 2014-61(Tabled from last month)

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:

- **12 Sandra Lane: Block 803.02, Lot 7.03**
- **14 Sandra Lane: Block 803.02, Lot 7.04; 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 the 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 construction, but when open cutting of trenches occurs during construction project, the contractor will make every effort to keep disturbance to 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 Ms. Brown, seconded by Mr. Lee Resolution 2014-61 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

RESOLUTION 2014-68

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:

- **16 Woodside Drive; 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 the 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 construction, but when open cutting of trenches occurs during construction project, the contractor will make every effort to keep disturbance to 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 Ms. Brown, seconded by Mr. Lee Resolution 2014-68 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

RESOLUTION 2014-69

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:

- **406 Old Indian Mills 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 the 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 construction, but when open cutting of trenches occurs during construction project, the contractor will make every effort to keep disturbance to a minimum.
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- On a motion made by Ms. Brown, seconded by Mr. Lee Resolution 2014-69 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

RESOLUTION 2014-70

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:

- **130 Flyatt 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.
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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 Ms. Brown, seconded by Mr. Lee Resolution 2014-70 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

RESOLUTION 2014-71

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:

- **51 Lakeview Drive (Block 312, Lot 15); 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 the 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.
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- On a motion made by Ms. Brown, seconded by Mr. Lee Resolution 2014-71 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

RESOLUTION 2014-72

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:

- **2 Pebble Drive (Block 804.02, Lot 8)**
- **4 Pebble Drive (Block 804.02, Lot 7)**
- **5 Pebble Drive (Block 804.03, Lot 4); 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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- On a motion made by Ms. Brown, seconded by Mr. Lee Resolution 2014-72 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

RESOLUTION 2014-73

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 Elmwood Drive (Block 1301.01, Lot 18)	13 Elmwood Drive (Block 1303.02, Lot 7)	19 Elmwood Drive (Block 1303.02, Lot 10)	21 Elmwood Drive (Block 1303.02, Lot 11)
22 Elmwood Drive (Block 1303.01, Lot 10)	23 Elmwood Drive (Block 1303.02, Lot 12)	25 Elmwood Drive (Block 1303.02, Lot 13)	29 Elmwood Drive (Block 1303.02, Lot 15)

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.

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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.
 - c. 20:1 sand/cement subbase.
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4. Inspection escrow must be posted with the Township before start of construction.
5. The applicant must provide all outside agency approvals, as required.
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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 construction, but when open cutting of trenches occurs during construction project, the contractor will make every effort to keep disturbance to 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 Ms. Brown, seconded by Mr. Lee Resolution 2014-73 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

RESOLUTION 2014-74

A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE AUTHORIZING THE PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR COMMUNITY YARD SALE.

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 **May 1, 2014**; and

WHEREAS, the organizer of this event, Annette Yetter of 6 Wimbeldon Way has made a request for a community yard sale; and

WHEREAS, the Township Committee is desirous of assisting the residents in this community event.

NOW, THEREFORE, BE IT RESOLVED, that 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 Annette Yetter to place temporary signage in the public right of way and along the specified Tabernacle public roads promoting the upcoming Community Yard Sale 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 organizer of this event, Annette Yetter of 6 Wimbeldon Way, Tabernacle, NJ.

- On a motion made by Ms. Brown, seconded by Mr. Lee Resolution 2014-74 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

Resolution 2014-75

Municipal Clerks Week: May 4 - 10, 2014

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state and county professional organizations.

Whereas, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, that the Governing Body of Tabernacle Township recognize the **week of May 4 through May 10, 2014, as Municipal Clerks Week**, and further extend appreciation to our **Township Clerk, La Shawn R. Barber** and **Deputy Township Clerk, Eileen Baitzel** for the vital services they perform and their exemplary dedication to our community of Tabernacle Township they represent.

- On a motion made by Ms. Brown, seconded by Mr. Lee Resolution 2014-75 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

RESOLUTION No. 2014-76

GRANTING RAFFLE LICENSES TO THE CHURCH OF THE HOLY EUCHARIST

WHEREAS, the Church of the Holy Eucharist has filed applications with the Township Committee for raffle licenses to conduct raffles during their annual Pine Barrens Festival, and the applicant has paid the proper fees for said licenses; and

WHEREAS, the Township Committee of the Township of Tabernacle believes that said applicant is qualified to conduct the raffles are bona fide active members of said organization and that the raffle will be conducted in accordance with the New Jersey administrative Code 13:47; and

WHEREAS, the following raffle licenses are requested on the dates and during the hours listed:

a) RA: 2014-05 – (Games of Chance)

Date: 07/21/2014 – 07/26/2014Hours: 6:00 pm to 11:30 p.m.

B) RA: 2014-06 – On Premise Draw (Daily 50/50)

Date: 07/21/2014 – 07/26/2014Hours: 6:00 pm to 11:00 p.m.

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

1. That the Township Committee hereby approves the issuance of the aforementioned raffle license.
2. That the Township Clerk is hereby authorized to issue said license on behalf of the Township of Tabernacle.

- On a motion made by Ms. Brown, seconded by Mr. Lee Resolution 2014-76 was offered for adoption. *Motion carried.*

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

RESOLUTION NO. 2014-77

A RESOLUTION AUTHORIZING THE TOWNSHIP OF TABERNACLE TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974

BE IT RESOLVED AND ENACTED, by the **Committee of Tabernacle Township**, County of Burlington and State of New Jersey to authorize an Agreement with Burlington County for cooperative participation in the Community Development Act of 1974.

SECTION I. Certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-383, as amended; and

SECTION II. It is necessary to establish a legal basis for the County and its people to benefit from this Program; and

SECTION III. An Agreement has been proposed under which the **Township of Tabernacle** and the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq., and

SECTION IV. It is in the best interest of the **Township of Tabernacle** that the Agreement entitled “Agreement between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities”, a copy of which is on file at the Municipal Clerk’s Office.

SECTION V. The **Township of Tabernacle** shall enter into the Agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the **Township of Tabernacle** and affix thereunto the Official Seal.

SECTION VI. All resolutions or parts of resolutions which are inconsistent herewith are hereby repealed in the extent of their inconsistency.

SECTION VII. This Resolution shall take effect immediately after passage and publication as provided by law.

- On a motion made by Mr. Lee, seconded by Mr. Franzen, Resolution 2014-77 was offered for adoption. *Motion carried.*

Roll Call: Brown, Franzen, Lee, Yates, Barton Ayes: 5 Nays: 0

Resolution 2014-78

Adopting Personnel Policies and Procedures

WHEREAS, it is the policy of Township of Tabernacle to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Tabernacle Township Committee that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Township of Tabernacle officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Township of Tabernacle employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Tabernacle Township Committee.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township of Tabernacle shall operate under the legal doctrine known, as “employment at will.”

BE IT FURTHER RESOLVED that **Peter C. Lange, Jr. is hereby appointed as Employment Attorney** to advise the Township of Tabernacle in personnel matters.

BE IT FURTHER RESOLVED that the Township Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Township Administrator and the Employment Attorney shall assist the Township Administrator in the implementation of the policies and procedures in this manual.

- On a motion made by Ms. Brown, seconded by Mr. Franzen Resolution 2014-78 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

RESOLUTION 2014-79

A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE AUTHORIZING THE PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR TAA YOUTH SOCCER PROGRAM.

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 **May 1st**; and

WHEREAS, the request has been made by Tabernacle Athletic Association in order to promote their upcoming youth Soccer program **which will take place May 1st – June 30th, 2014**; and

WHEREAS, the Township Committee is desirous of assisting the TAA Soccer Program 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 Tabernacle Athletic Association** 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 TAA Soccer Program.

- On a motion made by Ms. Brown, seconded by Mr. Lee Resolution 2014-79 was offered for adoption. *Motion carried.*

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

Ayes: 5 Nays: 0

Report of the Township Engineer

Local Road Program - Mr. Morris reported working on the final section that intersects on New Road and Patty Bowker, the concrete curb has been placed. Weather permitting we will be able to finalize the paving at that intersection this week. Signage stripping was finalized and reflective paving markers will be Flyatt Road.

New Road Bread and Cheese Culvert - Last week the punch list work was finished.

Report of the Township Administrator

Mr. Cramer spoke about a request from a resident on Summit Drive about a curb opening to remove the driveway. The Township Engineer was asked to look into the requirements.

Mr. Cramer spoke about a four way stop request from Michael Taylor concerning the Flyatt Road and Old Indian Mills Road intersection. Two of those intersecting roads will need County Engineer approval. Also, NJDOT approval will be needed for Old Indian Mills Road since it goes into Shamong Township.

Mr. Cramer spoke about a request from Sharon Giordano, 30A Anne Drive to consider letting her use the number 34 Ann Drive, even though it will be out of sequence.

The Emergency Management Coordinator and members of the Governing Body are not in agreement with this request.

There was some discussion at the last meeting concerning our building repairs and condition of buildings. Two proposals were prepared by Regan Young, Architect for Town Hall and Community Center. Mr. Cramer would like to further hold discussion at the next workshop meeting.

Report of the Township Solicitor

Abandoned Property Ordinance – Mr. Lange reported on good news. The Township started to receive some registrations under the Abandoned Property Ordinance.

Report of the Township Committee

Committeewoman Brown asked Col. Lowe to speak on extensive conversations held which helped with the decision making process and recommendations.

Col. Lowe offered an opinion as the Emergency Management Coordinator and spoke that it is time to make a decision. This matter has been aired and discussed numerally in every forum and spoke that he holds this Committee responsible for the actions of this Township and the effects of this Township. Mr. Lowe spoke that he does not believe that the safety of this Township is enhanced by having the Fire Commission the way it is now, what we have with two fire companies, and where it is going with the relationship between the fire company and the rescue squad. It is time that something is done. As an official and officer of the Township, I will support whatever the Committee wants.

Excerpt from Committeewoman’s statement regarding Tabernacle Fire District #1 Evaluation:

Committeeman Lee and I have spent more than four months in working diligence so I think it is fair to say that we did our homework in finding our recommendation. We looked at fire district’s budget, bills that dictate through the year and municipalities from the fire districts in the Township’s from cities that it was for the Taxpayers. We also looked at other surrounding municipalities that were similar to our own and how emergency services are managed in each municipality. We have spoken to DCA and other official governments to help us to resolve in our mind what we think that what is best for the taxpayers and residents of this Township. Our recommendation to dissolve the district no way influences the dedication, volunteers or Fire Commissioners. I can’t pretend that the commission hasn’t had its share of criticism but I do believe that their intentions have always been sincere with the highest regards to public safety. Serving in an elected position, any elected position can be difficult and frustrating. And it is against that back drop that I thank the Commissioners for their service. I certainly hope that they will offer valuable input of the reformed emergency services over the coming months. With that said, dissolving the fire district to gives us an opportunity to take a new fire, a big picture approach to all of our emergency services. We envision fire and EMS leadership, as well as emergency management sitting at the same table discussing real needs and making recommendations to the Township Committee that will insure that all of our volunteers have the equipment and the training that they need. We are eliminating the fire district and commission as separate taxing entities, and in doing so marking an end to poorly attended elections in which leaders are more pro to reject budget and referendum and approval. Or as one individual said of the hearing back in December if the fire company really needs the truck, it shouldn’t take five elections to get it. In addition, you received a hiring of a part-time public safety director whose goal will be to foster responsible dialog between our volunteers whenever or wherever possible. _____. As I think everyone would understand, it is very difficult to make a decision of this magnitude and not create a ___ some ill feelings. I understand this, in fact, one of the things that make it so difficult is that we are a small town. We personally know and really like each other, and change is hard. I am asking and certainly hoping that everyone will make a conservative effort to work together. At the end of the day, our primary focus first and foremost is the interest and safety of our friends and neighbors and I hope you never lose sight of that. It is the recommendation of the sub-committee to:

At this point, Committeewoman Brown continued by speaking about the reason for the delay and it not being on the agenda until tonight was because of having some conflicting information in the middle of last week that we were trying to tie up and it did not get tied up until late this afternoon.

Mr. Lange spoke about the explanative procedure of what this committee needed to do to follow through with their intention. They have been pursuing some direction and guidance from the DCA for some weeks. We have received some conflicting information concerning the proper procedure that they would follow the statutes and regulations. We have received some clarity with respect to the actual process today.

Mr. Lee commended the Fire Commissioners on their dedication and spoke about appreciating the patience of the public. At this point, Mr. Lee spoke of the security and safety for the people of Tabernacle and wanting to have a solution that we all can embrace and move forward.

The following Resolution was addressed and read into the record:

RESOLUTION 2014-80
A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE AUTHORIZING AN
APPLICATION TO THE LOCAL FINANCE BOARD FOR THE DISSOLUTION OF THE TABERNACLE
FIRE DISTRICT NO. 1. PURSUANT TO N.J.S.A. 40A:14-91.

WHEREAS, the Tabernacle Township Clerk received and certified a petition submitted pursuant to NJSA 40A:14-91 seeking the dissolution of the Tabernacle Fire District No.1; and

WHEREAS, the Tabernacle Township Committee held a special meeting, on notice to the public, for the purpose of conducting a public hearing on the question of the dissolution of the Tabernacle Fire District No. 1 on December 16, 2013 wherein public input on the question was solicited and comments from the public were received; and

WHEREAS, the Tabernacle Township Committee empaneled a subcommittee for the purpose of considering the input and information offered by the public and the Commissioners and for the purpose of gathering additional information and making a recommendation to the Committee; and

WHEREAS, the Tabernacle Township Committee has considered the public comment, the information and report submitted by the Township Administrator and the information and recommendations of the subcommittee; and

WHEREAS, the Tabernacle Township Committee believes:

- (a) It is in the public interest to accomplish such purpose;
- (b) Said purpose will promote professional delivery and efficiencies in the delivery of and thereby the health, safety, convenience and betterment of the inhabitants of Tabernacle Township; emergency services.
- (c) The amounts to be expended for said purpose are not unreasonable or exorbitant;
- (d) the proposal is an efficient, effective and feasible means of providing services for the needs of the residents of Tabernacle Township and will not create an undue financial burden upon the local unit; and

WHEREAS, the Tabernacle Township Committee desires to make and submit an application to the Local Finance Board of the New Jersey Department of Community Affairs for dissolution of the Tabernacle Fire District No. 1;

NOW, THEREFORE, BE IT RESOLVED by the Tabernacle Township Committee as follows:

Section 1. The making of an application to the Local Finance Board for dissolution of the Tabernacle Fire District No. 1 is hereby approved and the Township Administrator, Clerk, CFO, Auditor and Solicitor, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Township Solicitor is hereby directed to prepare and file such an application with the Local Finance Board.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statutes.

- Mr. Lange explained that having this resolution will go with the application for emergency services to the Local Finance Board.

• **Public Comment.**

Kathy Burger, 18 Woodside Drive, thanked Mayor Barton for allowing public comment before voting and questioned the substance and efficiency of the application being applied to the LFB. Ms. Burger questioned the budget savings and their plan on mending the differences between the fire company and the EMS.

Annett Yetter, Wimbledon Way, questioned if there would be a personal cost to the residents (senior) with the structure of the two service reorganizing.

Stuart Brooks, Moores Meadow Road, spoke of wanting to receive a report on the analysis, findings, evaluations, facts as to the recommendations made that formed their basis on their decision.

Jim Jones, Wimbledon Way, thanked the Committee for making the decision regardless of the vote, hopes the Township gets behind it and supports it. Thank you for the efforts.

Fran Brooks, 78 Moores Meadow Road, spoke about the lack of basis expressed in support of their decision and no substantial basis that was presented to make it convincing to dissolve the district. Ms. Brooks also questioned the money for a safety director.

Megan Jones, Horeshoe Court, spoke about appreciates the Committee for their actions and spoke about her concern of the two fire companies created. This is an opportunity for the fire company and the rescue squad to move forward and create stronger ties and create a better experience for Township residents and volunteers.

Jason Litowitz, Horeshoe Court, thanked the Committee for bringing this timely discussion and reminded the Township about legislation to move fire district elections to the November elections.

Ian McDowel, 14 New Road, spoke of Mr. Vena's petition wanting to know if this was something Committee talked about. We are volunteers giving up our Saturdays. People were not properly explained to how they would save money when signing the petition.

Adam Goldy, 9 Moore Road West, spoke about wanting to see a full report where the Committee stands on this fire commission and questions the idea of a public safety director.

No further comments.

- On a motion made by Mr. Lee to adopt Resolution 2014-80, A Resolution of the Tabernacle Township Committee Authorizing the Local Finance Board for the Dissolution of the Tabernacle Fire District No. 1. Pursuant to **N.J.S.A. 40A:14-91**. Mr. Franzen seconded the motion.
- The members expressed their thoughts of this decision and hope to move forward.
- **Roll Call: Brown, Franzen, Lee, Yates, Barton** **Ayes: 5 Nays: 0**

Public Comment.

William Lowe, 24 Hidden Acres, spoke about being extremely concerned about Patty Bowker Road. When you come off of Chatsworth Road heading towards New Road; you can go 90 miles an hour. It is a straight shot right through heavy residential area and past the playground. There has got to be something to slow people down. Suggestion was made to put a couple of speed bumps or police cars as a deterrent.

Jim Jones, Wimbeldon Way, spoke about the light at the school operating when no school or children were present. The lights need to be put in the control of the school for better coordination.

Mr. Cramer spoke that he was unsure as to why the lights were on last week because they should have been off since it was a scheduled time to be off. The lights are scheduled to run during morning when school bus load, noontime for kindergarten, scheduled half days and afternoon until 4:30- 4:45 p.m. for the sport events.

Ms. Brooks, 78 Moores Meadow Road, raised question regarding the rescue squad's uncollected fees in their report and suggested the Committee have the emergency squad President Wood provide information at Township meetings regarding their billing process. Ms. Brooks spoke of her curiosity for the Township Committee's consideration of the new fire company.

Annette Yetter, 6 Wimbledon Way, spoke about not understanding about the two fire companies.

Stuart Brooks, 78 Moores Meadow Road, spoke about not liking the question regarding the dissolution of the fire commission and how it would affect the fire service.

Closed to the public.

Adjournment. Seeing no further business, members of the Township Committee adjourned the meeting at 10:25 P.M. The motion was made by Mr. Yates, seconded by Mr. Lee.

Roll Call: Brown, Franzen, Lee, Yates, Barton **Ayes: 5 Nays: 0**

Respectfully submitted,

La Shawn R. Barber, RMC/CMR
Township Clerk

Approved: 06/23/2014