

MINUTES OF THE TOWNSHIP COMMITTEE
Town Hall Meeting of July 28, 2014

The meeting was called to order by Mayor Joseph Barton followed by the Pledge of Allegiance to the flag.

Sunshine Notice: This meeting is called pursuant to the Open Public Meetings Law. This meeting of **July 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 (Absent)
Richard Franzen, Township Committee
Stephen V. Lee, IV, Deputy Mayor
Joseph Yates, IV, Township Committee
Joseph Barton, Mayor

Also In attendance:

Douglas A. Cramer, Township Administrator
Terry W. Henry, Chief Finance Officer
Frank Morris, Township Engineer
Eileen Baitzel, Deputy Township Clerk
Elaine Kennedy, RMC

Public Comment on Agenda Items Only

Jason Litowitz, 5 Horseshoe Court – had questioned if the Committee would allow public comment during the Rental Ordinance discussion. Mayor Barton advised that this would not be allowed as it was only a discussion and not an introduction.

Public Comment Closed.

Approval of Bills

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

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

Approval of Minutes

- On a motion made by Mr. Franzen seconded by Mr. Yates, the minutes of May 27, 2014 (regular) was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

- On a motion made by Mr. Franzen seconded by Mr. Lee, the minutes of June 9, 2014 (workshop) was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

- On a motion made by Mr. Yates, seconded by Mr. Barton, the minutes of June 23, 2014 (regular) was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 2 Nays: 0 Abstained: Franzen, Lee**

Motion not carried.

- On a motion made by Mr. Lee, seconded by Mr. Franzen, the minutes of July 14, 2014 (workshop) was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

RESOLUTIONS:

RESOLUTION 2014-115
RE: APPROVING STREET OPENING PERMIT FOR SOUTH JERSEY GAS COMPANY.

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

- **79 Summit Drive, Block 302 Lot 10.03;** 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 from notification to start work from applicant. 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. The applicant's 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. The applicant's contractor will attempt to meet with residents during the construction project to address concerns they might have.
8. The applicant's 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. The applicant's contractor will restore all areas disturbed to same conditions and all non-vegetated areas must be reseeded.
11. All Township roads and paved driveways must use bore method of installation.

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

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

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2014-115 was offered for adoption.
- The Committee questioned Mr. Frank Morris, Twp. Engineer if there were any outstanding issues regarding street opening permits. Mr. Morris replied that 16 Gate Road continues to have issues. Douglas Cramer gave the Committee a brief description of the background surrounding this property issue. Mr. Lee stated that he will not be in favor of passing any further street opening permits after this meeting if this 16 Gate Road issue is not addressed first.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

RESOLUTION 2014-116
RE: APPROVING STREET OPENING PERMIT FOR SOUTH JERSEY GAS COMPANY.

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

- **19 Moore Road West, Block 333 Lot 2**; 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 from notification to start work from applicant. 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. The applicant's 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. The applicant's contractor will attempt to meet with residents during the construction project to address concerns they might have.
8. The applicant's 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. The applicant's contractor will restore all areas disturbed to same conditions and all non-vegetated areas must be reseeded.
11. All Township roads and paved driveways must use bore method of installation.

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

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

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2014-116 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

RESOLUTION 2014-117
RE: APPROVING STREET OPENING PERMIT FOR SOUTH JERSEY GAS COMPANY.

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

- **8 Elmwood Drive, Block 1303.01, Lot 17; 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.
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 - 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 from notification to start work from applicant. 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. The applicant's 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. The applicant's contractor will attempt to meet with residents during the construction project to address concerns they might have.
8. The applicant's 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. The applicant's contractor will restore all areas disturbed to same conditions and all non-vegetated areas must be reseeded.
11. All Township roads and paved driveways must use bore method of installation.

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

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

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2014-117 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

RESOLUTION 2014-118

A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE AUTHORIZING THE PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR SENECA EAGLE BAND PARENTS ASSOCIATION

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 period of September 18, 2014 through September 28, 2014; and

WHEREAS, the request has been made by the Seneca Eagle Band Parents in order to promote the upcoming Seneca High School Band Competition **which will take place on September 27, 2014**; and

WHEREAS, the Township Committee is desirous of assisting the Seneca Eagle Band Parents in promoting this beneficial activity.

NOW, THEREFORE, BE IT RESOLVED, that the Tabernacle Township Committee, in the County of Burlington, State of New Jersey, does hereby temporarily suspend the zoning regulations prohibiting such signage included in Tabernacle revised Ordinances Chapter 17 Section 22.12 "Off Site Commercial Advertising Signs".

The Township Committee further hereby authorizes the Seneca Eagle Band Parents and/or its representatives to place temporary signage in the public right of way and along Tabernacle public roads promoting the upcoming Seneca High School Band Competition for Seneca Eagle Band Parents Association 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 to President of the Seneca Eagle Band Parents Association.

- On a motion made by Mr. Franzen, seconded by Mr. Lee, Resolution 2014-118 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

**RESOLUTION NO. 2014-119
GRANTING RAFFLE LICENSES TO SENECA EAGLES BAND PARENTS ASSOCIATION**

WHEREAS, the Seneca Eagles Band Parents Association has filed applications with the Township Committee for raffle licenses to conduct raffles and the applicant has paid the proper fees for said licenses; and

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

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

- a) **RA: 2014-07 – Off Premise Draw (50/50).....Date: 11/26/2014**
Ticket Sale: 08/25/2014 – 11/26/2014Hours: 2:00 p.m.
- b) **RA: 2014-08 – On Premise Draw (50/50).....Date: 09/27/2014**
Ticket Sale: 09/27/2014Hours: 8:00 a.m. to 6:00 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 licenses.
2. That the Township Clerk is hereby authorized to issue said licenses on behalf of the Township of Tabernacle.

- On a motion made by Mr. Lee, seconded by Mr. Yates, Resolution 2014-119 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

**RESOLUTION #2014-120
A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE ADOPTING CHANGE
ORDER NO. 3 TO A CONTRACT BETWEEN THE TOWNSHIP OF TABERNACLE AND A. E.
STONE FOR THE 2013 LOCAL ROAD PROGRAM**

WHEREAS, on August 26, 2013, the Township Committee awarded the contract for the 2013 Local Road Program in the amount of \$794,000.00 to A. E. Stone.; and

WHEREAS, Change Orders are regulated by Local Finance Board regulation N.J.A.C. 5:34-4; and

WHEREAS, approval by the Mayor and Committee is required for all Change Orders; and

WHEREAS, The Administrator and Alaimo Group, Township Engineer, have recommended that the Mayor and Committee approve Change Order No.2 as described below;

**Change Order #3
Description of change in scope of work:**

- Amount of Original Contract: \$794,000.00
- Amount of Contract with Previous Change Orders Adjustment: \$862,775.00
- **Adjustment Based on Change Order No. 3:** (\$ 5,827.74)
- Adjusted Contract Total: \$856,947.26

WHEREAS, the adjusted amount of this contract based upon Change Order No. 3 is \$856,947.26;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle in the County of Burlington as follows:

1. Change Order No. 3 to the contract between the Township of Tabernacle and A. E. Stone. is hereby authorized by the Township; and
2. The Mayor is hereby authorized and directed to execute Change Order No. 3.
 - On a motion made by Mr. Franzen, seconded by Mr. Lee, Resolution 2014-120 was offered for adoption.
 - Mr. Frank Morris gave Committee an explanation of this Change Order to Committee advising that it was a reduction.
 - **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

RESOLUTION 2014-121

RE: ACCEPTING THE RESIGNATION OF STACEY MCBRIDE AS TABERNACLE TOWNSHIP DEPUTY COURT CLERK

WHEREAS, Stacey McBride has served the position of Tabernacle Township Deputy Court Clerk since April 18, 2013 in Tabernacle Township; and

WHEREAS, Stacey McBride has submitted her resignation from the position of Tabernacle Township Deputy Court Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Tabernacle Township, that it hereby accepts the resignation of Stacey McBride from the position of Tabernacle Township Deputy Court Clerk, effective Thursday, July 15, 2014.

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2014-121 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

RESOLUTION 2014-122

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING THE MAYOR TO SIGN THE CERTIFICATE OF SUBSTANTIAL COMPLETION OF THE PATTY BOWKER ELECTRICAL CONSTRUCTION BY RANCO CONSTRUCTION, INC. AND ACCEPTING THE MAINTENANCE BOND

WHEREAS, a contract was awarded for the electrical construction of the Patty Bowker Concession on March 24, 2014 by Resolution 2014-63 to Ranco Construction, Inc.; and

WHEREAS, Ranco Construction, Inc. has completed the scope work and submitted a final invoice and all closeout documents; and

WHEREAS, Ranco Construction, Inc. has submitted a two year Guaranty beginning June 5, 2014, and a Maintenance Bond #58708164 in the amount of \$2,785.46.

NOW THEREFORE, BE IT RESOLVED that the Mayor is authorized to sign the Certificate of Substantial Completion on behalf of Tabernacle Township.

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Tabernacle hereby accepts the two-year Guaranty and Maintenance Bond #58708164 from Ranco Construction, Inc. for the Electrical Construction Patty Bowker Concession.

- On a motion made by Mr. Lee, seconded by Mr. Franzen, Resolution 2014-122 was offered for adoption.
- Douglas Cramer gave the Committee an update on the inspections and explained that this was a final payment.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

RESOLUTION 2014-123

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:

- **84 Summit Drive, Block 305, Lot 4.08;** 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 from notification to start work from applicant. 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. The applicant's 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. The applicant's contractor will attempt to meet with residents during the construction project to address concerns they might have.
8. The applicant's 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. The applicant's contractor will restore all areas disturbed to same conditions and all non-vegetated areas must be reseeded.
11. All Township roads and paved driveways must use bore method of installation.

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

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

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2014-123 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

**RESOLUTION 2014-125:
A Resolution Appointing A Temporary Deputy Court Administrator**

WHEREAS, Tabernacle Township Committee has since become aware of the need to fill the position of a Temporary Deputy Court Administrator after Stacey McBride submitted her resignation from the Township of Tabernacle; and

WHEREAS, recommendation was made by the Municipal Court Administrator to appoint Elizabeth A. Beaumont as the Temporary Deputy Municipal Court Administrator on the basis of her qualifications, experience and certification as a Municipal Court Administrator.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, hereby approve the appointment for **Elizabeth A. Beaumont as Temporary Deputy Court Administrator for a salary of \$110.00 per session, effective immediately.**

- On a motion made by Mr. Lee, seconded by Mr. Franzen, Resolution 2014-125 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

OLD BUSINESS:

Discussion on the proposed Ordinance of the Township of Tabernacle, County of Burlington and State of New Jersey Establishing Rental Regulations and Licensing Requirements ensued. Mr. Robert Perri was asked for his comments on the proposed Ordinance created by Mr. Peter Lange. Discussion between Mr. Lange and Mr. Perri outlined their agreement with the wording to be used in the Rental Contract and Property Registration Agreement. Discussion between the Committee members, Mr. Lange and Mr. Perri ensued regarding the fees to be charged for the rental agreements which are to be filed annually. Mr. Franzen wanted to ensure that the fees would cover the cost of any inspections to be performed by Mr. Perri and suggested a substantial increase in the fee. Mr. Perri was against this as he did not want to over-burden those landlords that did not have issues that would require additional inspections. He would rather see a single rate charged so that charges of price gouging would not occur. Mr. Yates feels that the landlords are in the business of making money and the costs would be passed on to the renters. Mayor Barton suggested changing the fee to \$50.00 per unit. Mr. Lange was instructed to prepare this Ordinance for presentation of first reading at the next workshop meeting in August.

REPORTS:

Report of the Township Engineer

Frank Morris reported on Sooy Place Road work recommendations. He did not recommend that some of this milling work be done in stages. There is approximately 9,000 feet of road work to be addressed. The work will take several months depending on when work is started and the weather.

Mr. Lee believed that work on the Community Center should take precedence over the work to be done on Sooy Place Road. Doug Cramer advised that the architect had been employed to give recommendations on the Community Center.

Mr. Cramer asked the Committee to make a motion to give Mr. Morris the authority to move forward with developing the specifications for the Sooy Place Road overlay project.

MOTION:

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Alaimo Group was authorized to develop specifications and plans for the Sooy Place Road Reconstruction Project.
- **Roll Call: Franzen, Yates, Barton Ayes: 3 Nays: 1 (Lee)**

Motion carried.

Report of the Township Administrator:

Mr. Cramer reported that he had received a check from the TAA to reimburse the Township for insurance costs associated with participants who were not residents of Tabernacle. There were a total of 136 participants in the program and although it was not required by Ordinance, the TAA presented the Township with a check in the amount of \$1,360.00 and Mr. Cramer expressed his appreciation for this gesture. He advised that the Recreation Committee report would be available to the public the next day.

Report of the Township Solicitor:

Mr. Lange reported on having been approached about Open Space acquisition of an area known as Bear Swamp, however, the deadline was July 30th. They acknowledged that this was not enough time for the Committee to consider this matter. He did advise that he believed the Committee would not be adverse to consider any other matters of this nature in the future.

Mr. Lange reported on the Lee, Wimbeldon Way and North Drive demolition projects. He had been before the court earlier in the week and the judge did grant the Township permission to move forward on the North Drive property. Ms. Berle Johnson of Lee Drive had appeared at the court hearing and asked the court for more time to address issues at her property. Mr. Lange and the judge granted an extension to Ms. Johnson until September 5, 2014. If no progress is made, he will ask the court for permission to proceed with demolition request. Mr. Lange also advised that through a skip/trace search, the owner of the Wimbeldon Way property had been located in NY and his office was attempting to serve papers. Mr. Lange also reported to the Committee that the Township has been receiving vacant property fees and the compliance seems to be forthcoming.

Mr. Lange questioned Mr. Morris about the James Gaskill Release of Performance Bond recommendation made by Alaimo and the request to use the funds for the Maintenance Bond. He believed that this had been a cash deposit. He asked Mr. Morris if it was still his recommendation to discharge this Performance Bond and post the money towards the Maintenance Bond. Mr. Morris agreed that this was his position.

RESOLUTIONS:

RESOLUTION 2014-126

A RESOLUTION OF THE TABERNACLE TOWNSHIP COMMITTEE RELEASING THE PERFORMANCE BOND ASSOCIATED WITH JAMES GASKILL BLOCK 1002, LOTS 7.01, 8 & 9 IN THE TOWNSHIP OF TABERNACLE

WHEREAS, the owner, James Gaskill of Block 1002, Lots 7.01, 8 and 9, has posted a Performance Bond letter of credit in the amount of \$54,762.00 as a condition of site plan approval pursuant to the requirements of the Tabernacle Township Development Ordinances; and

WHEREAS, the Township's Engineer, Mr. Frank Morris has inspected the improvements to date and recommended that all performance guarantees be released subject to the owner posting a **two-year maintenance guarantee** in the amount of **\$6,845.25** and the payment of all outstanding escrows pursuant to his report dated May 6, 2014; and

WHEREAS, it is the wish of James Gaskill to use the funds currently held in the performance bond guarantee to be used against the fees required for the maintenance guarantee in the amount of **\$6,845.25**; and

WHEREAS, pursuant thereto, the Committee finds that the required improvements have been made, inspected and approved as detailed in the May 6, 2014 inspection report of Frank Morris, P.E.

NOW THEREFORE, be it resolved by the Tabernacle Township Committee that the Performance Bond associated with the site plan at the James Gaskill property, Block 1002, Lots 7.01, 8 and 9 shall be and is hereby released upon the posting of a two-year maintenance guarantee in the amount of \$6,845.25.

- On a motion made by Mr. Franzen, seconded by Mr. Lee, Resolution 2014-126 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

Mr. Lange asked Mr. Morris about the status of the Pagliuso project. Mr. Lange suggested revisiting the Resolution wording in the future to make deadline for improvements. Mr. Lange will contact Pagliuso to make the improvements. Mr. Yates was concerned that it has been almost one and one half years on this matter.

RESOLUTION 2014-127

AUTHORIZE TOWNSHIP SOLICITOR TO PREPARE SPECIFICATION AND SOLICIT BIDS FOR DEMOLITION OF 45 NORTH DRIVE, BLOCK 809, LOT 28.

WHEREAS, it is the desire of Tabernacle Township to receive sealed proposals for the demolition of 45 North Drive, Block 809, Lot 28 in Tabernacle Township; and

WHEREAS, specifications will be prepared by the Township Solicitor and sealed proposals will be received by the Township Clerk's Office at 163 Carranza Road, Tabernacle, NJ 08088.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Tabernacle Township, in the County of Burlington State of New Jersey hereby authorize the Township Solicitor to prepare specifications and solicit bids for demolition of 45 North Drive, Block 809, Lot 28 in Tabernacle Township.

BE IT FURTHER RESOLVED upon advertised notice that sealed proposals is to be delivered or mailed to the Township Clerk in Tabernacle Township, where **sealed bids will be opened publicly**.

- On a motion made by Mr. Lee, seconded by Mr. Yates, Resolution 2014-127 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

Report of the Emergency Management Coordinator:

William Lowe spoke on the CERT exercise conducted on June 28, 2014. The CERT members had a set of goals that needed to be achieved and the Fire Company and Rescue Squad were monitoring the exercise. Following the completion of the exercise they made recommendations on what had been observed. This exercise began with (4) four individuals being given a circumstance and they had to develop plans to implement an action. This developed into (20) twenty more individuals becoming involved. Later, (25) twenty-five more individuals from the County became involved in this exercise. Mr. Lowe reported that the cost of this one day exercise would have totaled \$14,624.00. It was broken down to explain that \$11,000.00 would have been in volunteer hours at a rate of \$28.00/hr. \$2,431.00 was for vehicle costs. The actual amount expended on this exercise was \$300.00. It served to validate that the CERT team could evolve a plan and document every aspect of manpower and expense associated with this should a real emergency present itself.

Mr. Lee questioned Mr. Lowe if the CERT members could be used for events such as the Holy Eucharist Pine Barrens Festival where he felt that more attention could have been placed on parking and pedestrian safety. Mr. Lowe explained that this was not the purpose for the CERT volunteers as events such as the festival are for fund raising purposes.

Report of the Township Committee:

Mr. Yates spoke on a lack of volunteers to work on the Snack Stand project. Many of the previous volunteers are becoming burned out. There is still much work to be done such as counter tops, sheet rock, paint, soffits, fascia, gutters, concrete and septic work that could be addressed by volunteers. He has obtained some quotes from outside contractors. When the stairs arrive, it will be easier to access and safer than the ladder used at present. Mr. Cramer reported that there was still a substantial amount of money that can be used for this project in the budget. Mayor Barton was sure that volunteers from the community would come forward.

Mr. Franzen thanked Lynn Hedden for the report made to the Committee and for the presentation of the check. Ms. Hedden thanked the Committee for their continued support to the TAA organization. She echoed the sentiments of Mr. Yates that volunteers were hard to come by and that they had seen many young people stepping up to assume positions in TAA that had normally been filled by adults. She advised Mr. Yates that she hoped that more volunteers would be coming forward to work on the snack stand project.

Mr. Lee reported he had attended the Farm Fair and was happy to report that Tabernacle resident Kirsten Johnson had been selected as the Farm Fair Queen. Mr. Lee was also present at the Olson Middle School graduation and took notice that Ms. Johnson’s brother had also been recognized at the ceremony with a number of awards, so it had been a great week for this family.

Mayor Barton reported he had attended the Holy Eucharist Pine Barrens Festival and having the honor of presenting Mr. and Mrs. Nixon with an award for their volunteerism with the Helping Hands of NJ organization and the services they provided to a Tabernacle resident this year. He had also received a plaque from Holy Eucharist presented to the Township of Tabernacle for its continued support of their Festival. He gave this to Mr. Cramer for placement at Town Hall.

RESOLUTION:

RESOLUTION 2014-124

A RESOLUTION ADOPTING THE HAZARD MITIGATION PLAN AS AN OFFICIAL PLAN OF THE TOWNSHIP OF TABERNACLE

WHEREAS, the Township of Tabernacle has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS, a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee;

WHEREAS, the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

WHEREAS, a County public meeting was held on December 12, 2013 to introduce the planning concept and to solicit questions and comment; and to present the Plan and request comments, as required by law.

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

1. The *Hazard Mitigation Plan* is hereby adopted as an official plan of the Township of Tabernacle; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Township of Tabernacle: departments identified in the Plan, are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Township Committee, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the New Jersey Office of Emergency Management. The status reports shall be submitted by October 1 of each year.

- On a motion made by Mr. Lee, seconded by Mr. Yates, Resolution 2014-124 was offered for adoption.
- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

Public Comment

Kim Kreidler, 78 Summit Drive – Wanted to advise the Committee that a neighborhood watch had been instituted in their neighborhood. Sgt. Ditmier at the Red Lion State Police Station had been contacted and was aware of this watch program. She had noticed that a red sticker had been placed on the 72 Summit Drive property after a tree fell on it and inquired if this had been placed by Mr. Perri, to which the Committee responded it was. If she should see anyone living in the property, she should contact Sgt. Ditmeir and/or Mr. Perri.

Ken Hall, 66 Summit Drive – Spoke to the Committee about the Rental Ordinance. He believes that an inspection should be performed every year by Mr. Perri's office and if he needs more help to do these inspections it should be provided to him.

Stuart Brooks, 78 Moores Meadow Road – Asked the Committee to ensure that if fees were to be charged for the Rental Inspections to cover the costs involved with the inspections. He also asked if there would be any discussion on matters after the Executive Session. He then asked Mr. Cramer as to when he had received the TAA report. Mr. Cramer advised that it was late in the afternoon.

Jason Litowitz, 5 Horseshoe Court – Asked the Committee if they knew when the next meeting at the Local Finance Board would be held to discuss the Fire District Dissolution matter. Mr. Lange reported that Attorney Braslow had indicated that he would not be able to attend a meeting in August and it was being assumed that this next meeting might be in September, but no date had been set as of this time. Mr. Litowitz also recommended that wording be added to the Agenda suggesting that the Agenda items could be amended at the discretion of the Township Committee.

Public Comment Closed.

Executive Session Resolution

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

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

WHEREAS, the Governing Body wishes to discuss litigation matters involving Fran Brooks, Plaintiff v. Township of Tabernacle and La Shawn R. Barber in her official capacity as Municipal Clerk and Records Custodian of the Township of Tabernacle as well as the Contract submissions for the Tabernacle Township Prosecutor position. Pursuant to NJSA10:4-12(B) (7) these matters will be discussed in a closed session from which the public shall be excluded.

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

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

- On a motion made by Mr. Franzen, seconded Mr. Yates. **Closed to the public at 9:35p.m.**

Roll Call: Those in favor: 4 Opposed: 0

Rreopen. Mayor Barton reconvened to the regular meeting at 10:10 p.m.

Roll Call: Those in favor: 4 Opposed: 0

RESOLUTION:

RESOLUTION 2014-128

A RESOLUTION ACCEPTING A SETTLEMENT OFFER IN THE MATTER OF FRAN BROOKS, PLAINTIFF V. TOWNSHIP OF TABERNACLE AND LA SHAWN R. BARBER IN HER OFFICIAL CAPACITY AS MUNICIPAL CLERK AND RECORDS CUSTODIAN OF THE TOWNSHIP OF TABERNACLE.

WHEREAS, Fran Brooks, Plaintiff, has brought a certain above entitled court action against the Township of Tabernacle and La Shawn R. Barber in her official capacity as Municipal Clerk and Records Custodian of the Township of Tabernacle; and

WHEREAS, the Township Committee of The Township of Tabernacle, County of Burlington, State of New Jersey has released the document which was the subject of the suit pursuant to the Committee's desire to avoid costly and unproductive litigation; and

WHEREAS, the Township is desirous of settling this matter out of court and has agreed to pay \$2,150.00 to plaintiff's attorney in full and final settlement of the demanded fees and costs rather than obtain a judicial resolution of the issues; and

WHEREAS, as it is believed that the Township's residents are exposed to significant potential costs irrespective of the merit of plaintiff's claims.

NOW THEREFORE, BE IT RESOLVED, that The Township of Tabernacle hereby accepts the settlement offer and directs the Township officials to take any and all actions necessary to effectuate the proposed terms and thereby eliminate the expected future costs of the litigation.

- On a motion made by Mr. Franzen, seconded by Mr. Lee, Resolution 2014-128 was offered for adoption.

- **Roll Call: Franzen, Lee, Yates, Barton Ayes: 4 Nays: 0**

Motion carried.

Mayor Barton appointed a subcommittee of himself and Mr. Lee to review and interview the candidates for the position of Tabernacle Township Prosecutor. Mr. Yates asked to have the name of Andrew Smith removed from the list of candidates as the proposal was received after the submission deadline. Committee members agreed. The Committee also instructed Douglas Cramer to contact Dean Buono to request his continued services on a temporary basis through the month of August as our interim Prosecutor.

Closed to the public.

Adjournment

The motion was made by Mr. Yates, seconded by Mr. Lee to adjourn the meeting. All were in favor. Members of the Township Committee adjourned the meeting at 10:15 p.m.

Respectfully submitted:

Eileen Baitzel
Deputy Township Clerk

Approved: 8/25/2014