

Tabernacle Township Committee Minutes November 24, 2014

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

Sunshine Notice: This meeting is called pursuant to the Open Public Meetings Law. This meeting of **November 24, 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, Deputy Mayor
Joseph Yates, IV, Township Committee (Absent)
Joseph Barton, Mayor

Also In attendance:

Douglas A. Cramer, Township Administrator
Terry W. Henry, Chief Finance Officer
Peter C. Lange, Jr., Township Solicitor

Father Jamison led in prayer with reference to the recent tragedy in Tabernacle Township.

Mayoral Comments – Mayor Barton asked for a Moment of Silence from the public.

Red Lion State Police Report

Lt. Greg Giannone from the Red Lion State Police addressed the public with reference to the process that was required to be followed in the investigation and processing of victims during the recent murders that took place in the Township. The public was invited to ask questions, however, none were forthcoming. Lt. Giannone was thanked for the job performed under such difficult circumstances.

Public Comment

Stuart Brooks, 78 Moores Meadow Road questioned when it became policy to not allow comments on first reading of ordinances. Mr. Lange advised that it was being done in an attempt to regulate the agenda.
Public Comment closed.

Approval of Bills

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

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

Approval of Minutes

- On a motion made by Ms. Brown, seconded by Mr. Franzen, the minutes of October 27, 2014 (regular) were offered for adoption.
- **Roll Call: Brown, Franzen, Barton Ayes: 4 Nays: 0 Abstained: 1 (Lee) Absent: 1**
Motion carried.
- On a motion made by Ms. Brown, seconded by Mr. Franzen, the minutes of November 10, 2014 (Workshop) were offered for adoption.
- **Roll Call: Brown, Franzen, Lee, Barton Ayes: 4 Nays: 0 Absent: 1** *Motion carried.*

Ordinances

First Reading: ORDINANCE 2014-8: AN ORDINANCE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING THE DISSOLUTION OF THE TABERNACLE FIRE DISTRICT NO. #1 PURSUANT TO N.J.S.A. 40A:5A-20.

- Public Hearing Date: 12/8/2014 * 7:30 p.m.
Mr. Lange gave the Committee a breakdown of items in the Ordinance. The Local Finance Board has approved and is implementing this action.
- Members of the Township Committee discussed removing section 6 Article 2 & 3 of the ordinance. Mr. Lee was not in agreement with removing these sections from the Ordinance. On a call of the Committee members to determine their vote on removing these two sections, Ms. Brown, Mr. Franzen and Mayor Barton agreed with removing Section 6 Articles 2 & 3 from the Ordinance.

- On a motion made by Ms. Brown, seconded by Mr. Franzen, Ordinance 2014-8, on first reading, was offered for adoption.

Roll Call: Brown, Franzen, Barton Ayes: 3 Nays: 1 (Lee) Absent: 1 Motion carried.

Resolutions

RESOLUTION 2014-163:

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:

- **7 Hanley Court 1, Block 809 Lot 23 ; 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. Lee, seconded by Mr. Franzen, Resolution 2014-163 was offered for adoption.
- **Roll Call: Brown, Franzen, Lee, Barton Ayes: 4 Nays: 0 Absent: 1 Motion carried.**

RESOLUTION 2014-164
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:

- **52 QUAIL WAY- BLOCK 201 LOT 3.16; 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.

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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.
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- On a motion made by Mr. Lee, seconded by Mr. Franzen, Resolution 2014-164 was offered for adoption.
- **Roll Call: Brown, Franzen, Lee, Barton Ayes: 4 Nays: 0 Absent: 1 Motion carried.**

RESOLUTION 2014-165
RE: AWARD OF CONTRACT FOR SOOY PLACE ROAD IMPROVEMENT

WHEREAS, the Tabernacle Township Committee has received sealed proposals for work to be performed in connection with electrical construction at the Patty Bowker Concession Building; and

WHEREAS, N.J.S.A. 40A:11-4 states that a contract, the cost of which would exceed \$17,500.00 in a fiscal year, shall be awarded only after public advertising for bids and bidding therefore; and

WHEREAS, there has been public advertisement for bids and the Township Clerk has received and opened bids on November 13, 2014 at 10:00 P.M. for the purpose of awarding a contract for the aforementioned **Sooy Place Road Improvement** and has advised that a certain entity is the lowest qualified responsible bidder for said contract and has recommended that the Municipality award said contract or reject the bids within sixty (60) days as required by N.J.S.A. 10A: 11-4; and

WHEREAS, the Township's Chief Financial Officer, as required by N.J.A.C. 5:30-1, has certified that there are sufficient funds available for the purpose of awarding a contract to said entity, said certification being attached hereto and made a part hereof.

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

1. That the Chief Financial Officer, based upon the aforementioned certificate, has declared that there are sufficient funds available for the aforesaid purpose, and that the Township Committee hereby directs that the hereinafter expenditure be charged against such funds.
2. That the Township Committee, for the aforementioned reasons, **hereby declares that Arawak Paving Co., Inc., 7503 Weymouth Road, Hammonton, NJ 08037 is the lowest qualified bidder** for the aforementioned contract and hereby awards a contract to the said entity for the aforesaid purpose in the amount of **\$482,000.00** in accordance with the terms and conditions of the Bid Proposal, the Notice to Bidders and Specifications, copies of which are on file in the Office of the Township Clerk and available for public inspection during regular business hours.
3. That the award to **Arawak Paving Co.** is consistent with the legal requirements of the lowest responsible bidder, which conforms, to all specification requirements and applicable statutory provisions.
4. That the Township Committee hereby directs the Township Clerk to return the bid securities to the following unsuccessful bidders in accordance with NJSA 40A: 11-4:

1	American Asphalt Co., Inc., 116 Main Street, W. Collingswood Heights., NJ 08059
2	Earle Asphalt Company, 1800 Hwy. 34, PO Box 556, Farmingdale, NJ 07727
3	A.E. Stone, Inc., 1435 Doughty Road, Egg Harbor Twp., NJ 08234
4	Cardinal Contr. Co., LLC., 1738 Route 206 Red Lion Circle, Southampton, NJ 08088

5. That the Township Committee does hereby direct the Township Mayor and Clerk to execute any contract documents which are necessary to effectuate the terms of this Resolution which shall be prepared by or reviewed by the Office of the Township Attorney.
- On a motion made by Mr. Lee, seconded by Ms. Brown, Resolution 2014-165 was offered for adoption.

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

Report of the Township Engineer

Mr. Morris reported that he anticipated Sooy Place Road repaving project will most likely end in April, 2015. Arawak was the low bidder and the bid was for the complete project. Mr. Cramer reported the bid came in well below the estimate of \$700,000. Mr. Franzen and Mr. Lee questioned what was happening with the building renovation at the Town Hall, Community Center and the Pepper House projects. Mr. Cramer advised that there were funds left over from the 2013 and 2014 road programs leaving \$400,000 for the renovation projects. Mr. Cramer recommended a meeting of the Building and Grounds Committee to discuss where they want to proceed on these projects. Mr. Morris advised that he is still working with South Jersey Gas on issues and they are moving forward.

Report of the Township Administrator

No report.

Report of the Township Solicitor

Mr. Lange advised that he had not heard anything from Mr. Pagliuso. He also advised that he had been in contact with the Pinelands Commission regarding the zoning issues with Medford Farms.

Report of the Township Committee

Mr. Franzen spoke about the tragic event in Tabernacle and the good work performed by the Red Lion State Police, the Tabernacle Rescue Squad, Medford Farms Fire Company and all the various members of the community that came together to offer assistance.

Ms. Brown had no report.

Mr. Lee reported he had attended the NJ Farm Bureau Convention. There was a lot of talk about fires associated with farms and the need to reach out to the Emergency Services so that they can prepare for these types of circumstances. He also attended the Comedy Night at the Medford

Farms Fire Company. Mr. Lee thanked everyone for their efforts, including the emergency response teams as well as the Township employees for their professionalism.

Mayor Barton noted that time was needed by all to grieve. He thanked Lt. Giannone for coming to the meeting and keeping the community informed. He also thanked all of the first responders for their efforts.

Public Comment

Mark Lemire, 32 Washington Way echoed the thoughts of the Committee on this week's events. He also wanted to remind everyone that there would be a tree lighting ceremony on December 5th at 7PM at the Township gazebo.

Stuart Brooks, 78 Moores Meadow Road spoke that his heart goes out to everyone related to the tragedy. He also spoke that at the LFB meeting the Committee had committed to the fire truck, but no specificity as to what truck. Mayor Barton responded that this discussion would be revisited when a decision was made as to the Fire Company appointment. Mr. Brooks asked if LOSAP would be continued and will it be extended to the Rescue Squad. He supported Mr. Lee in his opinion about the Ordinance and leaving in the two sections. He also spoke of the wash bay issue and questioned if the school district was going to use it. His concern is that the water stay clean in the Township. He wants the school to take advantage of this system since it is available. Mayor Barton advised that it is available if the school wishes to address.

Fran Brooks, 78 Moores Meadow Road asked about the Executive Session minutes and when they were to be released. Mr. Lange advised that he was still in the process of looking them over and would make his recommendation to the Committee at a later date. Ms. Brooks spoke of wanting Mr. Lange to withdraw his statement made by her of the Committee being "under investigation." Ms. Brooks also spoke on the problem with Chief Smith not being able to bring in new volunteers.

Ray Mc Carty, 368 Tuckerton Road agreed with Ms. Brooks about the wash bay. He would like to see a fund line item separate for the fire department. He questioned if all the property of the Fire District would revert back to the Township. He also questioned which sections had been eliminated from the Ordinance.

Jason Litowitz, 5 Horseshoe Court questioned if the ordinance would take effect immediately upon passage and publication. Mr. Litowitz spoke of a video camera over his shoulder and wanting the Committee to impose reasonable restrictions. In speaking of the board of education requirements, anyone making video recordings is to announce who they are and their affiliation or possibly what they plan on doing with the recording. It is an important issue because you may not want to be recorded, as someone may be a potential victim of abuse or even children may be in attendance and their parents may not want the children's image portrayed. Mr. Litowitz wants the Township meetings to be a more dignified experience for those attending the meetings.

Kathy Burger, 18 Woodside Drive thanked Mr. Lee for his comments regarding the ordinance and spoke of her disappointment with the Committee for the discussions that took place about this ordinance. Ms. Burger suggested the Committee have discussions first so they will be on the same page.

George Jackson III, 66 Woodside Drive thanked the Township for their support this past Thursday. He also thanked Col. William Lowe for helping him keep focus as the events unfolded. He thanked Mr. Cramer and the Committee for reaching out and was proud of all his squad members for their performance. He complimented the Fire Company for their professionalism and involvement.

Public comment closed.

Adjournment

Ms. Brown motioned to adjourn the meeting and Mr. Franzen seconded the motion. Motion Carried.

Meeting was adjourned at 9:19 PM.

Respectfully submitted:

La Shawn R. Barber, RMC/CMR
Municipal Clerk

Approved: 12/29/2014