

Tabernacle Township Committee February 12, 2018

Town Hall Meeting

Mayor Joseph Barton called the regular meeting to order at 7:30 p.m. followed by the Flag Salute.

Sunshine Notice: This meeting was called pursuant to the Open Public Meetings Act. This meeting of February 12 2018 was 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.

A roll call taken of governing body members in attendance

Kimberly A. Brown, Township Committee (Absent)

Richard J. Franzen, Township Committee

Stephen V. Lee, IV, Deputy Mayor (Absent)

Joseph Yates, IV, Township Committee

Joseph W. Barton, Mayor

Administrative Team in attendance

Douglas A. Cramer, CPWM, Administrator

Terry W. Henry, Chief Finance Officer

Dante Guzzi, Township Engineer

La Shawn R. Barber, RMC, Municipal Clerk



Approval of Bills: Motion to approve the bills as submitted was made by Mr. Franzen, seconded by Mr. Yates. The bills were ordered paid.

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

Public Comment

Jim Jones, Wimbledon Way, spoke of the EMS/RFQ contract with TRS and how grateful he was when TRS came to his aid during an emergency.

Fran Brooks, Moores Meadow Road, spoke of her support of wanting the Township to do an RFQ for the EMS for services.

Resolutions

RESOLUTION 2018-36 GRANTING RAFFLE LICENSE TO SENECA PARENTS GROUP

WHEREAS, the **SENECA PARENTS GROUP** has filed applications with the Township Committee to conduct bingo and 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 bingo and raffles, are bona fide active members of said organization, and that the bingo and raffles will be conducted in accordance with the New Jersey Administrative Code 13:47; and

WHEREAS, the following **Bingo and Raffle Licenses** are requested on the dates listed:

RA: 2018-01 50/50 Cash On – Premise Draw	March 2, 2018	Time: 6:15 pm-9:00 pm
RA: 2018-02 Merchandise Raffle	March 2, 2018	Time: 6:15 pm-9:00 pm
BA: 2018-03 Bingo	March 2, 2018	Time: 6:15 pm-9:00 pm

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 Bingo and Raffle Licenses.
2. That the Municipal Clerk is hereby authorized to issue said licenses on behalf of the Township of Tabernacle.

• **On a motion made by Mr. Yates, seconded by Mr. Franzen Resolution 2018-36 was offered for adoption.**
Roll Call: Franzen, Yates, Barton Ayes: 3 Nays: 0 Absent: 2 Carried

**RESOLUTION 2018-37
 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, 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:

RAFFLE	GAME	DRAWING	HOURS	SNOW DATE
2018-04	On-Premise Draw Daily 50/50	April 22, 2018	1:00 P.M.– 5:00 P.M.	N/A
2018-05	On-Premise Draw Chinese Auction	April 22, 2018	1:00 P.M. – 5:00 P.M.	N/A

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.

• The doctrine of necessity was invoked to allow members of the governing body to vote.
 • **On a motion made by Mr. Franzen, seconded by Mr. Yates Resolution 2018-37 was offered for adoption.**
Roll Call: Franzen, Yates, Barton Ayes: 3 Nays: 0 Absent: 2 Carried

Mayor Barton spoke about the history with an OPRA Request for information that Mr. Lange provided this Township Committee under Attorney Client and was originally was denied by Clerk Barber. Ralph Shrom followed one of two processes; file in superior court and file a lawsuit against the Township; if the applicant would prevail we would have to cover their legal cost. In this case, Mr. Shrom took the second option which is available to everyone in which the public was encouraged everyone to follow that process by making application with the Government Records Council. (GRC).

Mayor Barton spoke of this Township gets a lot of OPRA Request and he spends at least a half a day in Town Hall and Clerk Barber is actively working on OPRA request. In this case, it is proven that is does work.

**RESOLUTION 2018-38
 APPROVING SETTLEMENT OF LITIGATION**

WHEREAS, litigation was commenced in the Superior Court of New Jersey, Law Division, Burlington County under Docket Number **BUR-L-1198-17** captioned 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, Defendants making certain claims against the Township and the Township Clerk related to the New Jersey Open Public Records Act; and

WHEREAS, the litigation was defended by the Township’s solicitor, Peter C. Lange Jr. Esq.; and

WHEREAS, the Township Solicitor has recommended settlement of the litigation under terms which are now acceptable to the Township of Tabernacle in consideration of the facts and circumstances and the cost shifting mechanisms included in OPRA and in view of the Township’s exposure to further attorney’s fees and for other appropriate considerations; and

WHEREAS, counsel for the Plaintiff has agreed on behalf of Fran Brooks to accept the payment of \$6800.00 in full settlement of all claims against the Township;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, that the Township shall resolve the above referenced litigation according to such terms.

• **On a motion made by Mr. Franzen, seconded by Mr. Yates Resolution 2018-38 was offered for adoption.**
Roll Call: Franzen, Yates, Barton Ayes: 3 Nays: 0 Absent: 2 Carried

Old Business

Public Safety Director Position Specifications

Mayor Barton spoke of the Township Committee asking Administrator Cramer to prepare position specifications; Mayor Barton prepared a draft as well. Neither are final documents. The Committee must decide on the responsibilities, duties, qualifications. Since only three members are in attendance; no action will be taken however will take comment from the public.

Fran Brooks, Moores Meadow Road, spoke of the draft versions of the public safety director documents and recommend separating the positions and not make residency a requirement for a wider search.

Discussion: EMS – RFO / Contract

No comment.

Municipal Court Retirement (Hon. Richard Andronici)

The Municipal Clerk was authorized to advertise the position of Municipal Court Judge for the term (April – December 2018), motion made by Mr. Yates, second by Mr. Franzen.

Roll Call: Franzen, Yates, Barton Ayes: 3 Nays: 0 Absent: 2 Carried

Report of the Township Engineer

Engineer Guzzi reported on the expiration of the maintenance bond for the 2015 Park Improvement.

Report of the Township Administrator

Administrator Cramer reported on wanting an agreement with Southampton Township for shared service for grater usage.

Report of the Township Solicitor

Mr. Lange reiterated on Mr. Cramer's report regarding the grater adding language will be included in the contract for Lakewood Township to deliver the grater; will have the contract ready for the March 26th meeting.

Report of the Township Committee

Committeeman Yates spoke this is not "money grab" and wants the input from the public for the public safety director position and with the contract for the EMS; value the opinion of the public as his mind is still not made up.

Committeeman Franzen spoke about OPRA request as it has always been troublesome that the law does not mandate that you go through the Government Records Council first. At one time there were some changes recommended by the State but it did not go through; as it stands right now people can cost this township tens of thousands of dollars and sue us. Hats off to Mr. Shrom for handling this in a responsible way that did not cost tax payer's money.

Mayor Barton spoke that he will step aside and allow Deputy Mayor Lee to take his place for the sub-committee regarding surrounding communities and municipal court as our Judge retires. Research for more economical for us.

Mayor Barton spoke about Dr. Gordon Stull will be retiring; provided free rabies vaccination for Tabernacle Township for over 23 years at no cost to the Township. There was no objection from the Township Committee to provide recognition to him with a bench with his name on it and dedicate it to him for years of service to Tabernacle Township. A proclamation will also be provided. Committeeman Yates seconded the approval. Mayor Barton spoke of Dr. Stull being a humble man and probably would not want to appear in front of everyone; we will recognize his accomplishments.

Mayor Barton spoke about the Burlington County Veterans Affairs has a non-profit organization call the Burlington County Military Affairs Committee which was founded many years by Ed Kelly along with Congressman Saxton; the organization is up for the Abilene Trophy Award, they ask the Township send a letter of recommendation to receive the prestigious award. There were no objections supporting the Joint Base McGuire, Dix-Lakehurst as a lot of the enlisted and employees of the base reside in our town. The letter will hopefully push them over the top if they can get this award. There were no objections for the Mayor to sign the letter.

Public Comment

Fran Brooks, Moores Meadow Road, spoke of finding Committee comments about OPRA and GRC interesting. Spoke of it not being cost free to go to the GRC as there is time put in by the Township Solicitor; spoke of requesting same document Mr. Shrom and was denied. Generally speaking, the issue of privilege is very difficult but recognizes what Mr. Shrom did. The documents Mr. Lange prepared should have been public record and not marked Attorney Client Privilege.

Mr. Shrom spoke that after the OPRA request was denied he filled out the appeal and gave them reasoning in the appeal as why he felt it should be a public document; GRC asked if he was willing to mediate if denied. It was clear that Mr. Shrom had no interest in going to court.

Jim Jones, Wimbeldon Way, spoke of his passion for the rescue squad members, ambulance and service to the residents; some do not understand mutual aid also means "life."

Col. William Lowe, OEM Coordinator, provided 2018 meetings dates for LEPC, Safety and CERT; although not a member, Col. Lowe oversees, guided, mobilizes and trains the CERT. The annual CERT report for 2017 was also provided. Col. Lowe reported spending 30 years in uniform and 12 years serving the Township; as of April 1, 2018 he will be retiring. Col. Lowe cautioned the Committee to be very careful with the EMS, not to break the fire company and do not forget that these are heroes along with Public Works. Col. Lowe spoke of the level of help residents receive from TRS that a contract vendor would not provide.

Col. Lowe's accomplishments were outlined starting from his appointed term, June 2005:

- 25 FEMA projects based upon Presidential Declarations receiving and returning to Tabernacle over \$300,000
- 10 plus local Decelerations of Emergency coordinating Township emergency services in response to and recovery from emergency situations
- 40 plus Incident Action Plans coordinating Tabernacle Emergency Services in response to non-emergency situations
- Developed first Community Emergency Response Team in County; currently the Pinelands CERT is one of the larges, best trained and active CERTs in the state. As part of the overall scope of the program over 150 Tabernacle residents have been trained on how to take care of their families, neighbors, and community in an emergency
- Developed a resident emergency notification system for Tabernacle which became the model for the county
- Planned, trained on the exercised in training and rea-world situations a point of distribution system that became the model for the county and the state
- Established and executed emergency preparedness training for other OEMs, private and public groups as well as the US Military Civil Affairs School at MDL
- Developed, coordinated and presented a large animal rescue training program for emergency organizations in the county in concert with the NJ Trail Riders Association

- Developed, planned, coordinated and oversaw the execution of an evacuation and sheltering plan for Tabernacle school District
- Served as operations officer for the BC OEM contingent supporting the Papal Visit of which Pinelands CERT was a key element
- Coordinated and supported five missing persons drills and rea-wide events of which the Pinelands CERT was a key element
- Coordinated Tabernacle's partition in the Register Ready Program overseen by the NJDOH; during one emergency this listing was utilized by a CERT/TRS teams to visit all listed residents
- Hosted an America Corps team which with the visited all residencies in Tabernacle with emergency information
- Coordinated and published four editions of the Tabernacle Emergency Operations Plans, there Hazard Mitigation Plans and a Wildfire Management Plan
- Recognized by BC OEM and FEMA as having an exceptions Emergency Management Program
- Retired form positon 1 April 2018

Adjournment

- Seeing no further business the meeting was adjourned at 8:32 p.m. Motion to adjourn February 12, 2018 meeting was made by Mr. Franzen, seconded by Mr. Yates.

Roll Call: Barton, Franzen, Yates

Ayes: 3

Nays: 0

Absent: 2

Respectfully submitted,

La Shawn R. Barber, RMC/CMR
Municipal Clerk

- Approved: March 26, 2018