

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**TABERNACLE TOWNSHIP COMMITTEE MEETING
APRIL 26, 2021**

CALL TO ORDER Mayor Brown called the meeting to order at 7:30 p.m.

FLAG SALUTE Mayor Brown led in the Salute to the Flag.

OPEN PUBLIC MEETINGS ACT STATEMENT

“The Provisions of the Open Public Meetings Act have been met. Notice of this meeting, Resolution 2021-22, has been transmitted to the Burlington County Times, Central Record, Courier Post, posted on the Bulletin Board of the Municipal Building, posted on the Tabernacle website, given to the Municipal Clerk on January 6, 2021, and given to those having requested and paying for same.” Read by Municipal Clerk Kennedy.

ROLL CALL

Those members present upon roll call were: Mr. Barton, Ms. McGinnis, Mr. Moore, Mr. Sunbury, and Mayor Brown.

Administrative Team members in attendance were: Mr. Cramer, Administrator, Mr. Guzzi, P.E., Mr. Burns, Esq., Mr. Haines, CMFO, Mrs. Smith, CTC/QPA, and Mrs. Kennedy, RMC/CMC.

RESOLUTION - CS 04 262021

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

WHEREAS, the Tabernacle Township Committee is of the opinion that such circumstances presently exist; and

WHEREAS, the purpose of this meeting is to discuss pending litigation specifically, Brooks v. Tabernacle Township et al. Docket #BURL-L-676-21 as confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer and Contract Negotiations and matters falling within the Attorney Client Privilege specifically to discuss proposed and possible contractual terms and conditions related to the provision of EMS services and a potential shared service agreement, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer; and

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

MOTION – Mr. Moore made a motion to adopt CS 04 262021, seconded by Mr. Barton. Ayes – Barton, McGinnis, Moore, Sunbury, Brown. **Motion carried.** The Committee, Mr. Burns, Mr. Cramer, and the Municipal Clerk entered executive session at 7:33 p.m.

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

RECONVENE TO REGULAR MEETING

Mayor Brown reconvened to regular meeting at 8:04 p.m.

PUBLIC COMMENT *(Agenda items only)*

Fran Brooks, Moores Meadow Road, commented that the closed session resolution was unclear. She asked if the contract negotiations are with EMS and shared service was with and who would the shared services be with and stated that Tabernacle residents need to be treated fairly. Ms. Brooks stated that some of the closed session minutes should be released, i.e. Ms. McGinnis's issue and the fire company contract and personnel dealing with the Township Committee.

RESOLUTIONS

RESOLUTION 2021-63 BLUE LIGHT PERMITS

MOTION – Ms. McGinnis made a motion to adopt Resolution 2021-63, seconded by Mr. Sunbury. Mr. Barton asked if there is training involved. Mr. Sunbury advised there is a defensive driving course; however, the blue light law does not provide any special training. They must obey all traffic laws. Mr. Barton asked if the blue light were abused, could it be taken away, to which Mr. Cramer advised it could.

Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

RESOLUTION 2021-64 APPLICATION FOR MEMBERSHIP NJ FIREMEN'S ASSOCIATION

MOTION – Mr. Sunbury made a motion to adopt Resolution 2021-64, seconded by Mr. Moore.

Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

RESOLUTION 2021-65 MEMBERSHIP FIRE COMPANY

MOTION – Ms. McGinnis made a motion to adopt Resolution 2021-65, seconded by Mr. Moore.

Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

RESOLUTION 2021-66 AUTHORIZE CANCELLATION OF PRELIMINARY PROPERTY TAXES DUE TO COMBINING LOTS BLOCK 401, LOT 2.02 AND LOT 2.04

MOTION – Mr. Barton made a motion to adopt Resolution 2021-66, seconded by Mr. Sunbury.

Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

RESOLUTION 2021-67 AUTHORIZE CANCELLATION OF PRELIMINARY PROPERTY TAXES DUE TO DIVISION OF LOTS BLOCK 802.01, LOT 25

MOTION – Ms. McGinnis made a motion to adopt Resolution 2021-67, seconded by Mr. Moore.

Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

RESOLUTION 2021-68 REFUND LDB ESCROW BLOCK 502.01, LOT 5 NOLLER

MOTION – Mr. Moore made a motion to adopt Resolution 2021-68, seconded by Mr. Sunbury. Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

RESOLUTION 2021-69 AWARD OF CONTRACT OAK SHADE ROAD, PHASE II

MOTION – Ms. McGinnis made a motion to adopt Resolution 2021-69, seconded by Mr. Barton. Mr. Barton asked how far this will go to which Mr. Guzzi advised that it finish the entire road. \$15,0000 will be locally funded which includes both alternates. Mr. Barton observed that fifty feet of paving appears blemished. Mr. Guzzi advised they are working with the contractor to get this resolved.

Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

APPROVAL OF BILLS

MOTION – Ms. McGinnis made a motion to approve the bills as listed, seconded by Mr. Barton. Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

APPROVAL OF MINUTES

February 22, 2021 Special Meeting Minutes
February 22, 2021 Executive Session Minutes
February 22, 2021 Regular Meeting Minutes

MOTION - Ms. McGinnis made a motion to approve the above listed minutes seconded by Mr. Sunbury.

Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

March 8, 2021 Workshop Minutes

MOTION – Ms. McGinnis made a motion to approve the March 8, 2021, workshop minutes, seconded by Mr. Sunbury.

Ayes – Barton, McGinnis, Moore, Sunbury. Abstain – Brown. **Motion carried.**

PUBLIC COMMENT

Mr. Brooks, Moores Meadow Road, followed up on Mr. Barton’s comment at the April 12th meeting concerning the \$667,000 grant from the Federal Government, saying it was not needed. This is a federal grant. However, when it was brought up about the CFO reimbursing the Township for training, Mr. Brooks asked what the Township is going to do about these part time employees paying for training. Mr. Brooks thought that if the Township does not need the \$667,000 grant, they should not apply for more grants.

Mrs. Brooks, Moores Meadow Road, asked if Mr. Guzzi could comment on the Phase II Carranza Road project status. Mrs. Brooks felt it would be helpful to clarify closed session.

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

REPORTS

Engineer

Mr. Guzzi reported they had submitted plans to the County for the CDBG program. The Carranza Road project has a new issue regarding the guiderails. DOT is concerned they are not up to standard. Mr. Guzzi reached out to the County and is hoping to get the County to pay for the guide rails. This will be in the specifications. Mr. Guzzi is working on drainage projects on Eldorado, Pricketts Mill, North Drive, and Hawkins Road. They are also working on the DCA park grant to fix the walking path. Mr. Barton asked if Mr. Guzzi had communicated with the County engineer concerning the guide rails. Mr. Guzzi advised him he did. If the County does not pay for this, the Committee can contact the County. Mr. Guzzi advised he will keep Mr. Cramer up to date on this.

Administrator

Mr. Cramer advised that the County grant has been changed to recovering the basketball courts as the walking paths would be too expensive. They are doing the DCA recreation grant for the walking paths. It is due in May. Public Works is doing their final brush collection. Hazardous Waste Day was large, due to Shamong cancelling the previous month. The event and recycling went smoothly. There has been some discussion with Woodland for a shared services for construction. Mr. Cramer will have more information in May. A notice came out regarding Lenape's meeting on April 28th. Mr. Barton praised Public Works on the removal of the brush. Mr. Barton questioned the shared service for Construction. Mr. Cramer advised him they are talking about it with Woodland Township. Woodland wants to keep the records and their Technical Assistant.

Township Solicitor

Mr. Burns explained that the first concern to go into executive session was to discuss terms and conditions of a shared service with Shamong for EMS service.

Emergency Management

Mr. Sunbury reported the mega site at the Moorestown Mall is giving 5000 people Covid shots per day. The shots are also available through pharmacies. He encouraged everyone to step up to get the shots.

CMFO

Mr. Haines had nothing to report at this time.

Rescue EMS

Chief Jackson gave a breakdown on the calls they made. Jamie Wood stepped down as President. Ms. Wood felt it was time for the younger generation to be involved. Ms. Wood advised they are merging with Shamong EMS; however, everything has not been worked out yet. The Committee thanked the Rescue Squad for their service.

Fire Company

Chief Zane gave his report of the calls both in Tabernacle and out of town. They are working on the SOPs. Mr. Zane will present the fire company's ten-year plan in May to the Governing Body. The Governing Body thanked the fire company for their service.

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

Township Committee

- Mr. Barton had nothing to report.
- Ms. McGinnis stated that on March 31st she asked for a weekly email to be put on the agenda. The Administrator said the workload is too much. She wanted this to be an agenda item to be discussed. Mayor Brown advised her to call her. Ms. McGinnis asked how to get something on the agenda, to which Mayor Brown advised her to call her and Mayor Brown will speak with the Clerk. Ms. McGinnis asked if the Township was going to force the Tabernacle Inn people to sell their property. Ms. McGinnis advised everyone she has a face book page of Nancy4Tabernacle. Mr. Barton advised they should not renew the liquor license for the Inn. Mr. Barton advised that he does not do face book.
- Mr. Sunbury said that during a work session, the Committee did not agree to the weekly email from Town Hall. They post everything on the website.

ADJOURNMENT

MOTION – Mr. Moore made a motion to adjourn, seconded by Mr. Sunbury.

Ayes – Barton, McGinnis, Moore, Sunbury, Brown. Nays – None. **Motion carried.**

The meeting was adjourned at 9:16 p.m.

Respectfully submitted,

Elaine B. Kennedy

Elaine B. Kennedy, RMC/CMC
Municipal Clerk

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2021-63
RESOLUTION APPROVING BLUE LIGHT PERMIT FOR
MEMBER OF THE TABERNACLE TOWNSHIP FIRE COMPANY
GREGORY NAUDE**

WHEREAS, the Tabernacle Township Fire Company in Tabernacle Township has submitted the request for blue light permit to the Municipal Clerk; and

WHEREAS, the Chief/Captain of the Tabernacle Township Fire Company has reviewed and signed the application for the following Tabernacle Township Fire Company member: **GREGORY NAUDE.**

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Tabernacle, in the County of Burlington, and State of New Jersey that the blue light permit for the above member is authorized and may be submitted to Motor Vehicle Commission; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign said blue light permit on behalf of the municipality.

Adopted: April 26, 2021

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2021-64
RESOLUTION APPROVING MEMBERSHIP IN THE
NEW JERSEY STATE FIREMEN'S ASSOCIATION**

WHEREAS, the following members of the Tabernacle Fire Company, have applied for membership in the New Jersey State Firemen's Association:

**KEITH E. ZANE
SHAWN T. VENA**

**DAVID A. NEWMAN
CUYLER B. VENA**

**PAUL S. HULLINGS
RONALD W. FEDOR, JR.**

WHEREAS, their applications are complete in all ways.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tabernacle that it hereby authorizes the municipal endorsement of the application of the above-named Tabernacle Fire Company members for membership in the New Jersey State Firemen's Association.

Adopted: April 26, 2021

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2021-65
RECOGNIZING MEMBERSHIP OF GREGORY NAUDE
TABERNACLE FIRE COMPANY / DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, the Township desires to recognize members to the Tabernacle Fire Company/Department of Public Safety (TFC); and

WHEREAS, the members of the TFC may change throughout the year, and this recognition is intended to include all those members that have received training and qualify throughout the year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tabernacle, in the County of Burlington, State of New Jersey that Gregory Naude is hereby recognized by the Township of Tabernacle for a one-year term ending December 31, 2021, or until further action in 2021 occurs.

BE IT FURTHER RESOLVED that the membership list may be updated from time to time and the formal members of the TFC shall be made available to the Township Clerk upon request. The Township Committee intends to cover all qualified members of the TFC, whether named or as they become qualified during the year.

BE IT FURTHER RESOLVED that it is the intent of the Township of Tabernacle to:

- a) Include the TFC as an additional insured under the Township's general liability coverage for claims occurring within the Township.
- b) Provide workers compensation coverage to the TFC volunteers if injured during an authorized activity.

Adopted: April 26, 2021

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2021-66
AUTHORIZE CANCELLATION OF
PRELIMINARY PROPERTY TAXES DUE TO COMBINING LOTS**

WHEREAS, Block 401 Lot 2.02 QFARM and Block 401 Lot 2.04, are owned by Charles R. and Sharon L. Poinsett, and

WHEREAS, such land has been combined into one Lot 2.02 QFARM by the Tax Assessor for the tax year 2021, and

WHEREAS, the new Lot 2.02 QFARM will be billed for the entire year of 2021 at final billing in July 2021,

NOW THEREFORE BE IT RESOLVED the Township Committee of Tabernacle, County of Burlington, State of New Jersey, hereby authorizes the Tax Collector to **CANCEL 2021 PRELIMINARY PROPERTY TAXES** on the following parcel of land: **Block 401, Lot 2.04**

BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Tax Collector and Assessor.

Adopted: April 26, 2021

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2021-68
AUTHORIZING REFUND OF DEVELOPER'S ESCROW ACCOUNT BALANCES**

WHEREAS, the following applicant has posted Escrow Accounts as required by the Land Development Board which is a combined Planning/Zoning Board of Adjustment of the Township of Tabernacle; and

WHEREAS, the Land Development Board has determined that the Project, referenced below, is substantially complete and therefore the balance of the Escrow can be released; and

WHEREAS, the Escrow Account identified below identifies the balance remaining after application of all Professional Review Fees that have been satisfied and there appears no further basis to retain the Escrow Deposits, as follows:

Applicant	Block	Lot	Refund Amount
William C. Noller	502.01	5	\$1075.30

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tabernacle that the Escrow balance referenced above be released.

Adopted: April 26, 2021

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

RESOLUTION 2021-69

**AWARDING CONTRACT FOR THE
PHASE II REPAVING OF OAKSHADE ROAD
TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY**

WHEREAS, the Township Committee of the Township of Tabernacle has received sealed proposals for the repaving of Oak Shade Road (Phase II) in the Township of Tabernacle, Burlington County, New Jersey; and

WHEREAS, N.J.S.A. 40A:11-4 states that a contract, the cost of which would exceed \$40,000.00 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 Municipal Clerk received and opened bids on Wednesday April 14, 2021, for the purpose of awarding a contract for the repaving of Oak Shade Road; and

WHEREAS, the Township's engineer and Township solicitor have reviewed the bids and determined the three lowest bids to be in conformance with the bid specifications 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 has certified that there are sufficient funds available for the purpose of awarding a contract to said entity and his certification being attached hereto and made a part hereof.

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

1. That the Chief Financial Officer 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 hereby declares that Earle Asphalt., located at PO Box 556 Farmingdale, NJ is the lowest qualified bidder for the aforementioned contract and hereby awards a contract to Earl Asphalt for the total bid amount of Two Hundred Fifty-eight thousand eight hundred thirteen and thirteen cents (\$258,813.13) Dollars, which includes Alternate number 1 and Alternate II 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 Municipal Clerk and available for public inspection during regular business hours.
3. That the award to Earle Asphalt is conditioned upon the approval of a New Jersey Department of Transportation (NJDOT) grant in the amount of Two Hundred Forty-three Thousand (\$243,000.00) Dollars being received by the Township.

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

4. That the award to Earle Asphalt is consistent with the legal requirements of the lowest responsible bidder, which conforms, to all specification requirements and applicable statutory provisions.
5. That the Township Committee hereby directs the Municipal Clerk to return the bid securities to the unsuccessful bidders in accordance with NJSA 40A: 11-4.
6. 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 Solicitor.

RESOLUTION - CS 04 262021

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

WHEREAS, the Tabernacle Township Committee is of the opinion that such circumstances presently exist; and

WHEREAS, the purpose of this meeting is to discuss pending litigation specifically, Brooks v. Tabernacle Township et al. Docket #BURL-L-676-21 as confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer and Contract Negotiations and matters falling within the Attorney Client Privilege specifically to discuss proposed and possible contractual terms and conditions related to the provision of EMS services and a potential shared service agreement, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer ; and

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

Adopted: April 26, 2021