

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

**Tabernacle Town Hall Building  
163 Carranza Road  
Tabernacle, NJ 08088**



**TOWNSHIP COMMITTEE MEETING  
AGENDA**

**MAY 24, 2021 - 7:30 PM**

**Governing Body**

Joseph W. Barton, Township Committee  
Nancy K. McGinnis, Township Committee  
Samuel R. Moore, III, Deputy Mayor  
Robert C. Sunbury, Township Committee  
Kimberly A. Brown, Mayor

**TOWN HALL ADMINISTRATIVE TEAM**

Douglas Cramer, C.P.W.M.  
Township Administrator  
Dante Guzzi  
Township Engineer  
William Burns  
Township Solicitor

Rodney Haines, C.M.F.O.  
Chief Finance Officer  
Thomas Boyd  
Construction Official  
Douglas Stuart  
Environmental Consultant

Kimberly L. Smith, C.T.C., QPA  
Tax Collector  
Robert Sunbury  
Emergency Management Coordinator  
Elaine B. Kennedy, RMC/CMC/CMR  
Municipal Clerk

[www.townshipoftabernacle-nj.gov](http://www.townshipoftabernacle-nj.gov)

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

**TOWNSHIP OFFERS (3) THREE PLATFORMS TO PARTICIPATE IN MEETING**

**--- PRE-REGISTRATION IS REQUIRED---**

<https://attendee.gotowebinar.com/register/6114364785962166544>

All participants will be set in "LISTEN ONLY." Instructions for Using GotoWebinar Meeting.

**OPTION 1 – AUDIO:** 1. Always use the Registration link provided on the Tabernacle Township Homepage website to Register to attend the meeting. You will then receive an email with a link to join the meeting via computer, the GotoWebinar Android app or the GotoWebinar IOS app.

**OPTION 2 – TELEPHONE:** If you want to participate by Phone you should still connect to the meeting on your computer to view documents and information shared on the screen. You will be asked if you want to use the computer's audio/microphone or a telephone. If you choose the telephone option you will be given an audio Pin. Call the phone number on your email, enter the meeting ID and then your Audio PIN when prompted followed by the # sign. When asked for Public Comment you can use the key sequence of **\*6 to unmute and mute your phone.**

**OPTION 3 – MASK UP / SOCIAL DISTANCE WITH MUNICIPAL CLERK AT TOWN HALL,**  
163 Carranza Road, Tabernacle, NJ 08088 (No registration required)

After registering, you will receive a confirmation email containing information about joining the webinar.

**Registration URL**

<https://attendee.gotowebinar.com/register/6114364785962166544>

**Webinar ID**

517-965-659

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

**TABERNACLE TOWNSHIP COMMITTEE  
MAY 24, 2021 AGENDA**

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**I. CALL TO ORDER**

**II. FLAG SALUTE**

**III. 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.”

**IV. ROLL CALL: Mr. Barton, Ms. McGinnis, Mr. Moore, Mr. Sunbury and Mayor Brown**

**V. PUBLIC COMMENT (*Agenda items only*)**

**ORDINANCES – FIRST READING (*No public hearing on introduction*)**

**VI. INTRODUCTION ~ ORDINANCE 2021-02 – EXCEED CAP**

**VII. INTRODUCTION ~ ORDINANCE 2021-03 – CANNABIS**

**RESOLUTIONS**

**VIII. RESOLUTION 2021-70 – INTRODUCTION 2021 BUDGET**

**IX. RESOLUTON 2021-71 ~ DRUG ALLIANCE - GRANT YEAR FY 2022**

**X. RESOLUTION 2021-72 ~ APPLICATION FOR A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS**

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

**XI. APPROVAL OF BILLS**

**XII. APPROVAL OF MINUTES**

- a. March 8, 2021 – Executive Session
- b. March 22, 2021 – Regular Meeting
- c. March 22, 2021 – Executive Session
- d. April 12, 2021 – Workshop Meeting

**XIII. PUBLIC COMMENT**

**XIV. REPORTS**

- a) Engineer b) Administrator c) Township Solicitor d) Emergency Management e) CMFO f) Township Committee

**XV. RESOLUTION – CS 05-242021**

**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 the terms and conditions to include in an ordinance related to cannabis ordinance as the matter falls within attorney client privilege as confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer, and to discuss an OPRA request and pending litigation related to personnel email addresses as the matter falls within attorney client privilege as 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.

**XVI. RECONVENE TO REGULAR MEETING**

**XVII. ADJOURNMENT**

**ORDINANCE 2021-02**

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

**CALENDAR YEAR 2021  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Tabernacle in the County of Burlington finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 2.5% increase in the budget for said year, amounting to \$89,035.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Tabernacle, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Township of Tabernacle shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 124,649.09, and that the CY 2021 municipal budget for the Township of Tabernacle be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**ORDINANCE 2021-03  
TOWNSHIP OF TABERNACLE  
COUNTY OF BURLINGTON**

**SALE AND USE OF CANNABIS PRODUCTS**

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

**BE IT ORDAINED** that Tabernacle Township Committee has found it in the best interest of the citizens of Tabernacle there shall be prohibition of Cannabis within the Township of Tabernacle as follows:

**1 Prohibition of Cannabis Sales to Minors.**

**a.**

It shall be unlawful to sell a cannabis product to a minor, that is, a person under 18 years of age unless said minor presents a medical prescription, prescribing cannabis for medicinal purposes.

**b.**

It shall be unlawful for any person to purchase a cannabis product (a) with funds furnished by a minor or (b) with the intent to sell such product to a minor unless said minor presents a medical prescription, prescribing cannabis for medicinal purposes.

**c.**

No person directly or indirectly acting as agent or otherwise shall sell, give or furnish to a minor under the age of 18 years any product made of or containing cannabis or any paraphernalia for the use of the consumption of cannabis, including any rolling paper, or any cannabis in any form including, but not limited to, raw cannabis, processed cannabis, smokeless cannabis, oil derived from cannabis, or edible goods containing cannabis, unless said minor presents a medical prescription, prescribing cannabis for medicinal purposes.

**d.**

No person who is the parent, legal guardian or other person acting in place of a parent or legal guardian or person who is responsible for the care and welfare of a minor under the age of 18 years shall allow that minor to possess any products containing cannabis, including but not limited to raw cannabis, processed cannabis, smokeless cannabis, oil derived from cannabis, or edible goods containing cannabis unless said minor presents a medical prescription, prescribing cannabis for medicinal purposes.

**e.**

Sign Requirement. The following six inch by eight inch (6" x 8") sign shall be posted in a conspicuous place near the cash register in all retail establishments which sell cannabis products:

**SALE OF CANNABIS PRODUCTS TO MINORS UNDER THE AGE OF 18 OR USE OF CANNABIS IN PUBLIC PLACES BY MINORS IS PROHIBITED BY LAW.** Legal proof of age must be shown. A person who sells or offers to sell a cannabis product to a person under 18 years of age may be prosecuted in accordance with state statutes and Tabernacle Township Ordinances.

**2 Identification Required.**

**a.**

It shall be unlawful for a cannabis retailer to sell or permit to be sold any cannabis product to any individual without first requesting and examining identification from the purchaser positively

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

establishing the purchaser's age as 18 years or greater, unless the seller has some other conclusive basis for determining that the buyer is over the age of 18 years.

**3 Regulation of Cannabis Vending Machines and Cannabis Vending Machine Sales**

**a.**

Cannabis vending machines and cannabis vending machine sales are hereby prohibited within the Township of Tabernacle.

**b.**

Self-service cannabis displays, that is, any racks, freestanding displays or other display devices from which a customer may select cannabis products directly with only payment to be made to the cannabis retailer are prohibited.

**4 Prohibition of Minors Using Cannabis Products in a Public Place.**

It shall be unlawful for any person under the age of 18 to smoke, consume, imbibe or otherwise use a cannabis product in/or on any public place, building or property or to possess in open view, an open package, open wrapper, or other open container (as evidenced by a broken seal) holding a cannabis product in/or on any public place, building or property, unless said minor presents a medical prescription, prescribing cannabis for medicinal purposes.

**5 Prohibition of Use of Cannabis Products in a Public Place.**

It shall be unlawful for any person to smoke, consume, imbibe or otherwise use a cannabis product in/or on any public place, building or property or to possess in open view, an open package, open wrapper, or other open container (as evidenced by a broken seal) holding a cannabis product in/or on any public place, building or property, unless said person presents a prescription ordering the use of cannabis for medicinal purposes.

**6 Definitions.**

**a.**

RETAIL ESTABLISHMENT - Shall mean any place of business that sells to the public at retail.

**b.**

CANNABIS VENDING MACHINE - Shall mean any mechanical, electrical or electronic self-service device which upon insertions of moneys, tokens or any other form of payment, dispenses cannabis or cannabis products, either exclusively or as one kind of an available item.

**c.**

CANNABIS PRODUCT - Shall mean any product made from the cannabis plant or containing cannabis leaf, for the purposes of smoking, chewing, inhaling, consuming, imbibing, or other personal use, including but not limited to, cigarettes, cigars, pipe cannabis, chewing cannabis,

**TOWNSHIP OF TABERNACLE  
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snuff cannabis, edible products containing cannabis, beverages contained cannabis and dipping cannabis.

**d.**

PUBLIC PLACE, BUILDING OR PROPERTY - Shall mean any building or enclosed structure open to the general public, and any street, road, sidewalk, walkway, park or open space located within the Township and maintained for use by the general public.

**7 Enforcement.**

[Ord. #2021-x, § 7]

**a.**

A law enforcement officer or his or her duly authorized designee, a Health Officer or Code Enforcement Officer, who reasonably believes there exists a violation of this section, may issue a summons and complaint not later than 90 days after discovery of the alleged violation. The complaint shall be written and shall state with reasonable particularity the nature of the violation, including reference to the section and subsection of this section alleged to have been violated. The complaint shall be delivered personally or sent via certified mail to the alleged violator.

**b.**

Any law enforcement officer, or his or her duly authorized designee, Health Officer or the Code Enforcement Officer, after giving proper identification, may inspect any matter, thing, premises, place, person, record, incident or event as necessary to enforce the provisions of this section.

**c.**

It shall be unlawful for any person to molest, willfully oppose, or otherwise act to interfere with or to obstruct any law enforcement officer, or his or her duly authorized designee, Health Officer or the Code Enforcement Officer in the performance of duties under this section.

**d.**

Citizens may bring complaints for violation of this section.

**8 Penalties.**

**a.**

Unless otherwise provided by law, statute or ordinance, any person violating any provision of this section shall, upon conviction thereof, pay a fine of not less than \$100, nor more than \$500 for each offense. The complaint shall be made in the Municipal Court of the Township of Tabernacle or before such other judicial officer having authority under the laws of the State of New Jersey.

**b.**

Any second or subsequent conviction for a violation of this section within any two year period shall be subject to a penalty of not less than \$500 nor more than \$1,000 for each subsequent conviction.

**c.**

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

Each sale of cannabis to a minor, each day of possession or use of a cannabis vending machine and each violation of the other prohibitions contained in this section shall constitute a separate violation.

**d.**

The Board of Health, in addition to the monetary penalties prescribed herein, may suspend the retail food establishment license of any person convicted of a second or subsequent violation of this section within any two year period for not more than three days, pursuant to the authority of the Health Commission to license and regulate food establishments as provided by N.J.S.A. 26:3-31(c).

**e.**

Notwithstanding paragraphs a and b above, for a violation of subsection **XX-X.4** of this section, the penalty shall be as determined pursuant to the Code of Juvenile Justice.

§ 17-51.3.2 **Prohibited Uses.**

The following uses subject to the specifications and standards set forth below are hereby permitted as a conditional use in the Commercial District in the Township of Tabernacle subject to approval by the Tabernacle Township Planning Board or Zoning Board of Adjustment as provided by law:

**a.**

Cannabis Businesses.

**1.**

Definitions. As used in this paragraph the terms "Cannabis Business" shall mean the business of growing, processing, wholesales, distributing, retailing and delivering cannabis, cannabis derived or cannabis containing products. All businesses overseen and regulated by the Cannabis Regulatory Commission are incorporated by reference.

**2.**

No person or entity shall operate any business within the municipal boundary which:

**(a)**

Cultivates cannabis or cannabis product;

**(b)**

Manufactures cannabis or cannabis containing products;

**(c)**

Retails or offers for sale and cannabis or cannabis containing products;

**(d)**

Serves as a delivery hub, storage facility, call center or parking area for delivery service of cannabis or cannabis containing products;

**(e)**

The farming of cannabis;

**TOWNSHIP OF TABERNACLE  
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**(f)**

Serves as a transportation hub, storage facility, call center or parking area for transportation service of cannabis or cannabis products;

**(g)**

Distributes cannabis or cannabis products;

**(h)**

Reselling cannabis or cannabis products;

**(i)**

Advertising the sale, distribution, manufacturing, growing, transporting, use, production or business otherwise related to cannabis or cannabis products.

**BE IT FURTHER ORDAINED** that the above restrictions shall take effect after a public hearing and subsequent adoption of the ordinance.

**RESOLUTION 2021 - 70  
INTRODUCTION OF 2021 TABERNACLE TOWNSHIP  
MUNICIPAL BUDGET**

**WHEREAS**, the Municipal Budget of the Township of Tabernacle, County of Burlington is for the fiscal year 2021; and

**WHEREAS**, the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2021; and

**NOW, THEREFORE, BE IT RESOLVED**, that said budget be published in Tabernacle Township’s official newspaper.

**BE IT FURTHER RESOLVED**, by the Governing Body of the Township of Tabernacle does hereby approve the following Budget for the year 2021.

**Date: May 24, 2021**

\_\_\_\_\_  
**Elaine B. Kennedy, RMC/CMC**  
**Municipal Clerk**

\_\_\_\_\_  
**Kimberly A. Brown, Mayor**

**VOTE ON ADOPTION**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Nancy K. McGinnis						

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

Samuel R. Moore, III						
Robert C. Sunbury						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the 24<sup>th</sup> day of May 2021.

\_\_\_\_\_  
**Elaine B. Kennedy, RMC/CMC**  
**Municipal Clerk**

**RESOLUTION 2021-71  
GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE  
FISCAL GRANT CYCLE JULY 2021 – JUNE 2025  
GRANT YEAR: FY 2022 / ALLIANCE TIER 1**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, The Township Committee of the Township of Tabernacle, County of Burlington, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Burlington.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Tabernacle, County of Burlington, State of New Jersey hereby recognizes the following:

1. The Tabernacle Township Committee does hereby authorize submission of a strategic plan for the Tabernacle Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR	\$5,736.00	
Cash Match	\$1,434.00	
In-Kind	\$4,302.00	
<b>Total</b>		<b>\$11,742.00</b>

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Approved: May 24, 2021

\_\_\_\_\_  
**Kimberly A. Brown, Mayor**

\_\_\_\_\_  
**Elaine B. Kennedy, RMC/CMC**

Committee Member	Moved	Seconded	Ayes	Nays	Abstain	Absent

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

Joseph W. Barton						
Kimberly A. Brown, Mayor						
Nancy K. McGinnis						
Samuel R. Moore, III, Deputy Mayor						
Robert Sunbury, Jr.						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the 24<sup>th</sup> day of May 2021.

\_\_\_\_\_  
Elaine B. Kennedy, RMC/CMC  
Municipal Clerk

**RESOLUTION 2021-72**

**APPLICATION FOR GRANT FROM NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS**

**WHEREAS**, the Township Committee of the Township of Tabernacle desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$340,000.00 to carry out a project to improve the walking paths at Township Parks; and

**NOW THEREFORE BE IT RESOLVED** by Tabernacle Township Committee

- 1) that they hereby authorize the application for such a grant and
- 2) recognize and accept that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between Tabernacle Township and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that the persons whose names titles, and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

\_\_\_\_\_  
Douglas A. Cramer, Administrator

\_\_\_\_\_  
Elaine B. Kennedy, Municipal Clerk

\_\_\_\_\_  
**ELAINE B. KENNEDY, RMC/CMC  
MUNICIPAL CLERK**

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