TABERNACLE TOWNSHIP COMMITTEE
EXECUTIVE SESSION MEETING MINUTES OF SEPTEMBER 14, 2020

IN ATTENDANCE:
Kimberly A. Brown, Mayor
Joseph W. Barton, Deputy Mayor
Nancy K. McGinnis, Committeewoman
Samuel R. Moore, III, Committeeman
Robert C. Sunbury, Jr., Committeeman
Present

ADMINISTRATIVE TEAM
La Shawn R. Barber, RMC, Municipal Clerk
Douglas A. Cramer, CPWM, Administrator
Peter C. Lange, Jr. Township Solicitor
William Burns, Special Counsel
Present

PENDING LITIGATION MATTERS: Fran Brooks v. Township of Tabernacle et al. docket numbers: BUR-L-002065-19, MER-L-001192-20, and AM-000610-19

Mr. Burns met with members of the Township Committee to provide an update on the status of litigation and have an open discussion regarding OPRA moving forward. Fran Brooks’ motion for Discovery was initially denied by Judge Covert at which she filed a motion to reconsider that decision and to recuse Judge Covert. Judge Covert denied the motion to reconsider the decision regarding Discovery. Ms. Brooks also filed a motion to recuse Judge Covert, which out of an abundance of caution was granted by Judge Covert and the matter was transferred to Mercer County. Shortly after the matter was transferred to Mercer County, Ms. Brooks, through her Attorney Mr. Luers, filed an informal motion for reconsideration of the denial motion for Discovery. Judge Jacobson denied that informal motion, at which point, Mr. Luers appealed the prior order of Judge Covert to the Appellee Division via interlocutory appeal. Mr. Luers’ petition for interlocutory appeal was denied. Again, Mr. Luers asked Judge Jacobson for reconsideration of the prior orders and plans to file motion for summary judgment. Mr. Luers motion was contested by counsel.

Again, Mr. Burns advised members of the Governing Body that Mr. Lange’s prior conduct and underlying advice as argued by Ms. Brooks, was not inappropriate.
Members of the Township Committee advised that it is necessary to start implementing special service charges on all OPRA requests that are deemed warranted that significantly disrupt the daily operations of Township business. Moving forward to address voluminous OPRA requests, there were no objections from the Governing Body for the Custodian of Records and Special Counsel to start the process of implementing a special service charge utilizing the lowest rate of the employee according to the law.

At this point, Mr. Burns left the meeting

**CONTRACT NEGOTIATION:** Fire Company and matters falling within Attorney Client Privilege. At this point, Mr. Lange entered the meeting and held discussions with members of the Township Committee.

Mr. Moore and Mayor Brown, the duly appointed subcommittee members for emergency services, spoke with members of the Township Committee regarding the kind of control the Township is receiving under the current agreement with Tabernacle Fire Company #1 with consideration of the current contract and their activities and financial arrangements. It was expressed that the current contract terms may be insufficient to properly address the relationship.

A comprehensive review was conducted of the firefighting operations for its structure, contract, resources, and financial responses. This comprehensive review included contact with many State and County Fire Chief Officials, volunteers, current and removed fire members, to arrive at a well-developed proposed contract to provide the Township with the oversite necessary to achieve safety for its residents.

The paramount point of this discussion continued with members of the governing body expressing their desire for consideration to pursue an agreement, while also taking account of the demands of the Township Committee concerning the terms and conditions of that agreement. This local government is charged with the responsibilities to ensure the liability of having the most efficient and responsible services delivered to its residents.

Mr. Moore recommends that Township Committee have better oversight of its public safety.

Mr. Barton would like to review the existing contract and proposed firefighting ordinance at the next closed session meeting before making a decision on what contract terms to demand if any. There were no objections from members of the Governing Body.
Mayor Brown reconvened to the special workshop meeting at 11:07 p.m.

Respectfully,

La Shawn R. Barber, RMC/CMR
Municipal Clerk

Approved: 11/23/2020

RELEASED: ____________