

**TABERNACLE TOWNSHIP COMMITTEE MEETING
CLOSEOUT MINUTES OF DECEMBER 27, 2018**

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 December 27, 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.

Roll Call - Governing Body

Kimberly A. Brown, Township Committee

Richard J. Franzen, Township Committee

Stephen V. Lee, IV, Deputy Mayor - Absent

Joseph Yates, IV, Township Committee

Joseph W. Barton, Mayor

Administrative Team

Douglas A. Cramer, CPWM, Administrator

Rodney Haines, Acting Chief Finance Officer

Dante Guzzi, Township Engineer

Peter C. Lange, Jr., Township Solicitor

La Shawn R. Barber, RMC, Municipal Clerk

Mayor's Proclamation for Committeeman Richard J. Franzen
Members of the Township Committee presented a Timeless Clock and proclamation

Proclamation



IN RECOGNITION OF SERVICE RICHARD J. FRANZEN

WHEREAS, Richard J. Franzen, began his career as a public official over 15 years ago with Tabernacle Township by becoming a member and holding positions on various committees such as the Tabernacle Athletic Association; Tabernacle Board of Education; Tabernacle Historical Society; Pinelands Municipal Council and serving on the Tabernacle Township Committee; and

WHEREAS, Rick, began his Township Committee career with Tabernacle Township in 2004 and serving as Mayor for years 2006, 2009 and 2012; serving as Deputy Mayor of Tabernacle Township for years 2005 and 2008; and

WHEREAS, we wish to extend our gratitude for Rick's loyalty to the residents of Tabernacle and also express sincere appreciation to the Franzen Family for their support throughout his career; and

WHEREAS, today, Rick is being honored by family, friends, members of the Township Committee Members and staff that are deeply appreciative of his many contributions to our community; and

WHEREAS, on the occasion of Rick's retirement, Township Committee proudly recognizes him for outstanding public service and wishes to memorialize his timeless service to the residents of Tabernacle Township as highly valued and sincerely appreciated.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, that we do hereby extend our most sincere gratitude to Richard J. Franzen for his many years of service and commitment to the Township of Tabernacle and congratulate him on his well-deserved retirement, with best wishes for many years of happiness and contentment.

December 27, 2018

Joseph W. Barton, Mayor

Stephen V. Lee, IV, Deputy Mayor

Kimberly A. Brown, Township Committee

Joseph Yates, IV, Township Committee

Recess: Board of Health

Members of the Township Committee went into Board of Health Meeting. Motion was made by Ms. Brown, seconded by Mr. Franzen.

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

Report was presented by Burlington County Health Department, Holly Funkhouser Cucuzzella who presented year ending reports for Tabernacle Township regarding activity in the Township, along with providing information on health immunizations, Women Infants and Children Program (WIC) and health nursing services', weights and measures certifications, price checking and environmental inspections.

Seeing there being no public comments concerning the Board of Health, members of the Township Committee reconvened to the regular meeting.

Public comment on agenda items

Jason Litowitz, Horseshoe Court, questioned if Committee would be taking action in public or after closed session regarding the TRS proposed contract and Ordinance 2018-7.

Being no other comments from public comments, the public comment was closed.

Approval of Bills

- On a motion made by Ms. Brown, seconded by Mr. Franzen the bills were ordered paid.

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

Approval of Minutes

On a motion made by Mr. Franzen, seconded by Ms. Brown, the minutes of November 26, 2018 (Regular & Executive) were offered for adoption. Motion carried.

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

Discussion: Best Practices

Rodney R. Haines, Acting Chief Financial Officer spoke of the Best Practices Worksheet being completed as there were 57/60 questions answered. Tabernacle received the highest rating; the Best Practices Worksheet can be found on the Township’s website for the public’s review.

Discussion: Intent to Award Contract

Mr. Cramer is looking for approval for the intent to award a contract under a National Cooperative Purchasing Agreement to purchase a 2020 International CV515 4x4. It will be used for patching, snow removal and spreading salt.

Seeing there were no comments from the public concerning this intent to approve an award a contract under a National Cooperative Purchasing Agreement to purchase a 2020 International CV515 4x4, a motion was made for approval by Ms. Brown, seconded by Mr. Franzen. Motion carried

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

Resolutions

**RESOLUTION 2018-116
BUDGET TRANSFERS**

WHEREAS, N.J.S.A. 40A:4-58 provides for appropriation transfers during the last 2 months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation; and

WHEREAS, the approval of this resolution to be adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to the appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tabernacle that the following transfers be made:

FROM (inside cap)

8-01-20-100-281	General Administration OE	\$1,375.00
	TOTAL	<u>\$1,375.00</u>

TO (inside cap)

8-01-20-110-204	Mayor & Committee OE	\$130.00
8-01-20-130-204	Financial Administration OE	\$115.00
8-01-25-252-203	Emergency Management OE	\$1,100.00
8-01-31-440-277	Communication/Telephone	\$30.00
	TOTAL	<u>\$1,375.00</u>

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Chief Financial Officer.

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2018-116 was offered for adoption. Motion carried.

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

**RESOLUTION 2018-117
REFUND CAPITAL EXPENDITURES WITH GRANT APPROPRIATIONS**

WHEREAS, The Township appropriated New Jersey Transportation Trust Fund Grants in fiscal years 2009, 2013 and 2014. These projects were expended in prior years and expenditures charged to Capital ordinances; and

WHEREAS, The Township has received all grant funds from the State of New Jersey as reimbursement for expenditures for all Transportation Trust Fund projects; and

WHEREAS, the Township desires to cancel any open receivables and refund the Capital Fund for prior year grant related expenditures that had previously been charged to Capital Ordinances;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tabernacle that the following cancelations be made and refund open capital ordinances and reserve for repayment of debt for completed ordinances:

GRANT FUND

Transportation Trust Receivable	(\$11,897.00)
Appropriations:	
2009 Transportation Trust Fund	\$3,246.08
2013 Transportation Trust Fund	\$204,998.32
2014 Transportation Trust Fund	\$196,000.00
TOTAL	<u>\$392,347.40</u>

CAPITAL FUND

Refund Ordinance 2015-10	\$196,000.00
Reserve for Repayment of Debt	\$196,347.40
TOTAL	<u>\$392,347.40</u>

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Chief Financial Officer.

- On a motion made by Ms. Brown, seconded by Mr. Yates, Resolution 2018-117 was offered for adoption. Motion carried.

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

**RESOLUTION 2018-118
AUTHORIZING THE CLERK'S OFFICE TO
CLOSE OUT THE PETTY CASH FUND IN THE AMOUNT OF FIFTY DOLLARS**

WHEREAS, N.J.S.A. 40A: 5-21 authorizes the establishment of a Petty Cash Fund for the Clerk's Office of the Township of Tabernacle; and

WHEREAS, said Petty Cash Fund received approval from the Director of Local Government Services many years ago to continue under the control of the Township Clerk; and

WHEREAS, it is the desire of the Township Clerk to receive approval for said fund be closed-out at the end of fiscal year 2018; and

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

1. **La Shawn R. Barber, Municipal Clerk**, be and is hereby appointed custodian of petty cash and is authorized and permitted close out a Petty Cash Fund in the amount \$50.00 pursuant to the provisions of N.J.S.A. 40A: 5-21. Said Petty

Cash Fund shall be reopened January 1st – December 31, 2018 and will be used by such office or department to pay claims for small miscellaneous expenses not to exceed \$50.00.

2. **La Shawn R. Barber, Municipal Clerk**, having custody of the Fund is bonded in an amount not less than \$1,000.00 and will maintain said Fund in accordance with the laws and regulations governing its operation.

3. A certified copy of this Resolution shall be sent to the Township Auditor and Chief Finance Officer.

- On a motion made by Mr. Franzen, seconded by Mr. Yates, Resolution 2018-118 was offered for adoption.
Motion carried.

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

**RESOLUTION 2018-119
AUTHORIZE AMENDMENTS TO PERSONNEL POLICIES AND PROCEDURES**

WHEREAS, Tabernacle Township was required to amend and supplement its personnel policies and procedures manual on August 27, 2018 by virtue of Resolution 2018-89; and

WHEREAS, on September 11, 2018 the (MEL) Municipal Excess Liability Joint Insurance Fund have modified Section 5 of the Personnel Handbook so that the existing case law and interpretation by legal counsel would apply to include the following:

Open Public Meetings Act Procedures Concerning Personnel Matters:

Discussion by the governing body or any public body concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee may be held in closed session. Ultimately, the guidance as to notification of employees and the right to have the discussion in executive or the open session should be discussed with and be based upon the guidance and advice of the legal counsel for the public entity and recent court decisions.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tabernacle, County of Burlington, hereby authorize said amendment be made to Section 5 of the Tabernacle Township personnel policy and procedure manual.

- On a motion made by Ms. Brown, seconded by Mr. Yates, Resolution 2018-119 was offered for adoption.
Motion carried.

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

**RESOLUTION 2018-120
AUTHORIZE THE RELEASE OF
TABERNACLE TOWNSHIP COMMITTEE EXECUTIVE SESSION MINUTES**

WHEREAS, the Township of Tabernacle has a history of commitment to the public participation in its local government and to the corresponding need for an informed citizenry; and

WHEREAS, the Township Committee adopted a procedure for the release of closed session minutes by recommendation of the Minutes Review Committee (MRC); and

WHEREAS, the MRC has made a recommendation to the Township Committee that it is permissible to release the executive session meeting minutes for the following dates:

- 6/13/2016 – Full Release

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tabernacle, County of Burlington and State of New Jersey that the Township Clerk is hereby authorized and directed to release the following approved executive session meeting minutes for the following dates:

- 6/13/2016 – Full Release
- On a motion made by Ms. Brown, seconded by Mr. Yates, Resolution 2018-120 was offered for adoption. Motion carried.

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

Report of the Township Engineer

- Park Project – Progressing; waiting for structure delivery. All concrete footings are in place. A small foundation will be poured. Everything will be in place before the season begins.
- Road Program – waiting for schedule from the contractor which will be Spring 2019 (once the weather breaks).
- Drainage Project – Fairly complete and wrapping up by January 2019, weather permitting.
- Salt Dome – Materials to be delivered and will begin January 2019 weather permitting.

Report of the Township Administrator

- Letter regarding Stormwater and tree trimming, were mailed to residents.
- Re-stoned and blending the parking area at Prickett’s Mill Park.

Report of the Township Solicitor

Congratulated Mr. Franzen for his dedication to Tabernacle Township.

Report of the Township Committee

Members of the Township Committee thanked Committeeman Franzen for years of service to the community and volunteer organizations.

Mayor Barton provided Highlights of Tabernacle Township for year 2018

Department and Staff Highlights

Lisa Cummins, Technical Assistant was voted and selected by her peers as the New Jersey Technical Assistant of the year and was awarded for her leadership as Safety Claims Coordinator from the Burlington County JIF. Thomas Boyd is Tabernacle Township’s Official Fire Inspector; vacant and abandoned homes have been reduced in 2018.

New Staff Member - Rodney L. Haines, Acting Chief Financial Officer as a result of the retirement of Terry Henry, Chief financial Officer.

Tax Sale of 2018 - 39 properties of delinquent taxes were sold. 2019 we will be looking into a non-accelerated tax sale.

Land Development Board

Seneca Reserve and the Haas Development are two housing developments that have been approved in Tabernacle Township and will hopefully add to the school enrollment, etc.

Mark LeMire, was elected the Vice Chairman of the Land Development Board. Eric Zimmerman was also a new board member.

Municipal Court Clerk's Office

New Judge Lois F. Downey, JMC as a result of the retirement of Richard Andronici, JMC.

Continued discussions regarding shared service with Woodland Township. Burlington County Superior Court will render its decision in 2019.

Municipal Clerk's Office

253 OPRA requests were processed, which is equivalent to over one OPRA request per day. In the future we will be looking into records management.

Proclamation: Dr. Stull was Tabernacle Township's former Veterinarian whom provided his services for rabies clinics for over 25 years. In 25 years, Dr. Stull never billed Tabernacle Township. A dedication for Dr. Still was in November 2018.

Township Committee

New Committeeman in 2019 Samuel R. Moore, III as a result of the retirement of Richard Franzen.

Township sold five municipal owned properties.

Township sold six trucks such as a grader, plow and small furnishings, etc.

Township Building was repainted and has received a new fresh look.

Township Recreation Committee

5th Annual Tree Lighting was another big success.

As a result of Storm Quinn, the Public Works Department was able to clean up brush in a timely manner.

The Engineer provided a positive Road Study Report and there were improvements at the ball fields.

Public Comment

Robert Grimes, 17 Hawkin Road, spoke of submitting OPRA requests and other investigations that he has documentation that TRS has actively been communicating with the Public Safety Director. He has issue with the possible sale of the rescue truck. Was not satisfied with the answers he was given.

Bill Rebmenn, 23 Hawkin Road, spoke of having issues with Garden State Removal for trash is not consistent with their pick-up schedule. Today the trash was collected because the resident was standing outside.

Jason Litowitz, Horseshoe Court, spoke of his concerns at the last meeting; does not understand how Public Safety Director could be full time in Trenton City and be part time employed at Tabernacle Township.

Craig Zane Elmwood, spoke of recycle points and not sorry to see the program end on December 31, 2018. Disappointed that the Public Safety Director is not present at tonight's meeting to give a report or answer questions.

Megan Jones, Horseshoe Court, spoke of being upset that Public Safety Director demanded Committee to have executive session and Public Safety Director left the building and spoke of her opinion as a woman listening to the way that PSD spoke to Ms. Brown was inappropriate in this day and in age. It was “mansplaining” in the tone he used with Ms. Brown which has been commented in and outside of the public meeting.

Jim Jones, Wimbledon Way, spoke of Mr. Franzen being the balance to the Township Committee; and questioned the position of the repeal ordinance.

Robert Grimes, commented on OPRA Request procedure for obtaining emails.

Closed to the public.

EXECUTIVE SESSION RESOLUTION
CS 12 272018

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

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

1. Matters Relating to contract negotiation with respect to TRS
2. Matters Relating to contract negotiation with respect to RFPs and Professional Services
3. Matters relating to vacancy of Public Safety Director position; and

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

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

BE IT FURTHER RESOLVED, after executive session we will reopen the meeting in which action may or may not be taken.

- Motion made by Ms. Brown, seconded by Mr. Yates, members went into closed session at 9:47 pm.

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

Reopen. Members of the Township Committee returned to the open meeting and made a motion to accept the resignation of the Public Safety Director, Arch Liston. Motion was made by Ms. Brown, seconded by Mr. Franzen. Motion carried.

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

Adjournment

- On a motion made by Mr. Franzen, seconded by Mr. Yates, the meeting was adjourned at 10:05 p.m.

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

Respectfully submitted,

La Shawn R. Barber, RMC
Municipal Clerk

Approved: 01/22/2019

