

**TABERNACLE TOWNSHIP COMMITTEE
TOWN HALL MINUTES OF DECEMBER 16, 2019**

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 16, 2019** 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 - Present

Kimberly A. Brown, Deputy Mayor
Stephen V. Lee, IV, Township Committee
Samuel R. Moore, III, Township Committee
Joseph Yates, IV, Township Committee
Joseph W. Barton, Mayor

Administrative Team

Douglas A. Cramer, CPWM, Administrator
Rodney R. Haines, CMFO, Chief Finance Officer
Dante Guzzi, Township Engineer
Peter C. Lange, Jr., Township Solicitor
La Shawn R. Barber, RMC, Municipal Clerk

Mayoral Proclamations

Proclamation



**IN RECOGNITION OF SERVICE
JOSEPH YATES, IV**

WHEREAS, Joseph Yates, IV has served this community for 26 years in numerous appointed and elected capacities. He served on the Zoning Board of Adjustment, served as a member on the Land Development Board and was elected to the Township Committee; and

WHEREAS, in 2010, Joseph took his Oath of Office for Mayor of Tabernacle Township and served as Deputy Mayor for 2013, 2016 and 2017; and

WHEREAS, we wish to extend our appreciation for **Joseph's** loyalty to the residents of Tabernacle Township and express gratitude to the Yates Family for their support throughout his career; and

WHEREAS, Joseph is being honored by family, friends and members of the Township Committee for his contributions, and on this occasion, we recognize him for his public service and wish to memorialize his service to the residents of Tabernacle Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and members of the Township Committee, County of Burlington, State of New Jersey, we recognize **Joseph Yates, IV** for his public service and memorialize his many years of service to the residents of Tabernacle Township.

December 16, 2019

Joseph W. Barton, Mayor
Kimberly A. Brown, Deputy Mayor
Stephen V. Lee, IV, Committeeman
Samuel R. Moore, III, Committeeman
Joseph Yates, IV, Committeeman

Proclamation



**IN RECOGNITION OF SERVICE
STEPHEN V. LEE, IV**

WHEREAS, Stephen V. Lee, IV began his career with Tabernacle Township 15 years ago serving on the Land Development Board and Township Committee; and

WHEREAS, Stephen accepted his appointment on the Land Development Board in 2004 and throughout his tenure served as a board member, serving as Chairman and Vice Chairman for many years; and

WHEREAS, Stephen was elected to the Township Committee in 2011 and took his Oath of Office to serve as Mayor of Tabernacle Township for 2013, 2016, 2017 and served as Deputy Mayor during 2014 and 2018; and

WHEREAS, we wish to extend our appreciation for **Stephen's** loyalty to the residents of Tabernacle Township and express gratitude to the Lee Family for their support throughout his career; and

WHEREAS, Stephen is being honored by family, friends and members of the Township Committee for his contributions, and on this occasion, we recognize him for his public service and wish to memorialize his service to the residents of Tabernacle Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, that we **hereby recognize Stephen V. Lee, IV for his many years of service** and wish him the best.

December 16, 2019

Joseph W. Barton, Mayor
Kimberly A. Brown, Deputy Mayor
Stephen V. Lee, IV, Committeeman
Samuel R. Moore, III, Committeeman
Joseph Yates, IV, Committeeman

Public comment was held on agenda items only

Rick Franzen, Deer Trail, congratulated Committeeman Yates and Committeeman Lee for their years of service in the community.

Stuart Brooks, Moores Meadow Road, spoke about the (RFP) Request for Proposals and made recommendation for professionals to follow the comptroller's guidelines with respect to their billings.

Fran Brooks, Moores Meadow Road, thanked Committeeman Yates and Committeeman Lee for their years of service and questions the role of the (RFP) Request for Proposals and responsibility for a special counsel and conflict attorney; questions if the Land Development Board would be selecting its own professionals.

Sean Colton, Medford Lakes Road, commented on the LOSAP Resolution and addressed his complaints with the people of Tabernacle Fire Company who handle LOSAP.

Administrator Cramer will address the problems of LOSAP from when he left the last meeting during prior to the Resolution vote.

There were no further public comments.

RESOLUTIONS

**RESOLUTION 2019-126
RE: 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)

9-01-23-210-20B	Liability Insurance	\$10,000.00
9-01-23-215-20A	Workers Compensation Ins	\$4,000.00
9-01-25-252-200	Office of Emerg Mgmt OE	\$550.00
	TOTAL	<u>\$14,550.00</u>

TO (inside cap)

9-01-25-252-101	Office of Emerg Mgmt SW	\$550.00
9-01-25-253-297	Public Safety - Fire OE	\$14,000.00
	TOTAL	<u>\$14,550.00</u>

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

- Motion to adopt Resolution 2019-126 was made by Ms. Brown, seconded by Mr. Moore.

Roll Call: Brown, Lee, Moore, Yates Barton Ayes: 5 Nays: 0 Motion carried.

**RESOLUTION 2019-127
RESCINDING RESOLUTION 2019-124 AND AUTHORIZE PAYMENT –
LOSAP CONTRIBUTION 2018 - TABERNACLE FIRE COMPANY #1 - \$19,017.00**

WHEREAS, Resolution 2015-26, adopted by the Township Committee on January 2, 2015, authorized the continuation of a Length of Service Award Program (LOSAP) and authorized Lincoln National Life Insurance Company as the provider for said LOSAP; and

WHEREAS, Resolution 2019-124, as amended was approved which authorized payment for LOSAP contributions to members on the attached list included unqualified participants; and

WHEREAS, after further review and consultation, it was decided to rescind Resolution 2018-124 and authorize 2018 contributions for **qualified members who have chosen to participate in the amount of \$19,017.00 are due to the provider;** and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle, County of Burlington, State of New Jersey hereby rescind Resolution 2019-124 and authorize payment for LOSAP Contribution 2018 for Tabernacle Fire Company #1 in the amount of **\$19,017.00**.

BE IT FURHTER RESOLVED, the Chief Financial Officer is hereby directed to authorize payment in the amount of **\$19,017.00** to Lincoln National Life Insurance Company for its contributions to the Township's Length of Service Award Program.

- Motion to adopt Resolution 2019-127 was made by Mr. Lee, seconded by Mr. Yates

- Administrator Cramer apologized leaving abruptly at the last meeting in which this LOSAP could have been explained. Regulations have not changed and the total of numbers of for the members that qualify; new members cannot be included. The last meeting questioned raised the totals did not add up; Mr. Cramer was not in attendance to explain. In the time between the two meetings; one member expressed desire to be part of the program, hence the difference number. Lincoln Financial will not take the contribution unless everyone is registered.

Roll Call: Brown, Lee, Moore, Yates Barton Ayes: 5 Nays: 0 Motion carried.

**RESOLUTION 2019-128
AUTHORIZING THE CLERK'S OFFICE
TO CLOSE OUT 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 Municipal Clerk; and

WHEREAS, it is the desire of the Municipal Clerk to receive approval for said fund be closed-out at the end of fiscal year 2019; 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, 2019 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.

- Motion to adopt Resolution 2019-128 was made by Ms. Brown, seconded by Mr. Moore.

Roll Call: Brown, Lee, Moore, Yates, Barton Ayes: 5 Nays: 0 Motion carried.

**RESOLUTION 2019-129
AUTHORIZE CANCELLATION OF CERTAIN PROPERTY TAXES AND REFUND PURSUANT TO A
ONE HUNDRED PERCENT TOTALLY DISABLED VETERAN EXEMPTION**

WHEREAS, **Dolsey A. Abadia, owner and resident of 24 Holly Park Drive (Block 707, Lot 18)** has applied for exemption from property taxes as a 100% Totally Disabled Veteran pursuant to N.J.S.A. 54:4-3.30; and

WHEREAS, said application has been received by the Township Assessor; and

WHEREAS, the Assessor has reviewed the application and requisite proofs, and finding them to be in order, recommends approval of the exemption; and

WHEREAS, the exemption commenced October 2, 2020 in accord with certification of 100% disability granted by the Department of Veterans Affairs; and

NOW THEREFORE BE IT RESOLVED by Tabernacle Township Committee that the Tax Collector is hereby authorized to CANCEL THE 2019 PROPERTY TAXES PURSUANT TO TOTALLY DISABLED VETERAN STATUS TO DOLSEY A. ABADIA, OWNER AND RESIDENT OF 24 HOLLY PARK DRIVE, TABERNACLE, NJ 08088.

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to refund \$1,721.59 to CoreLogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, mortgage servicer for Dolsey A. Abadia, owner and resident of 24

Holly Park Drive, Tabernacle (Block 707, Lot 18). (Calculation: 2019 Full Year Paid = 6,963.71 Refund for 89 days. \$6,963.71/360x89=\$1,721.59.)

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

- Motion to adopt Resolution 2019-129 was made by Mr. Yates, seconded by Ms. Brown.

Roll Call: Brown, Lee, Moore, Yates Barton Ayes: 5 Nays: 0 Motion carried.

RESOLUTION 2019 -130

APPROVING CHANGE ORDER NO. 1 TO A CONTRACT BETWEEN THE TOWNSHIP OF TABERNACLE AND SHORE CONNECTION INC. FOR THE 2019 FLYATT ROAD DRAINAGE IMPROVEMENTS PROJECT

WHEREAS, on September 09, 2019, the Township Committee awarded the contract for the 2019 Drainage Improvements in the amount of \$85,460.00 to Shore Connection, Inc.; and

WHEREAS, Change Orders are regulated by Local Finance Board regulation N.J.A.C. 5:34-4; and

WHEREAS, approval by the Mayor and Committee is required for all Change Orders; and

WHEREAS, The Township Administrator and Dante Guzzi Engineering Associates, LLC have recommended that the Mayor and Committee approve Change Order No.1 as described below:

Change Order #1

Description of change in scope of work: Change Order No. 1 consists of the return of the unused construction allowance.

- Amount of Original Contract: \$85,460.00
- Total Change Order No. 1 Amount: (\$ 5,000.00)
- Revised Contract Total: \$80,460.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle in the County of Burlington as follows:

1. Change Order No. 1 to the contract between the Township of Tabernacle and **Shore Connection Inc.** is hereby authorized by the Township; and
 2. The Mayor is hereby authorized and directed to execute Change Order No. 1
- Motion to adopt Resolution 2019-130 was made by Mr. Yates, seconded by Mr. Lee.
 - Mr. Guzzi spoke of the Township is closing up the project of Flyatt Road; item work was put in case they were necessary, they were not. This is a deduction \$5,000 change order from the total.

Roll Call: Brown, Lee, Moore, Yates Barton Ayes: 5 Nays: 0 Motion carried.

RESOLUTION 2019-131

APPROVING CHANGE ORDER NO. 1 TO A CONTRACT BETWEEN THE TOWNSHIP OF TABERNACLE AND GIBERSON PLUMBING & EXCAVATING FOR THE 2019 DRAINAGE PROJECT

WHEREAS, on September 23, 2019, the Township Committee awarded the contract for the 2019 Drainage Improvements in the amount of \$213,000.00 to Giberson Plumbing & Excavating; and

WHEREAS, Change Orders are regulated by Local Finance Board regulation N.J.A.C. 5:34-4; and

WHEREAS, approval by the Mayor and Committee is required for all Change Orders; and

WHEREAS, The Township Administrator and Dante Guzzi Engineering Associates, LLC have recommended that the Mayor and Committee approve Change Order No.1 as described below:

Change Order #1

Description of change in scope of work: Change Order No. 1 consists quantity adjustments required by actual conditions encountered in the field, the addition of pipe replacement on Old Indian Mills Road and the return of the unused portion of the construction allowance.

- Amount of Original Contract: \$213,000.00
- Total Change Order No. 1 Amount: \$ 1,995.00
- **Revised Contract Total: \$214,995.00**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle in the County of Burlington as follows:

1. Change Order No. 1 to the contract between the Township of Tabernacle and **Giberson Plumbing & Excavating** is hereby authorized by the Township; and
2. The Mayor is hereby authorized and directed to execute Change Order No. 1.

- Motion to adopt Resolution 2019-131 was made by Ms. Brown, seconded by Mr. Moore.
- Mr. Guzzi spoke of the change order as it relates to the Old Indian Mills Road replacement pipe damage. Amount was added to their contract; there is a net change increase \$1,995.00 to the total.

Roll Call: Brown, Lee, Moore, Yates Barton Ayes: 5 Nays: 0 Motion carried.

Approval of Bills

- On a motion to pay the bills as submitted was made by Ms. Brown, seconded by Mr. Yates; the bills were ordered paid.

Roll Call: Brown, Lee, Moore, Yates Barton Ayes: 5 Nays: 0 Motion carried.

Approval of Minutes

- On a motion to approve the minutes of November 25, 2019 (**regular & closed session**) as submitted was made by Mr. Lee, seconded by Ms. Brown.

Roll Call: Brown, Lee, Moore, Yates Barton Ayes: 5 Nays: 0 Motion carried.

Report of the Township Engineer

Oak Shade Road (Phase 1) – Update provided indicating the plans were submitted to NJDOT; waiting on authorization to go out to bid.

Oak Shad Road Grant (Phase 2) Update notice received from NJDOT regarding grant application; Township was awarded in the amount of \$246,709.00 to finish paving of Oak Shad Road.

Flyatt Road – Update provided of the Change Order during this meeting; work completed and Flyatt Road is open.

Report of the Emergency Management Coordinator

Operation Christmas Tree Lighting –Mr. Sunbury reported it to be a good event and big turnout; the weather held out. Best wishes and thank you for your service was given to Stephen Lee IV. and Joe Yates, IV.

Report of the Township Administrator

Lee Drive Speed Sign - Mr. Cramer advised the speed sign was on Lee Drive for the past few weeks; the sign was moved over to Summit Drive. The data was reviewed; it appears speeding on Lee Drive is 5-10 MPH over limit, occasional speeder close to 20 MPH.

Mayor Barton suggest a history report be put together to be shared with OEM Coordinator and NJSP.

Mr. Cramer advised the speed sign to be a new technology in which the data addresses the speed and the time of day. The Township is working through it and hopes that a log would be put together as we go. It was learned that additional speed limit signs are needed on Summit Drive.

Committeeman Lee spoke of wanting a blue print each time the unit is moved to provide effective information.

Report of the Township Solicitor

Solicitor Lange advised that he will keep his comments for executive session and thanked Mr. Yates and Mr. Lee both for their confidence in him and allowing him to serve.

Report of the Township Committee

Deputy Mayor Brown expressed her pleasure serving with Mr. Yates and Mr. Lee on Township Committee.

Mr. Lee thanked everyone for the kind comments and recognized Municipal Clerk La Shawn Barber, recalling time serving on the Green Bank School Board, LaShawn was the Municipal Clerk in Washington Township. Advised that Clerk Barber is the glue that holds this Township Committee and community together along with her team do a phenomenal job in very difficult circumstances. Township Engineer Dan Guzzi, Chief Financial Officer Rodney Haines, Solicitor Peter Lange Township Administrator Doug Cramer were also given high appreciation for their service years and assistance provided to him. Mr. Lee spoke of being proud taking on a lot of controversial and challenging issues in the community.

Mr. Yates expressed his appreciate to everyone sitting at this table; we accomplished a lot during the eighteen years of service. Mr. Lee was thanked for being his running mate on the Township Committee and the residents of this town were thanked for electing him.

Mayor Barton thanked Mr. Yates and Mr. Lee for the service given to this community and recalling meeting Mr. Yates when he served on the zoning board before the Township had a combined Land Development Board. Wishes for Merry Christmas and Happy Hanukah, may you have a great holiday season, a safe 2020 healthy and prosperous to you, your family and Tabernacle Township.

Public Comment

Monica Lee commented on taking this opportunity to thank her husband, Stephen, for his dedicated service to the Tabernacle Community in which she expressed her appreciation of his nine-year commitment to this community, having integrity as he worked diligently serving the residents.

Stuart Brooks, Moores Meadow Road, comment on wanting to know the status of the placement of the fire truck at the ESB; the last report addressed air hose was the last piece of equipment received and installed. Recommend Township Committee goal be that everyone on Township Committee have an official email address. Commented on engineer’s report regarding Township being in receipt of \$250,000 NJDOT Grant for road improvement; made recommendation for Carranza Road.

Fran Brooks, Moores Meadow Road, commented Township Officials should have official email on the website so residents can write email messages. Commented on wanting to know of Township’s position to finish the repaving of Carranza Road in 2020; there are a lot of residents who use that road. Commented on wanting to hear about the duties of the Special Counsel.

Colleen Domingo, 7 Lee Drive, thanked Mr. Lee and Mr. Yates for their time served on the Township Committee. Spoke of receiving a response from Mr. Cramer regarding the speed sign. Request the sign be positioned further back from the stop sign in order to obtain a better read for speeding. Commented on having a great time during the Tabernacle tree lighting ceremony and Santa was looking good!

Chief Andy Cunard, Fire Company - 42 Pine Cone Court, commented on inaccuracies of a disgruntled individual who was removed from the fire company that made comments about LOSAP; invited Committee members and Committee members-elect to contact him should they have questions about the fire company. The breakfast with Santa was great.

Mayor Barton thanked members of the fire company for hosting the annual senior dinner.

Chief George Jackson, Chief Tabernacle Rescue Squad, thanked Mr. Lee and gave him credit for his dedication to the town; it is not easy sitting up there being the person in charge having to make decisions. Mr. Yates was given appreciation; spoke of the biggest accomplishments of building the ESB. Having Mr. Yates’ background was acknowledged for many decisions made saving money that made the building a success.

Patrick Lee, Speedwell Drive, thanked his father and Mr. Yates for all they have done and spoke of the many off hours putting in a lot of hard work and spoke of fond memories when his Dad was sworn into office and receiving all the balloons from Clerk Barber.

Andrew Lee, Speedwell Drive, agreed with everything his brother said. No further comments, Mayor Barton closed the public comment portion.

Mayor Barton responded to questions raised about the Special Counsel and explained that it will be the 2020 Committee's appointment. In response to the fire truck in the ESB, everything is complete and one goal will be addressed in the contract. In regards to paving of Carranza Road, the 2020 Committee will make a decision how to proceed with paving Carranza Road. We will see if we can get Shamong to come to the table again; hopefully they will pave their half of the road.

EXECUTIVE SESSION RESOLUTION - CS 12 162019

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. **Litigation matter with respect to Fran Brooks v. Township of Tabernacle (BUR-L-002065-19)**
2. **Matters Relating to contract negotiations (RFPs and Professional Services)**

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. Committeewoman Elect – McGinnis and Committeeman Elect Sunbury was invited to attend the Executive Session.

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

- **On a motion made by Ms. Brown, seconded by Mr. Yates at 8:41 p.m., Resolution CS 12 162019 was offered for adoption.**

Roll Call: Brown, Lee, Moore, Yates Barton Ayes: 5 Nays: 0 Motion carried.

Reopen. Members returned from executive session at 9:42 p.m. to pursue adjournment.

Adjournment

- Motion was made by Ms. Brown, seconded by Mr. Yates.

Roll Call: Brown, Lee, Moore, Yates Barton Ayes: 5 Nays: 0 Motion carried.

Respectfully submitted

La Shawn R. Barber, RMC
Municipal Clerk

APPROVED: 02/24/2020

