

**TABERNACLE TOWNSHIP COMMITTEE  
TOWN HALL MINUTES OF APRIL 29, 2019**

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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 **April 29, 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 (Absent)**

Stephen V. Lee, IV, Township Committee

Samuel R. Moore, III, Township Committee

**Joseph Yates, IV, Township Committee (Absent)**

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

**Public Comment:**

Stuart Brooks, Moores Meadow Road – questioned the salary increase in pay for the Chief Finance Officer and Deputy Treasurer. Spoke that it is time for TAA program to become self-sufficient since they award scholarships and repurpose the money for self-sufficiency or include it for insurance purpose. Asked if the school district put money in their budget for the maintenance of Sequoia for the year. Its better to save and reduce taxes than to put money into something for which there is no plan.

Fran Brooks, Moores Meadow Road – commented on the need for belt tightening and spoke of no need for special council for OPRA issues. Spoke of percent increase for CFO and Deputy Treasurer. Reiterated Stuart Brooks comments.

**Introduction of 2019 Municipal Budget – First Reading**

**RESOLUTION 2019**

**INTRODUCTION OF 2019 TABERNACLE TOWNSHIP MUNICIPAL BUDGET**

**WHEREAS**, the Municipal Budget of the Township of Tabernacle, County of Burlington is for the fiscal year 2019; and

**WHEREAS**, the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2019; and

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

**BE IT FURTHER RESOLVED**, by the Governing Body of the Township of Tabernacle does hereby approve the following Budget for the year 2019.

- On a motion made by Mr. Lee, seconded by Mr. Moore, Resolution to introduce the 2019 Tabernacle Township Municipal Budget was offered for approval.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

- The Public Hearing on the Municipal Budget will be May 28, 2019 at 7:30 p.m.



## Ordinances on Second Reading – Hearing and Public Comment

### **SECOND READING - ORDINANCE 2019-1 AMENDING CHAPTER VII TRAFFIC SECTION 12 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF TABERNACLE**

Zoning/Construction Official Tom Boyd spoke of his research in and of other municipalities regarding GVW of vehicles and its comparisons to their restrictions; finds one similar and spoke of Title 39 difficulties.

Solicitor Lange will make substantial changes to the Ordinance and provide a new draft ordinance for consideration. Given the nature of these changes, such as 17,500 GVW; excluding a body style; allowance for one recreational vehicle per family permitted in a side or rear yard no closer than the facade of the front of the house.

#### **Public Comment**

Lyle Manheimer, Log Road, commented on not being in favor of raising the GVW limit to 17.5 and spoke that he does not want large vehicles parked across from his house.

John Yelito, Moore Road West, questioned commercial trailers that would be hooked to the main vehicle would be included; questioned vehicles that do not fit in the driveway; addressed concerns of vehicles parked on the street, as little children can walk from behind the trailer and get hit by a car. Questioned if The Pinelands has to approve this ordinance.

Mr. Lange stated that Pinelands will make a performance review but not likely will not have any position.

Michael Callaghan, Moore Road West, spoke of not being in favor of this Ordinance. Spoke of owning a business and would park commercial trucks at his home, nobody complained; feels this is restricting people to work.

Fran Brooks, Moores Meadow Road, commented on how Construction Official Boyd and Township Committee hastily went into first reading on the ordinance and it being a terrible process; angry about the way her taxes are being spent.

Stuart Brooks, Moores Meadow Road, commented on the limited discussion regarding budget process and reiterated his comments from the beginning of the meeting. Spoke that discussions should be made at workshops.

No further comments.

### **SECOND READING - ORDINANCE 2019-2 CALENDAR YEAR 2019 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 **2.5%** 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 2019 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 **1.0 %** increase in the budget for said year, amounting to **\$32,456** 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 2019 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 **\$113,596**, and that the CY 2019 municipal budget for the **Township of Tabernacle** be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any 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.

- Comments. None.
- On a motion made by Mr. Lee, seconded by Mr. Moore, Ordinance 2019-2 on second reading, was offered for adoption. Motion carried.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

**ORDINANCE 2019-3**  
**AN ORDINANCE OF THE TOWNSHIP OF TABERNACLE**  
**COUNTY OF BURLINGTON, STATE OF NEW JERSEY**  
**AMENDING CHAPTER IX, BUILDING AND HOUSING FEE SCHEDULE IN APPENDIX A**

**WHEREAS**, the Department of Community Affairs has adopted amendments to N.J.A.C. 5:23-4.20 in accordance with its authority under N.J.S.A. 52:27D-124; and

**WHEREAS**, these amendments deal with, in pertinent part, revised fees for certain inspections and corresponding fees; and

**WHEREAS**, the Township of Tabernacle wishes to modify its Township Ordinance to conform to the above- referenced Administrative Code amendments.

Now, Therefore, **BE IT ORDAINED** as follows:

**SECTION 1:** Schedule E Building and Housing Fee in Appendix A is amended so as to update the applicable fee schedule in accordance with Exhibit 1 attached hereto and made a part hereof.

**SECTION 2:** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3:** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion.

**BE IT FURTHER ORDAINED** that this ordinance shall take effect upon proper passage and in accordance with the law.

**SCHEDULE E BUILDING AND HOUSING**

1. FEES:
- a. Minimum Fee for Building Subcode \$ 65.00
    - Electric Subcode \$ 65.00
    - Plumbing Subcode \$ 65.00
    - Fire Subcode \$ 65.00
  - b. State Training Fee = volume of structure x the rate as detailed in N.J.A.C 5:23-4.19(b) as modified from time to time
  - c. State Training Fee per Dollar Cost of Alterations x the rate as detailed in N.J.A.C 5:23-4.19(b) as modified from time to time
  - d. Plan Review Fee (20% of permit cost)
  - e. Publicly owned buildings **\$ Exempt**

f. Zoning permit	\$ 30.00
g. Written zoning Inquires requested by an agency	\$ 10.00
h. Fencing not regulated by the UCC (zoning)	\$ 30.00
i. Certificate of Compliance of Smoke/Fire & Carbon Monoxide Detectors Application:	
7 or more days prior to inspection	\$ 50.00
6 to 3 days prior to inspection	\$ 75.00
2 days or less prior to inspection	\$ 150.00
j. Second and Subsequent Re-inspections	\$ 100.00

2. Building Subcode Fees

A. Minor work involving a single trade	\$ 15.00
Per	\$1,000.00
B. New Structure Fees	
i. Use Group: B, H-1 thru H-5, I-1 thru I-4, M, E, R1, R2, R3, R4, R5, U	
# of cubic feet x \$.038	
ii Use Group: A1, A2, A3, A4, A5, F1, F2, S1 and S2	
# of cubic feet x \$.034	
iii. Commercial Farm Building # of cubic feet x \$.01	
• <b>Fee for commercial farm building should not exceed \$1,000.00</b>	
iv. Pre-engineered grain bins and similar structures require permits only for on-site construction work such as foundations, slabs, plumbing or electric. Fee for construction \$ 30.00 per 1,000.00	
C. Fees for renovations, alteration, and repairs	
i. First \$50,000	= \$34.00 per \$1000.00
ii. \$50,001 to \$100,000	= \$28.00 per \$1000.00
iii. \$100,001 and above	= \$24.00 per \$1000.00
D. Sign Fees	= \$1.50/sq ft
E. Lead abatement fee	= \$ 38.00 per \$1000.00
F. Asbestos Abatement Fee	= \$ 75.00
G. Asbestos C/O Flat State Fee	= \$ 25.00
H. Swimming Pools:	
i. In-ground pools	= \$ 350.00
ii. Above Ground Pools	= \$ 125.00
iii. Spas & Hot Tubs	= \$ 55.00 min fee
iv. Pool Fencing	= \$ 55.00
v. Annual Pool Bonding	= \$ 100.00
I. Demolitions	
i. Single Family Dwellings	= \$ 125.00
ii. Commercial Structures	= \$ 300.00
iii. Farm/Utility buildings	= \$ 55.00
iv. Storage Tanks	= \$ 60.00
J. Certificate of Occupancy for:	
i. Single Family Dwelling	= \$ 100.00
ii. Additions & Detached garages	= \$ 75.00
iii. Commercial Buildings	= \$ 250.00
iv. CCO Certificate	= \$ 300.00
K. Other Fees	
i. Radio towers and antennas	\$ 500.00
Communication Cabinets, antenna arrays, tower footings and slabs will be based on the cost of materials and labor as stated section C. for renovations, alterations and repairs.	
ii. Foundation and containment area for storage tanks	= \$ 22.00 per \$1000.00 cost
iii. Fire Place Masonry	= cost as above for alterations
iv. Free Standing Wood Stove	= \$ 60.00
v. Chimney Liner	= \$ 60.00

- vi. Fencing exceeding 6' height = Cost/foot - \$25/50 ft.
- vii. Retaining wall fees will be as follows:
  - a. Surface area greater than 550 square feet that is associated with a Class 3 residential structure = \$ 150.00.
  - b. Surface area of 550 square or less that is associated with a Class 3 residential structure will be: = \$ 55.00
  - c. Any newly constructed retaining wall of any size other than a Class 3 residential structure will be based on the cost of material and labor as stated in section C. for renovations, alterations and repairs.
- viii. Sheds up to 288 sq. ft. = \$ 55.00
  - 289 sq. ft. to 900 sq. ft. = \$ 75.00
  - Over 900 sq. ft. = # of cubic feet x .038
- ix. Decks = \$ 22.00 per \$ 1,000.00
- x. Solar Array Mounting Systems and Wind Energy Systems Fee will be based on the cost of material and labor of the mounting system as stated in section C. for renovations, alterations and repairs.
- xi. Fees for tents, in excess of 900 square feet or more than 30 feet in any dimension, shall be \$ 100.00.

**L. Fees for Variations**

- i. Use Group R3, R4 and R5 = \$ 75.00
- ii. All of other use groups = \$500.00

**3. Plumbing Subcode fees**

- i. Water closet/bidet/urinals = \$ 20.00
- ii. Bathtubs = \$ 20.00
- iii. Lavatory/sink = \$ 20.00
- iv. Shower/floor drain = \$ 20.00
- v. Washing machine = \$ 20.00
- vi. Dishwasher = \$ 20.00
- vii. Commercial dishwasher = \$ 20.00
- viii. Hose bibs = \$ 20.00
- ix. Water Heater = \$ 20.00
- x. Water cooler = \$ 20.00
- xi. Garbage Disposal = \$ 20.00
- xii. Indirect connection = \$ 20.00
- xiii. Vent stack = \$ 20.00
- xiv. Special Devices = \$ 20.00
- xv. Condensation Drain = \$ 20.00
- xvi. Grease traps = \$ 65.00
- xvii. Oil separators = \$ 65.00
- xviii. Water cooled air conditioners = \$ 65.00
- xix. Refrigeration Units = \$ 65.00
- xx. Water utility connection = \$ 65.00
- xxi. Sewer utility connection = \$ 65.00
- xxii. Back flow preventers = \$ 65.00
- xxiii. Steam boilers = \$ 65.00
- xxiv. Hot water boilers = \$ 65.00
- xxv. Gas piping = \$ 50.00
- xxvi. Interceptors = \$ 65.00
- xxvii. Fuel Oil piping = \$ 50.00
- xxviii. L/P Tanks = \$ 65.00
- xxix. Minimum fee = \$ 65.00

**4. Fire Subcode Fees**

- i. 1-20 sprinkler heads = \$ 55.00
- ii. 21-100 sprinkler heads = \$ 85.00
- iii. 101-200 sprinkler heads = \$ 165.00
- iv. 201-400 sprinkler heads = \$ 425.00
- v. 401-1000 sprinkler heads = \$ 600.00
- vi. Over 1000 sprinkler heads = \$ 750.00
- vii. 1-20 heat/smoke detectors = \$ 55.00
- viii. 21-100 heat/smoke detectors = \$ 85.00

ix.	101-200 heat/smoke detectors	= \$ 165.00
x.	201-400 heat/smoke detectors	= \$ 425.00
xi.	401-1000 heat/smoke detector	= \$ 600.00
xii.	Over 1000 heat/smoke detector	= \$ 750.00
xiii.	Each stand pipe	= \$ 175.00
xiv.	Each independent pre-engineered system	= \$ 85.00
xv.	Each gas or oil fired appliance, which is not connected to the plumbing system	= \$ 55.00
xvi.	Each kitchen exhaust system	= \$ 125.00
xvii.	Each incinerator/crematorium	= \$ 350.00
xviii.	Gas or Oil Storage Tanks	= \$ 60.00
xix.	Free Standing Wood Stove	= \$ 60.00
xx.	Minimum fee	= \$ 65.00

5. Electric Subcode Fees

i.	Switched/fixtures/receptacles: 1-25	= \$ 60.00
ii.	Each additional 25 outlets	= \$ 20.00
iii.	Electrical devices/generators/transformers	
	Over 1 kw-10 kw	= \$ 25.00
	10.1 kw-45 kw	= \$ 75.00
	45.1 kw-112.5 kw	= \$ 150.00
	Over 112.5 kw	= \$ 750.00
iv.	Motors	
	Over 1hp-10 hp	= \$ 25.00
	Over 10 hp -50 hp	= \$ 75.00
	Over 50 hp- 100 hp	= \$ 150.00
	Over 100 hp	= \$ 750.00
v.	Service panels/service entrance/sub panels	
	0-200 amps	= \$ 75.00
	Over 200-1000 amps	= \$ 150.00
	Over 1000 amps	= \$ 750.00
vii.	Ranges/ovens/surface units	
	Over 1-10 kW	= \$ 20.00
	Over 10 kW	= \$ 55.00
viii.	Pool Permit with UW Lights	= \$ 65.00
ix.	Storable Pool/Spa/Hot Tub	= \$ 65.00
x.	Public Pool/Hot Tub/Spa	
	Annual Electrical Inspection	= \$ 150.00
xi.	Minimum fee	= \$ 65.00

6. Photovoltaic systems and wind energy systems the fee will be based on the designed kilowatt rating of the systems as follows:

Residential Use (R-5 Only)		
i.	One to 10 kw	\$ 250.00
ii.	Greater than 10 kw to 50 kw	\$ 400.00
iii.	Greater than 50 kw	\$ 750.00

All Other Use Groups

i.	Systems up to 50 KW	\$ 750.00
ii.	Systems greater than 50 KW \$ 1000.00 for the first 50 KW plus \$100.00 for each 10 KW or portion thereof over 10 KW up to 999 KW	
iii.	Systems of 1 MW (Megawatt) and greater = \$ 5,500.00 per MW and fraction thereof. (Example: 1.5 MW x \$ 5,500.00 = \$ 8,250.00)	
iv.	Each Disconnect:	\$ 50.00
iv.	Each Inverter:	\$ 50.00
v.	Each Metering Device	\$ 50.00

**Public Comments.**

- Fran Brooks, Moores Meadow Road, questioned the Construction Official Boyd to define the statute number.

No further comments.

- On a motion made by Mr. Lee, seconded by Mr. Moore, Ordinance 2019-3 on second reading, was offered for adoption. Motion carried.

**Roll Call: Lee, Moore, Barton**

**Ayes: 3**

**Nays: 0**

**Absent: 2**

**ORDINANCE 2019-4**

**AN ORDINANCE REPEALING AND REPLACING ARTICLE 8 OF THE TOWNSHIP CODE ENTITLED “PUBLIC FUNCTIONS AND SIMILAR USES OF PUBLIC PLACES”**

**WHEREAS**, the Township Committee has determined that improved coordination of public events is desirous; and

**WHEREAS**, a requirement for a Special Events permit would ensure the protection of public safety and the full preparedness of the township public works and emergency services departments; and

**WHEREAS**, Special Events particularly require a plan and coordination with the Office of Emergency Management; and

**WHEREAS**, the Township Committee finds the purposes of such a permit requirement to be in accord with its statutory authority and in the best interests of the health, safety and welfare of the Township and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Tabernacle, County of Burlington and State of New Jersey, as follows:

Article 8 of the Township Code entitled “**PUBLIC FUNCTIONS AND SIMILAR USES OF PUBLIC PLACES**” is hereby repealed and replaced with “**PUBLIC FUNCTIONS AND SIMILAR USES OF PUBLIC PLACES- SPECIAL EVENTS**”

Section 1.

**Special Events.**

**A. Purpose.**

It is recognized that Special Events enhance the quality of life for the residents of the Township. Therefore, without unduly burdening event planners and sponsors, a permit shall be required to be obtained in advance for all Special Events, as defined herein, to ensure notice to the Township and to ensure planning and coordination of such events with the Township Office of Emergency Management.

**B. Definitions.**

**Special Event** shall be defined as follows: Any protest, service, fair, carnival, festival, show, exhibition, celebration, assembly, pageant, or other similar public event to be conducted within or partly within the Township of Tabernacle where attendance by participants, spectators and/or patrons is expected to be greater than 250 persons and where the event or any part of the event is to be held on public ground, a public park, in a public right-of-way or on private ground when the public is invited and/or the event is advertised.

In addition, **Special Event** shall also include any walkathon, march, parade, automobile road rally, motorcycle race or enduro, bicycle race, rally or tour, foot race, marathon, hike, or trail ride of any kind or similar function, procession, or any similar display conducted in or upon any street, road, park, or other public place within Tabernacle Township.

**Special Event** does not include any funerals, weddings, or processions sponsored by houses of religious worship, educational activities under the direction and supervision of school authorities, normal camp activities occurring at an accredited camp, processions sanctioned or approved by a government agency including but not limited to the Township and its subdivisions, the Fire Company or the EMS while acting within the scope of their duties and/or functions, or processions arising out of labor disputes.

### **C. Permit Required.**

Any individual, partnership, corporation or entity conducting a Special Event shall submit an application for a Special Event Permit. An application fee of \$75.00 shall accompany any submitted application for a Special Event Permit. Applications shall be submitted at least thirty (30) days prior to the date of the Special Event on a form to be supplied by the Township Clerk.

The Township OEM and/or Administrator shall have the authority to revoke a Special Event Permit issued hereunder in the event that standards for issuance are not met and/or it is determined that the Special Event poses any risk to public safety.

### **D. Event Management Plan Required.**

An Event Management Plan shall be submitted with each application for a Special Event Permit. The Event Management Plan shall include proposed planning and actions to address public health and safety issues including, but not limited to, emergency vehicle access, traffic and pedestrian management and trash, refuse and sanitary sewer management. This plan shall be approved by the Township Office of Emergency Management prior to the issuance of any permit and shall include:

- i. The name, address, email address and telephone numbers of all persons and any organization or corporate entity involved and the person(s) representing such an organization seeking to conduct the Special Event.
- ii. The Type of function and the proposed dates when the Special Event is to be conducted. The route to be utilized for any procession if any and the many of travel including the spacing of participants. The approximate number of persons to be expected to participate in the Special Event. The hours when the Special Event will start and terminate. The proposed location of assembly areas if any.
- iii. Written permission evidencing a license to use any private property associated with the Special Event.
- iv. Emergency vehicle access management shall include establishing the location(s) and manner in which emergency vehicles may access the event and ancillary property if necessary.
- v. Traffic and pedestrian management include:
  1. Providing safe ingress and egress, vehicular traffic flow, and pedestrian traffic flow;
  2. Utilizing parking attendants, signs, or other parking-related instructions to facilitate vehicular and pedestrian traffic flow onto, off of, and within the event. Special service providers may be required to assist with traffic management;
  3. Establishing areas temporarily devoted to parking based on the volume of visitors expected; and
  4. Establishing overflow parking areas in the event the planned-for parking capacity is exceeded.
- vi. Public health management includes:
  1. Providing sanitary facilities sufficient to accommodate, without causing long queues, the volume of visitors expected; and
  2. Providing hand-sanitizing facilities for visitors to wash or sanitize their hands after the use of the sanitary facilities; and
  3. Locating sanitary facilities and managing them with an appropriate cleaning schedule, so as to prevent adverse impacts on health and adjacent properties, such as odors; and
  4. Providing trash and recycling receptacles to accommodate the volume of visitors expected in order to prevent the accumulation of trash and debris on the ground; and
  5. Properly training and equipping event staff on how to handle emergencies that may occur during the event including, but not limited to, the preparation of a protocol for contacting and deploying police, fire, and/or another emergency service in the event of an actual emergency.
- vii. If a Special Event occurs periodically or more than once per year and occurs under the same basic conditions, an applicant may satisfy the provisions of this Chapter for the multiple events by submitting a single event management plan that notes the multiple occurrences and the future dates of the event.
- viii. If the Office of Emergency Management Coordinator requests or requires any additional information or changes to the Special Event Management Plan, the Applicant shall provide the additional information and comply with the required changes.



**E. Insurance and Indemnification.**

Special Event Permits shall be conditioned upon the provision of insurance in the name of the applicant and/or property owner and indemnification to the Township in accord with the following:

**A. Insurance.**

The applicant shall furnish evidence of a liability insurance policy insuring against loss in an amount not less than one million dollars (\$1,000,000.00) combined single limit per occurrence in the aggregate covering personal injury and property damage issued by an insurance company authorized to do business in the State of New Jersey. The insurance policy shall be endorsed to the Township with the Township, its elected and appointed boards, officers, agents, officials and employees named as additional insured and shall provide that any other insurance maintained by the Township shall be in excess of and not contributing to the insurance coverage provided to the Township under the applicant’s policy.

**B. Indemnification.**

The applicant shall also be required to sign an indemnity agreement in a form approved by the Township Attorney which shall expressly provide that the applicant agrees to defend, protect, indemnify and hold the Township, its officers, employees and agents free and harmless from and against any and all claims, damages, expenses, loss or liability of any kind or nature whatsoever arising out of, or resulting from, the alleged acts or omissions, the alleged acts or omissions of applicant, participants, its officers, agents or employees in connection with the permitted event or activity; and the Permit shall expressly provide that the applicant shall, at applicant’s own cost, risk and expense, defend any and all claims or legal actions that may be commenced or filed against the Township, its officers, agents, participants or employees, and that the applicant shall pay any settlement entered into and shall satisfy any judgment that may be rendered against the Township, its officers, agents or employees as a result of the alleged acts or omissions of applicant or applicant’s alleged officers, agents, participants or employees in connection with the uses, events or activities under the Permit.

This indemnification shall specifically include the provision of legal counsel for defense, including payment thereof, and any costs incurred by the Township in seeking enforcement of the indemnification.

**F. Violations and Penalties**

Any person, firm, corporation, association, legal party or other entity whatsoever who or which shall violate, or authorize or procure a violation, or cause to be violated, any provision of this Chapter shall, upon conviction thereof, be punishable as provided under the General Penalty provisions found in this Code.

Section 2. Repealer. Any Ordinance inconsistent with this ordinance is hereby repealed to the extent of its inconsistency.

Section 3. Severability. If any provision of this Ordinance is deemed to be contrary to law by a court of competent jurisdiction, such provision shall be of no force or effect; but the remainder of this Ordinance shall continue in full force and effect.

Section 4. Effective date. This Ordinance shall take effect upon proper passage in accordance with the law.

**• Comments.**

Fran Brooks, Moores Meadow Road. Commented that marking roads is not included in the ordinance. Markings should be incorporated into the Ordinance.

Stuart Brooks, Moors Meadow Road. Reiterated Mrs. Brooks’ comments.

There were no further public comments.

Emergency Management Coordinator Sunbury stated that he will modify the special events application to use biodegradable markings and that can establish this as a reasonable condition; does not feel the need for the Ordinance to be changed.

- On a motion made by Mr. Lee, seconded by Mr. Moore, Ordinance 2019-4 on second reading, was offered for adoption. Motion carried.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

**Ordinance on First Reading**

**ORDINANCE 2019-5  
AN ORDINANCE OF THE TOWNSHIP OF TABERNACLE AMENDING THE  
GENERAL CODE ORDINANCE, ESTABLISHING THE POSITION OF A  
PART-TIME CERTIFIED FIRE INSPECTOR**

**BE IT ORDAINED** by the Township Committee of the Township of Tabernacle, in the County of Burlington and State of New Jersey, as follows:

**SECTION 1. Creation of Office and Title.** There is hereby created the position of a Part-Time Certified Fire Inspector.

**SECTION 2. Appointment.**

- a) The Part-Time Certified Fire Inspector shall be appointed by the Township Committee upon the recommendation of the Fire Marshal and Township Administrator without any term and/or any tenure acts of the State of New Jersey; and shall be removable at the pleasure of the Township Administrator or Township Committee with or without notice or hearing.

**SECTION 3. Duties and Responsibilities**

- a) The Part-Time Certified Fire Inspector shall perform the duties to assist the Fire Marshal in accordance with the N.J.A.C. 5:70.
- b) The Part-Time Certified Fire Inspector shall be responsible for conducting field inspections and working with and/or instructing property owners/contractors on the requirements of the Uniform Fire Code.

**SECTION 4. Compensation**

- a) The Part-Time Certified Fire Inspector shall be paid a fixed salary adopted by the Township Committee in the annual Salary Resolution.
- b) The Salary Range for the respective position shall be compensated in accordance with the following rate and without benefits are as follows: Minimum.....\$15.00/hr. Maximum.....\$30.00/hr.

**SECTION 5. Qualification**

- a) The Part-Time Certified Fire Inspector shall be appointed on the basis of his/her qualifications and hold a valid New Jersey driver’s license.
- b) The Part-Time Certified Fire Inspector shall hold certification by the New Jersey Division of Fire Safety.
- c) The Part-Time Certified Fire Inspector may use his/her personal vehicle. Township will provide current mileage reimbursement.

**SECTION 6.** This ordinance shall become effective after final passage and publication according to law.

- The Public Hearing date is set for May 28, 2019 at 7:30 P.M.
- On a motion made by Mr. Lee, seconded by Mr. Moore, Ordinance 2019-2, second reading, was offered for adoption. Motion carried.

**Roll Call: Lee, Moore, Barton Ayes: 3 Nays: 0 Absent: 2**

**Resolutions**

**RESOLUTION 2019-55  
AUTHORIZING THE TOWNSHIP OF TABERNACLE TO EXECUTE AN AGREEMENT WITH  
BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE  
COMMUNITY DEVELOPMENT ACT OF 1974**

**BE IT RESOLVED AND ENACTED**, by the Committee of Tabernacle, County of Burlington and State of New Jersey to authorize an Agreement with Burlington County for cooperative participation in the Community Development Act of 1974.

**SECTION I.** Certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-383, as amended; and

**SECTION II.** It is necessary to establish a legal basis for the County and its people to benefit from this Program; and

**SECTION III.** An Agreement has been proposed under which the Township of Tabernacle and the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant N.J.S.A. 40:8A-1 et seq., and

**SECTION IV.** It is in the best interest of the Township of Tabernacle that the Agreement entitled "Agreement between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities," a copy of which is on file at the Municipal Clerk's Office.

**SECTION VI.** All resolutions or parts of resolutions, which are inconsistent herewith, are hereby repealed in the extent of their inconsistency.

- On a motion made by Mr. Lee, seconded by Mr. Moore, Resolution 2019-55 was offered for adoption. Motion carried.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

**RESOLUTION 2019-56  
APPROVING CHANGE ORDER NO. 1 TO A CONTRACT BETWEEN THE  
TOWNSHIP OF TABERNACLE AND SUSSMAN ENTERPRISES FOR THE 2018 PARK PROJECT**

**WHEREAS**, on August 27, 2018, the Township Committee awarded the contract for the 2018 Park Project in the amount of \$255,500.00 to Sussman Enterprises, 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 portion of the construction allowance and a credit for changes to the fence replacement requirements.

- Amount of Original Contract: \$255,500.00
- Total Change Order No. 1 Amount: \$ 4,275.00
- **Revised Contract Total: \$251,025.00**

**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 **Sussman Enterprises, Inc.** is hereby authorized by the Township; and
2. The Mayor is hereby authorized and directed to execute Change Order No. 1.

- On a motion made by Mr. Lee, seconded by Mr. Moore, Resolution 2019-56 was offered for adoption. Motion carried.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

**RESOLUTION 2019-57**  
**APPROVING CHANGE ORDER NO. 1 TO A CONTRACT BETWEEN THE**  
**TOWNSHIP OF TABERNACLE AND MUNICIPAL SALT SHED ENTRANCEWAY REPLACEMENT PROJECT**

**WHEREAS**, on November 26, 2018, the Township Committee awarded the contract for the Municipal Salt Shed Entranceway Replacement Project in the amount of \$39,425.00 to MiBo Construction Company, 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 replacing and/or repairing rotted framing and sheathing discovered during demolition of the entranceway.**

- |                                    |                    |
|------------------------------------|--------------------|
| • Amount of Original Contract:     | \$39,425.00        |
| • Total Change Order No. 1 Amount: | \$ 5,501.00        |
| • <b>Revised Contract Total:</b>   | <b>\$44,926.00</b> |

**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 **MiBo Construction Company, Inc.** is hereby authorized by the Township; and
  2. The Mayor is hereby authorized and directed to execute Change Order No. 1.
- On a motion made by Mr. Lee, seconded by Mr. Moore, Resolution 2019-57 was offered for adoption. Motion carried.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

**RESOLUTION 2019-58**  
**AUTHORIZE CANCELLATION OF CERTAIN PROPERTY TAXES AND REFUND PURSUANT TO A**  
**ONE HUNDRED PERCENT TOTALLY DISABLED VETERAN EXEMPTION**

**WHEREAS**, Ryan Trebisovsky, owner and resident of 5 Lavenham Court (Block 810, Lot 13) has applied for exemption from property taxes as a 100% Totally Disabled Veteran pursuant to NJSA 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 March 14, 2019, 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 RYAN TREBISOVSKY, OWNER AND RESIDENT OF 5 LAVENTHAM COURT, TABERNACLE, NJ 08088.

**BE IT FURTHER RESOLVED**, that the Tax Collector is hereby authorized to refund \$413.77 to Wells Fargo, Mortgage Company for Ryan Trebisovsky, owner and resident of 5 Lavenham Court, Tabernacle (Block 810, Lot 13). (Calculation: 2019 First Half \$4,381.10/180 days \* 17 days exempt = Refund total amount of \$413.77.)

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

- On a motion made by Mr. Lee, seconded by Mr. Moore, Resolution 2019-58 was offered for adoption. Motion carried.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

**RESOLUTION 2019-59  
AUTHORIZE PERSONNEL APPOINTMENT  
KYLE GODFREY – DEPUTY COURT ADMINISTRATOR – MUNICIPAL COURT**

**WHEREAS**, the Superior Court of New Jersey, Burlington Vicinage for the Municipal Division has required the Township of Tabernacle to fill a part-time Deputy Court Administrator position; and

**WHEREAS**, Resolution 2018-39 authorized the Township Administrator to advertise and offer employment to a Deputy Municipal Court Administrator; and

**WHEREAS**, the Township of Tabernacle has complied with the Recruitment Process through joint participation of the municipality and the judiciary; and

**WHEREAS**, **Kyle Godfrey** has applied for, is qualified to fill the position, and has been selected for appointment by the Municipal Judge, Township Administrator, Municipal Court Administrator and the Burlington County Municipal Division Manager; and

**WHEREAS**, **Kyle Godfrey** has been approved by the Burlington County Vicinage Assignment Judge as the candidate of choice for the Township of Tabernacle Deputy Court Administrator position.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Tabernacle, that **Kyle Godfrey be appointed part-time Deputy Court Administrator** on April 29, 2019 for at least ten hours per week at an hourly rate of \$19.00 per hour.

- On a motion made by Mr. Lee, seconded by Mr. Moore, Resolution 2019-59 was offered for adoption. Motion carried.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

**APPROVAL OF MINUTES**

- a) On a motion made by Mr. Lee, seconded by Mr. Moore, the minutes of January 2, 2019 (Reorganization) was offered for adoption.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

- b) On a motion made by Mr. Barton, seconded by Mr. Moore, the minutes of January 22, 2019 (regular) was offered for adoption.

- Mr. Lee made the following change to minutes – there was no action taken by the Committee at any time to forbid anyone calling in to participate in a meeting:

**Roll Call:                      Ayes: Moore, Barton                      Nays: 0                      Absent: 2                      Abstain: Lee**

- c) On a motion made by Mayor Barton, Mr. Lee, seconded, the minutes of January 22, 2019 (closed session) was offered for adoption.

- Mr. Lee made the following change to minutes – he was telephonically present for the closed session.

**Roll Call:                      Ayes: Moore, Barton                      Nays: 0                      Absent: 2                      Abstain: Lee**

- d) On a motion made by Mr. Moore, seconded by Mayor Barton, the minutes of February 11, 2019 (workshop & closed session) was offered for adoption.

**Roll Call:                      Ayes: Moore, Barton                      Nays: 0                      Absent: 2                      Abstain: Lee**

- e) On a motion made by Mr. Lee, seconded by Mr. Moore, the minutes of February 25, 2019 (regular & closed session) was offered for adoption.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

f) On a motion made by Mr. Moore, seconded by Mr. Lee, the minutes of March 11, 2019 (regular and closed session) was offered for adoption.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

g) On a motion made by Mr. Moore, seconded by Mr. Lee, the minutes of March 25, 2019 (regular) was offered for adoption.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

h) On a motion made by Mr. Moore, seconded by Mr. Lee, the minutes of April 8, 2019 (work session) was offered for adoption.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

#### **Approval of Bills**

- On a motion made by Mr. Moore, seconded by Mr. Lee, the bills were ordered paid.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

#### **Report of the Township Engineer**

Carranza Road - Arawak will begin paving work on Carranza Road the week of May 13, 2019 and will continue the rest of the project.

#### **Report of the Township Administrator**

Gazebo - Preliminary drawings for the gazebo have been received.

Brush Collection - Public Works Department are on time with the brush collection.

#### **Report of the Township Solicitor**

Verizon - Committeeman Lee was questioned about Verizon matters running smoothly.

#### **Report of the Township Committee**

Verizon - Mr. Lee provided an update on the Verizon, reaching approximately 893 homes; asked if Township wanted to continue census track and fight for the other residents that already have broad band. The choice is to use Verizon Rate Counsel who has been very helpful or a different attorney and spend the energy and time.

Mr. Lee apologized for being tardy to the meeting as he was coming from another meeting; spoke that he cohosted a tour for management practices for a control burn and how it affects our community.

Training - Mr. Moore attended training with TFC#1 and TRS which was very successful.

Mr. Barton explained that there was a \$25,000.00 place holder in the budget if Township Committee decides to take over the Sequoia Building; does not know of the school district budget. Spoke of employee salary increases will be part of a resolution at a later date; spoke of attending the NJ Mayor's Conference with Mr. Cramer regarding recycling and the importance of recycling properly.

**Public Comments.** There will be a 3-minute comment period from the public.

Construction Official Thomas Boyd stated the correct statute number N.J.A.C. 5:23.17a which is approximately 4 pages.

Stuart Brooks, Moores Meadow Road – questioned as to why the Township is getting involved in the school district business. Spoke of the TRS report given by Chief Jackson should be on the agenda portion and turned in as a written report in advance. Spoke that he does not understand Committeeman Lee's revisions to draft minutes.

Fran Brooks, Moores Meadow Road – reiterated Mr. Brooks questions and comments about not understanding Committeeman Lee's revisions to the draft minutes. Reiterated Mr. Brooks' earlier questions and comments regarding the increase in pay for the Chief Finance Officer and Deputy Treasurer; spoke of not understanding why Oak Shade Road is being paved before Carranza Road when Carranza Road is in worse shape; wants to know if Shamong is going to reimburse

Township for money from the grant received to pave their portion; angry of costs for advertising; angry and argued with Committee that she was asked to not go over the 3-minute timing mark.

Mr. Barton addressed that half of Carranza Road is located in Shamong Township and Tabernacle Township will continue to work with Shamong Township. The goal is for both Townships to pay for their respective halves; and if not, then have the State award a grant to pay for the majority of the Road.

Mr. Barton stated the school district is losing approximately \$313,000,000 which was the decision of the Governor of the State of New Jersey. Hopefully this Committee will influence Trenton not to hurt any school districts.

No further comments.

**EXECUTIVE SESSION RESOLUTIONCS 04 292019**

**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. Contract Negotiations with respect to RFQ of Appraiser Service for Irick's Causeway**

**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.

- On a motion made by Mr. Lee, seconded by Mr. Moore, members of the Township Committee went into closed session at 9:15 p.m.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

**Reopen.**

**Adjournment**

- On a motion made by Mr. Lee, seconded by Mr. Moore, members of the Township Committee adjourned the meeting at 9:54 p.m.

**Roll Call: Lee, Moore, Barton                      Ayes: 3                      Nays: 0                      Absent: 2**

Respectfully,

La Shawn R. Barber, RMC/CMR  
Municipal Clerk

- Approved: 6/10/2019