The meeting was called to order by Mayor Joseph Barton followed by the flag salute.

Municipal Clerk Barber read the following Sunshine Notice:

**Sunshine Notice:** This meeting was called pursuant to the Open Public Meetings Act. This meeting of October 28, 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** (Absent)
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

**Public comment on agenda items**

Mayor Barton opened this portion of the meeting to the public for comments and/or questions. Comments are limited to and will enforce a “hard stop” at three minutes.

Mayor Barton stated that Closed Session Resolution / Contract Negotiation / Tabernacle Fire Company #1 will be stricken from the Agenda and will not be discussed.

Stuart Brooks, 78 Moores Meadow Road, questioned if engineer’s report will be on the NJDOT Grant which was applied. Asked if the Subcommittee would be issuing a report on the TFC#1 negotiations and meeting. Spoke of the Best Practices regarding the definition of “prospective” for answers to question numbers 12 and 35.

Mayor Barton explained that he will be reporting on NJDOT Grant later in the evening.

Fran Brooks, Moores Meadow Road, questioned the list of roads to be included in the award of contract to Arawak Paving for Resolution 2019-13. Reiterated comments from the past regarding her desire to have Carranza Road paved.

**Chief Cunard, Chief of TFC#1**
- Spoke of wanting to implement a more streamlined approval process for documents submitted from TFC#1. Committeeman Lee spoke of the possibility to be created much similar to how street opening permits are now handled.

As there were no further comments or questions, the Mayor Barton closed this portion of the meeting to the public.
2019-9: SECOND READING / PUBLIC HEARING:
AN ORDINANCE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING CHAPTER II “ADMINISTRATION” BY ADDING SECTION 32 “CLOSED SESSION MINUTES”

WHEREAS, pursuant to Resolution 2018-90, the Tabernacle Township Committee in regular session on the 27th day of August, 2018, resolved to create the Minutes Review Subcommittee in a proactive attempt to ensure the prompt availability of closed session minutes to the public; and

WHEREAS, The Tabernacle Township Committee recognizes the value of open government and is dedicated to the faithful adherence to the extensive rights to inspect and copy public records enjoyed by the public pursuant to the Open Public Records Act, located at N.J.S.A. 47:1A-1.1, and the common law right to know; and

WHEREAS, The Open Public Meetings Act, located at N.J.S.A. 10:4-14, must be interpreted to promote the salutary legislative purpose of requiring governmental bodies to conduct their business in public, and the stated statutory exemptions permitting closure must be strictly construed; and

WHEREAS, even where closure of public meetings is permissible, minutes of the closed meetings, as full as permitted by the nature of the exemption, must be promptly made available; and

WHEREAS, the Committee wishes to modify the Township Ordinances to conform to the above-referenced Resolution.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS: Ordinance 2019-7 is repealed in its entirety and replaced with the following:

CHAPTER II “ADMINISTRATION” is hereby amended to include SECTION 32 “CLOSED SESSION MINUTES” to read as follows:

1. Minutes Review Subcommittee. There shall be a minute’s review subcommittee (MRS) consisting of the Administrator, the Township Attorney and the Municipal Clerk, whose job shall be to periodically review approved closed sessions of the Township Committee and make further determinations on behalf of the Committee on which previously adopted minutes should be made public. The MRS shall have no power and shall not be a “public body” within the meaning of the Open Public Meetings Act.

2. Meetings of MRS. The MRS shall meet on a quarterly basis. Meetings of the MRS shall be scheduled at the convenience of the MRS members by the Municipal Clerk and may be conducted electronically.

3. Preparatory staff work. Prior to each meeting of the MRS, the Municipal Clerk shall prepare a list of all previously approved closed session minutes that have not been made public. The list and the minutes listed shall be made available to the MRS at their meetings.

4. Basis for recommendation. Recommendations to make minutes public shall be on a case-by-case basis, taking into consideration both the interest in maintaining confidentiality set forth in N.J.S.A. 10:4-12 and the interest in prompt disclosure set forth in N.J.S.A. 10:4-14. The applicable guidelines set forth in paragraph 7 of this resolution may be considered as a general standard.

5. Decision. The decision by the MRS to make public the previously approved minutes of any closed session shall be based on a finding, including that of the Township Solicitor on behalf of the Township Committee, that public disclosure of the matters discussed at such closed session will not be detrimental to the public interest. In cases where more than one matter was discussed in closed session, the MRS may elect to make public only the
minutes pertaining to certain of those matters, and to keep the rest of the minutes confidential. Should the minutes contain any material entitled to protection [such as, for example, personnel records, see Hughes Exec. Order No. 9, 9/30/63, amended by Byrne Exec. Order No. 11, 11/15/74; Trenton Times Corp. v. BOE City of Trenton. 138 N.J. Super. 357 (App. Div. 1976)], the MRS shall excise such protected matter, provided, that all materials required to be contained in the minutes by N.J.S.A. 10:4-14 shall be set forth.

6. **Once public, always public.** Minutes which are made public shall not thereafter be treated as confidential, but may be seen and copied by any person in the same manner as minutes of open meetings.

7. **Guidelines.** The following general guidelines pertaining to the nine purposes for closed meetings set forth in N.J.S.A. 10:4-12. B. may be considered in deciding when to make public minutes of closed sessions:

   (a) Matters required by law to be confidential. When the need to preserve the secrecy of the confidential information discussed no longer exists; provided, that material entitled to court protection shall not be disclosed.

   (b) Matters affecting the right to receive federal funds. When disclosure would no longer impair the right to receive funds or cause funds already received to be forfeited.

   (c) Matters involving individual privacy. Such matters shall not be disclosed except as ordered by a court of competent jurisdiction, or with the written consent of all of the individual(s) concerned. (See South Jersey Publishing Co. Inc. v. N.J. Expressway Auth., 124 N.J. 478 (1991).

   (d) Matters relating to collective bargaining agreements. When the collective bargaining agreement has been made and ratified.

   (e) Certain matters involving public funds. After the transaction involving the public funds has been made.

   (f) Matters affecting public safety and property. When disclosure would no longer impair the safety and property of the public or the conduct of any investigation.

   (g) Litigation, contract negotiation and certain privileged matters. As to litigation, when a final decision has been rendered and all rights of appeal are exhausted; as to anticipated litigation, when the statute of limitations has expired or a binding settlement precluding litigation has been made; as to contract negotiation, when either the contract has been made and is binding of all parties or if not made, when negotiation is terminated; as to matters falling within the attorney-client privilege, at such time, if ever, that disclosure would not violate the attorney’s ethical duties.

   (h) Employment matters. When the employment decision has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.

   (i) Deliberations after hearing in penalty matters. After the decision to impose or not impose the penalty has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.

8. **All meeting minutes shall be drafted and approved by the governing body within the time set forth in the Open Public Meetings Act, N.J.S.A. 10:4-8, et seq. (“OPMA”) and applicable case law.**

9. **Except as set forth herein, minutes of meetings of the governing body from which the public has been excluded (“Closed Session Minutes”) shall be available to the public upon request duly submitted to the Township redacted or unredacted.**

10. **With respect to Closed Session Minutes, at the time those minutes are approved, the Township Committee shall determine which portions of the minutes are not appropriate for release to the public under the OPMA or the**
Open Public Records Act, N.J.S.A. 47:1A-1.1, et seq. (“OPRA”) and such minutes shall be reviewed in accordance with paragraph 11 hereof.

11. On a quarterly basis, the MRS shall review Closed Session Minutes to determine what additional portions, if any, shall be released to the public. Release of Closed Session Minutes in response to an OPRA request shall not be delayed by a second review or approval by the Township Committee of Closed Session Minutes that have already been approved. The Municipal Clerk will continue to put all regular minutes on the Township website promptly upon adoption and approval by the governing body. The Municipal Clerk will update the closed session minutes on the Township website promptly upon modification as it concerns any approval to release previously redacted minutes or portions thereof. Such review shall include all Closed Session Minutes approved by the governing body since January 1, 2017.

SECTION 2: All ordinances, resolutions 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.

- Motion to adopt Ordinance 2019-9, on second reading was made by Mr. Yates, seconded by Mr. Lee. There was no further Committee discussion.

- Mayor Barton opens the public hearing at 7:40 p.m.

Fran Brooks, 78 Moores Meadow Road, disagrees with the “proactive” language that was used in the explanatory statement.

Stuart Brooks, Moores Meadow Road, agrees with the statement that Fran Brooks made regarding the “proactive” language used in the explanatory statement. Township Committee was thanked for including Explanatory Statements.

As there were no further comments or questions, the Mayor closed this portion of the meeting to the public.

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

RESOLUTIONS

RESOLUTION 2019-111
A RESOLUTION AWARDING CONTRACT FOR SNOW AND ICE REMOVAL FROM TOWNSHIP ROADWAYS FOR THE 2019/2020 SEASON PURSUANT TO N.J.S.A. 40A:11-1

WHEREAS, sealed public bids for the removal of snow and ice from the Township roadways from November 1, 2019 through April 30, 2020 were received by the Tabernacle Township Municipal Clerk on October 11, 2019 at 10:00 am.; and

WHEREAS, the Township Committee has reviewed the recommendation made by the Township Administrator and Township Solicitor on said bids; and
WHEREAS, B & B Landscaping, Inc. was the lowest, qualified and only bidder and submitted a conforming bid; and

WHEREAS, specifications were drawn to promote maximum competition for the public contract; and

WHEREAS, the Finance Director has determined that sufficient funds are available in accordance with the bid and the costs of the contract for year the 2019/2020 snow removal season.

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Tabernacle, County of Burlington, State of New Jersey that the contract for snow and ice removal from Township roadways for the period commencing on November 1, 2019, be and the same is hereby awarded to B & B Landscaping, Inc. with a bid of $185 per hour.

- Motion to adopt Resolution 2019-111 was made by Ms. Brown, seconded by Mr. Lee.

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

RESOLUTION 2019-112
A RESOLUTION AWARDING CONTRACT TO JESCO, INC. AND SERVICE THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ)

WHEREAS, the Tabernacle Township Committee located in the County of Burlington and the State of New Jersey is charged with responsibility of maintaining roadway safety, Township stormwater management and the removal of debris from within the Township of Tabernacle; and

WHEREAS, in order to fulfill its mandated responsibility as set forth above, the Township Committee finds and determines the need to purchase a John Deere 310 SL HL backhoe with attached as specified in proposal # Q08031, including quick change loader and backhoe buckets, material forks, snow plow, jib boom, grapple and emergency lighting as specified; and

WHEREAS, the Township Committee is authorized to use a Cooperative Pricing System pursuant to the provisions of N.J.S.A. 40A:11-11(5); and

WHEREAS, the Township Committee authorized through Resolution 2017-88 a contract with the Educational Services Commission of New Jersey (ESCNJ) 65MCESCCPS on November 27, 2017; and

WHEREAS, the Township Committee has received information and pricing on a John Deere Backhoe, with attachments by Jesco, Inc.; and

WHEREAS, the Township Committee has established the entering Cooperative Pricing System cost effective contractual solution for the purchase of the needed backhoe with attachments; and

WHEREAS, the Township Committee received from Jesco, Inc., 1790 Route 38 Lumberton, New Jersey all supplemental documentation with establishes compliance with the laws of the State of New Jersey for entities awarded a contract by a public entity under ESCNJ Contract # 18/19-25.

NOW, THEREFORE, BE IT RESOLVED, by the Tabernacle Township Committee, County of Burlington, State of New Jersey, that pursuant to said statute, the Township of Tabernacle enter into a contract to purchase said equipment in the amount of $161,194.07.

BE IT FURTHER RESOLVED, that the Mayor be authorized to enter into a contract on behalf of the Township Committee and the Municipal Clerk be authorized to attest thereto.

BE IT FURTHER RESOLVED, that the Township CFO shall certify that sufficient funds are available for said procurement.
BE IT FURTHER RESOLVED, that the contract entered into be available, upon review and approval of the Township Solicitor, at the Township office during normal business hours.

BE IT FURTHER RESOLVED, that within the Resolution shall be effective immediately upon passage.

- Motion to adopt Resolution 2019-112 was made by Mr. Lee, seconded by Mr. Yates.

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

RESOLUTION 2019-113
AWARDING CONTRACT FOR 2019 ROAD PROGRAM

WHEREAS, the Tabernacle Township Committee has received sealed proposals for work to be performed in connection with the 2019 Road Program; and

WHEREAS, N.J.S.A. 40A:11-4 states that a contract, the cost of which would exceed $17,500.00 in a fiscal year, shall be awarded only after public advertising for bids and bidding therefore; and

WHEREAS, there has been public advertisement for bids and the Township Clerk has received and opened bids on October 16, 2019 at 11:00 P.M. for the purpose of awarding a contract for the aforementioned 2019 Road Program has advised that a certain entity is the lowest qualified responsible bidder for said contract and has recommended that the Municipality award said contract or reject the bids within sixty (60) days as required by N.J.S.A. 10A: 11-4; and

WHEREAS, the Chief Financial Officer, as required by N.J.A.C. 5:30-1, has certified that there are sufficient funds available for the purpose of awarding a contract to said entity, said certification being attached hereto and made a part hereof.

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

1. That the Chief Financial Officer, based upon the aforementioned certificate, has declared that there are sufficient funds available for the aforesaid purpose, and the Township Committee hereby directs that the hereinafter expenditure be charged against such funds.

2. That the Township Committee, for the aforementioned reasons, hereby declares that Arawak Paving is the lowest qualified bidder for the aforementioned contract and hereby awards a contract to the said entity for the aforesaid purpose in the amount of $561,000.00 in accordance with the terms and conditions of the Bid Proposal, the Notice to Bidders and Specifications, copies of which are on file in the Office of the Township Clerk and available for public inspection during regular business hours.

3. That the award to Arawak Paving is consistent with the legal requirements of the lowest responsible bidder, which conforms, to all specification requirements and applicable statutory provisions.

4. That the Township Committee hereby directs the Township Clerk to return the bid securities to the following unsuccessful bidders in accordance with NJS A 40A: 11-4:

   1  Earle Asphalt, P.O. Box Drawer 556, Farmingdale, NJ 07727
   2  American Asphalt, 100 Main Street, Mt. Ephraim, NJ 08059

5. That the Township Committee does hereby direct the Township Mayor and Clerk to execute any contract documents which are necessary to effectuate the terms of this Resolution which shall be prepared by or reviewed by the Office of the Township Attorney.
- Motion to adopt Resolution 2019-113 was made by Ms. Brown, seconded by Mr. Yates.

Roll Call Vote:
Ayes: Brown, Yates, Barton  Nays: Lee  Absent: Moore  Motion carried.

RESOLUTION 2019-114
A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND’S CYBER RISK MANAGEMENT PLAN’S TIER ONE REQUIREMENTS

Whereas, the Township of Tabernacle is a member of the BURLCO JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

Whereas, through its membership in the BURLCO JIF, the Township of Tabernacle enjoys cyber liability insurance coverage to protect the Township of Tabernacle from the potential devastating costs associated with a cyber related claim; and

Whereas, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

Whereas, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1 & Tier 2 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Township of Tabernacle; and

Whereas, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Township of Tabernacle to claim a reimbursement of a paid insurance deductible in the event the member files a claim against the Township of Tabernacle’s cyber insurance policy, administered through the BURLCO JIF and the Municipal Excess Liability Joint Insurance Fund;

Now Therefore Be It Resolved, that the Township of Tabernacle does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 1 of the NJ MEL Cyber Risk Management Plan;

- System and data back-up
- Security and system patching
- Defensive software
- Security Awareness Training
- Incident Response Plan

And, Be It Further Resolved, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

- Motion to adopt Resolution 2019-114 was made by Mr. Lee, seconded by Ms. Brown.

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

RESOLUTION 2019-115
A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND’S CYBER RISK MANAGEMENT PLAN’S TIER TWO REQUIREMENTS

Whereas, the Township of Tabernacle is a member of the BURLCO JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

-
Whereas, through its membership in the BURLCO JIF, the Township of Tabernacle enjoys cyber liability insurance coverage to protect the Township of Tabernacle from the potential devastating costs associated with a cyber related claim; and

Whereas, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

Whereas, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1 & Tier 2 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Township of Tabernacle; and

Whereas, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Township of Tabernacle to claim a reimbursement of a paid insurance deductible in the event the member files a claim against the Township of Tabernacle’s cyber insurance policy, administered through BURLCO JIF and the Municipal Excess Liability Joint Insurance Fund;

Now Therefore Be It Resolved, that the Township of Tabernacle does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 2 of the NJ MEL Cyber Risk Management Plan:

- Server Security
- Limiting Access Privileges
- Acceptable Use of Internet and Email
- Protection of Data
- Passwords Policy
- Appropriate level of Technology Support
- Leadership has Expertise to Support Technology Decision Making

And, Be It Further Resolved, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

- Motion to adopt Resolution 2019-115 was made by Mr. Lee, seconded by Ms. Brown.

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

RESOLUTION 2019-116
AUTHORIZE THE PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR TABERNACLE RECREATION COMMITTEE (TREE LIGHTING CEREMONY)

WHEREAS, the request has been made by Tabernacle Recreation Committee for permission to place temporary signage in the public right of way associated with certain Township roads for the week of November 1, 2019 in order to promote the upcoming Tree Lighting Ceremony which will take place on Friday, December 6, 2019 at Town Hall, 163 Carranza Road, Tabernacle; and

WHEREAS, Township Committee is desirous of assisting Tabernacle Recreation Committee in promoting this beneficial activity for the community.

NOW, THEREFORE, BE IT RESOLVED, that the Tabernacle Township Committee, in the County of Burlington, State of New Jersey, does hereby temporarily suspend the zoning regulations prohibiting such signage included in Tabernacle revised Ordinances Chapter 17 Section 22.12 “Off Site Commercial Advertising Signs.”

The Township Committee further hereby authorizes the Tabernacle Recreation Committee and/or its representatives to place temporary signage in the public right of way and along Tabernacle public roads to promote this event as aforementioned under the following conditions:
1. All signs shall be placed at least 6’ feet off of any paved road surface and shall be placed in the public right of way with adult supervision.
2. All temporary signs shall be removed within 5 days after conclusion of the event.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Tabernacle Construction Official and Tabernacle Recreation Committee.

Sign Placement: 2019 Annual Tree Lighting Ceremony

- Township owned properties: Pricketts Mill & Patty Bowker Parks, Community Center, Emergency Services Building, Fire House
- Downtown Tabernacle 4 way stop both school yard and town hall corner
- Route 206 at Hawkins, both north and south bound
- Route 206 at Medford Lakes Road (both east and west bound)
- Patty Bowker & New Road
- R Powell Place Road & Foxchase Road
- Carranza and Hawkins Road at point
- Powell Place Road & Powell Road
- Carranza Road & Flyatt Road
- Tuckerton Road & Old Indian Mills Road
- Oak Shade Rod & Medford Lakes Road

Motion to adopt Resolution 2019-116 was made by Ms. Brown, seconded by Mr. Lee.

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

APPROVAL OF BILLS

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

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

APPROVAL OF MINUTES

- On a motion made by Mr. Lee, seconded by Mr. Yates, the minutes of September 9, 2019 (workshop) was offered for approval.

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

- On a motion made by Mr. Lee, seconded by Mr. Yates, the minutes of September 23, 2019 (regular) was offered for approval.

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

BEST PRACTICES  (Governing Body’s Acknowledgement)

Chief Financial Haines

- Explained the Best Practices checklist is required by the State of New Jersey and was completed. Township scored a 43 with a minimum of 30.
- Answered the questions asked of Mr. Brooks regarding the answers of “prospective” for:
  o Answer Number 12 - we will be considering a formal policy regarding fund balance.
  o Answer Number 35 – in the future we will implement when feasible.
MOTION

Approving NJ State Firemen’s Association Membership Application for Michael E. Stewart

- On a motion made by Mr. Lee, seconded by Mr. Yates.

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

Mr. Lange will research and comment at the next meeting for the possibility of a resolution being prepared to be able to implement a more streamlined approval of documents that are submitted from TFC#1.

REPORT OF THE TOWNSHIP ENGINEER

- **Drainage Improvements** - Work is currently underway. Giberson P&E is working on both Old Indian Mills Road and at Richter & Moore. We anticipate being substantially complete in two weeks.
- **Flyatt Road Repair** - Work is currently underway. Shore Connection anticipates being substantially complete next week.
- **2020 CDBG** - Applications are being prepared for the restoration of the Town Hall Bathrooms and the replacement of the incline platform lift.

REPORT OF THE ENVIRONMENTAL CONSULTANT

**Testing of the Water Wells / Selling of Homes.**

- The State withdraws funding after you sell your home.
- It is recommended that you have testing at least 6 to 9 months before you sell your home.
- You will be able to offer the purchaser the treatment system unit.
- Please maintain your systems.
- If the public has questions regarding the sampling, please call Town Hall and the message will be forwarded to the environmental consultant.

REPORT OF EMERGENCY MANAGEMENT

- Hosting a Free – Drive Thru - Flu shots on November 2, 2019 from 9:00 a.m. to 12:00 noon. At Seneca High School in conjunction with Burlington County – project exercise of an emergency plan for a pandemic.
- The Tabernacle Community Fall Festival on Sunday October 27, 2019 (rain date Sunday, November, 3, 2019) at Seneca High School.

REPORT OF TOWNSHIP ADMINISTRATOR

- Public hearing date is set for November 25, 2019 at 7:30 p.m. for the 2020 CDBG, and looking for approval from Township Committee.
- Received a dividend check in the approximate amount of $10,000.00.
- JIF is presenting a seminar for at least four members (elected officials and committee members elect) for a Liability Seminar on December 5, 2019 at O'Connor's American Bar & Grille, 1383 Monmouth Rd, Eastampton Township, NJ. Contact the Township Administrator for registration.
- Moving forward on removable office space for the Deputy Clerk, Deputy Court Administrator and the LDB Secretary to create a secured environment.
- The airlines are being installed at the ESB and should be finished very soon.
- The speed signs arrived; being charged and assembled. First appearance will be Lee Drive in the near future.
- Continued research on upgrade on phone systems and internet. ETA will be end of year 2019.
REPORT OF THE OFFICE OF CONSTRUCTION AND CODE ENFORCEMENT

Boom Cannon
- Code Enforcement has received complaints regarding a Boom Cannon which has been in use at the Haines Farm in the area of Carranza Road/Old Indian Mills and Tuckerton Road.
- Mr. Haines does have all permits to operate the Boom Cannon.
- Haines Farm is permitted to operate 24 hours per day; 7 days per week as a result of the deer in the area have caused extensive damage to his crops. This is a farming permit and is allowable use of such under the Right to Farm.
- Division of Fish and Wildlife have performed an investigation. All conditions have been met.
- If a Governing Body wishes to make application for hardship for nearby residents to the County. It is likely that the County Board of Agriculture will forward the application to the State Board of Agriculture. In turn State Agricultural will speak with Division of Fish and Wildlife. It is likely that the application will be denied based on the past results of deer causing extensive damage to the crops.

Irick’s Causeway
- It was requested that an individual be written a summons for blocking the road under Township Ordinances.
- If it is determined by all concerned that a violation has occurred, the individual will be given an opportunity to correct the violation; if not, the best course of action to have the NJSP issue a disorderly person’s offense.

Seneca Reserve
- Phase 1 of Seneca Reserve is sold out.
- Phase 2 of Seneca Reserve is in progress.
- Year 2019 is the highest amount of construction permits sold as a result of new construction and gas lines.

REPORT OF CHIEF OF TABERNACLE RESCUE SQUAD
- Gave a report for the third quarter of year 2019.

REPORT OF TOWNSHIP SOLICITOR
- Will have a report regarding Age Restricted Housing to move forward.
- New Jersey League of Municipalities (NJLM) issued a bulletin on October 25, 2019 regarding outdated information regarding the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA). A sample Resolution is included and asked Committee to review and sign at the November 2019 meeting.
- Will have more information at the November 2019 meeting regarding the implementing a more streamlined approval of documents that are submitted from TFC#1.
- Agrees with the information provided by the Construction/Code Official regarding the Right to Farm Act.
- Reiterated a detailed explanation regarding the Ordinance regarding Executive Session Minutes. It is a proactive effort of the Committee to promote transparency. There is no legal basis of the Ordinance. It was demanded in the litigation. To avoid more litigation costs, everyone involved was agreeable to be proactive to formalize Ordinance, even there was no legal requirement. It is a mischaracterization to state and not recognize the everyone’s effort to do so.

REPORT OF TOWNSHIP COMMITTEE

Deputy Mayor Brown
- Will be meeting with TFC#1, after Fire Prevention Week. Will have further information after the meeting.
Committeeman Lee
- Recognized the passing of student Joe Bakos who attended Seneca High School – Class of 2020. Thanked Jeff Spector, a classmate’s parent for taking leadership in support of the Bakos Family.
- Clarified his no vote on the Resolution 2019-113.
- Clarified that the information from Verizon that Tabernacle is denying cable TV is untrue. Approximately 900 homes are eligible to receive FIOS.

Mayor Barton
- Response from NJDOT has been denied in that, there are no available funds for local aid infostructure for Carranza Road.
- Carranza Road is already paved to the State Forest.
- Suggests that the Committee agree reapply for the Local Aid Infostructure Fund for 2020. Mayor Barton asked Township Engineer to look into reapplying for this project.

Discussion
- Shamong Township is not interested in any responsibility regarding the paving of Carranza Road.
- Options would to lease the road from Shamong Township.
- Bond counsel will not support this project unless there is an ownership right or lease the road.
- Mr. Cramer invited Mr. Brooks to share his feedback regarding what needs to be worded in the grant, since he frequently states the things we didn’t do correctly.

PUBLIC COMMENT
Mayor Barton opened this portion of the meeting to the public for comments and/or questions. Comments are limited to and will enforce a “hard stop” at three minutes.

Stuart Brooks, Moores Meadow Road, asked if the subcommittee would be issuing a report on the TFC#1 and he would like to know about negotiations and meetings. Spoke of his desire of paving Carranza Road to Moores Meadow Road.

Mr. Guzzi explained to Mr. Brooks of the discretionary grant from the NJDOT are difficult to received. There was a thought the discretionary grant would be awarded because Costello and the State Forest were in support with the two municipalities making the application. The annual grants which are offered are routinely approved.

Angela Shivley, Hainesport, spoke of her issue and asked Township Committee to consider not reappointing New Jersey Animal Control.

Fran Brooks, Moores Meadow Road, reiterated comments regarding her desire to have Carranza Road paved and refuted the statements made by the Solicitor regarding the ordinance regarding closed session minutes.

Chief Cunard, Chief-TFC#1
- Thanked the employees in Town Hall for all of their assistance they have given to him since becoming Chief of Tabernacle Fire Company #1.

Deputy Mayor Brown
- Clarified the incorrect statements made by Mr. Brooks regarding the TFC#1 Subcommittee and spoke that a report will be provided when the fact-finding mission of the contract is completed.
- Ms. Brown NEVER said there was a “squeeze” on the TFC#1.
- They will be in the process of having discussions with TFC#1 to agree on contract to deliver the best fire services to the residents.
Township Solicitor

- Corrected Ms. Brooks’ statement in that, the Court does NOT make any findings unless there is trial.
- A Consent Order is an agreement between the parties.
- The characterizations and statements that Ms. Brooks is making are inaccurate.

As there were no further comments or questions, the Mayor closed this portion of the meeting to the public.

EXECUTIVE SESSION RESOLUTION CS 10 282019

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)

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 Ms. Brown, seconded by Mr. Lee, Resolution CS 10 282019 was offered for adoption.

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

REOPEN. Members of the Township Committee returned from closed session at 10:02 to pursue adjournment. Deputy Mayor Brown left after closed session.

ADJOURNMENT Motion made by Mr. Lee, seconded by Yates.
Roll Call Vote:
Ayes: Lee, Yates, Barton      Nays: 0      Absent: Brown, Moore      Motion carried.

Respectfully submitted,

La Shawn R. Barber, RMC /CMR
Municipal Clerk

Approved: 11/25/2019