

TABERNACLE TOWNSHIP COMMITTEE TOWN HALL AGENDA OF SEPTEMBER 23, 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 **September 23, 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

Public comment was held on agenda items only

Mayor Barton spoke of additions to the agenda:

Resolution 2019-110 - approving change order no. 1 to a contract between the Township of Tabernacle and Coastline Construction, LLC for the 2019 CDBG Improvements Project.

Report of TFC #1 Andy Cunard, Chief will address Township Committee on fire company applied and received grants.

Public comment will be a "hard stop" at three minutes because of the volume on the agenda this evening.

Public Comment

Ms. Domingo, Lee Drive, questioned if Lee Drive would be addressed under the road program.

Stuart Brooks, Moore's Meadow Road, spoke about Bond Ordinance 2019-9, spoke of recalling CFO Haines strong comments of his concern for this Township being over bonded during budget time.

Fran Brooks, Moore's Meadow Road, spoke of Township's claim for being over bonded and spoke that none of the roads are higher rated than Carranza Road.

Closed comments.

ORDINANCES

2019-8: SECOND READING: BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE TONWHSIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$1,130,000 THEREFORE; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,073,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Committee of the Township of Tabernacle, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Tabernacle, County of Burlington, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$1,130,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,073,500; and
- (c) a down payment in the amount of \$56,500 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$1,073,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$56,500, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$1,073,500 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$1,073,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$225,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the amount of available grants for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Reconstruction and/or Resurfacing of Various Township Roadways including, but not limited to, Laurel Drive, Pin Oak Court and Fork Neck Road, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$525,000	\$26,250	\$498,750	10 years
B.	Completion of Various Drainage Projects throughout the Township including, but not limited to, Laurel Drive, Hawkin Road and Eldorado Drive, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	420,000	21,000	399,000	10 years
C.	Acquisition of Various Heavy Equipment for the Public Works Department including, but not limited to, a Back Hoe, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	185,000	9,250	175,750	15 years
	TOTAL	\$1,130,000	\$56,500	\$1,073,500	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 10.81 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$1,073,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows:

- (a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;
- (b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;
- (c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;
- (d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and
- (e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication after final passage.

- **Public Comment. Mayor Barton opened the public hearing at 7:37 p.m.**

Fran Brooks, Moore's Meadow Road, reiterated Stuart Brooks comments above regarding this bond ordinance.

Public comment was closed.

CFO Haines responded and clearly stated that he never said the Township was over bonded. The Township has to make the payments to pay for the project and each year an allocation is made. This is considered a reasonable Bond Ordinance.

Committeeman Lee question why a backhoe was needed. Mr. Cramer responded that it is useful for stormwater / retention ponds / overall a useful tool. It increases diligence for drainage of road and is also a front loader.

- Mayor Barton closed the public hearing at 7:39 p.m.
- Motion to adopt Ordinance 2019-8 on second reading was made by Mr. Yates, seconded by Mr. Moore.

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

2019-9: FIRST READING: 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"

EXPLANATORY STATEMENT: This Ordinance is being introduced on first reading to replace Resolution 2018-90, which amends Chapter II to include Section 32 "Closed Minutes" and creates the Minutes Review Subcommittee in a proactive attempt to ensure the prompt availability of closed session minutes to the public.

- Public hearing date was set for 10/28/2019 at 7:30 p.m.
- Motion to adopt Ordinance 2019-8 on first reading was made by Ms. Brown, seconded by Mr. Lee.

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

RESOLUTIONS

RESOLUTION 2019-102

AUTHORIZING THE PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY FOR TABERNACLE COMMUNITY FALL FESTIVAL

WHEREAS, a request has been made from Cub Scout Pack 439 and the Education Foundation of Tabernacle for permission to place **temporary signage in the public right of way** associated with certain Township roads for **the week of October 20th, 2019;** and

WHEREAS, in order to promote the **Tabernacle Community Fall Festival on Sunday October 27, 2019** (rain date Sunday, November, 3, 2019) at Seneca High School, request is being made to post signs in various places around the Township; and

WHEREAS, the Township Committee is desirous of assisting Cub Scout Pack 439 and the Education Foundation of Tabernacle in promoting this beneficial activity.

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 Cub Scout Pack 439 and the Education Foundation of Tabernacle 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.

- Motion to adopt Resolution 2019-102 was made by Ms. Brown, seconded by Mr. Lee.

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

**RESOLUTION 2019-103
AUTHORIZE CANCELLATION OF PROPERTY TAXES FOR PARCELS
OWNED BY NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION**

WHEREAS, Block 1601, Lot 1 QFARM, and Block 1601, Lot 4.02 QFARM have been acquired by the State of New Jersey on June 14, 2018; and

WHEREAS, such land is exempt from property tax; and

WHEREAS, the Tax Collector has been notified in writing the exemption was effective beginning January 1, 2019.

NOW THEREFORE BE IT RESOLVED the Township Committee of Tabernacle, County of Burlington, State of New Jersey, hereby authorizes the Tax Collector to **CANCEL 2019 PROPERTY TAXES** on the following three parcels of land:

Block 1601, Lot 1 QFARM
Block 1601, Lot 4.02 QFARM

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

- Motion to adopt Resolution 2019-103 was made by Ms. Brown, seconded by Mr. Lee.

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

**RESOLUTION 2019-104
AUTHORIZING EMERGENCY APPROPRIATION: SINK HOLE / ORIOLE WAY**

WHEREAS, Tabernacle Township rescinds resolution 2019-92 authorizing a Special Emergency Appropriation in accordance with N.J.S.A. 40A:4-54 per a request by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, an emergency has arisen with respect to emergency repairs to Oriole Way and, no adequate provision was made in the 2019 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$7,377.65, and three (3) percent of the total operating appropriations in the budget for 2019 is \$103,324.74; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2019;

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48:

1. An emergency appropriation is hereby made for Emergency Repairs to Oriole Way in the amount of \$7,377.65.
2. That said emergency appropriation shall be provided for in full in the 2020 budget, and is requested to be excluded from CAPS, pursuant to N.J.S.A. 40A:4-53.3c (1).
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

- Motion to adopt Resolution 2019-104 was made by Ms. Brown, seconded by Mr. Yates.

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

**RESOLUTION 2019-105
AUTHORIZING SETTLEMENT OF GRC COMPLAINT NO. 2019-81**

WHEREAS, a Government Records Council ("GRC") Complaint was filed on April 19, 2019 under GRC Complaint No. 2019-81 captioned FRAN BROOKS, Petitioner, v. TOWNSHIP OF TABERNACLE objecting to and making demand for a refund of a special service charge of \$50.00 paid by the Petitioner in August of 2015 related to a demand for documents under the New Jersey Open Public Records Act; and

WHEREAS, the matter was mediated before the Government Records Council pursuant to their voluntary mediation process; and

WHEREAS, a settlement of the matter was reached under terms which are now acceptable to the Township of Tabernacle in consideration of the facts and circumstances and the cost shifting mechanisms included in OPRA and in view of the Township's exposure to further attorney's fees and for other appropriate considerations; and

WHEREAS, counsel for the Petitioner has agreed on behalf of Fran Brooks to accept the repayment of the \$50.00 special service charge and payment of attorney's fees in the amount of \$646.50 in full settlement of all claims against the Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, that the Township shall resolve the above referenced litigation according to such terms.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Tabernacle Township Committee at a meeting held on September 23, 2019.

- Motion to adopt Resolution 2019 105 was made by Mr. Yates, seconded by Mr. Moore. It was stated that all members agreed and voted yes, in an effort to resolve the situation; and all agreed that it was ridiculous that **Township was sued over a \$50.00** which resulted in more money expended in attorney fees which were incurred.

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

**RESOLUTION 2019-106
ACCEPTING THE CORRECTIVE ACTION PLAN FOR MUNICIPAL AUDIT**

WHEREAS, the Committee of the Township of Tabernacle received the 2018 Audit Report and accepted it by virtue of Resolution 2019-95 on August 26, 2019; and

WHEREAS, a Corrective Action Plan was required; and

WHEREAS, the Chief Financial Officer submitted a Corrective Action Plan that is on file in the office of the Municipal Clerk.

THEREFORE, BE IT RESOLVED, that the Tabernacle Township Committee does acknowledge receipt of the Corrective Action Plan.

BE IT FURTHER RESOLVED, that the Municipal Clerk be directed to forward a copy of this Resolution to the Division of Local Government Services.

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

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

**RESOLUTION 2019-107
APPROVING SPECIFICATIONS AND AUTHORIZING THE SOLICITATION OF BIDS FOR
2019-2020 SNOW REMOVAL SERVICE**

WHEREAS, it is the desire of Tabernacle Township to receive sealed bids for Snow Removal Service in Tabernacle Township; and

WHEREAS, specifications have been prepared and reviewed by the Township Administrator and sealed proposals will be received by the Municipal Clerk's Office on Friday, October 11, 2019 no later than 10:00 AM at Tabernacle Town Hall, 163 Carranza Road, Tabernacle, NJ 08088.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Tabernacle Township, in the County of Burlington, State of New Jersey, that said specifications are hereby approved and the Township Administrator is hereby authorized pursuant to 40A:11-23 to advertise for and solicit bids for the 2019-2020 Snow Removal Service in Tabernacle Township.

BE IT FURTHER RESOLVED upon advertised notice that sealed proposals are to be delivered or mailed to the Municipal Clerk at Tabernacle Town Hall, 163 Carranza Road, Tabernacle, NJ 08088.

- Motion to adopt Resolution 2019107 was made by Ms. Brown, seconded by Mr. Yates.

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

**RESOLUTION 2019-108
AUTHORIZE SUBMISSION OF MUNICIPAL PARK DEVELOPMENT PROGRAM FUNDS**

WHEREAS, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund (“Trust Fund”) and established a Municipal Park Development Program (“Program”) to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

WHEREAS, the Governing Body of the **Township of Tabernacle** desires to obtain County Municipal Park Development Program funds in the amount of **\$250,000.00** to fund **Pricketts Mill Park Basketball Court Rehabilitation, Site Renovations and Improvements** located at Pricketts Mill Park, 434 Pricketts Mill Road, Tabernacle, NJ, Block 504, Lot 19; and

WHEREAS, the **Township of Tabernacle** will be the holder of any interest acquired with County funds; and

WHEREAS, the County will be the holder of any interest acquired through the Program; and

WHEREAS, Tabernacle Township is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY Tabernacle Township Committee THAT:

1. **Joseph W. Barton, Mayor and Douglas Cramer, Township Administrator** are authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality.

2. The **Township of Tabernacle** is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program.

3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto.

4. **Joseph W. Barton, Mayor and Douglas Cramer, Administrator** are hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Burlington for the approved Funds.

5. This resolution shall take effect immediately.

- Motion to adopt Resolution 2019-108 was made by Mr. Lee, seconded by Mr. Yates.

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

**RESOLUTION 2019-109
AWARDING CONTRACT FOR 2019 DRAINAGE IMPROVEMENTS PROJECT**

WHEREAS, the Tabernacle Township Committee has received sealed proposals for work to be performed in connection with the **2019 Drainage Improvements Project**; 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 Municipal Clerk has received and opened bids on September 19, 2019 at 11:00 A.M. for the purpose of awarding a contract for the aforementioned **2019 Drainage Improvements Project (Old Indian Mills Road between Cramer Road and Medford Lakes Road; intersection of Moore Road and Richter Road)** 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 Giberson Plumbing & Excavating 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 **\$213,000.00** 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 Municipal Clerk and available for public inspection during regular business hours.
3. That the award to **Giberson Plumbing & Excavating** 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 NJSA 40A: 11-4:

1	Capella Construction, 30 N. Central Ave, Sicklerville, NJ 08081
2	Shore Connection 304 Forge Road, Unit 10, West Creek, NJ 08092
3	Coastline Construction, 154 Old Marlton Pike, Medford, NJ 08055
4	MacRose Construction, 85 Ridge Road, Browns Mills, NJ 08015

5. That the Township Committee does hereby direct the 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 2019-109 was made by Ms. Brown, seconded by Mr. Moore.

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

RESOLUTION 2019-110

APPROVING CHANGE ORDER NO. 1 TO A CONTRACT BETWEEN THE TOWNSHIP OF TABERNALE AND COASTLINE CONSTRUCTION, LLC FOR THE 2019 CDBG IMPROVEMENTS PROJECT

WHEREAS, on July 22, 2019 the Township Committee awarded the contract for the 2019 CDBG Improvements Project in the amount of \$37,350.00 to Coastline Construction, LLC.; 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.

- Amount of Original Contract: \$37,350.00
- Total Change Order No. 1 Amount: \$ 1,500.00
- **Revised Contract Total: \$35,850.00**

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 **Coastline Construction, LLC.** 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 2019-110 was made by Ms. Brown, seconded by Mr. Moore.

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

Approval of Bills

Motion to approve bill list was made by Mr. Lee, seconded by Mr. Moore; with the addition of the \$50.00 payment from Resolution 2019-105.

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

Approval of Minutes August 26, 2019 (regular & closed session)

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

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

Report of the Chief of Tabernacle Fire Company #1

- Grant 1 - FEMA
Chief Cunard thanked Former Chief David Smith and Cheryl Smith, President of TFC#1 for applying for and receiving a FEMA Grant in the approximate amount of \$255,000.00.
- Grant 2 - NJ Fire Sprinklers Association
Chief Cunard of thanked Captain Michael Litchey for applying and working on this Grant in the approximate amount of \$1,000.00.
Invited members of the community to attend Open House – October 7, 2019 from 6:00 p.m. to 9:00 p.m.
- Grant 3 – Wawa
Chief Cunard announced the award for new smoke detectors with 10-year battery life to residents. Grant in the approximate amount of \$2,400.00.

Report of the Township Engineer

- Flyatt Road is scheduled for repair and will be finished approximately end of October 2019; weather permitting.

Report of the Township Administrator

- Notified both schools regarding the construction that will begin on Flyatt Road.
- Continue to work on storm drains.
- Continue working on Carranza Road ditch.
- Lee Drive signs have been ordered; arrival date is approximately end of October 2019.
- Tire collection has begun. Reminded public to call Town Hall for pick up if needed.
- Records clerk began September 23, 2019.

Report of the Township Solicitor

- Asked for discussion at workshop for the benefit of redevelopment of zones and to refer to LDB.

Report of the Emergency Management Coordinator

- 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.
- Disaster loans are available.
- Requested that Committee waive the \$75.00 permit fee for the Tabernacle Boy Scouts.
- Motion to adopt was made by Mr. Yates, seconded by Ms. Brown.

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

Report of the Township Committee

- Mr. Yates stated that he would like to see a truck in the ESB; Mr. Cramer stated the repairs are being addressed.
- Mr. Moore stated that the sub-committee will be scheduling a meeting in the near future.
- Mr. Lee stated that on September 11, 2019 he presented the Patriot's Day Proclamation to the Elementary School.
- Verizon update: It is a business decision that Verizon made not to install cable; however, Verizon is blaming Township. Township has a nonexclusive cable agreement with Comcast but that does not prevent Verizon to pairing video signals. Residents with questions are welcome to contact him by email.

- Thanked Chief Cunard for recognizing the members of TFC#1 recent achievement.
- Ms. Brown congratulated and thanked the TFC#1 for applying and receiving the Grants. Above and beyond.

Public comment

Stuart Brooks, Moore’s Meadow Road, spoke of wanting the Township to improve on its communication.

Fran Brooks, Moore’s Meadow Road, questioned the Township’s appointment of a 3rd party inspector; there was no discussion for farmland properties. Tax Assessor is capable to perform these duties.

Chief TFC #1, Andy Cunard spoke of his frustration to learn that TFC#1 was not considered to the 90-day notice; feels that he should have been called to discuss first.

Mr. Cramer explained to the Township Committee that the 3rd party inspector was part of the Tax Assessor’s budget and there will not be another person other than Mr. Renwick working on the farmland assessments.

Adjournment

- Motion to adjourn was made by Ms. Brown, seconded by Mr. Lee the meeting was adjourned at 8:47 P.M.

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

Respectfully submitted,

La Shawn R. Barber, RMC, CMR
Municipal Clerk

Approved: 10/28/2019

