

# TOWNSHIP OF TABERNACLE

Town Hall  
163 Carranza Road  
Tabernacle, NJ 08088



## TOWNSHIP COMMITTEE

MEETING AGENDA  
OCTOBER 23, 2017 - 7:30 PM

### Governing Body

Kimberly A. Brown, Township Committee  
Joseph W. Barton, Township Committee  
Richard J. Franzen, Township Committee  
Joseph Yates, IV, Deputy Mayor  
Stephen V. Lee, IV, Mayor

### TOWN HALL ADMINISTRATIVE TEAM

Douglas Cramer, CPWM, Administrator	Terry W. Henry, Chief Finance Officer
Dante Guzzi, Township Engineer	Col. William C. Lowe, Emergency Management
Kimberly L. Smith, Tax Collector	Thomas Boyd, Construction Official
Peter C. Lange, Jr., Esq. Solicitor	La Shawn R. Barber, Municipal Clerk

[www.townshipoftabernacle-nj.gov](http://www.townshipoftabernacle-nj.gov)

**1. Call to Order                                      Flag Salute                                      Open Public Meetings Act Statement**

**2. Roll Call: \_\_\_ Mr. Barton, \_\_\_ Ms. Brown, \_\_\_ Mr. Franzen, \_\_\_ Mr. Yates and \_\_\_ Mayor Lee**

**3. Public comment on agenda items only**

**4. Approval of Bills**

**5. Approval of Minutes**

September 11, 2017 (Special & Executive) and September 25, 2017 (Regular)

**6. Old Business**

**Second Reading:** BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY; APPROPRIATING THE SUM OF \$1,030,000 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 \$978,5000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

- **Public Comment.**

**7. Resolutions**

Resolution 2017-80: Approval to submit a grant application and execute a grant contract with the NJDOT for the Carranza Road project  
Resolution 2017-81: Opposing OPMA & OPRA Legislation

**8. Discussion**

Best Practices Inventory

**9. New Business**

Discussion: Municipal Land use

**10. Reports**

Emergency Management Coordinator - Township Engineer - Township Administrator - Township Solicitor - Township Committee

**11. Public comment** (Please state your name & address for the record, answers to questions will be addressed in reports)

**12. Executive Session**

Whereas, the Governing Body wishes to discuss the following executive session matters pursuant to N.J.S.A. 10:4-12(B) (7) in a closed session from which the public shall be excluded:

- Litigation matters related to Fran Brooks vs. Township of Tabernacle, Docket No. L-1198-17
  - Potential litigation matter in the unsafe structure as it relates to 14 Moore Road
- Be It Resolved**, the public shall be excluded. **Closed to the public.**

**13. Adjournment**

Respectfully submitted, La Shawn R. Barber, RMC/CMR,  
Township Clerk

TOWNSHIP OF TABERNACLE, NEW JERSEY

ORDINANCE 2017-10

---

BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$1,030,000 THEREFOR; 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 \$978,500; 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 \$1,030,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$978,500; and
- (c) a down payment in the amount of \$51,500 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 \$978,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$51,500, 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 \$978,500 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 \$978,500 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 \$200,000.

**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 and related Drainage Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file in the office of the Township Clerk	\$900,000	\$45,000	\$855,000	10 years
B.	Acquisition of Various Equipment for the Fire Company, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	130,000	6,500	123,500	5 years
	<b>TOTAL</b>	<b>\$1,030,000</b>	<b>\$51,500</b>	<b>\$978,500</b>	

**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 9.36 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 \$978,500 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.

**Date of Introduction:** September 25, 2017

**Date of Final Adoption:** \_\_\_\_\_, 2017

**NOTICE OF PENDING  
STATEMENTS AND SUMMARY**

**BOND ORDINANCE 2017-10**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Mayor and Township Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, held on September 25, 2017. It will be further considered for final passage, after public hearing thereon, at a meeting of the Mayor and Township Committee to be held at the Tabernacle Township Municipal Building, 163 Carranza Road, Tabernacle, New Jersey on **October 23, 2017 at 7:30 o'clock P.M.** During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$1,030,000 THEREFOR; 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 \$978,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**Purpose/Improvement**

A. Reconstruction and/or Resurfacing of Various Township Roadways and related Drainage Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file in the office of the Township Clerk

**Estimated Total Cost:** \$900,000

**Down Payment:** \$45,000

**Amount of Obligations:** \$855,000

**Period of Usefulness:** 10 years

B. Acquisition of Various Equipment for the Fire Company, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto

**Estimated Total Cost:** 130,000

**Down Payment: 6,500**  
**Amount of Obligations: 123,500**  
**Period of Usefulness: 5 years**

**TOTAL**  
**Estimated Total Cost: \$1,030,000**  
**Down Payment: \$51,500**  
**Amount of Obligations: \$978,500**

Appropriation: \$1,030,000  
Bonds/Notes Authorized: \$978,500  
Grants (if any) Appropriated: N/A  
Section 20 Costs: \$200,000  
Useful Life: 9.36 years

**LASHAWN R. BARBER,**  
**Township Clerk**

This Notice is published pursuant to  
N.J.S.A. 40A:2-17.

Adv. Fee: \$66.70  
BCT: September 29, 2017  
Aff. Chg.: \$20.00            7165497



**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

Township of Tabernacle  
Resolution 2017-80

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT  
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR  
THE CARRANZA ROAD REPAVING PROJECT**

**WHEREAS**, there exists a need to repave Carranza Road from Tuckerton Road to the Moores Meadow Road; and,

**WHEREAS**, this project will improve the condition of the road and promote safe transit through the township.

**NOW, THEREFORE, BE IT RESOLVED** that Committee of the Township of Tabernacle formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2018-Carranza Road Repaving-00478** to the New Jersey Department of Transportation on behalf of the Township of Shamong.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Tabernacle and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Tabernacle Township Committee on this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
La Shawn R. Barber, RMC  
Township Clerk

My signature and the Township Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
La Shawn Barber, RMC  
Township Clerk

\_\_\_\_\_  
Stephen Lee IV, Mayor

**TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2017-81**

---

**RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS  
REGARDING THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS  
ACT**

**WHEREAS**, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

**WHEREAS**, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

**WHEREAS**, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

**WHEREAS**, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

**WHEREAS**, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

**WHEREAS**, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

**WHEREAS**, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Tabernacle, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

**Date: October 23, 2017**

---

**La Shawn R. Barber, RMC  
Township Clerk**

---

**Stephen V. Lee, IV, Mayor**

**RESOLUTION 2017-81**

---

**RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS  
REGARDING THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS  
ACT**

---

**VOTE ON ADOPTION**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the \_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
La Shawn R. Barber, RMC  
Municipal Clerk