

**MINUTES**  
**TOWNSHIP OF PENNSAUKEN**  
**TOWNSHIP COMMITTEE MEETING**  
**JUNE 4<sup>th</sup>, 2020**

The Committee Meeting of the Pennsauken Township Committee was held via electronic participation on Thursday, June 4<sup>th</sup>, 2020

The Meeting was called to order by Mayor Killion at 6:02 pm. who also called for the Salute to the Flag to be followed by a Moment of Silence.

Mayor Killion announced the meeting was in compliance of the “Senator Byron M. Baer Open Public Meetings Act”.

There was special request for electronic participation in the meeting due to current Covid-19 Pandemic. As of June 4<sup>th</sup>, 2020 in Pennsauken Township there were 598 covid-19 cases and an unfortunate 12 deceased residents.

The meeting commenced with a roll call by the Township Acting Clerk.

**PRESENT:** Committeeman Dyer, Committeewoman McBride, Committeewoman Rafeh, Deputy Mayor DiBattista and Mayor Killion.

Also present were Acting Township Clerk Pamela Scott-Forman, Deputy Clerk Ana Matos and Linda Galella, Esq.

**APPROVAL OF MINUTES-**

Emergency joint meeting	May 12 <sup>th</sup> , 2020
Regular Meeting	May 21 <sup>st</sup> , 2020 Tabled
Closed Session	April 9 <sup>th</sup> , 2020
Closed Session	May 7 <sup>th</sup> , 2020
Closed Session	May 21 <sup>st</sup> , 2020

Committeewoman Rafeh moved the motion to approve the Emergency meeting minutes of May 12<sup>th</sup>, 2020 and Closed Session meetings for April 9<sup>th</sup>, 2020, May 7<sup>th</sup>, 2020, and May 21<sup>st</sup>, 2020.

Committeeman Dyer seconded the motion.  
An affirmative 4/0 voice vote was recorded.

NOTE: Committeewoman McBride was disconnected from video conference call and could not vote on the approval of minutes.

**Proclamation/Awards:** In Recognition for Exceptional Performance

- EMS Supervisor Sam Bello
- EMT Alexandra Knellwolf
- EMT Stephen Miller
- Officer Christopher Jones
- Officer Marco Bristow
- Officer Bob Carey
- Officer Todd Goshler (could not attend meeting)
- Battalion Chief Frank Hillman
- Firefighter Montrell Haldeman
- Firefighter Zach Eshelman (could not attend meeting)

**ORDINANCES: SECOND READING – (PUBLIC MAY COMMENT)**

**ORDINANCE No. 2020-07**

**AN ORDINANCE OF THE TOWNSHIP OF PENNSAUKEN, ACCEPTING DEED OF LAND FROM MERCHANTVILLE PENNSAUKEN WATER COMMISSION**

**BE IT ORDAINED**, by the Mayor and Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the Township Committee hereby accepts a deed from the Merchantville Pennsauken Water Commission, to the Township of Pennsauken, Camden County, State of New Jersey, conveying title to a parcel of land known and designated as Block 411, Lot 2, Pennsauken Township, Camden County, New Jersey more particularly described in a metes and bounds description on the deed, copy attached to the Ordinance; and

**BE IT FURTHER ORDAINED**, that certified copies of this Ordinance be forwarded to the Merchantville Pennsauken Water Commission, Township Tax Assessor, and kept on file with the Township Clerk.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect immediately upon proper passage in accordance with law.

Administrator Palumbo explained this is regarding the 49<sup>th</sup> Street park project.

No public wished to comment.

Deputy Mayor DiBattista moved the motion on second reading to adopt Ordinance 2020:07.

Committeeman Dyer seconded the motion.

Ordinance 2020:07 was adopted by a unanimous 5/0 vote.

**ORDINANCE No. 2020:08**

**AN ORDINANCE OF THE TOWNSHIP OF PENNSAUKEN, ACCEPTING DEED OF LAND FROM THE BOARD OF EDUCATION OF THE TOWNSHIP OF PENNSAUKEN**

**BE IT ORDAINED**, by the Mayor and Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the Township Committee hereby accepts a deed from the Board of Education of the Township of Pennsauken, to the Township of Pennsauken, Camden County, State of New Jersey, conveying title to a parcel of land known and designated as Block 4924, Lot 11, on the Pennsauken Township, Camden County, New Jersey tax map, more particularly described in a metes and bounds description in the deed, and subject to the conditions contained therein, a copy of which is attached to this Ordinance; and

**BE IT FURTHER ORDAINED**, the certified copies of the Ordinance be forwarded to the Board of Education of the Township of Pennsauken, Township Tax Assessor, and kept on file with the Township Clerk.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect immediately upon proper passage in accordance with law.

Administrator Palumbo explained this is a transfer of land & redevelopment area.

No public wished to comment.

Committeeman Dyer moved the motion on second reading to adopt Ordinance 2020:08. Deputy Mayor DiBattista seconded the motion. Ordinance 2020:08 was adopted by a unanimous 5/0 vote.

### **ORDINANCE No 2020-09**

#### **ORDINANCE AUTHORIZING AN AMENDMENT TO EASEMENT ON A CERTAIN PROPERTY LOCATED AT 5324 KAIGHN AVE (ROUT #38) PENNSAUKEN, NEW JERSEY 08109 AND DESIGNATED AS BLOCK 6113 LOT 5, ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY**

**WHEREAS**, 5324 Kaighn Avenue (Rt. 38) Pennsauken outdoor LLC, a Pennsylvania limited company, having a business address of PO Box 1421 Malvern, Pennsylvania 19355 (“Owner”), is the owner of certain property located at 5324 Kaighn Ave. (Rt. 38), Pennsauken, New Jersey 08109, and designated as Block 6113, Lot 5 on the official tax map of the Township of Pennsauken, as more described in Exhibit A attached hereto (this “Property”); and

**WHEREAS**, pursuant to that certain indenture dated July 27, 1953, and recorded in the Camden County Clerk’s office on December 23, 1953, in Book 1793, beginning at Page 114 (the “Easement”), the Township of Pennsauken, the Grantor therein, (the “Township”) reserved a right of way or easement through, under and across a portion of the Property (the “Easement Area”); and

**WHEREAS**, Owner and Township desire to amend the Easement to confirm the Owner may access and utilize the Easement Area in conjunction with the Township.

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that,

1. The Easement is hereby amended such that, notwithstanding anything to the contrary in the Easement, Owner shall have full access to and use of the Easement area in conjunction with the Township on the terms and conditions as set forth in the “Amendment to Easement”, attached hereto as Exhibit “A”, and to the “Monument Display Operating and Maintenance Agreement” between the Owner and the Township dated April 24, 2020, attached hereto as Exhibit “B”,
2. The Township Administrator is authorized and directed to execute the “Amendment to the Easement” on behalf of the Township, and the Township Clerk is authorized and directed to attest to said document.
3. Copies of this Ordinance and Exhibits attached shall be kept on file with the Township Clerk.
4. This Ordinance shall take effect immediately upon proper passage in accordance with the law.
- 5.

Administrator Palumbo explained this easement is for the catalyst monument sign.

No public wished to comment.

Committeewoman McBride moved the motion on second reading to adopt Ordinance 2020:09.

Deputy Mayor DiBattista seconded the motion.

Ordinance 2020:09 was adopted by a unanimous 5/0 vote.

### **ORDINANCE No. 2020:10**

#### **AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF PENNSAUEKN, CHAPTER 133 THEREOF, ENTITLED “CONSTRUCTION CODE, UNIFORM”.**

BE IT ORDAINED by the Township Committee of the Township of Pennsauken, in the County of Camden and the State of New Jersey as follows:

Section 1. Chapter 133 of the Code of the Township of Pennsauken, Section 133-14, Administrative surcharge, is hereby amended in its entirety to read as follows:

133-14 Administrative surcharge

Fees to be charged by the Township of Pennsauken where private on-site plan review and inspection agencies carry out Subcode Official responsibilities for the Township of Pennsauken, the agencies shall not exceed the amounts to be paid to private agencies for those services the amounts pursuant to the contract between the private agency and the municipality per N.J.A.C. 5:23-4.18(j). The administrative fees to be charged shall be the difference between the bid percentage of the contract for each sub code and the 120% of the state fees listed in N.J.A.C. 5:23-4.18 not to exceed 50 %.

Administrator Palumbo explained this is an adjustment on 3<sup>rd</sup> payment.

No public wished to comment.

Committeeman Dyer moved the motion on second reading to adopt Ordinance 2020:10. Deputy Mayor DiBattista seconded the motion. Ordinance 2020:10 was adopted by a unanimous 5/0 vote.

**ORDINANCE NO 2020:11**

**BOND ORDINANCE AUTHORIZING THE COMPLETION OF CERTAIN CAPITAL IMPROVEMENTS (LIBRARY/MUNICIPAL BUILDING COMPLEX AND DELAWARE GARDENS RIVERVIEW RENEWAL PROJECTS) IN AND FOR THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$600,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$570,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.**

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**BE IT ORDAINED** by the Township Committee of the Township of Pennsauken, County of Camden, 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 Pennsauken, County of Camden, 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 \$600,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$570,000;

- (c) a down payment in the amount of \$30,000 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*; and

**Section 3.** The sum of \$570,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$30,000, 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 \$570,000 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 \$570,000 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 \$120,000.

**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 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 Paymen t</u>	<u>Amount of Obligations</u>	<u>Period of Usefulne ss</u>
A. Phase I of Construction of Library / Municipal Building Complex, 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 on file with the Township Engineer	\$300,000	\$15,000	\$285,000	20 years
B. Construction of Delaware Gardens Riverview Renewal Project, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	\$300,000	15,000	\$285,000	15 years
<b>Totals:</b>	<u>\$600,000</u>	<u>\$30,000</u>	<u>\$570,000</u>	

**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 respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 17.50 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 \$570,000 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 of the Township 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 applicable 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 Ogden, Utah Service Center of 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 thereof after final passage.

Administrator Palumbo explained this is 49<sup>th</sup> St Park and New Municipal complex .

Ellyn McMullen 3462 Palace Ct; asked since the building is closed how would the budget be viewed by the public.

Administrator Palumbo: Offered her to have it emailed due to the circumstances during this pandemic.

Deputy Mayor DiBattista moved the motion on second reading to adopt Ordinance 2020:11.

Committeeman Dyer seconded the motion.

Ordinance 2020:11 was adopted by a unanimous 5/0 vote.

## **ORDINANCES: FIRST READING (NO PUBLIC COMMENT)**

### **ORDINANCE NO 2020:12**

### **CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Administrator Palumbo explained this an annual enabling ordinance to convey funds as required by State Statue.

No public wished to comment.

Committeewoman McBride moved the motion on second reading to adopt Ordinance 2020:12.

Committeewoman Rafeh seconded the motion.

Ordinance 2020:12 was adopted by a unanimous 5/0 vote.

**RESOLUTION(s) (PUBLIC HEARING/PUBLIC MAY COMMENT) The Following Resolution(s) will be considered individually**

**2020:160**

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR 2020**

**Resolution Authorizing Emergency Temporary Appropriations for 2020**

WHEREAS, an emergent condition has arisen with respect to the amount of appropriations authorized in the temporary budget and no adequate provision has been made in the 2020 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$22,424,353.86.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. Effective June 1, 2020, an emergency temporary appropriation be and the same is hereby made for the 2020 temporary budget in the amount of \$22,424,353.86.
2. That said emergency temporary appropriation will be provided for in the 2020 budget under the title of:

The 2020 Municipal Budget

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Administrator Palumbo commented the resolution allows the payment of bills.

No public comment.

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>			√			
<i>Rafeh</i>		√	√			
<i>DiBattista</i>	√		√			
<i>Killion</i>			√			

**2020:161**

**RESOLUTION AUTHORIZING THE 2020 GARBAGE DISTRICT BUDGET TO BE READ BY TITLE ONLY-INTRODUCTION**

Administrator Palumbo commented that this was for trash, recycle, annual leaf removal.

No public comment.

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>		√	√			
<i>McBride</i>			√			
<i>Rafeh</i>			√			
<i>DiBattista</i>	√		√			
<i>Killion</i>			√			



**2020:162**

**RESOLUTION INTRODUCING THE 2020 PENNSAUKEN TOWNSHIP MUNICIPAL - \*BUDGET BY TITLE-INTRODUCTION**

Administrator Palumbo stated that this was the first reading for 2020 Budget

Mayor Killion stated that due to already hardships and what is going on with Covid-19 pandemic himself and the committee alongside the CFO and Administrator they were able to keep taxes flat for eight straight year in a row. This does not include County taxes or School taxes they are a separate entity. This includes the hiring of Twenty Police Offices, Two Fire Fighters and restructuring Building & Housing initially.

Committeewoman McBride stated that she was aware the taxes would increase with the new hires in the Police Department and inquired how the hires are being funded now that taxes are not being increased.

Administrator Palumbo replied they will not, with state aid commitment to police fund reserve.

No public Comment.

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>			√			
<i>Rafah</i>		√	√			
<i>DiBattista</i>	√		√			
<i>Killion</i>			√			

**2020:163**

**RESOLUTION TO UTILIZE SOURCEWELL COOPERATIVE PRICING CONTRACT “FOR THE PURCHASE OF ONE (1) NEW AND UNUSED BC1500 15” BRUSH CHIPPER WITH TIER 4 FINAL ENGINE**

**WHEREAS**, the Department of Public Works is in need of one (1) new and unused brush chipper;

**WHEREAS**, the Township has received an authorization to acquire products without the need of open competitive bidding pursuant to New Jersey Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and authorized by the State of New Jersey Purchase Bureau to participate in the Sourcewell Cooperative Purchasing Agreement; and

**WHEREAS**, per the requirements from the State of New Jersey to utilize the NJPA contracts, the Township advertised the “Intent to Purchase Under a National Cooperative Pricing Agreement” in the official newspaper and posted on the Township website for a ten (10) day comment period; and

**WHEREAS**, the Township wishes to utilize Sourcewell Contract #062117-VRM through Vermeer, 7 Maple Ave., Lumberton, NJ 08048, and;

**WHEREAS**, the Sourcewell contract expires August 18, 2021; and

**WHEREAS**, the availability of this contract best serves the needs of the Township and the Review Committee and the Purchasing Department recommends utilization of this contract; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey that the Township utilize the Sourcewell Contract #062117-VRM through Vermeer, 7 Maple Ave., Lumberton, NJ 08048 for the Purchase of one (1) new and unused BC1500 15: Brush Chipper with Tier 4 Final Engine for the Department of Public Works in the amount of \$62,015.00.

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the Mayor or his designee is authorized to execute such documents consistent with this Resolution and to take such other action on behalf of the Township in furtherance of this Resolution;

Administrator Palumbo stated that this is to purchase a new brush chipper.

Committeewoman McBride asked was this on the capital bid.

Administrator Palumbo stated that yes it was.

No Public Comment.

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>	√		√			
<i>Rafeh</i>		√	√			
<i>DiBattista</i>			√			
<i>Killion</i>			√			

**2020:164**

**A RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, STATE OF NEW JERSEY EXECUTING A SETTLEMENT AGREEMENT WITH PRO CAPITAL, LLC**

**WHEREAS**, Pro Capital contested either the validity, or amounts due, of various property maintenance liens levied on properties it owned; and

**WHEREAS**, said properties, specifically listed are: 7212 River Road, 7250 Githens Avenue, 8330 Holman Avenue, 6868 Waldorf Avenue, and 86330 Holman Avenue, all within the Township of Pennsauken; and

**WHEREAS**, on May 11, 2020, Pro Capital, proposed a global settlement of Two Thousand and Seven Hundred Dollars and Twenty-One Cents (\$2700.21); and

**WHEREAS**, in order to reach a resolution of Pro Capital's claims and to avoid the risk and expense of litigation, on May 21, 2020, the Township Committee of the Township of Pennsauken voted to accept Pro Capital's proposal;

**WHEREAS**, the Parties have settled all disputes between them and have agreed to memorialize their agreement in writing as set forth in the Settlement Agreement attached hereto as (Exhibit A).

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Pennsauken that the Mayor, Township Administrator, and Solicitor are authorized to execute the proposed Settlement Agreement attached hereto as Exhibit A or to negotiate minor amendments and execute an Agreement that is materially the same.

**ADOPTED** at a meeting of the Township Committee of the Township of Pennsauken, Camden County, on June 4, 2020.

No Public Comment.

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>	√		√			
<i>McBride</i>		√	√			
<i>Rafeh</i>			√			
<i>DiBattista</i>			√			
<i>Killion</i>			√			

**Larry Cardwell & Terry Carr- Redevelopment**

Unfortunately the property that we were going to discuss is not in a redevelopment zone we referred it to Gene since it’s an LI zone, and only concern is traffic and they have it under control.

Camden County will be paving Westfield Avenue beginning on or about June 2, 2020.

We also had a quick conversation with Bobby Rays on guidelines and strategies he has put in place for a safe and successful re-opening.

Acting Clerk Scott-Forman added she received the State protocol for the COVID extension of premises for liquor licenses.

Mayor Killion suggested to Larry to get in touch with Pamela the Clerk to file reports.

Administrator Palumbo added to keep Hertline also aware of stage two re-openings and is Planning to submit Restaurant and Bar opening plans to the Camden County Prosecutors Office.

Committeewoman Mc Bride asked if Diana Foods is an LI (Light Industrial) do they need an ordinance?

Larry replied no according to planning and zoning.

**PUBLIC COMMENT – NONE**

Deputy Mayor DiBattista moved a motion to close the floor to the public  
 Committeewoman Rafeh seconded the motion  
 An affirmative 5/0 voice vote was recorded

**COMMITTEE COMMENTS-**

Mayor Killion: Reminded everyone that there will not be a tax increase. We worked hard to make this happen for our residents. Also reminded residents that the County and school are a separate entity. We will also be organizing a Unity rally more information on that later on. Our official opening will be June 15, 2020. We will have new restrictions for visitors and currently formulating a plan for staff members. Also mentioned boat ramps will be back up. Mayor Killion touched on George Floyds death and made it clear that it was disgusting to watch the video that led to his death. He also stated that our main pillar for Pennsauken is our diversity and that his heart goes out to Mr. Floyds family and friends. Loitering and Riots are unnecessary but to all the passive protesters we stand together. We are one country and I am proud of Pennsauken we should be a model.

Deputy Mayor DiBattista: Thanked everyone on the call and for joining the video call. She also thanked all the first responders. We are blessed to have them protect us and care for us. Thank you to the staff that helped us with the budget and for not increasing our taxes. He also wanted to remind residents that municipal taxes and separate from County and School. We pray for all the lives lost due to covid-19. We are opening up and we are making sure we so it safely for our residents and for our staff. I also watched Mr. Floyd's horrific death and we as elected officials do not stand for that or tolerate it. Please continue to stay safe.

Committeewoman Rafeh: Thanked everyone who joined the call. To Mr. Floyd's family it's crazy to me that racism still exists today ad I pray for his family and friends. All victims of coid-19 also prayers go out to you. Here is Pennsauken we treat each other like brother and sister and we pride on our diversity. Committeewoman Quoted Leslie Dwight

"What if 2020 is the year we've been waiting for? ☐A year so uncomfortable, so painful, so scary, so raw — that it finally forces us to grow," the poem reads. "A year that screams so loud, finally awakening us from our ignorant slumber. A year we finally accept the need for change.☐ Declare change. Work for change. Become the change."

"A year we finally band together, instead of pushing each other further apart. 2020 isn't canceled, but rather, the most important year of them all."

And finally let's make a difference and stand united.

Committeewoman McBride: Thanked everyone for joining us. Committeewoman stated that she was proud of the youth for wanting to do something for Mr. Floyd alongside the mayor and our police department. We will be opening back up and we want it to be safe for everyone. McBride also mentioned that opening back up is great for our businesses she also stated that she prays we do not have a second wave. Also mentioned that cleaning up is important in making our community look nice and clean. Ended by saying safety first and work for justice.

Committeeman Dyer: via speaker phone due to IT issues. Thanked all the residents for joining us and apologized for the disconnection. Also thanked our first responders for their dedication and hard work. He touched on Racism and stated that as a human and a black man it was hard to watch as a life was taken. Committeeman also stated that he has been moved with all the diversity that is going on in the country right now it's a beautiful thing to see. He also commented that due to the storm his area was without electricity and his neighbors took that time to express their feelings about the current situation with Mr. Floyd's death. This is a great time in our country despite all other tragedies occurring because the conversation is being held. He also mentioned that he personally thinks that the biggest problem in the country is greed. Please continue to stay safe.

## **PUBLIC COMMENTS-NONE**

**RESOLUTION (PUBLIC MAY COMMENT) The following Resolution will be considered individually - 2020:**

**2020:165**

### **RESOLUTION AUTHORIZING A CLOSED SESSION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN TO DISCUSS MATTERS OF ATTORNEY CLIENT PRIVLIDGE – PERSONNEL**

**WHEREAS**, the Township Committee of the Township of Pennsauken is subject to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6- et. seq; and

**WHEREAS**, the Open Public Meetings Act of the State of New Jersey generally requires that all meetings of public bodies be open to the public; and

**WHEREAS**, the Open Public Meetings Act further provides that a public body may exclude the public from a portion of a meeting at which the public body discusses items enumerated in the Open Public Meetings Act at N.J.S.A. 10:4-12b, which items are recognized as requiring confidentiality; and

**WHEREAS**, it is necessary and appropriate for the Township Committee of the Township of Pennsauken to discuss certain matters in a meeting not open to the public consistent with N.J.S.A. 10:4-12b.

**WHEREAS**, matters under discussion will not be disclosed until the need for confidentiality no longer exists; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Pennsauken, pursuant to the Open Public Meetings Act of the State of New Jersey that:

1. The Township Committee of the Township of Pennsauken shall hold a closed meeting from which the public shall be excluded, on June 4, 2020.
2. The general natures of the subjects to be discussed at said closed meeting shall be matters of pending/anticipated litigation and contract negotiation, Attorney Client Privilege N.J.S.A. 10:4-12b (7)
3. The general natures of the subjects to be discussed at said closed meeting shall be matters of contract negotiation, N.J.S.A. 10:4-12b (7)

**ADOPTED** at the Meeting of the Township Committee of the Township of Pennsauken on June 4, 2020.

Mayor Killion commented Committee would not be coming back into open session to take any action taken

No public comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>			√			
<i>Rafeh</i>		√	√			
<i>DiBattista</i>	√		√			
<i>Killion</i>			√			

Committee returned to adjourn at 9:23 pm

## **ADJOURNMENT**

Committeewoman Rafeh moved to adjourn  
Committeewoman McBride seconded the motion  
An affirmative 5/0 voice vote was recorded

Meeting adjourned at 9:24 pm

Respectfully submitted

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Ana Matos  
Deputy Clerk

**ADOPTED: June 18, 2020**