



TOWNSHIP OF PENNSAUKEN
TOWNSHIP COMMITTEE MEETING MINUTES
JANUARY 31, 2018

A Meeting of the Pennsauken Township Committee was held on Monday, January 31, 2018 in the meeting room of the Township of Pennsauken Municipal Building, 5605 N. Crescent Blvd. Pennsauken, NJ 08110.

Mayor Killion called the meeting to order at 5:30 pm, the roll was recorded as such:

PRESENT: Committeeman Figueroa, Committeeman Taylor and Mayor Killion.

ABSENT: Committeeman Orth and Deputy Mayor McBride

Also present were Township Administrator John Kneib, Township Clerk Gene Padalino, Deputy Clerk Pamela Scott-Forman and Attorney Linda Galella of Parker McCay.

Roll call was followed by the Pledge to the Flag with a moment of silence.

Mayor Killion announced that the Meeting was being held in compliance with the "Senator Byron M. Baer Open Public Meetings Act".

APPROVAL OF MINUTES-

Meeting- January 24, 2018

Committeeman Figueroa moved a motion to accept the minutes on the agenda

Committeeman Taylor seconded the motion

An affirmative 3/0 Voice vote was recorded

RESOLUTION(s)- (Public May Comment) The Following Resolution(s) will be considered by individually-

2018:96 RESOLUTION ADOPTING THE 3-YEAR COOPERATION AGREEMENT WITH THE COUNTY OF CAMDEN

WHEREAS, the Township of Pennsauken and the County of Camden wish to establish a cooperative means of conducting certain eligible community development and affordable housing activities; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-4 et seq.) permits local units such as counties and municipalities to enter into agreements for the provision of joint services; and

WHEREAS, Title 1 of the Housing and Community Development Act of 1974, the Housing and Urban-Rural Recovery Act of 1983, the HOME Program Act of 1991, and the Emergency Solutions Grant, as amended, provides federal funds being made available to Camden County for use to carry out eligible Community Development Activities therein; and

WHEREAS, the Township of Pennsauken will propose certain activities to be carried out under the 2018, 2019 and 2020 Community Development, HOME Programs and Emergency Solutions Grant programs; and

WHEREAS, the aforesaid activities are in the best interest of the Township of Pennsauken and the County of Camden;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Pennsauken that the 2018 to 2020 Cooperation Agreement be adopted;

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its enactment.

Administrator Kneib explained this is a CDBG for Lend-A-Hand
No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Figueroa</i>		√	√			
<i>Orth</i>						√
<i>Taylor</i>	√		√			
<i>Killion</i>			√			
<i>McBride</i>						√

2018:97 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN GRANTING PERMISSION AND AUTHORITY TO VERIZON WIRELESS AND ITS SUCCESSORS TO USE POLES WITHIN THE PUBLIC RIGHT-OF-WAY IN THE TOWNSHIP OF PENNSAUKEN

WHEREAS, Cellco Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Township of Pennsauken; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality;

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, STATE OF NEW JERSEY THAT:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Township of Pennsauken, subject to the following:
 - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
 - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring

permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Township of Pennsauken.

- C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, its successors and assigns, not only indemnify and save harmless the Township of Pennsauken, its officers, agents and servants, from any claims arising from or in any way connected to the acts or omissions of Verizon Wireless in use of the public right-of-way but shall agree on behalf of the Township of Pennsauken to defend any action at law or equity which may be brought against the Township of Pennsauken upon such claims or from claims arising therefrom, at its sole cost and expense excluding in all instances claims arising out of negligence or willful misconduct on the part of the Township of Pennsauken.
- D. Verizon Wireless shall at its own cost and expense procure and keep at all times in full force for Commercial General Liability Insurance including the Township of Pennsauken as additional insured, as its interests may appear under this agreement, in the amount of \$5,000,000 combined single limit each occurrence in any combination of primary and excess or umbrella coverages, covering bodily injury and property damage. Proof of said coverage, including the Township of Pennsauken as an additional insured as their interests may appear under this agreement, shall be filed with the Township Clerk prior to the installation of any facilities. Verizon Wireless shall endeavor to ensure that said insurance shall not be subject to cancellation until thirty (30) days after the Township Clerk has received written notice.
- E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- F. Notwithstanding any provision contained herein, neither the Township of Pennsauken nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
- G. This instrument shall be adopted on behalf of the Township of Pennsauken by the Township Committee of the Township of Pennsauken and attested to by Township of Pennsauken Clerk who shall affix the Township of Pennsauken Seal thereto.
- H. The permission and authority hereby granted shall be for a period of fifteen (15) years. Such permission and authority shall be automatically extended for additional periods of five (5) years each; provided, however, that either party may cancel such permission and authority effective at the end of the currently effective term with a minimum of one (1) year's prior written notice to the other.
- I. Such permission be and is hereby given upon the further condition that in the use of the public right-of-way Verizon Wireless, its successors and assigns, shall become subject to any lawful Ordinance or Resolution now or hereafter adopted by the Township of Pennsauken

- J. Such permission be and is hereby given upon the condition that Verizon Wireless shall obtain all applicable permits which may be required by the Township of Pennsauken, and shall comply with, bear the expenses of, all applicable Township requirements regarding traffic control and police supervision while any work in the public right of way is occurring.
- K. Nothing herein shall be construed to abrogate the rights of any other governmental unit, including but not limited to the County of Camden and the State of New Jersey, respecting such unit's rights of way located within the Township of Pennsauken.
- L. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

STATEMENT

This resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the Township of Pennsauken by parties that have the lawful right to maintain such poles.

Administrator Kneib stated this is to add height to the poles and for Verizon to increase the cell service

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Figueroa</i>	√		√			
<i>Orth</i>						√
<i>Taylor</i>		√	√			
<i>Killion</i>			√			
<i>McBride</i>						√

Township Clerk Padalino commented the following resolutions could be taken by consent agenda

RESOLUTION(s)- (Public May Comment) The Following Resolution(s) will be considered by consent agenda-

2018:98 RESOLUTION AUTHORIZING THE ISSUANCE OF USED CAR LICENSE FOR 2018 (TONY'S AUTO SERVICE)

BE IT RESOLVED, by the Township Committee of the Township of Pennsauken that the following Used Car Licenses are authorized to be issued 2018

TONY'S AUTO SERVICE

4710 N. Crescent Blvd.
Pennsauken, NJ 08109

This license is solely and exclusively for the transport of vehicles to and from this business location for repair and wholesale purposes.

No used cars shall be sold at the business location.

There shall be no invitations to the general public to buy used cars from the business location

There shall be no advertising that used cars are sold at the business location

There shall be no signs that indicate that used cars are sold at the business location

No more than 10 vehicles shall be stored for repair at the business location at any time.

**2018:99 RESOLUTION ACCEPTING THE RESIGNATION OF CROSSING GUARD(S)
(Midge Zimolong)**

BE IT RESOLVED by the Township Committee Township of Pennsauken in the County of Camden and the State of New Jersey, that the following person, Midge Zimolong, has resigned as of 1/12/2018 her position of crossing guard.

Midge Zimolong
2627 Davies Ave
Pennsauken,
NJ 08110

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded by the Township Clerk to the Township Chief Financial Officer and the Chief of Police.

**2018:100 RESOLUTION GRANTING RELEASE OF A PERFORMANCE SURETY BOND
IN THE AMOUNT OF ONE HUNDRED THIRTY THOUSAND, FORTY EIGHT DOLLARS
AND 56 CENTS (\$130,048.56) TO GREAT GARDEN STATE CORP (DUNKIN DONUTS)
AT 5005 N. CRESCENT BLVD, BLOCK 4810, LOT 2**

WHEREAS, Great Garden State Corp (Dunkin Donuts) c/o Carmen DiDonato has requested the release of a Performance Surety Bond being held by the Township of Pennsauken for site improvement costs at the premises located at 5005 N. Crescent Blvd, known as Block 4810, Lot 2.

WHEREAS, the Planning Board engineer has inspected the site and has found the work performed satisfactory and in substantial conformance with the approved plan, recommends the release of the performance surety bond, and has filed a written report with the Township Committee dated January 19, 2018 which is attached hereto and made part of this resolution; and

NOW, THEREFORE,, that the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey agrees to release the Performance Surety Bond in the amount of One Hundred Thirty Thousand, Forty Eight Dollars and 56 cents (\$130,048.56) to Great Garden State (Dunkin Donuts) c/o Carmen DiDonato.

NOW, BE IT RESOLVED, that the municipal clerk is authorized and directed to forward a certified copy of this resolution and a copy of the Planning Board engineer's report to the Planning & Zoning Office and to Great Garden State (Dunkin Donuts) c/o Carmen DiDonato, 5005 N. Crescent Blvd, Pennsauken, New Jersey, 08110

I hereby certify the foregoing to be a true copy of a resolution adopted by the Pennsauken Township Committee.

Name	Motion	Second	Aye	Nay	Abstain	Absent
Figueroa	√		√			
Orth						√
Taylor		√	√			
Killion			√			
McBride						√

PUBLIC COMMENT

Mayor Killion opened the floor to the public
 No public wished to comment

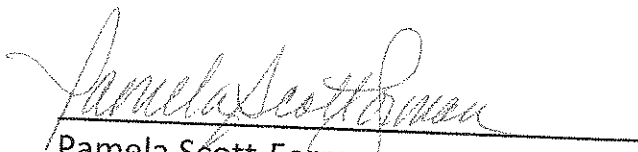
Committeeman Taylor moved a motion to close the floor to public comment
 Committeeman Figueroa seconded the motion
 An affirmative voice vote of 3/0 was recorded

ADJOURNMENT

Committeeman Figueroa moved a motion to adjourn
 Committeeman Taylor seconded the motion
 An affirmative 3/0 voice vote was recorded

Meeting adjourned at 5:33 pm

Respectfully submitted


 Pamela Scott-Forman
 Deputy Clerk

MINUTES APPROVED: FEBRUARY 7, 2018