

MINUTES
TOWNSHIP OF PENNSAUKEN
PUBLIC COMMITTEE MEETING
October 20, 2022

Pennsauken Township Public Committee Meeting was held at the Municipal Building located at 5605 N. Crescent Blvd Pennsauken, NJ 08110 on Thursday October 20, 2022.

The Meeting was called to order by Mayor Rafeh at 6:00 pm, who also called for the Salute to the Flag, to be followed by a Moment of Silence. Please keep in your thoughts and prayer the Henry Family.

Mayor announced the meeting complies with the "Senator Byron M. Baer Open Public Meetings Act."

NOTE: Township Clerk announced that this meeting was published in the Courier Post and Retrospect on January 14, 2022

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

PRESENT: Committeeman DiBattista, Committeeman Olivo, Deputy Mayor Roberts, and Mayor Rafeh

NOTE: Committeeman Martinez was Absent from meeting.

Also, present were Township Administrator Tim Killion, Township Clerk Pamela Scott-Forman, Deputy Clerk Ana Matos, and Solicitor Linda Galella esq.

NOTE: Meeting was streamed live on YouTube.

APPROVAL OF MINUTES

Regular meeting – October 6, 2022

Closed Session – October 6, 2022

Committeeman DiBattista moved motion to approve meeting minutes.

Committeeman Olivo seconded the motion.

An affirmative 4/0 voice vote was recorded.

PROCLAMATION – Pregnancy & Infant Loss Awareness

Mayor Rafeh presented a Proclamation to Ms. LaShana Standard is the founder of Shania's Gift, a non-profit organization that she started in the wake of an unimaginable personal tragedy.

RESOLUTION(s) (PUBLIC MAY COMMENT) The following Resolution(s) will be considered individually.

2022:408 RESOLUTION ADOPTING THE REVISED SECTION 154 OF THE TOWNSHIP OF PENNSAUKEN'S PERSONNEL POLICIES & PROCEDURES (Township owned vehicles for personal use)

WHEREAS, the Township of Pennsauken ("Township") maintains Personnel Policies and Procedures applicable to all employees, with the exception of elected officials and independent contractors; and

WHEREAS, Section 154 of the Township's Personnel Policies and Procedures, entitled "Administrative Policy Regarding Personal Use of Township Owned Vehicles," contains the

guidelines regarding employees’ personal use of Township-owned vehicles (“Township Vehicle Policy”); and

WHEREAS, the Township Committee of the Township of Pennsauken (“Township Committee”) has determined that revisions to the Township Vehicle Policy were necessary to update the appropriate rules and procedures associated with the use Township-owned vehicles to better reflect the realities of the contemporary working environment; and

WHEREAS, the Township Committee believes that the revisions to the Township Vehicle Policy are in the best interest of the community and the Township employees subject to this Policy.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken that the revised Section 154 of the Township of Pennsauken’s Personnel Policies and Procedures, entitled “Administrative Policy Regarding Personal Use of Township Owned Vehicles,” attached hereto, is hereby adopted.

Motion To Adopt:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>	√		√			
<i>Martinez</i>						√
<i>Roberts</i>		√	√			
<i>Rafeh</i>			√			
<i>DiBattista</i>			√			

No Public Wished To Comment

2022:409 RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE OF FORD POLICE INTERCEPTOR UPFITS THROUGH THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM I-NJCP (Emergency Accessories & Installations)

WHEREAS, The Township of Pennsauken wishes to upfit newly purchased 2022 Ford Interceptors for use by the Police Department from an authorized vendor under contract by the Division of Purchase and Property, Department of Treasury, State of New Jersey; and

WHEREAS, Emergency Accessories and Installations, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034 has been awarded New Jersey State Contract Number 17-FLEET-00748 for the purchase of Law Enforcement Firearms Equipment and Supplies from 05/15/2019 – 5/14/2023.

WHEREAS, the Chief of Police has recommended the use of this contract, price and other factors considered; and

WHEREAS, the cost of this purchase(s) shall not exceed \$150,000 and

WHEREAS, this is an open-ended contract, and the Township is not obligated to order, accept or pay for the goods and services hereunder until an order is placed, required certification of available funds shall be made when goods or services are ordered.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Pennsauken, County of Camden, and the State of New Jersey, as follows:

1. That Emergency Accessories and Installations, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034 be awarded a contract for the purchase of Law Enforcement Firearms Equipment and Supplies, as recommended by the Chief of Police, in an amount not to exceed \$150,000 from January 1, 2022 through December 31, 2022.

2. That the aforesaid contract is a term contract permitting the purchase of items at a stated price on an “as-needed” basis, at which time certification of available funds shall be provided for each purchase in accordance with Local Public Contracts Regulation 5:30-14.4.5 (c) 2ii.

3. That the Township Committee hereby directs the Township Administrator, the Township Clerk, and the Purchasing Agent to execute any contract documents which are necessary to effectuate the terms of this Resolution, subject to review, revision, and approval by the Township Solicitor.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey at their meeting held on the 20th of October, 2022.

Motion To Adopt:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>					√	
<i>Martinez</i>						√
<i>Roberts</i>	√		√			
<i>Rafeh</i>			√			
<i>DiBattista</i>		√	√			

No Public Wished To Comment

2022: 410 RESOLUTION CODIFYING POLICIES AND PROCEDURES FOR THE USE OF PROCUREMENT CARDS FOR THE TOWNSHIP OF PENNSAUKEN (for tangible purchases / Department heads)

WHEREAS, the Qualified Purchasing Agent has recommended that procurement cards be utilized where appropriate for purchases of or for the Township of Pennsauken; and

WHEREAS, the use of procurement cards can be a highly beneficial tool for local governments looking to further utilize e-commerce and strengthen their purchasing controls; and

WHEREAS, the rules adopted by the Local Finance Board governing the use of procurement cards are set forth in N.J.A.C. 5:30-9A; and

WHEREAS, the law, N.J.S.A. 40A:5-16(c) established the specific circumstances when procurement cards can be used; and

WHEREAS, the Township Committee find that a procurement card program would be beneficial to the Township and wish to authorize their use and establish policies and procedures for their use as required by law; and

WHEREAS, the Township Committee wish to authorize the Qualified Purchasing Agent to execute a Corporate Card Program Linking Authorization Contract with the State of New Jersey, and other documentation as required to implement a procurement card program for the Township of Pennsauken.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Pennsauken hereby adopts the attached following policies and procedures for the use of the procurement cards for purchases of or for the Township of Pennsauken and that the policies and procedures for the use of procurement cards as stated herein shall be included in the Township’s Purchasing Manual.

BE IT FURTHER RESOLVED that the Qualified Purchasing Agent is hereby authorized to execute a Corporate Card Program Linking Authorization Contract with the State of New Jersey,

and other documentation as required to implement a procurement card program for the Township of Pennsauken.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey at their meeting held on the 20th of October 2022.

This resolution shall become effective immediately upon final adoption.

Motion To Adopt:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>	√		√			
<i>Martinez</i>						√
<i>Roberts</i>		√	√			
<i>Rafeh</i>			√			
<i>DiBattista</i>			√			

No Public Wished To Comment

RESOLUTION(s) (PUBLIC MAY COMMENT) The following Resolution(s) will be considered by consent agenda

2022: 411 TOWNSHIP OF PENNSAUKEN RESOLUTION AUTHORIZING TAX COLLECTOR TO TURN OVER FUNDS FROM PREMIUM ACCOUNT TO GENERAL FUND

WHEREAS, certain adjustments are necessary to the records of the Tax Collector; and

WHEREAS, in accordance with N.J.S.A. 54:5-33, any premium payments shall be held by the Tax Collector and returned to the purchaser of the fee if and when redemption is made; and

WHEREAS, if the redemption is not made within five years from the date of sale or the Lienholder received a Final Judgment, the premium payment shall be turned over to the Treasurer of the municipality and become part of the funds of the municipality; and

WHEREAS, there was a review of records and found the listed properties to be in accordance with N.J.S.A. 54:5-33 totaling \$29,000.00 in expired premiums

17-00264	3204/33	\$1,100.00
12-00135	902/15	\$2,000.00
16-00159	1215/5	\$8,700.00
19-00163	1508/1	\$3,600.00
16-00239	1613/14	\$1,300.00
17-00436	5014.01/2.05	\$3,100.00
19-00474	5811/10	\$1,100.00
18-00723	6607/4	\$8,100.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey, that they hereby authorize the Chief Financial Officer to accept the premium in the amount of \$29,000.00 for the above listed premium of Tax Sale Certificates.

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Township of Pennsauken Tax Collector and Chief Financial Officer by the Township Clerk.

2022:412 INSERTION OF SPECIAL ITEMS OF REVENUE IN THE BUDGET CHAPTER 159, P.L. 1948 FY 2022 HAZARDOUS DISCHARGE SITE REMEDIATION FUND \$61,854 (Block 5912, Lot 4)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item has been made available and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Pennsauken will receive \$61,854 from the 2022 Hazardous Discharge Site Remediation Fund and wishes to amend its 2022 Budget to include the full amount as revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Pennsauken, County of Camden, and the State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget

of the year 2022 in the sum of\$61,854

which is now available as a revenue from:

Miscellaneous Revenues
Special Items of General Revenue Anticipated with Prior Written
Consent of the Director of Local Government Services:
Public and Private Revenues Off-Set with Appropriations:
Hazardous Discharge Site Remediation Fund
Pursuant to provisions of Statute; and

BE IT FURTHER RESOLVED, that the like sum of.....\$61,854

be and the same is hereby appropriated under the caption of:

General Appropriations
(a) Operations Excluded from 5% Caps
Public and Private Programs Off-Set by Revenues:
Hazardous Discharge Site Remediation Fund
Other Expenses.....\$61,854

2022:413 RESOLUTION AUTHORIZING MUNICIPAL SUPPORT FOR MPX NEW JERSEY LLC TO RECEIVE A CLASS 5 RETAIL CANNABIS LICENSE FROM THE NEW JERSEY CANNABIS REGULATORY COMMISSION TO OPERATE WITHIN PENNSAUKEN TOWNSHIP

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six (6) marketplace classes of licensed cannabis businesses, specifically including a Class 5 Cannabis Retail license: and

WHEREAS, Section 31a of the Act authorizes municipalities to adopt by ordinance the number of Class 5 Retail Cannabis licenses that will be available in a municipality: and

WHEREAS, on August 5, 2021 the Pennsauken Township Committee adopted Ordinance 2021-22 (the “Ordinance”), which established that two (2) of Class 5 Retail Cannabis licenses would be available for a cannabis establishment to operate within Pennsauken Township: and

WHEREAS, the New Jersey Cannabis Regulatory Commission issued guidance to the State’s municipalities on December 10, 2021, in which it stated the following:

Municipalities that limit the number of cannabis businesses allowed to operate within the municipal borders should not issue letters or resolutions of support in excess of the number of cannabis businesses allowed to operate within the border unless such letters or resolutions of support specify that license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit is reached.

[Emphasis in original.]

WHEREAS, MPX New Jersey, LLC has requested the Township’s support to locate a Class 5 cannabis retail business in the Township: and

WHEREAS, MPX New Jersey, LLC submitted a concept plan for the Township’s review; and

WHEREAS, representatives of MPX New Jersey, LLC appeared at Township Committee meetings to more formally present the proposal to establish a cannabis retail business in the Township; and

WHEREAS, the Township Committee has determined that the cannabis retail license being sought may operate subject to Zoning/Planning Board approval within the Township at the proposed location; and

WHEREAS, the proposed location for MPX New Jersey, LLC, which has a common address of 5035 Central Highway, Pennsauken, NJ, and is reflected on the Township Tax Map as Block 6305, lot 19, in the LI Light Industrial Zone, is a location that is zoned by the municipality for the proposed use. Necessary approvals by the Township Zoning/Planning Board are required; and

WHEREAS, pursuant to Ordinance No. 2021-22, the number of cannabis retailers in the Township shall not exceed two (2); and

WHEREAS, as of the date of this Resolution, no other cannabis retailer exists in the Township of Pennsauken, no other cannabis retailer has been approved for licensure to be located in the Township of Pennsauken; and

WHEREAS, the Township has issued one Resolution of local support for a Class 5 cannabis retail businesses (and has issued 1 letter of support), but may issue additional resolutions in the future, but asserts that, pursuant to the State’s guidance, the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit of two

Continued – Resolution 2022.413

is reached (subject to all necessary zoning and planning board approvals and local license approvals).

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

The above recitals are hereby incorporated as if restated herein in full.

1. The Mayor and Committee of Pennsauken Township find and determine that MPX New Jersey, LLC has presented Pennsauken Township with sufficient evidence that it is ready, willing and able to operate a successful and safe cannabis business within Pennsauken Township.
2. Pennsauken Township has set a limit of two (2) of Class 5 Retail licenses under the Ordinance. The issuance of a Class 5 Retail license to MPX New Jersey, LLC by the Cannabis Regulatory Commission would not exceed that limit.
3. Pennsauken Township has imposed a limit on the number of cannabis retailers and asserts that the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit of two is reached (subject to all necessary zoning and planning board approvals and local license approvals).
4. The Mayor and Committee of Pennsauken Township formally express their support for MPX New Jersey, LLC with respect to its application to the New Jersey Cannabis Regulatory Commission for a Class 5 Retail Cannabis License.
5. Nothing in this Resolution shall preclude the Mayor and Committee from issuing additional resolutions or letters of municipal support to other applicants, to the extent that may be permissible under the regulations promulgated by the Cannabis Regulatory Commission, nor shall it limit the Mayor and Committee's authority with respect to any request for input from the Cannabis Regulatory Commission as to their preferred licensee.
6. Nothing in this Resolution is intended to affirm that MPX New Jersey, LLC will ultimately be granted a license from Pennsauken Township to operate a cannabis business within Pennsauken Township, as evidence of compliance with Pennsauken Township's laws, zoning law, and regulations will be required to be demonstrated by the applicant at the appropriate time.

A certified copy of this resolution shall be provided to the appropriate representatives of MPX New Jersey, LLC.

This Resolution shall take effect immediately.

Motion To Adopt:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>		√	√			
<i>Martinez</i>						√
<i>Roberts</i>	√		√			
<i>Rafeh</i>			√			
<i>DiBattista</i>			√			

No Public Wished To Comment

ITEMS OF DISCUSSION / ECONOMIC DEVELOPMENT – Larry Cardwell

Christmas Tree Sales – located at 7533 South Crescent, this yearly tree sales operator would like to sell Christmas Trees near the Airport Circle once again. The operating hours are Monday through Sunday 9am – 9pm.

- Committee agreed to move forward.

PUBLIC COMMENT: NONE

Committeeman Olivo moved motion to open floor for public hearing.
Deputy Mayor Roberts seconded the motion.
An affirmative 4/0 voice vote was recorded.

Committeeman Olivo moved motion to close floor for public hearing.
Deputy Mayor Roberts seconded the motion.
An affirmative 4/0 voice vote was recorded.

COMMITTEE COMMENTS

Deputy Mayor Roberts

- Thank you to everyone in here for all your hard work and thank you to all the volunteers that helped make the Fall Festival a success.
- We all had a wonderful time and that is thanks to everyone in here and everyone who participated.

Committeeman DiBattista

- Fall Festival was incredible. Thank you to everyone who worked so hard to make it all possible.
- Thank you to all the First Responders you are all amazing.
- Halloween is around the corner please stay safe and enjoy.

Committeeman Olivo

- Thank you too all the volunteers and to everyone that was part of such an amazing event.
- Thank you to Juan, Duke, PPW, First Responders.
- PPD is having a Trunk-or-Treat tonight at our Police/Court location. Come out and enjoy.

Mayor Rafeh

- Fall Festival was amazing. Thank you so much to all the departments and volunteers. Weather was in our favor, and it was perfect. Year after year it gets bigger and better and cannot wait for next year.

- Fall Festival is free for everyone, and we want you to enjoy it. Thank you, Juan, Duke, and everyone who helped make it happen.
- If you have a grand opening for your business and want us to come out, please reach out to us. We support all business in town.

REMINDER(s):

Tim Killion:

- November 3, 2022 next meeting.
- Monday, November 11, 2022 will also be a meeting day.

ADJOURNMENT:

Time: 6:18 pm

Deputy Mayor Roberts move motion to Adjourn.
Committeeman Olivo second motion.
An affirmative 4/0 voice vote was recorded.

Respectfully Submitted,
Deputy Clerk, Ana Matos