

**MINUTES  
TOWNSHIP OF PENNSAUKEN  
TOWNSHIP COMMITTEE MEETING  
February 4, 2021**

The Committee Meeting of the Pennsauken Township Committee was held via electronic participation on Thursday, February 4, 2021.

The Meeting was called to order by Mayor DiBattista at 6:00 pm. who also called for the Salute to the Flag to be followed by a Moment of Silence.

Mayor DiBattista announced the meeting was in compliance of the "Senator Byron M. Baer Open Public Meetings Act".

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

Committeeman Martinez moved the motion to approve the use of electronic participation. Deputy Mayor Rafeh seconded the motion. An affirmative 5/0 voice vote was recorded.

**PRESENT:** Committeeman Martinez, Committeeman Killion, Committeewoman Roberts, Deputy Mayor Rafeh and Mayor DiBattista.

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

**MAYORAL APPOINTMENT-**

Ana Matos as Deputy Clerk.

**BIDS OPENED-**

BID #21-01 FY' 2019 NJDOT Resurfacing of John Tipton Blvd. was opened at 10:30am on January 26, 2021 (Five Bids had been received)

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

**2021:07**

AUTHORIZING RIGHT-OF-WAY USE AGREEMENT WITH ZAYO GROUP FOR THE INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT (Location is Cooper Avenue)

Motion To Approve FIRST Reading:

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

**2021:08**

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF PENNSAUKEN

CHAPTER 299 ENTITLED “VEHICLES AND TRAFFIC”

Motion To Approve on FIRST Reading:

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

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

**2021:90**

RESOLUTION GRANTING A PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE # 0427-33-011-002 FROM OLD ENGLISH PUB, LLC TO ZOE HOLDINGS,

**WHEREAS**, Zoe Holdings, LLC (the “Applicant”) has applied for a Person-to-Person and Place-To-Place transfer of Plenary Retail Consumption License 0427-33-011-002 now held by Old English Pub, LLC inactively located at 4928-30 Westfield Avenue; and

**WHEREAS**, consent to transfer has been received from the current owner together with the proper application fees and an Affidavit of Qualification for Ownership has been completed by the transferee and background checks have been completed by the Pennsauken Police Department for the principal(s) of the transferee, Zoe Holdings LLC; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Pennsauken, in the County of Camden and State of New Jersey, that Plenary Retail Consumption License, License # 0427-33-011-002 be transferred to Zoe Holdings, LLC effective February 5, 2021.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution will be forwarded by the Township Clerk to Zoe Holdings, LLC, Chief John Nettleton, of the Pennsauken Police Department and to the Attorney General’s office Division of Alcoholic Beverage Control.

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

No public wished to comment.

**2021:91**

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN AUTHORIZING THE ACCEPTANCE OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWNSHIP OF PENNSAUKEN AND THE TOWNSHIP OF PENNSAUKEN BOARD OF EDUCATION FOR THE 2020-2021 SCHOOL YEAR

WHEREAS, The Township of Pennsauken Board of Education desires a law enforcement presence and services from the Township of Pennsauken through the Township of Pennsauken

Police Department and whereas the Township and the Township of Pennsauken Police Department desires to provide said law enforcement and services; and

WHEREAS, the parties recognize the mutual interests can be furthered through the use of Police Officers assigned to a school; and

WHEREAS, the proper and respective Township and Board of Education officials are authorized to execute the attached MOU pursuant to resolutions of their respective governing bodies which are to be attached to this resolution; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Pennsauken hereby authorizes the acceptance of the attached Memorandum of Understanding between the Township of Pennsauken and the Township of Pennsauken Board of Education.

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

No public wished to comment.

**2021:92**

**RESOLUTION ACCEPTING, REJECTING, AND AWARDING BIDS FOR THE RESURFACING OF JOHN TIPTON BOULEVARD BID PACKET NO. 21-01**

WHEREAS, bids were received and opened for the bid of Bid Packet No. 21-01 on January 26, 2021; and

WHEREAS, this project consists of the improvements of John Tipton Boulevard, from River Road (CR 543) to 100 linear feet east of the Food Bank of South Jersey delivery entrance. In accordance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq, the contract should be awarded to the lowest responsible bidder; and

WHEREAS, the Township consulting engineer has reviewed the bids submitted and has recommended that American Asphalt Company, Inc., 116 Main Street, West Collingswood Heights, New Jersey 08059 which appears to be the lowest responsible bidder; and

WHEREAS, the Township Engineer recommends to the Township Committee that a contract be awarded to American Asphalt Company, Inc. in the amount of \$317,626.00, representing Items 1 through 30 of the Base Bid.

WHEREAS, funding for this project is being provided by the New Jersey Department of Transportation (NJDOT) and therefore award of this contract is subject to the approval of the NJDOT.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden and State of New Jersey that the Township hereby awards to American Asphalt Company, Inc. the contract for the FY' 2019 NJDOT Municipal Aid Resurfacing of John Tipton Boulevard in the amount of \$317,626.00 for items 1 through 30 of the Base Bid.

BE IT FURTHER RESOLVED that the Township Administrator is hereby authorized to execute any and all documents necessary to effectuate the award of this contract.

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

No public wished to comment.

**2021:93**

RESOLUTION ACCEPTING THE RESIGNATION OF CROSSING GUARD (Janice Shea)

BE IT RESOLVED by the Township Committee of the Township of Pennsauken in the County of Camden and the State of New Jersey that Janice Shea has resigned from her position of Crossing Guard. No refund is due.

Janice Shea  
7481 Collins Avenue  
Pennsauken, NJ 08109

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Township Clerk to the Chief Financial Officer, Chief of Police and Human Resources.

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

No public wished to comment.

**2021:94**

RESOLUTION AUTHORIZING THE ISSUANCE OF USED CAR LICENSES FOR 2021 (South Jersey Truck Sales)

*BE IT RESOLVED, BY THE Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the following Used Car License is authorized to be issued in 2021.*

**South Jersey Truck Sales**  
7360 N. Crescent Blvd.  
Pennsauken, NJ 08110

BE I FURTHER RESOLVED that a certified copy of this Resolution be forwarded by the Township Clerk to the Planning & Zoning Officer, Economic Development and Mr. James Staffo, III and Mr. John Abiuso, Jr.

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

No public wished to

comment.

**J. RESOLUTION(s) (PUBLIC MAY COMMENT) The Following Resolution(s) will be considered by consent agenda -**

**2021:95**

RESOLUTION AUTHORIZING REFUND OF PENNSAUKEN TOWNSHIP ZONING BOARD FEE IN THE AMOUNT OF \$ 150.00

BE IT RESOLVED by the Township Committee of the Pennsauken, in the County of Camden and State of New Jersey, that the Township Administrator is hereby authorized to approve refund of a Zoning Board application fee paid in the amount of One Hundred Fifty Dollars (\$150.00) to Eduardo Quemel, 3410 New Jersey Court, Pennsauken, NJ 08109 for a variance application that was not pursued.

BE I FURTHER RESOLVED that a certified copy of this Resolution forwarded by the Township Clerk to the Township Administrator, Chief Financial Officer and Mr. Eduardo Quemel.

**2021:96**

RESOLUTION APPROVING THE REFUND OF \$175.00 FOR HOUSING RESALE MONEY HELD FOR THE PURCHASE OF 6126 IRVING AVENUE, PENNSAUKEN, NJ 08109

WHEREAS, Felix Morales of 4001 Myrtle Avenue, Apt. H7, Camden, NJ 08105 made a Resale/Transfer of Ownership located at 6126 Irving Avenue Pennsauken, NJ 08109

WHEREAS, The Construction Official of the Township of Pennsauken is satisfied that the sale of the property to Felix Morales has been voided and a refund should be issued.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden and State of New Jersey that the sum of \$175.00 is returned to Felix Morales, of 4001 Myrtle Avenue, Apt. H7, Camden, NJ 08105.

A CERTIFIED COPY of this resolution will be forwarded by the Township Clerk to the Applicant, Construction Official, Finance Department and the Administrative Assistant of the Building Department.

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

No public wished to comment.

**K. CONFERENCE ITEMS / ITEM OF DISCUSSION**

Larry Cardwell / Economic Development

## **1) Agenda items/New Tennant or Owner**

**6315 Westfield Ave – this property has no significant violations. There has been no Police activity at this location over the last 3 years.**

This application is for a change of ownership only.

- Committee agreed to move forward.

**5900 Westfield Ave – this property has no significant violations. There has been no Police activity at this location over the last 3 years.**

Quiles tax service – Would like to utilize a unit in this professional office building as a tax office.

- Committee agreed to move forward.

**4620 Westfield Ave – this property has no significant violations. There has been no Police activity at this location over the last 3 years.**

Scores Buy Sell Trade – This location would be used for retail sales of sneakers, clothing and other accessories. The property is in a C1 zone with an overlay zone called the Westfield Avenue Redevelopment Zone.

- Committee agreed to move forward.

**2109 Sherman Ave – this property has no significant violations. There has been no Police activity at this location over the last 3 years.**

A to B Auto Sales LLC – This location would be used for used auto sales. The vehicles would be kept indoors and sold by appointment only. See the attached proposal overview. The property is in an LI zone.

- Committee needs more information from A to B Auto Sales LLC.

## **2) Items for Discussion**

**Infiniti Energy Services** - has an agreement with Wharton Equity which is the owner of the properties purchased from Bloom in the Twinbridge industrial park and along Thomas Busch Memorial Highway to place solar panels on 23 properties in the park as part of the BPU's Community Solar initiative. They are looking for a letter of support from the township. See attached list of property locations.

- Committee needs more information from Infinity Energy Services.

**DEPARTMENT REPORTS- NONE**

**PUBLIC COMMENT- NONE**

Committeeman Killion moved the motion to close the floor for public comments

Deputy Mayor Rafeh seconded the motion.

An affirmative 5/0 voice vote was recorded.

**COMMITTEE COMMENTS-**

Mayor DiBattista:

- Thank you to the public, Fire Chief and Code Department for being on the meeting and answering questions.
- 3543 Total COVID-19 cases and an unfortunate 61 lives lost.
- Thoughts and prayers to all families during these hard times.

- Municipality is receiving Camcare application to set up vaccination site in Pennsauken for our residents. We have received over 800 application as of today. Please continue to fill them out and dropping them off at designated drop box in Municipality Building.
- Please be aware that Camcare will be responsible for contacting you for your vaccination appointment.
- Please continue to wear your masks, wash your hands and social distance.

Deputy Mayor Rafah:

- We are working hard to get resources to help all our seniors and residents.
- If you know of a place that is vaccinating, please let us know so we can share with the public.
- Thank You to our law enforcement for catching TD Banks robber. I know being in law enforcement is very difficult these days, thank you for all that you do for us.
- Please stay safe everyone continue to wear your masks, wash your hands and social distance.

Committeeman Killion:

- Thank you to all our Public works for an amazing response to all the snow we received.
- Our Public Work employees worked all ours of the night to assure we had clean and safe roads.
- Please reach out to Public Works if your area needs cleaning.
- Please continue to wear your masks, wash your hands and social distance.

Committeewoman Roberts:

- Thank you to all for joining us today.
- I am excited to continue to see how we are helping our seniors and each other.
- Thank You Shakir for all your hard work with the camcare application.
- Please wear your masks, wash your hands and social distance.

Committeeman Martinez:

- Thoughts and prayers to everyone, and thank you joining us tonight.
- Thank you to public works for your hard work during this snowstorm.
- Thank you crossing guards for your services.
- It's black history month and I want to thank all my African American friends and residents, we love you and appreciate you.
- Please continue to wear masks, washing your hands and social distance.

**RESOLUTION (PUBLIC MAY COMMENT) The following Resolution will be considered individually –**

**2021:97** RESOLUTION AUTHORIZING A CLOSED SESSION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN TO DISCUSS UNDER ATTORNEY CLIENT PRIVILEGE, LITIGATION, CONTRACTS AND 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 February 4, 2021.
2. The general natures of the subjects to be discussed at said closed meeting shall be matters of litigation and contracts 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 personnel, N.J.S.A. 10:4-12b (8)

ADOPTED at the Meeting of the Township Committee of the Township of Pennsauken on February 4, 2021.

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

No public wished to comment.

**ADJOURNMENT**

**TIME: 7:59 pm**

Deputy Clerk Ana Matos

**Adopted: February 18, 2021**