

**MINUTES
TOWNSHIP OF PENNSAUKEN
TOWNSHIP COMMITTEE MEETING
FEBRUARY 21, 2019 (5:30PM)**

The Committee Meeting of the Pennsauken Township Committee was held in the meeting room at the Pennsauken Municipal Building: 5605 N. Crescent Blvd., Pennsauken, NJ 08109 on Thursday, February 21, 2019

The Meeting was called to order by Mayor Jack Killion at 5:30 pm. and called for the Salute to the Flag to be followed by a Moment of Silence. After which he 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 Clerk.

PRESENT: Committeeman Marco DiBattista, Committeewoman Jessica Rafeh, Committeewoman Betsy McBride, Deputy Mayor Rick Taylor and Mayor Jack Killion

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

APPROVAL OF MINUTES-

Meeting-February 7, 2019

Deputy Mayor Taylor moved the motion to approve the minutes on the agenda
Committeewoman Rafeh seconded the motion
A 5/0 affirmative voice vote was recorded

BIDS OPENED-

Opened on February 13, 2019 @10:30am 2019 Agricultural Supplies For Country Club-BP-2019:03.

Deputy Mayor Taylor moved the motion to acknowledge the Bid opening
Committeewoman Rafeh seconded the motion
A 5/0 affirmative voice vote was recorded

ORDINANCES:

SECOND READING – PUBLIC HEARING (PUBLIC MAY COMMENT)

ORDINANCE NO. 2019:01 AN ORDINANCE TO AMEND CHAPTER 31:
DEPARTMENT OF EMERGENCY MEDICAL SERVICES SECTION 8 FEES FOR
EMERGENCY MEDICAL SERVICES IN THE CODE OF THE TOWNSHIP OF
PENNSAUKEN

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 \$204,250 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 \$40,000.

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 Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition and Installation of a Circulating Pump for the Municipal Pool, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$140,000	\$7,000	\$133,000	10 years
B. Reconstruction and Repair of the Roof at the Pennsauken Country Club, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	75,000	3,750	71,250	15 years
Totals:	<u>\$215,000</u>	<u>\$10,750</u>	<u>\$204,250</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 11.74 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 \$204,250 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.

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Di Battista</i>			√			
<i>Rafah</i>			√			
<i>McBride</i>	√		√			
<i>Taylor</i>		√	√			
<i>Killion</i>			√			

ORDINANCES- FIRST READING (NO PUBLIC COMMENT)

ORDINANCE NO. 2019:03 BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,674,000 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 \$2,384,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Committeewoman McBride moved the motion to approve Ordinance 2091:03 on FIRST Reading

Deputy Mayor Taylor seconded the motion

A 5/0 affirmative voice vote was recorded

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

2019: 108 RESOLUTION GRANTING RELEASE OF AN IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF FOUR HUNDRED THIRTY THREE THOUSAND, FOUR HUNDRED AND EIGHTEEN DOLLARS AND FIFTY CENTS (\$433,418.50) TO PURATOS CORPORATION (DAVID DUCOIN) LOCATED AT 1660 SUCKLE HIGHWAY, PENNSAUKEN, NJ. BLOCK 2106, LOT 2.01

WHEREAS, Mr. David DuCoin, of Puratos Corporation, 1660 Suckle Highway, Pennsauken, NJ. 08110 has requested the release of the Irrevocable Standby Letter Of Credit being held by the Township of Pennsauken for site improvements.

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 Irrevocable Standby Letter of Credit, and has filed a written report with the Township Committee dated November 27, 2018 which is attached hereto and made part of this resolution; and

NOW, THEREFORE,, the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey agrees to approve the release of the Irrevocable Standby Letter of Credit in the amount of Four Hundred Thirty Three Thousand, Four Hundred and Eighteen Dollars and Fifty Cents (\$433,418.50) to Puratos Corporation (David DuCoin) 1660 Suckle Highway, Pennsauken, NJ. 08110.

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 Mr. David DuCoin, of Puratos Corporation, 1660 Suckle Highway, Pennsauken, NJ. 08110.

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

Administrator Kneib commented this is for a performance bond.

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Di Battista</i>			√			
<i>Rafeh</i>	√		√			
<i>McBride</i>			√			
<i>Taylor</i>		√	√			
<i>Killion</i>			√			

2019:109 AUTHORIZING CONTRACT CHANGE ORDER NO. 1 FOR THE SOLID WASTE COLLECTION CONTRACT IN THE AMOUNT OF \$32,102.64

WHEREAS, a contract was awarded to South Jersey Sanitation in the amount of \$9,617,028.00, and;

WHEREAS, the director of Public Works and the Township Administrator recommend Change Order No. 1 be approved for the Solid Waste Collection Contract; and

WHEREAS, Change Order No. 1 in the amount of \$32,102.64, is due to compactor replacements to complete the project; and

WHEREAS, Change Order No. 1 results in an increase of \$32,102.64 for a new total contract amount of \$9,649,130.64; and

WHEREAS, funds are available for said change order.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that it does hereby approve Change Order No. 1 for the Solid Waste Collection Contract, which results in a \$32,102.64 increase in the overall contract for a new total contract amount of \$9,617,028.00.

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Di Battista</i>		√	√			
<i>Rafeh</i>	√		√			
<i>McBride</i>			√			
<i>Taylor</i>			√			
<i>Killion</i>			√			

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

2019:110 RESOLUTION APPROVING THE REFUND OF \$283.20 FOR A UCC PERMIT FOR THE PROPERTY LOCATED AT 5107 ELVENA AVENUE, PENNSAUKEN, NJ 08110

WHEREAS Vivint Solar, 1800 W. Aston Blvd. Lehi, UT 84043 paid for a UCC Permit for 5107 Elvena Ave. Pennsauken, NJ 08109 in the amount of \$354.00

WHEREAS, The Construction Official of the Township of Pennsauken is satisfied that the fee for the UCC Permit for the property known as 5107 Elvena Avenue, Pennsauken, NJ 08109 was paid, the contractor has cancelled their order for the roof top solar panels, and therefore deems the applicant is entitled to a \$283.20 refund.

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 \$283.20 is refunded to Vivint Solar 1800 W. Aston Blvd. Lehi, UT 84043

Certified copies of this resolution will be forwarded by the Township Clerk to the Applicant, Construction Official and the Supervisor of Building Department.

2019:111 RESOLUTION AUTHORIZING A REFUND OF PAYMENT OF A MARRIAGE CEREMONY

WHEREAS the below listed applicant applied for a marriage ceremony in the Township of Pennsauken, on receipt #101765 dated June 25, 2019 from the Township of Pennsauken; and WHEREAS the ceremony was cancelled and not performed; and WHEREAS the Township hereby will refund the One Hundred Twenty-Five Dollars (\$ 125.00) to the applicant due to the cancellation; and BE IT RESOLVED by the Township Committee of the Township of Pennsauken, in the County of Camden and State of New Jersey that the Municipal Finance Officer is hereby authorized to refund the One Hundred Twenty-Five dollars to Person(s) listed below,
Kevin Evaristo Torres & Yelisa Zapata Castro
1027 Bergen Avenue
Camden, NJ 08105-4205

2019:112 RESOLUTION AUTHORIZING THE ISSUANCE OF USED CAR LICENSE FOR 2019 (TONY'S AUTO SERVICE)

The following Used Car Licenses are authorized to be issued 2019

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.

1. No used cars shall be sold at the business location.
2. There shall be no invitations to the general public to buy used cars from the business location
3. There shall be no advertising that used cars are sold at the business location
4. There shall be no signs that indicate that used cars are sold at the business location
5. No more than 10 vehicles shall be stored for repair at the business location at any time.

2019:113 RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE (Kingsway Learning Center)

BE IT RESOLVED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the Township Clerk is authorized to issue a Raffle License to the following and is hereby authorized to waive the Township fees associated with said license:

Name: Kingsway Learning Center

Address: 144 Kings Highway West Haddonfield, NJ 08033

Where Event Is Being Held: Pennsauken Country Club-3800 Haddonfield Rd. Pennsauken, NJ 08109

Date of Event: May 21, 2019

Township License #: R19.04 (50/50)

State Registration ID -183-5-33323

BE IT FURTHER RESOLVED, that a background check on the Member in Charge has been completed with favorable result and the Township Clerk is hereby authorized to issue said license upon the approval of the ~~Legalized Games of Chance Control Commission (LGCCC)~~.

2019:114 AUTHORIZATION FOR THE TOWNSHIP OF PENNSAUKEN TO APPLY FOR AND ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2018 OF DEPARTMENT OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING AND FOR THE TOWNSHIP CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS.

WHEREAS, the Township of Pennsauken, Office of Emergency Management has been awarded State Homeland Security Grant Program Subgrant CFDA #97.042, Award #FY18-EMPG-EMAA-0427 CFDA# 97.042 from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of up to \$20,579.92, including up to \$10,000.00 Federal Award and up to \$10,579.92 Local Matching Funds, is for the purpose of enhancing the Township of Pennsauken's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Township of Pennsauken Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of up to \$10,193.51 which the Pennsauken Township Office of Emergency Management adequately satisfies through the Township of Pennsauken approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Pennsauken accepts the award of the FFY18 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of up to \$10,193.51, which is now available from the New Jersey State Police Office of Emergency Management in the like amount of up to \$10,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of up to \$10,000.00 is hereby appropriated under the caption FFY18 Homeland Security Emergency Management Performance

BE IT FURTHER RESOLVED that the Township Chief Financial Officer and the Township Director of Emergency Management are authorized to sign the appropriate Subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government Services, The Township Administrator, the Township Chief Financial Officer, the County Division of Emergency Management and the Office of the Treasury.

Clerk Padalino commented this is a \$10,000 matching Grant for OEM

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Di Battista</i>			√			
<i>Rafeh</i>		√	√			
<i>McBride</i>			√			
<i>Taylor</i>	√		√			
<i>Killion</i>			√			

CONFERENCE /ITEMS OF DISCUSSION-None

AGENDA ITEMS -

- 1) NEW BUSINESS/ORDINANCES ON FIRST READING: NONE
- 2) NEW BUSINESS/ORDINANCES ON SECOND: NONE
- 3) RESOLUTIONS – MATTERS OF LITTLE OR NO DISCUSSION: None

PAYMENT OF BILLS-(NONE)

DEPARTMENT REPORT(s) and/ or Country Club Revenues to Date (NONE)

PUBLIC COMMENT

Mayor Killion opened the floor for public

Ms. Genice Williams of Derosse Avenue asked if there was an answer about the trucks traveling Derosse Avenue all hours of the night. She also stated that there are 3 companies now instead of one.

Mr.Kneib, Twp. Administrator stated that he will have the Economic Development team go and speak to each company and take a copy of the Ordinance. He would also contact the traffic division and have them monitor the truck traffic on Derosse Avenue and check the signage.

Vincent Squire of Rogers Avenue stated that he has submitted a petition to use the field for a cultural event several times and that the Director for Parks & Recreation keeps turning it down. He commented that he's asked for an additional parking plan but he doesn't understand why, when there is parking available. He also stated "I've had to change the date several times now"

When asked the date for the event and number of people; Mr. Squire replied April with about 100 guests.

Mr. Kneib was asked to look into it.

No others wished to comment.

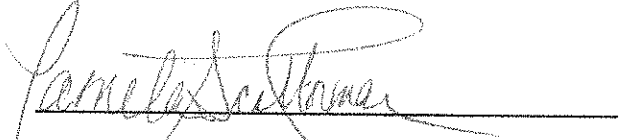
Deputy Mayor Taylor moved a motion to close the floor for public comment
Committeeman DiBattista seconded the motion
An affirmative 5/0 voice vote was recorded

ADJOURNMENT

Deputy Mayor Taylor moved a motion to adjourn
Committeeman DiBattista seconded the motion
An affirmative 5/0 voice vote was recorded

Meeting adjourned at 6:10 pm

Respectfully submitted



Pamela Scott-Forman
Deputy Clerk

MINUTES APPROVED: MARCH 7, 2019