

**MINUTES
TOWNSHIP OF PENNSAUKEN
PENNSAUKEN TOWNSHIP COMMITTEE
REGULAR BUSINESS MEETING
MAY 25, 2011 (5:30 PM)**

The Regular Business Meeting of the Pennsauken Township Committee was held on Wednesday, May 25, 2011 in the Public Meeting Room at the Pennsauken Township Municipal Building, 5605 N. Crescent Blvd. Pennsauken, NJ 08110.

The Regular Business Meeting came to order at 5:30 PM.

On roll call were;

Committeeman John Figueroa
Committeeman John Kneib
Committeeman Bill Orth
Committeeman Rick Taylor
Mayor Jack Killion

Also present were Township Administrator Ed Grochowski, Michael Joyce, Municipal Attorney and Township Clerk, Gene Padalino.

There was the Salute to the Flag and a Moment of Silence.

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

APPROVAL OF MINUTES

Agenda/Conference Meeting-April 6, 2011
Agenda/Conference Meeting-April 13, 2011

Motion To Approve:Kneib Second:Figueroa All Aye on Voice Vote, None Opposed.

BIDS OPENED:

2011 POLICE UNIFORMS BP# 11-10 OPENED MAY 12, 2011 @
10:30 AM

Motion:Figueroa Second:Taylor
All Aye on Voice Vote, None Opposed

COMMENTS FROM TOWNSHIP COMMITTEE-None

ORDINANCES:None

**RESOLUTIONS - (PUBLIC MAY COMMENT) The Following
Resolution(s) Will Be Considered Individually
2011:173**

RESOLUTION ACCEPTING, REJECTING, AND AWARDING BIDS FOR THE
2011 CONCRETE REPAIR PROGRAM BID PACKET NO. 11-08

WHEREAS, bids were received and opened for the 2011 Concrete Repair
Program on March 30, 2011; and

WHEREAS, the Township Engineer reviewed the bids submitted and determined that the apparent
low bidder, L.G.P. Contracting, had failed to provide sufficient evidence in its bid that the company was
qualified to carry out the obligations of the contract; and

WHEREAS, the Township duly notified L.G.P. Contracting by certified letter dated April 26,
2011, of the intent to reject the bid submitted, and invited said contractor to appear before Township
Committee to address specific deficiencies identified in its bid; and

WHEREAS, pursuant to N.J.S.A. 40A:11-2, a public hearing was held on

PAGE TWO
MINUTES
REGULAR BUSINESS MEETING
MAY 25, 2011 (5:30 PM)

May 11, 2011, at which time testimony was presented by the township engineer and Mr. Lawrence Paynter, owner of L.G.P. Contracting, and

WHEREAS, the Township Committee upon hearing the testimony, concluded that L.G.P. Contracting presented no documents or testimony that would show good cause as to why its bid should not be rejected by the Township of Pennsauken.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden and State of New Jersey that the bid submitted by L.G.P. Contracting is hereby rejected for having failed to demonstrate that it is the lowest responsible bidder in accordance with N.J.S.A. 40A:11-2.

BE IT FURTHER RESOLVED that it is in the best interest of the Township to award the contract for the 2011 Concrete Repair Program to the second low bidder, Ocean Excavating, Inc., 2127 Eisenhower Rd., Toms River, New Jersey 08753 subject to the approval of the Camden County Community Development Office.

BE IT FURTHER RESOLVED that Ocean Excavating Inc. will perform work under this contract at the unit prices stipulated in the bid proposal for a period of one (1) year from the date of the contract with the total amount of the contract not to exceed the certificate of reasonable value.

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.

Motion To Adopt:Figuroa Second:Taylor

Lonnie Monaco-4118 Homestead Ave. Was it given to second low bidder?

Mayor Killion said it will be voted on tonight.

Roll Call Vote:

Figuroa:Aye Kneib:Aye Orth:Aye Taylor:Aye
Killion:Aye

MOTION CARRIED RESOLUTION ADOPTED

2011:174

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN, IN THE COUNTY OF CAMDEN, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF TAX ANTICIPATION NOTES OF THE TOWNSHIP OF PENNSAUKEN IN THE PRINCIPAL AMOUNT OF UP TO \$8,000,000; MAKING CERTAIN COVENANTS TO EFFECT AND MAINTAIN THE EXEMPTION OF INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

WHEREAS, the Township of Pennsauken, in the County of Camden, New Jersey ("Township") is authorized, pursuant to Section 64 of the Local Budget Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Budget Law"), N.J.S.A. 40A:4-64, to borrow money in any fiscal year through the issuance of its negotiable notes in anticipation of the receipt by the Township of taxes and other revenues for such fiscal year; and

WHEREAS, the cash flow forecast prepared with respect to the budget requirements of the Township, a copy of which is attached hereto as Exhibit "A" and made a part hereof, indicates that the Township will experience a cash flow deficit pending the receipt of taxes and other revenues; and

WHEREAS, the Township desires to authorize the issuance and sale of tax anticipation notes of the Township to provide funds necessary to meet the projected cash flow deficit.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN, IN THE COUNTY OF CAMDEN, NEW JERSEY (NOTH LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

PAGE THREE
MINUTES
REGULAR BUSINESS MEETING
MAY 25, 2011 (5:30 PM)

Section 1. The estimate of taxes and other revenues of the Township to be received and the expenditures to be made, as presented to this meeting, is hereby accepted.

Section 2. In accordance with Section 66 of the Local Budget Law, *N.J.S.A.40A:4-66*, the Chief Financial Officer has certified that the net borrowing power of the Township is \$27,152,216.63. The Chief Financial Officer's certification, a copy of which is attached hereto as Exhibit "B" and made a part hereof as if set forth at length herein, has been filed in the office of the Township Clerk as required by Section 66 of the Local Budget Law, *N.J.S.A. 40A:4-66*.

Section 3. Pursuant to the Local Budget Law, the issuance of up to \$8,000,000, principal amount, of tax anticipation notes of the Township, is hereby authorized and approved ("Notes").

Section 4. Each Note to be issued hereunder shall be designated "Tax Anticipation Note of 2011, Series A", shall refer by date of adoption to the resolution pursuant to which it is issued, shall recite that it is issued in anticipation of the collection of taxes, shall be dated the date of delivery thereof, shall mature within 120 days of the end of the current fiscal year, shall not be subject to redemption prior to maturity, shall be in the denomination of \$100,000 or more, and shall be in the form permitted by the Local Budget Law and as Bond Counsel shall approve.

Section 5. The Chief Financial Officer, with the assistance of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes, at public or private sale, in such amount as may be determined, at a price not less than par, plus accrued interest, and to deliver the same to the purchaser thereof, upon receipt of the purchase price for the Notes.

Section 6. The Notes shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and the corporate seal of the Township shall be affixed, imprinted or reproduced thereon, and attested by the manual signature of the Township Clerk.

Section 7. The proceeds from the sale of the Notes shall be applied only to the purposes provided for in the Township's current budget or for which taxes are levied or to be levied for the current fiscal year and shall not be applied to any other purpose.

Section 8. The power and obligation of the Township to pay the principal of and interest on the Notes shall be unlimited, and the Township, to the extent payment is not otherwise paid is obligated to levy *ad valorem* taxes upon all taxable real property within the Township for the payment of the principal of and interest on the Notes without limitation as to rate or amount.

Section 9. The Chief Financial Officer is hereby authorized and directed to report, in writing, to the Township Committee at the meeting next succeeding the date of the sale of the Notes, the amount, description, interest rate, maturity date of the Notes sold, the price obtained and the name of the purchaser of the Notes.

Section 10. The Township hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 11. The Township hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 12. To the extent not otherwise exempt, the Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.148-11A, 1.149(b)-1, 1.149(d)-1, 1.149(d)-1A, 1.149(g)-1, 1.150-1, 1.150-1A and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 13. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 14. The Mayor, Chief Financial Officer and Township Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes

not determined or otherwise directed to be executed by the Local Budget Law, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 15. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 16. This Resolution shall take effect immediately upon adoption this 25th day of May, 2011.

Motion To Adopt:Kneib Second:Figueroa

Joanne Young- 6582 Park Ave. Asked what this meant
Administrator Grochowski said the Township needs to borrow

PAGE FOUR
MINUTES
REGULAR BUSINESS MEETING
MAY 25, 2011 (5:30 PM)

money to cover expenses, because waiting for tax payment to be received . The term of the note is for 90 days and then it is paid off.

Roll Call Vote:

Figueroa:Aye Kneib:Aye Orth:Aye Taylor:Aye
Killion:Aye

MOTION CARRIED RESOLUTION ADOPTED

2011:175

RESOLUTION AUTHORIZING THE AWARD OF SPECIALIZED POLICE ACCREDITATION CONSULTING SERVICES - THE RODGERS GROUP, LLC. WHEREAS, the Township Committee has a need to acquire Specialized Services to assist in securing New Jersey State Association of Chiefs of Police Accreditation for the Township of Pennsauken Police Department as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Frank E. Rodgers, THE RODGERS GROUP, LLC has submitted a proposal indicating they having the skill and expertise to provide such services; and

WHEREAS, Frank E. Rodgers has completed and submitted a Business Entity Disclosure Certification which certifies that RODGERS GROUP LLC has not made any reportable contributions to a political or candidate committee in the Township of Pennsauken in the previous one year, and that the contract will prohibit THE RODGERS GROUP from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Pennsauken hereby authorizes the Township Administrator to execute a contract with THE RODGERS GROUP, LLC as described herein for an amount not to exceed \$39,000 for the period of one year; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a notice of this action shall be published in the Retrospect as required by law within ten (10) days of its passage.

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.

Motion To Adopt:Figueroa Second:Taylor

Roll Call Vote:

Figueroa:Aye Kneib:Aye Orth:Aye Taylor:Aye
Killion:Aye

MOTION CARRIED RESOLUTION ADOPTED

RESOLUTIONS (PUBLIC MAY COMMENT) -The Following Resolution(s) will be considered and adopted by consent agenda.

2011:176

RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE (**Friends of The Pennsauken Free Public Library**)

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:

Name: Friends of the Pennsauken Free Public Library
Address:5605 N. Crescent Blvd. Pennsauken, NJ 08110
Where Event Is Being Held: Same as Above
Date of Event: October 23, 2011
Township License #: R11.15
State Registration ID 384-5-33346

PAGE FIVE
MINUTES
REGULAR BUSINESS MEETING
MAY 25, 2011 (5:30 PM)

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).

2011:177

RESOLUTION APPROVING REFUND OF PROPERTY TAXES FOR YEARS 2011

WHEREAS, THE TAX COLLECTOR OF THE TOWNSHIP OF PENNSAUKEN HAS COLLECTED FROM THE FOLLOWING LIST, EXCESS PAYMENT ON THE PROPERTY TAXES WHICH CREATED AN OVERPAYMENT; AND

WHEREAS, THE TAX COLLECTOR OF THE TOWNSHIP OF PENNSAUKEN HAS DETERMINED THAT A REFUND OF PROPERTY TAXES SHOULD BE EXECUTED AS INDICATED ON THE FOLLOWING LIST:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN OF THE STATE OF NEW JERSEY, THAT THE FOLLOWING AMOUNTS BE REFUNDED, BEING THAT THE TAXES ARE CURRENT, NO TAXES ARE DUE AND OWING.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	
1803	3	WAREHOUSE INVESTMENTS ASSOCS AMBLER, PA 19002 (REF: NEW BILL / OVERPAYMENT)	8,061.44	P.O. BOX 128
1905	12	WAREHOUSE INVESTMENTS ASSOCS P.O. BOX 128 AMBLER, PA 19002 (REF: NEW BILL / OVERPAYMENT)	14,061.24	

BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION IS FORWARDED TO THE TAX COLLECTOR AND THE CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF PENNSAUKEN.

2011:178

RESOLUTION EXTENDING USED CAR LICENSE UNTIL JUNE 30, 2011
(U.S. Auto Auction)

BE IT RESOLVED, by the Township Committee of the Township of Pennsauken that the following Used Car Licenses be extended until June 30, 2011.

U.S. AUTO AUCTION
4106 MARLTON PIKE
PENNSAUKEN, N.J. 08110

The following condition was imposed there will be no inventory stored on the outside parking lot, except for the three (3) cars used for display For the conditions imposed on the following license refer to resolution no. Z-2005-8

Lonnie Monaco- 4118 Homestead Ave, asked about resolution for the refund on property taxes, how much was it? Mr. Grochowski said it was to refund excess property taxes to certain business.

Mr.Monaco was provided with a copy of said resolution.

Motion To Adopt:Taylor Second:Figueroa
Roll Call Vote:
Figueroa:Aye Kneib:Aye Orth:Aye Taylor:Aye
Killion:Aye

MOTION CARRIED RESOLUTIONS ADOPTED

PAGE SIX
MINUTES
REGULAR BUSINESS MEETING
MAY 25, 2011 (5:30 PM)

DEPARTMENT REPORTS-

The Township Clerk said that there were Department Reports from the Library, Police Department and Tax Collector.

Motion:Kneib Second:Taylor All Aye on Voice Vote, None Opposed.

PAYMENT OF BILLS-The Township Clerk said that there were no bills.

PROCLAMATION-KURT SCHMIDT-SPECIAL OLYMPICS

Mayor Killion read and presented proclamation to Kurt Schmidt.

PUBLIC COMMENT

Jodi Austin- 3443 Howard Ave. Stated that she was present to discuss the vacant home located at 3453 Howard Ave. She said that it is a public safety hazard has been vacant for 8 years and there are rodent issues. She also presented a petition signed by neighbors complaining about this property.

Administrator Grochowski said that this is a property owned by Mr. Todd that it was anticipated that the Township is going to acquire the property and make settlement on this July 28th. The Township will be taking over the four properties owned by Mr. Todd. The Township will take a review to see how bad and may have to be taken down.

Mayor Killion said that perhaps we take a look at this property now.

Lonnie Monaco- 4118 Homestead Ave.said that the Pit is not being mowed as often.

Mr. Martz- 3922 New Jersey Ave., the Parks and Recreation Director, said that it hasn't been mowed because of rain and Public Works is behind and they will be there this week. He also said that here are changes to be made at that location.

Mr. Monaco-asked about the field at this location.

Mr. Martz-said that the Township received a Green Acres Grant for \$ 900,000. It is to be a synthetic turf multi-purpose use field. It will be scheduled to start sometime in August.

The Township will be removing fencing. There will be a walk path and a lot less fencing after this. The NJDEP provided the money. The Township applied for the grant about a year an half ago. There was a team of people at the Township who work on the grant applications.

Mr. Grochowski said that no municipal dollars are being used.

Joanne Young- 6582 Park Ave. asked if the is area is going to be fenced off?

PAGE SEVEN
MINUTES
REGULAR BUSINESS MEETING
MAY 25, 2011 (5:30 PM)

Mr. Martz stated that the only thing to be fenced off is the football field, everything else open.

Mr. Grochowski said will also do storm drainage.

Mr. Martz said that there are two phases to this project.

Motion To Close Public Portion: Taylor Second: Kneib
All Aye on Voice Vote, None Opposed.

Motion Carried

FIRE DEPARTMENT APPOINTMENTS

Mayor Killion administered oaths to the following;

Oath of Office for Battalion Fire Chief

William C. Hertline, III

John A. Stiedler

Michael T. DiSanti

Chief Palumbo said that this is a historic moment. The management has changed and have modified practices. For first time overall management is now under the control of the municipality. Appointed three Battalion Fire Chiefs and they make up balance of command staff and deal with operational control. They serve as fire ground commanders. The Captains to be sworn in next will supervise deployment of personnel and apparatus in fire stations.

Oath of Office for Captain

William H. Stow, Sr. - Fire Station 1

Gary R. Burgin - Fire Station 2

Jean-Marc Fabrizio - Fire Station 3

Ryan M. Magee - Fire Station 4

Joseph H. Lipka - Fire Station 5

MOTHER AND FATHERS DAY ESSAY CONTEST WINNERS

Mr. Elwood Martz and Mayor Killion presented Youth Action Committee contest winners from grades 3,4, and 5 in Pennsauken Schools.

Mr. Martz said that there are about 300 entries every year.

The Mother's Day Contest winners were presented first. The following received commendation and essays were read;

Dariana Medina-fifth grade at Pennsauken Intermediate School

Jamil Morris-Pennsauken Intermediate School

Rosalina DelCarpio- was not present

The Fathers Day awards were presented next to the following;

Nyla Naa'lir Nasir-3rd grade, Carson School

Mariah C. Gordian- Pennsauken Intermediate School

Kaitlyn McGowan- Pennsauken Intermediate School

COMMITTEE REPORTS-none

PAGE EIGHT
MINUTES
REGULAR BUSINESS MEETING
MAY 25, 2011 (5:30 PM)

**RESOLUTIONS - (PUBLIC MAY COMMENT) The Following
Resolution(s) Will Be Considered Individually**

2011:179

RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN TO PERMIT THE
TOWNSHIP COMMITTEE TO GO INTO CLOSED SESSION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits
the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Governing Body is of the opinion that such circumstances
presently exist; and

WHEREAS, the Governing Body wishes to discuss :

Matters of contract negotiations, personnel and potential litigation.

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires
that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the Township Committee will
meet in Closed Session.

The Township Clerk said that the Township Committee was
going into closed session for contract negotiations and
personnel matters.

Motion To Adopt: Taylor Second: Kneib

Roll Call Vote:

Figueroa: Aye Kneib: Aye Orth: Aye Taylor: Aye

Killion: Aye

Motion Carried: Resolution Adopted

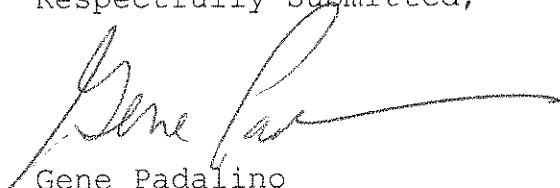
The Township Committee went to the Caucus Room for closed
session at 6:26 PM.

The Township Committee came back into open session in the
Caucus Room at 8:06 PM.

The Township Committee adjourned on a motion by
Committeeman Figueroa and seconded by Committeeman Orth.
All Aye to Adjourn on Voice Vote, None Opposed.

The Regular Business Meeting adjourned at 8:07 PM.

Respectfully Submitted,



Gene Padalino
Township Clerk

MINUTES APPROVED: JULY 13, 2011