

**MINUTES
TOWNSHIP OF PENNSAUKEN
PUBLIC COMMITTEE MEETING
July 1, 2021**

Pennsauken Township Public Committee Meeting was held at our Municipal Building located at 5605 N. Crescent Blvd Pennsauken, NJ 08110 on Thursday July 1, 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 complies with the "Senator Byron M. Baer Open Public Meetings Act".

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

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

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

There was no special request for electronic participation in the meeting.

NOTE: Meeting was streamed live on YouTube.

APPROVAL OF MINUTES

Regular meeting minutes June 17, 2021

Closed session June 17, 2021

Committeewoman Roberts moved the motion to approve meeting minutes.

Deputy Rafeh seconded the motion.

An affirmative 5/0 voice vote was recorded.

PROCLAMATIONS / AWARDS / MAYORAL APPOINTMENT

Pennsauken Public Works Department was recognized for an outstanding job assisting with trash collection.

BIDS OPENED - NONE

ORDINANCES: SECOND READING (PUBLIC MAY COMMENT) - NONE

ORDINANCES: FIRST READING - (NO PUBLIC COMMENT)

2021:18 CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to

1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Pennsauken in the County of Camden finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens: and

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 820,698.50 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary: and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2021 Municipal Budget, the final appropriations of the Township of Pennsauken shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$ 1,148,977.90, and that the CY 2021 municipal budget for the Township of Pennsauken be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years: and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction: and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

FIRST READING: JULY 1, 2021

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

2021:19 AN ORDINANCE OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AMENDING CHAPTER 226 PARKS AND PLAYGROUNDS OF THE CODE OF THE TOWNSHIP OF PENNSAUKEN

WHEREAS, the Township Committee of the Township of Pennsauken has adopted Chapter 226) Parks and Playgrounds to establish Rules and Regulations for the use and operation of its parks and playgrounds within the Township of Pennsauken; and

WHEREAS, the Township of the Township of Pennsauken desires to amend Chapter 226 Parks and Playgrounds, in accordance with the provisions set forth below.

NOW THEREFORE BE IT ORDAINED that Chapter 226 Parks and Playgrounds is hereby amended in accordance with the following:

Amendments to Ordinance 226-14A (2) Parks and Playgrounds (Changes are in bold.)

Section 226-14. Classes of use and fees.
A. Class I

2. Pennsauken Youth Athletic **Activities (PYAA), Merchantville/Pennsauken Little League and Softball, Pennsauken Youth Soccer Club** shall be given priority for use of **their one designated Township facility and/or field** with its Pennsauken/Merchantville resident youth programs. **These Township Youth Organizations can make application through the Pennsauken Parks & Recreation Department for additional field use based upon availability.**

BE IT FURTHER ORDAINED THAT, any provisions of Chapter 226 Parks and Playgrounds not specifically changed hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED THAT, all ordinances, or parts of any ordinance inconsistent with the provisions of the ordinance are hereby repealed.

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) The Following Resolution(s) will be considered individually And Read by Title Only

2021:208

RESOLUTION AUTHORIZING THE 2021 GARBAGE DISTRICT BUDGET TO BE * READ BY TITLE ONLY – INTRODUCTION

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

2021:209

RESOLUTION INTRODUCING THE 2021 PENNSAUKEN TOWNSHIP MUNICIPAL -*TO BE READ BY TITLE ONLY – INTRODUCTION

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 individually

2021:210

RESOLUTION TO ANTICIPATE MISCELLANEOUS REVENUES IN THE 2021 BUDGET USING THE THREE-YEAR AVERAGE OF REALIZED REVENUES FROM THE PRIOR THREE YEARS

WHEREAS, the COVID-19 pandemic had an adverse effect on the anticipated municipal revenues in the 2020 Township of Pennsauken’s municipal budget: and

WHEREAS, Section 1 of P.L. 2020, c.74 amended N.J.S.A 40A:4-26 authorized the Director of the Division of Local Government Services (“Division”) to promulgate new standards for the anticipation of COVID-19 affected revenues in the FY 2021 budget, and, if necessary, in future years; and

WHEREAS, for FY 2021, the Director authorizes the use of a three-year average for the calculation of affected revenues; and

WHEREAS, the Chief Financial Officer of the Township of Pennsauken, certifies that the following revenues were affected in 2020 by the COVID-19 pandemic and that the 3-year average of the amounts realized in 2018-2020 be anticipated in the introduced budget for 2021.

Revenue Category	2018	2019	2020	Average
Licenses - Alcoholic Beverages	\$61,300.00	\$61,700.00	\$58,400.00	\$60,466.66
Licenses - Other	\$26,647.00	\$26,406.00	\$20,246.00	\$24,433.00
Fees and Permits	\$1,644,887.49	\$1,663,933.06	\$1,509,836.99	\$1,606,219.18
Swimming Pool Admissions	\$72,845.00	\$79,076.00	\$44,613.00	\$65,511.33

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey that the above referenced revenues be anticipated using the 3-year average as permitted by the amendments to 40A: 4-26, adopted by the P.L. 2020, c. 74.

Motion To Adopt:

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

No Public Wished To Comment

2021:211

TOWNSHIP OF PENNSAUKEN RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE AND MORTGAGE ASSUMPTION AT PROPERTY LOCATED AT 809 HYLTON ROAD IN THE TOWNSHIP OF PENNSAUKEN, STATE OF NEW JERSEY. BLOCK 251B, LOTS 17 AND 18 (NOW KNOWN AS BLOCK 1906, LOT 2

WHEREAS, on or about November 28, 1980, the Township of Pennsauken granted a purchase money mortgage to Gerald and Sandra Shreiber, husband, and wife, for the property located at 809 Hylton Road, also known as Block 251B, Lots 17 and 18; and

WHEREAS, this mortgage facilitated the revitalization of the property; and

WHEREAS, on or about December 17, 1980, this mortgage was recorded in the Camden County Clerk’s office at Book: 2582, beginning on Page: 614; and

WHEREAS, on or about September 6, 1983, the property was sold by Gerald and Sandra Shreiber to Saverio LaCroce. Pursuant to the sale, the mortgage was assumed by Saverio LaCroce. This Assumption of Mortgage was recorded at the Camden County Clerk's Office, Book: 2748, beginning at Page: 672; and

WHEREAS, this mortgage and assumption have been satisfied; and

WHEREAS, the present owner Saverio LaCroce now seeks to sell the properties free and clear of any mortgages. Having performed a title search on the properties it was determined that these 2 mortgages were never marked discharged and satisfied.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the Mortgage and Mortgage Assumption with the Township of Pennsauken referenced above are hereby marked as discharged and satisfied. The Township Administrator and/or Mayor are authorized to execute such documents as may be necessary to discharge said mortgage and mortgage assumption.

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>			√			

Public Comment

Ellen McMullen from Palace Ct - Questioned if the Twp was the owners for these properties. Administrator Killion replied that the properties were privately owned.

2021:212

TOWNSHIP OF PENNSAUKEN RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE AT PROPERTY LOCATED AT 815 HYLTON ROAD IN THE TOWNSHIP OF PENNSAUKEN, STATE OF NEW JERSEY BLOCK: 251B, LOT: 10 (NOW KNOW AS BLOCK: 1906, LOT: 4)

WHEREAS, on or about December 26, 1979, the Township of Pennsauken granted a purchase money mortgage to Saverio LaCroce, for the property located at 815 Hylton Road, also known as Block: 251B, Lot: 10; and

WHEREAS, this mortgage facilitated the revitalization of the Property; and

WHEREAS, on or about January 2, 1980, this mortgage was recorded in the Camden County Clerk’s office at Book: 2525, beginning on Page: 485; and

WHEREAS, this mortgage has been satisfied; and

WHEREAS, the owner Saverio LaCroce now seeks to sell the properties, free and clear of any mortgage. Having performed a title search on the property it was determined that this mortgage was never marked discharged and satisfied.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the mortgage by and between the Township of Pennsauken and Saverio LaCroce is hereby marked as discharged and satisfied. The Township Administrator and/or Mayor are authorized to execute such documents as may be necessary to discharge said mortgage.

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

2021:213

RESOLUTION GRANTING RELEASE OF A PERFORMANCE BOND IN THE AMOUNT OF SEVENTEEN THOUSAND, THREE HUNDRED AND SIXTY DOLLARS AND FORTY CENTS (\$17,360.40) TO PENNSAUKEN PARTNERS LLC. LOCATED AT CRESCENT BLVD (NJSH RT. 130) AND N PARK DR (CR 628), BLOCK 6402, LOT 11

WHEREAS, Pennsauken Partners LLC has requested the release of a Performance Bond being held by the Township of Pennsauken for site Improvement costs at the premises located at Crescent Blvd (NJSH RT. 130) and N Park Dr. (CR 628) known as Block 6402, Lot 11; and

WHEREAS, the Planning Board Engineer has inspected the site and has found the work performed satisfactory and in substantial conformance with the approved plan, and has recommended the release of the performance bond; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey agrees to release the Performance Bond in the amount of Seventeen Thousand, Three Hundred and Sixty Dollars and Forty Cents (\$17,360.40) to Pennsauken Partners LLC. The Release of the Performance Bond is contingent on the receipt of a maintenance bond in the amount of \$5,970.30.

NOW, BE IT RESOLVED, that the municipal clerk is authorized and directed to forward a certified copy of this resolution to the Planning & Zoning Office and to Pennsauken Partners LLC 701 East Rt. 70 Marlton, NJ 08053.

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

2021:214

RESOLUTION AUTHORIZING TEMPORARY USE AGREEMENT WITH THE PENNSAUKEN TOWNSHIP BOARD OF EDUCATION FOR TRASH TRUCK

WHEREAS, the Pennsauken Board of Education is the owner of a 2000 Peterbuilt Trash Truck Model 330; and

WHEREAS, the Township of Pennsauken is in need of the temporary use of the trash truck for various municipal related services and projects; and

WHEREAS, it is in the best interest to the Township and the residents of Pennsauken for the Township to temporarily use the trash truck as it will provide an overall cost savings to the Township; and

WHEREAS, the Parties desire those certain obligations associated with said temporary use of the trash truck be set forth in a Temporary Use Agreement a copy of which is attached hereto; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey, on this 1st day of July 2021 that:

1. The Mayor and Township Administrator are hereby authorized to enter into and execute the Temporary Use Agreement with the Pennsauken Board of Education for the temporary use of the trash truck and in a form substantially consistent with the attached.
2. A certified true copy of this Resolution shall be filed by the Township Clerk.

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

2021:215

RESOLUTION FOR UNPAID MUNICIPAL CHARGES FOR EXAMPLE BUT NOT LIMITED TO GRASSCUTTING, CLEAN-UP AND BOARD-UP; ESTABLISH A FINAL BILLING; IMPOSE MUNICIPAL ASSESSMENTS; ENFORCE THROUGH TAX SALE; AND IMPOSE MUNICIPAL LIENS.

WHEREAS, The Township of Pennsauken has incurred an expense in the year(s) 2021 against various properties within the Township for failure of the property owner to comply with Municipal Ordinances concerning the condition of their property, and;

WHEREAS, The Township is empowered under N.J.S.A. 40:48-2.13; N.J.S.A. 40:48-2.14; AND, N.J.S.A. 40:48-2.5(F)(2), to impose a Lien for the recovery of those monies expended by the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey, that the attached list of properties designated by Block and Lot number, the owner of record and mailing address of record. The amount listed constitutes a demand by the Township for payment by the property owner for the cost incurred by the Municipality.

BE IT FURTHER RESOLVED, if payment for the Municipal assessment is not received in full to the Township of Pennsauken, C/O Danielle Lippincott, Tax Collector, 5605 North Crescent Boulevard, Pennsauken, New Jersey 08110 that the Municipal Assessment will be enforced by Tax Sale, becoming a Municipal Lien in accordance with New Jersey State Statute.

BE IT FURTHER RESOLVED, certified copies of this resolution will be forwarded to the Tax Collector and the Chief Financial Officer by the Township Clerk

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 - NONE

CONFERENCE ITEMS / ITEM OF DISCUSSION

Economic Development - Larry Cardwell

5051 Westfield Ave – The leased property is 1,545 square feet located in the Westfield Avenue Redevelopment Zone at the corner of Westfield & Lexington Ave. This application is for a change of tenant at the existing Mini-market grocery store. The new tenant would like to add a kitchen to provide prepared items. The hours of operation are 7 days a week, the hours are 8am – 10pm Monday thru Sunday. There are 5 off-street parking spaces behind the store one of which is ADA compliant.

- Committee agreed on moving forward.

Items for Discussion

4801 North Crescent Blvd (Block:4812 Lot:6) - Radio station

4817 North Crescent Blvd (Block:4812 Lot:6) this property is next to the Burger King.

- Committee agreed on moving forward.

5105 North Park Drive - Assisted living this property is located next to Riverfront Rehab. (The development team will make a presentation with a rendering)

- Presentation was conducted and Committee was able to learn more about the Riverfront Rehab proposal.

PAYMENT OF BILLS - NONE

DEPARTMENT REPORT(s) - NONE

PUBLIC COMMENT

Ellen McMullen from (Palace Ct) Questioned why committee was not providing Covid-19 updates as they were throughout our Zoom meetings. Also, mentioned she was concerned with vaccination percentage in Pennsauken. Mayor DiBattista stated that the County was not relaying numbers to him as they were before due to a decrease in cases and that everyone that wanted to be vaccinated has been and if they have any questions on location, they can call us here at the office and we can direct them to a location. But he assured her that we will look into Pennsauken numbers and provide her with the information.

Deputy Mayor Rafeh moved the motion to close public hearing.
Committeewoman Roberts seconded the motion.
An affirmative 5/0 voice vote was recorded.

COMMITTEE COMMENTS

Mayor DiBattista

- Thanked everyone one was present and everyone who was watching us Live on YouTube.

- We are very grateful to the Public Works for all that they have done to keep this town clean and get us through a tough few weeks with trash delays. We appreciate your dedication and hard work.
- It is Fourth of July weekend and I wish you all a safe and happy holiday.

Deputy Mayor Rafeh

- Thanked everyone for coming in and joining us on Live on YouTube.
- Thank you, Public Works, for all you have done and continue to do. I know it was tough for you guys, but you got the job done for our Residents.
- We now have an Instagram page for our Economic Development department [Pennsauken.ec.dev](https://www.pennsauken.ec.dev) where we can showcase what Pennsauken has to offer.
- A survey for our Residents will be available soon to get your input on the redesign of the Pennsauken website.
- Please keep in mind our “fury friends” during this time of celebration with fireworks going off.
- Stay safe and have a great Holiday weekend.

Committeewoman Roberts

- Thank you, Public Works, for all the hard work and long hours you have put in.
- Please support our Lemonade for Change on July 11th it is a drive thru event. Come out and get refreshments.
- Please stay safe and enjoy your Holiday weekend.

Committeeman Martinez

- Thank you to Public Works for all the hard work and long hours. On top of it all you guys kept all the fields up to date and back to what they should look. I know it was not an easy task and I thank you all.
- Pennsauken Twp has not held a District game in 15 years and now they were back in town. Very proud of this and very excited for the kids.
- Please stay safe and enjoy your Holiday weekend.

Committeeman Olivo

- Thank You to Public Works for an amazing job well done for our residents.
- Pennsauken JR Police Academy will be running from July 12- July 16.
- Please continue to stay safe and enjoy your Holiday weekend.

ADJOURNMENT

Committeewoman Roberts moved the motion to Adjourn.

Deputy Mayor Rafeh seconded the motion.

An affirmative 5/0 voice vote was recorded.

TIME: 7:00 pm.

Respectfully Submitted,

Deputy Clerk, Ana Matos