

MINUTES
TOWNSHIP OF PENNSAUKEN
TOWNSHIP COMMITTEE MEETING
March 5, 2020

The Committee Meeting of the Pennsauken Township Committee was held in the caucus room at the Pennsauken Municipal Building: 5605 N. Crescent Blvd., Pennsauken, NJ 08110 on Thursday, March 5, 2020.

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

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

There had been no special request for electronic participation in the meeting.

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

PRESENT: Committeeman Dyer, Committeewoman McBride, Committeewoman Rafeh, Deputy Mayor DiBattista and Mayor Killion

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

BIDS OPENED - BID #20-01 Delaware Gardens Park – opened February 19, 2020 @10:00 am.

Committeeman DiBattista moved the motion
Committeeman Dyer seconded the motion
An affirmative voice vote was recorded

ORDINANCES: SECOND READING

2020:03 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 \$3,276,410 THEREFORE; 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 \$2,736,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Ellyn McMullen of Palace Court questioned if the \$500,000 would be seen in the final budget.

Administrator Palumbo replied yes

Committeewoman Rafeh moved the motion
Committeeman Dyer seconded the motion
An affirmative roll call vote was recorded (Motion carried)

2020:04 ORDINANCE AMENDING CHAPTER 111, "BRUSH, GRASS, WEEDS, TRASH, DEBRIS, AND STAGNANT WATER", OF THE CODE OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, STATE OF NEW JERSEY

Committeewoman McBride moved the motion
Committeeman DiBattista seconded the motion

An affirmative roll call vote was recorded (Motion carried)

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

2020:119 RESOLUTION ACCEPTING, REJECTING, AND AWARDING BIDS FOR RECONSTRUCTION OF DELAWARE GARDENS PARK.

WHEREAS, the Township of Pennsauken received bids on February 19, 2020 for the reconstruction of Delaware Gardens Park, and

WHEREAS, Command Company, Inc.'s base bid was \$711,711.00 and was within the project budget, and

NOW, THEREFORE, BE IT RESOLVED, that Command Company, Inc.is awarded the contract for the reconstruction of the Delaware Gardens Park project in the amount of \$711,711.00

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded by the Township Clerk to:

Administrator	Joseph Palumbo
CFO	Ron Crane
Purchasing	Adrian Casey
Director of Recreation	Elwood Martz
Engineer	T & M Engineering

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>	√		√			
<i>Rafeh</i>		√	√			
<i>DiBattista</i>			√			
<i>Killion</i>			√			

2020:120 RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN, AUTHORIZING AN EXTENSION OF CONTRACT WITH DM MEDICAL BILLINGS

WHEREAS, the Township of Pennsauken (“Township”) had publicly advertised for bids for the performance of billing and accounts receivable for EMS services pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, DM Medical Billings (“DM”), was awarded the contract for such services as the successful bidder; and

WHEREAS, the contract was for a term of one year commencing 3/15/2017 to 3/14/2018, and two one year extensions through mutual agreement, which was agreed to by the parties so that the termination date is 3/14/2020; and

WHEREAS, the Township is in the process of preparing and rebidding for the service, with a scheduled award of contract on April 9, 2020; and

WHEREAS, the Township is desirous to have DM continue such service on the

same terms and conditions as set forth in the contract to allow for the continuity of the service to April 16, 2020; and

WHEREAS, DM has agreed to continue the service on the same terms and conditions as set forth in the contract.

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

1. The contract between the Township and DM to provide medical billing service for the Pennsauken EMS is extended to April 16, 2020, on the same terms and conditions as contained in the existing contract; and
2. The Mayor and/or Administrator and the Township Clerk are hereby authorized to execute an amendment to the contract subject to the same terms and conditions contained therein extending the termination date to April 16, 2020.

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>			√			
<i>Rafeh</i>		√	√			
<i>DiBattista</i>	√		√			
<i>Killion</i>			√			

2020:121 RESOLUTION GRANTING A PERSON TO PERSON TRANSFER OF PLENARY DETAIL DISTRIBUTION LICENSE # 0427-44-041-015 FROM MAANSHA, INC. TO JK LIQUORS, LLC

WHEREAS, JK Liquors, LLC. (the “Applicant”) has applied for a Person-to-Person transfer of Plenary Retail Distribution License 0427-44-041-015 now held by Maansha, Inc. located at 4950 Marlton Pike; 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 a background checks have been completed by the Pennsauken Police Department for the principal of the transferee, JK Liquors 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 Distribution License, License # 0427-44-041-015 be transferred to JK Liquors LLC **effective March 16, 2020.**

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

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>		√	√			
<i>McBride</i>	√		√			
<i>Rafeh</i>			√			
<i>DiBattista</i>			√			
<i>Killion</i>			√			

2020:122 RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN, AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF PENNSAUKEN AND QUENTIN GRIFFITH, III

WHEREAS, Quentin Griffith, III operated the Pro Shop at the Pennsauken Country Club; and

WHEREAS, during the course of operating the Pro Shop at the Pennsauken Country Club Griffith sold various Gift Certificates. Specifically, for the period of January 1, 2015 through and including December 31, 2019, the total sum of \$17,823.00 in gift certificates remain outstanding; and

WHEREAS, as of December 31, 2019, Mr. Griffith no longer operates the Pro Shop at the Pennsauken Country Club. As of January 1, 2020, the operation of the Pro Shop has been performed by the Township; and

WHEREAS, Griffith recognizes that the holders of the above noted Gift Certificates may wish to redeem them for goods, merchandise, golf cart rental or rounds of golf at the Pennsauken Country Club; and the Township will then need to expend public funds to allow redemption of said Gift Certificates; and

WHEREAS, Griffith has agreed to repay the funds totaling Seventeen Thousand Eight Hundred Twenty-Three Dollars and Zero Cents (\$17,823.00) in accordance with the provisions of a repayment Agreement.

WHEREAS, the Township of Pennsauken now seeks to enter a repayment Agreement with Quentin Griffith, III for the payment of said monies; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey on the 5th day of March, 2020, that:

1. The Mayor and Clerk are hereby authorized to execute the repayment Agreement in a form substantially consistent with the attached.
2. A certified true copy of this Resolution shall be filed by the Municipal Clerk.

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>			√			
<i>Rafeh</i>		√	√			
<i>DiBattista</i>	√		√			
<i>Killion</i>			√			

2020:123 RESOLUTION TO UTILIZE SOURCEWELL COOPERATIVE PRICING CONTRACT “ASPHALT RECYCLING, HOT BOX, & PATCHING EQUIPMENT” FOR A NEW AND UNUSED 4-TON FALCON RME ASPHALT HOT PATCHER DUMP TRAILER

WHEREAS, the Department of Public Works is in need of one (1) new and unused 4-ton hot patcher ;

WHEREAS, the Township has received an authorization to acquire products without the need of open competitive bidding pursuant to New Jersey Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and authorized by the State of New Jersey Purchase Bureau to participate in the Sourcwell Cooperative Purchasing Agreement; and

WHEREAS, per the requirements from the State of New Jersey to utilize the NJPA contracts, the Township advertised the “Intent to Purchase Under a National Cooperative Pricing Agreement” in the official newspaper and posted on the Township website for a ten (10) day comment period; and

WHEREAS, the Township wishes to utilize Sourcewell Contract #052417-FRM through McGrath Municipal Equipment, LLC PO Box 422, Springfield, NJ 07081-0422 (Authorized dealer for Flacon.), and;

WHEREAS, the Sourcewell contract expires October 2, 2021; and

WHEREAS, the availability of this contract best serves the needs of the Township and the Review Committee and the Purchasing Department recommends utilization of this contract; and

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 Township utilize the Sourcewell Contract #052417-FRM through McGrath Municipal Equipment, LLC PO Box 422, Springfield, NJ 07081-0422 for the Purchase of one (1) new and unused 4-ton hot patcher for the Department of Public Works in the amount of \$32,178.00.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the Mayor or his designee is authorized to execute such documents consistent with this Resolution and to take such other action on behalf of the Township in furtherance of this Resolution;

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>			√			
<i>Rafeh</i>		√	√			
<i>DiBattista</i>	√		√			
<i>Killion</i>			√			

2020:124 RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN, ACCEPTING DEED OF LAND FROM MERCHANTVILLE PENNSAUKEN WATER COMMISSION

RESOLUTION WAS TABLED TO THE MEETING OF MARCH 19TH

2020:125 RESOLUTION OF THE PENNSAUKEN TOWNSHIP COMMITTEE AUTHORIZING THE TERMINATION OF THE CONTRACT WITH JAN-PRO CLEANING SYSTEMS DATED JULY 16, 2018

WHEREAS, the Township of Pennsauken (“Township”) and Jan-Pro Cleaning Systems entered into a contract for the performance of janitorial services at various municipal locations; and

WHEREAS, pursuant to Paragraph “X Termination of Contract,” the Township may terminate the contract by giving written notice to Jan-Pro if they fail to fulfill their obligation under the contract to clean the municipal buildings in a proper manner; and

WHEREAS, the Township has documented Jan-Pro’s inadequate, or non-performance, and has notified Jan-Pro of such deficiencies on at least 19 occasions by e-mail; and

WHEREAS, “X Termination of Contract”, further that that the Township may terminate the contract without showing cause upon written notice.

NOW THEREFORE BE IT RESOLVED by the Pennsauken Township

Committee, that the Township Administrator or his designee shall give notice to Jan-Pro that their contract with Pennsauken Township is terminated effective April 10, 2020.

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>	√		√			
<i>McBride</i>			√			
<i>Rafeh</i>			√			
<i>DiBattista</i>		√	√			
<i>Killion</i>			√			

2020:126 RESOLUTION AUTHORIZING APPLICATION FOR PROJECT GRANT FUNDS UNDER NEW JERSEY LIBRARY CONSTRUCTION GRANT BOND

The Township of Pennsauken and the Pennsauken Free Public Library Board of Trustees hereby certify that permission has been granted to apply for the project entitled the New Jersey Library Construction Bond Act, in the amount of:

\$12,500,000.00

The filing of this application was authorized at the official meeting of the governing body of the Municipality/Library/Nonprofit Agency held on:

Township of Pennsauken on March 5, 2020 and by the Pennsauken Free Public Library Board of Trustees on February 24, 2020.

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>			√			
<i>Rafeh</i>	√		√			
<i>DiBattista</i>		√	√			
<i>Killion</i>					√	

2020:127 RESOLUTION FOR MEMBER PARTICIPATION IN A COOPERATIVE PRICING SYSTEM AUTHORIZING THE TOWNSHIP OF PENNSAUKEN TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Township of Cherry Hill (Cherry Hill Cooperative Pricing System – ID # 37-CHCP), hereinafter referred to as the “Lead Agency ” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, pursuant to N.J.A.C. 5:34-7.5(f), the term of the Cooperative Pricing System commenced on May 12, 2016 and will terminate on May 12, 2021 as approved by the Director of the Division of Local Government Services; and

WHEREAS, on March 5, 2020 the governing body of the Township of Pennsauken, County of Camden, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services to include, but not limited to, Paper/Cleaning Products, Highway Materials and Non-Commodity items of Solid Waste Collection and/or Disposal., Neighborhood (custom) signs and aluminum signs;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the *Township of Pennsauken*.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, Joseph Palumbo, Administrator is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey in regards to this Agreement.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

CERTIFICATION

I hereby, certify that the above resolution was adopted by the Township Committee held on March 5, 2020.

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>		√	√			
<i>McBride</i>	√		√			
<i>Rafeh</i>			√			
<i>DiBattista</i>			√			
<i>Killion</i>			√			

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

2020:128

A RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE FOR MARY QUEEN OF ALL SAINTS (50/50)

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: **Mary Queen of All Saints (50/50)**
Address: **4824 Camden Avenue, Pennsauken, NJ 08109**
Where Event Is Being Held: **4824 Camden Avenue, Pennsauken, NJ 08109**
Date of Event: **April 18, 2020**
Township License #: **R20.06 (50/50)**
State Registration ID: **384-1-38498**

BE IT FURTHER RESOLVED, 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).

2020:129

A RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE FOR HEART OF CAMDEN (Baskets)

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: **Mary Queen of All Saints** (Basket)
 Address: **4824 Camden Avenue, Pennsauken, NJ 08109**
 Where Event Is Being Held: **4824 Camden Avenue, Pennsauken, NJ 08109**
 Date of Event: **April 18, 2020**
 Township License #: **R20.07** (Basket)
 State Registration ID: **384-1-38498**

BE IT FURTHER RESOLVED, 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).

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>			√			
<i>Rafeh</i>		√	√			
<i>DiBattista</i>	√		√			
<i>Killion</i>			√			

CONFERENCE /ITEMS OF DISCUSSION

The following interested businesses for the Redevelopment Areas were discussed and presented by Terry Carr and Larry Cardwell

Samuel Dododzah – 2125 Haddonfield Road (**across from Haddon Pointe**) This application is for a company that fabricates handrails.

Mayor & Committee are okay with moving forward

Ohema’s Kitchen – 5511 North Crescent Blvd (**two doors up from Sir Speedy**) The perspective tenant would like to open a restaurant that would be mainly takeout.

Mayor & Committee are okay with moving forward

Julio Perez – 4815 Westfield Ave (**just up from Fabrizios Pizza**) The applicant sells herbal life nutrition shakes and informs customers about nutrition health.

Mayor & Committee are okay with moving forward

Pennsauken Veterinary Associates – 6717 North Crescent Blvd (**across from Wawa**) The owner of the property would like to undergo an expansion of 6,075.

Mayor & Committee are okay with moving forward

Glam Life Beauty – 4930 Westfield Ave (**next to the PNC Bank**). The sale is a change of tenant. The owner will not change. This is an existing beauty shop.

Mayor & Committee are okay with moving forward

Walton Street Acquisition Holdings, LLC – 1525 Rt. #73; 1565 Rt. #73; 9325 Rt. #130; 9345 Rt. #130 North and 1545-55 Rt. #73 all (6) locations are transfer of ownership only. The tenants are staying.

Mayor & Committee are okay with moving forward

Items for Discussion

East Coast Gas 7300 South Crescent Blvd

******Mayor and Committee are not in agreement with this*

Mike Saraceni –gave his Annual Report for MPWC

PUBLIC COMMENT

Mr. T. Napieralski of Kirkwood, NJ questioned what the Township was doing with the 76 tubes under all the “mountain” piles on River Road

Administrator Palumbo replied he would get the information for him.

COMMITTEE COMMENTS

Deputy Mayor DiBattista commented on the Delaware Gardens Park on 49th Street. He commented that the renovations to the park will allow residents to walk to the river and see the railroad and Tippins pond. The Easter Egg hunt will take place on April 4th and the Tippins pond clean-up will take place on 18th from 9 am to 11 am; the Nature enthusiast can bring their Children on April 25th to Tippins pond but should call to sign them up.

Committeewoman Rafeh spoke on the Marketing project she is working on with drone recordings. The Free Library will have a program on March 26th from 4 – 8pm. A new packet for new residents is in the makings.

Committeeman Dyer commented on the parks and recreations and the better relationship we have with PYAA. He commented on the sports we have to offer and that they are working on including more non-traditional sports into the Township programs.

Committeewoman McBride commented these are exciting times for Pennsauken; she mentioned the Library, Recreation, Marketing and the Public Safety initiative. She commented on the importance of the CENSUS and being counted and the give-a-ways. She spoke of the new stuff Frank has for the All Around Pennsauken newspaper.

Mayor Killion commented on the Pennsauken Police force and the way they handled a Bank Robbery at the TD Bank with no incidents. He commented that 2 Proclamations would be given at the next meeting; one to a police officer and one to a high school student.

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

2020:130

RESOLUTION AUTHORIZING A CLOSED SESSION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN TO DISCUSS A MATTER OF (Contract / Personnel /Attorney Client Privilege)

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 March 5, 2020.
2. The general natures of the subjects to be discussed at said closed meeting shall be matters of pending/anticipated litigation and contract negotiation, Attorney Client Privilege 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 contract negotiation, N.J.S.A. 10:4-12b (7)

ADOPTED at the Meeting of the Township Committee of the Township of Pennsauken on March 5, 2020.

No public wished to comment

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Dyer</i>			√			
<i>McBride</i>			√			
<i>Rafeh</i>		√	√			
<i>DiBattista</i>	√		√			
<i>Killion</i>			√			

Mayor and Committee went into closed session at 7:07 pm

Mayor and Committee returned to adjourn at 7:46 pm

Committeewoman McBride moved a motion to adjourn
Deputy Mayor DiBattista seconded the motion
An affirmative voice vote was recorded

ADJOURNMENT

The meeting adjourned at 7:47 pm

Respectfully submitted



Pamela Scott-Forman
Acting Municipal Clerk

ADOPTED: APRIL 9, 2020