

**MINUTES
TOWNSHIP OF PENNSAUKEN
TOWNSHIP COMMITTEE MEETING
OCTOBER 22, 2020**

The Committee Meeting of the Pennsauken Township Committee was held via ZOOM electronic participation on Thursday, October 22nd, 2020.

The Meeting was called to order by Mayor Killion at 6:01 pm. He gave an update of 1,066 cases of COVID reported within the Township and 25 deaths. Mayor Killion expressed his thoughts, concerns and prayers for families affected by the virus and families who have lost loved ones. He continues to stress the importance of wearing your mask and social distancing. He also asked for prayers for the families caught in the devastating fires in California.

Mayor Killion called for the Salute to the Flag followed by a Moment of Silence and announced the "Senator Byron M. Baer Open Public Meetings Act" keeping the meeting in compliance with state laws.

CONSIDERATION OF / AND POSSIBLE ACTIONS ON ANY REQUEST FOR ELECTRONIC PARTICIPATION IN MEETING –

Special request for electronic participation in the Meeting due to current Covid-19 Pandemic.

Committeewoman Rafeh moved the motion to participate via ZOOM.
Committeeman Dyer seconded the motion.
An affirmative 5/0 voice vote was recorded.
Motion passed.

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

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

Also present were Acting Administrator Palumbo, Acting Township Clerk Pamela Scott-Forman and Jose Calves, Esq. of Parker McCay.

ORDINANCES: SECOND READING (PUBLIC MAY COMMENT) NONE

Ordinance 2020:17

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE TOWNSHIP'S OUTSTANDING CALLABLE GENERAL OBLIGATION BONDS, SERIES 2011, DATED AUGUST 31, 2011; AUTHORIZING THE ISSUANCE OF UP TO \$6,000,000 OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Committee of the Township of Pennsauken, County of Camden, New Jersey ("Township") (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The Township is hereby authorized to refund up to all of its outstanding callable General Obligation Bonds, Series 2011, dated August 31, 2011, in the aggregate principal amount of \$5,375,000 and maturing on August 15 in the following years and principal amounts (collectively, the "Callable Bonds"):

<u>Maturity Date</u>	<u>Total Principal Amount</u>
2022	\$1,000,000
2023	1,035,000
2024	1,080,000
2025	1,120,000
2026	1,140,000

The exact principal amount of Callable Bonds to be refunded (which may be less than all of the Callable Bonds) shall be determined pursuant to a resolution adopted by Township Committee by not less than two-thirds of all the members thereof.

Section 2. To effectuate the refunding of up to all of the Callable Bonds, negotiable general obligation refunding bonds of the Township are hereby authorized to be issued in one or more series in an aggregate principal amount not to exceed \$6,000,000 ("Refunding Bonds"), pursuant to the Local Bond Law. The exact principal amount of Refunding Bonds to be issued and terms thereof shall be determined pursuant to a resolution adopted by Township Committee by not less than two-thirds of all the members thereof.

Section 3. An aggregate amount not exceeding \$100,000 for the items of expense listed in and permitted by Section 51.b. of the Local Bond Law, *N.J.S.A. 40A:2-51.b.*, has been included in the aggregate principal amount of the Refunding Bonds authorized herein.

Section 4. The purpose of the Refunding Bonds is to effect an interest cost savings for the Township.

Section 5. Each Refunding Bond authorized herein shall be designated, substantially, "Township of Pennsauken, County of Camden, New Jersey, General Obligation Refunding Bond, Series 202_" and shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the Township shall approve.

Section 6. The Refunding Bonds may be sold at public or private sale pursuant to a resolution of Township Committee adopted by not less than two-thirds of the full members thereof.

Section 7. 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 Township Clerk prior to the passage of this refunding 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.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Chief Financial Officer of the Township as to the outstanding indebtedness to be refunded by the issuance of the Refunding Bonds.

Section 9. This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

No public wished to comment

Deputy Mayor DiBattista moved to adopt Ordinance 2020:17

Committeewoman Rafeh seconded the motion.

An affirmative 5/0 roll call vote was recorded.

Motion passed

ORDINANCES: FIRST READING - (NO PUBLIC COMMENT)

2020:18

ORDINANCE OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY, CANCELLING CERTAIN UNFUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR VARIOUS CAPITAL PROJECTS AND REAPPROPRIATING SUCH UNFUNDED APPROPRIATION BALANCES FOR OTHER CAPITAL PROJECTS

BE IT ORDAINED by the Township Committee of the Township of Pennsauken, County of Camden, New Jersey ("Township") (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The following unfunded appropriations remaining as balances in Bond Ordinance 2020-03 ("Bond Ordinance") heretofore adopted by the Township

Committee on March 5, 2020 are hereby cancelled:

<u>Bond Ordinance Section</u>	<u>Purpose/Improvement</u>	<u>Amount of Unfunded Appropriation to be Cancelled</u>
7(A)	Repaving of John Tipton Boulevard	\$40,000
7(B)	Reconstruction and Repaving of Camden Avenue	65,000

Section 2. The amount of \$30,000, which represents a portion of the unfunded appropriation cancelled from Section 7(A) of the Bond Ordinance described in Section 1 hereof, is hereby re-appropriated from said Bond Ordinance to Section 7(C) of said Bond Ordinance for the construction and reconstruction of various streets and roads in the Township as part of the Township's 2020 Road Reconstruction Program, all as more particularly described in the documentation on file in the Office of the Township Administrator and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.

Section 3. The aggregate amount of \$75,000, which represents: (i) the remaining portion of the unfunded appropriation cancelled from Section 7(A) of the Bond Ordinance described in Section 1 hereof; and (ii) the unfunded appropriation cancelled from Section 7(B) of the Bond Ordinance described in Section 1 hereof, is hereby re-appropriated from said Bond Ordinance to Section 7(F) of said Bond Ordinance for concrete repairs and Improvements for various sidewalks, curbs, and other structures in the Township, all as more particularly described in the documentation on file in the Office of the Township Administrator and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.

Section 4. The remaining funded and unfunded appropriation balances as authorized by the Bond Ordinance shall be unaffected by this ordinance and shall remain available for the uses set forth therein.

Section 5. The average period of usefulness of the purposes referred to in Sections 2 and 3 hereof, within the limitations of the Local Bond Law and according to the reasonable life thereof, is not less than 6.42 years.

Section 6. The Capital Budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local

Government Services, is on file with the Municipal Clerk and available for inspection.

Section 7. The improvements authorized hereby are not current expenses and are general 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 8. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Second Reading date: November 16th, 2020

Acting Administrator Palumbo explained this is for a budget re-appropriation from the Engineers budget to Fire.

Deputy Mayor DiBattista moved a motion to accept Ordinance 2020:18 on first reading. Committeeman Dyer seconded the motion.

An affirmative roll call vote was recorded.

Motion passed

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

2020:267

RESOLUTION ADOPTING REMOTE PUBLIC MEETING PROCEDURES DURING A DECLARED STATE OF EMERGENCY

WHEREAS, the Division of Local Government Services recently released emergency regulations establishing standard protocols for remote public meetings held by a local public body during a Governor-declared emergency; and

WHEREAS, Local Finance Notice 2020-21 was released on September 24, 2020, to accompany and further explain the new regulations promulgated by the Division of Local Government Services; and

WHEREAS, these regulations include provisions concerning notice, public comment, and minimum requirements for remote meeting technologies, to ensure continuity of government operations and transparency in conducting public business when an emergency requires a governing body to meet remotely; and

WHEREAS, the regulations further require a local public body to adopt by resolution standard procedures and requirements for public comment period during a remote public meeting; and

WHEREAS, the Township Committee previously adopted Resolution 2020:51 attached hereto as Exhibit A that in part established rules governing remote attendance at Township Committee meetings; and

WHEREAS, the new procedures attached hereto as Exhibit B supersede the remote meeting procedures adopted pursuant to Resolution 2020:51 when there is a declared state of emergency or when otherwise provided for by Resolution; and

WHEREAS, the Township Committee desires to establish and adopt said procedures attached hereto as Exhibit B.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey, hereby adopts Remote Meeting Procedures during a Declared State of Emergency attached hereto as Exhibit B.

BE IT FURTHER RESOLVED that the remote meeting procedures established under Resolution 2020:51 attached hereto as Exhibit A are still in effect except for when superseded by the remote meeting procedures attached hereto as Exhibit B when there is a declared state of emergency.

No public wished to comment

Acting Administrator Palumbo stated the Division of Local Government Services (DLGS) promulgated regulations in the State of an Emergency.

Mayor Killion commented on how proud he is the Township has been doing things correctly from the beginning.

No public wished to comment

Committeewoman Rafeh moved a motion to adopt resolution 2020:267.

Committeeman Dyer seconded the motion.

An affirmative 5/0 roll call vote was recorded.

Motion passed

2020:268

RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR THE 2019/2020 ROAD IMPROVEMENT PROGRAM BID NO. 20-01 AND ACCEPTING A TWO-YEAR MAINTENANCE BOND

WHEREAS, in accordance with Resolution 2020:166, the Township of Pennsauken awarded a contract to GWP Enterprises, Inc., bid packet No. 20-01 in the amount of \$420,117.13 for the improvement of local roads; and

WHEREAS, GWP Enterprises, Inc. has completed the Project; and

WHEREAS, all work has been inspected and found to be constructed in compliance with the plans and specifications for the project; and

WHEREAS, the final as-built quantities differed from the bid quantities resulting in a contract reduction in the amount of \$26,539.14 and a final contract amount of \$393,577.99; and

WHEREAS funding for the project was provided by the Township of Pennsauken; and

WHEREAS, GWP Enterprises, Inc. as Contractor, and Hudson Insurance Company as Surety, has provided Maintenance Bond No. ASA1783-12683MNT – a two-year maintenance bond effective as of the date of substantial completion of the project (August 20, 2020) and in the amount of \$393,577.99.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of

the Township of Pennsauken, County of Camden and State of New Jersey that Change Order No. 1 representing a contract reduction of \$26,539.14 and a final contract amount of \$393,577.99 is hereby approved and the two-year maintenance bond in the amount of \$393,577.99, Maintenance Bond No. ASA1783-12683, is hereby accepted.

No public wished to comment

Committeewoman McBride moved a motion to adopt Resolution 2020:268.

Committeeman Dyer seconded the motion.

An affirmative 5/0 roll call vote was recorded.

Motion passed

2020:269

RESOLUTION GRANTING A REDUCTION OF A PERFORMANCE BOND TO EIGHT THOUSAND, EIGHT HUNDRED AND FIVE DOLLARS AND FORTY CENTS (\$ 8,805.40) TO THE RESTAURANT STORE-CALUMET. PREMISES LOCATED AT 1095 THOMAS BUSCH HIGHWAY, PENNSAUKEN, NEW JERSEY 08109, BLOCK 1906, LOT 13.

WHEREAS, The Restaurant Store-Calumet, 1095 Thomas Busch Hwy Pennsauken, New Jersey 08109 has requested the reduction of a Performance Bond being held by the Township of Pennsauken for site improvements.

WHEREAS, the Planning Board engineer has inspected the site and has found the work in substantial conformance with the approved plans as stated in his report dated October 13, 2020 which is attached hereto and made part of this resolution and recommends the performance bond be reduced to Eight Thousand, Eight hundred and Five Dollars and Forty Cents (\$8,805.40). The Township will, therefore, retain Twenty Two percent (20%) of the original bond posted as permitted by the Municipal Land Use Law.

WHEREAS, the Township Committee has reviewed the report and recommendations of the Planning Board engineer.

NOW, THEREFORE, the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey agrees to approve the reduction of the Performance Bond from Forty-Four Thousand, Twenty-Seven Dollars and Zero Cents (\$ 44,027.00) to Eight Thousand, Eight Hundred Five Dollars and Forty Cents (\$8,805.40), to The Restaurant Store-Calumet, 1095 Thomas Busch Highway, Pennsauken, New Jersey 08109.

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 to The Restaurant Store-Calumet, 1095 Thomas Busch Hwy. Pennsauken, New Jersey 08109.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Pennsauken Township Committee held on October 22, 2020.

No public wished to comment

Deputy Mayor DiBattista moved a motion to adopt Resolution 2020:269.

Committeewoman Rafeh seconded the motion.

An affirmative 5/0 roll call vote was recorded.

Motion passed

2020:270

RESOLUTION AUTHORIZING THE ISSUANCE OF USED CAR LICENSES FOR 2020

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 2020.

City Select Auto Sales

*5910 S. Crescent Blvd.
Pennsauken, NJ 08110*

CONDITIONS

- 1. All noise generating automobile repair work to be performed at the property shall be performed indoors.*
- 2. No noise generating automobile repair work from the one-story masonry building fronting Roosevelt Avenue and Frosthoffer Avenue.*
- 3. No painting of automobiles on-site.*
- 4. Hour of operation 9 AM to 8 PM Monday thru Friday; 9 AM to 5 PM Saturday and NO hours of operation on Sundays.*

No public wished to comment

Deputy Mayor DiBattista moved a motion to adopt Resolution 2020:270.

Committeewoman Rafeh seconded the motion.

An affirmative 5/0 roll call vote was recorded.

Motion passed

2020:271

RESOLUTION RESCINDING PREVIOUSLY APPROVED RESOLUTION 2020:254

WHEREAS, the Township Committee recently passed resolution number 2020:254 for the preparation and distribution of documents for the sale of General obligation bonds, and:

WHEREAS, the name of the underwriters was not included,

BE IT RESOLVED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey rescinds resolution 2020:254.

No public wished to comment

Committeewoman McBride moved a motion to adopt Resolution 2020:271.

Committeewoman Rafeh seconded the motion.

An affirmative 5/0 roll call vote was recorded.

Motion passed

2020:272

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY, AUTHORIZING THE PREPARATION AND DISTRIBUTION OF OFFERING DOCUMENTS IN CONNECTION WITH THE SALE OF THE TOWNSHIP'S GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020; AUTHORIZING THE ISSUANCE, SALE AND AWARD OF SAID BONDS; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN ACTIONS RELATED THERETO

BACKGROUND

WHEREAS, on August 31, 2011, the Township of Pennsauken, County of Camden, New Jersey ("Township"), issued its General Obligation Bonds, Series 2011, dated its date of delivery, in the aggregate principal amount of \$12,850,000, bearing interest at rates ranging from 2.50% to 4.00% per annum ("2011 Bonds"); and

WHEREAS, the 2011 Bonds in the aggregate principal amount of \$5,375,000, and maturing on August 15 in the years 2022 through 2026, both inclusive (collectively, the "Callable Bonds"), are subject to redemption prior to maturity at the option of the Township on or after August 15, 2021 at a redemption price equal to 100% of the Callable Bonds to be redeemed, plus accrued interest thereon; and

WHEREAS, as a result of the low interest rates prevailing in the municipal bond market, the Township has the opportunity to economically refinance up to all of the Callable Bonds; and

WHEREAS, on October 8, 2020, the Township Committee, pursuant to *N.J.S.A. 40A:2-52*, introduced an ordinance entitled, "REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE TOWNSHIP'S OUTSTANDING CALLABLE GENERAL OBLIGATION BONDS, SERIES 2011, DATED AUGUST 31, 2011; AUTHORIZING THE ISSUANCE OF UP TO \$6,000,000 OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING" ("Refunding Bond Ordinance"); and

WHEREAS, on October 22, 2020 the Township Committee, after a public hearing, finally adopted the Refunding Bond Ordinance; and

WHEREAS, pursuant to the Refunding Bond Ordinance, the Township is authorized to issue its refunding bonds, in one or more series, in the aggregate principal amount up to \$6,000,000 to refund up to all of the Callable Bonds; and

WHEREAS, it is the intent of the Township Committee hereby to: (i) authorize and approve the preparation and distribution of offering documents in connection with the issuance and sale of the Refunding Bonds (as hereinafter defined); (ii) authorize and approve the issuance, sale and award of the Refunding Bonds (as hereinafter defined); and (iii) authorize the Mayor, Chief Financial Officer and Township Clerk to make certain related determinations and covenants and take certain actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO THE PROVISIONS OF THE LOCAL BOND LAW, CONSTITUTING CHAPTER 169 OF THE LAWS OF 1960 OF THE STATE OF NEW JERSEY, AS AMENDED AND SUPPLEMENTED ("LOCAL BOND LAW"), AS FOLLOWS:

Section 1. Pursuant to the Local Bond Law and the Refunding Bond Ordinance, the issuance of negotiable refunding bonds of the Township in the aggregate principal amount of up to \$6,000,000, to be designated, substantially, "Township of Pennsauken, County of Camden, New Jersey, General Obligation Refunding Bonds, Series 2020" ("Refunding Bonds"), for the purposes described in the Refunding Bond Ordinance and in this Resolution, is hereby authorized, approved, ratified and confirmed.

Section 2. The preparation of a preliminary official statement ("Preliminary Official Statement") relating to the Refunding Bonds, and the distribution of said Preliminary Official Statement (in physical or electronic form) by PNC Capital Markets LLC, as underwriter ("Underwriter"), to prospective purchasers of the Refunding Bonds and others having an interest therein, is hereby authorized, approved, ratified, confirmed and directed. The Mayor, Chief Financial Officer and Township Clerk are each hereby authorized to deem the Preliminary Official Statement "final", as contemplated by paragraph (b)(1) of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended.

Section 3. The Chief Financial Officer is hereby authorized to determine in accordance with the Local Bond Law, specifically, *N.J.S.A. 40A:2-52 et seq.*, and pursuant to the terms and conditions established by the Underwriter under the Bond Purchase Contract to be entered into by the Township and the Underwriter in connection with the sale of the Refunding Bonds ("Purchase Contract") and the terms and conditions hereof, the following items with respect to the Refunding Bonds: the total principal amount of the Refunding Bonds which, in the aggregate, shall not exceed \$6,000,000;

the annual principal installments of the Refunding Bonds; provided, however, the final maturity shall be no later than December 1, 2026;

the dated date of the Refunding Bonds and the principal and interest payment dates for the Refunding Bonds;

the rates of interest the Refunding Bonds are to bear; provided, however, that an overall net present value savings of at least three percent (3%) is achieved with respect to the Callable Bonds;

the purchase price for the Refunding Bonds; provided, however, that the Underwriters' discount for the Refunding Bonds shall not exceed \$6.00 per \$1,000 principal amount of such Refunding Bonds; and

the redemption provisions of the Refunding Bonds.

Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and delivery of the Purchase Contract by the Chief Financial Officer as provided for in Section 5 hereof.

Section 4. The Chief Financial Officer shall report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of the Refunding Bonds pursuant to this resolution is made. Such report must include the aggregate principal amount, the interest rate or rates and the maturity schedule of the Refunding Bonds sold and the price obtained, and the redemption provisions thereof, if any. The Chief Financial Officer shall also, within ten (10) days of the issuance of the Refunding Bonds, file with the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs, a report including: (i) a comparison of the debt service schedules for both the Callable Bonds and the Refunding Bonds showing annual present value savings; (ii) a summary of the terms of the Refunding Bonds; (iii) an itemized accounting of all costs of issuance of the Refunding Bonds; (iv) a certification that the issuance of the Refunding Bonds has complied with all conditions required pursuant to *N.J.A.C. 5:30-2.5*; and (v) a certified copy of this Resolution.

Section 5. The Refunding Bonds shall be sold at a negotiated sale to the Underwriter in accordance with the terms and conditions set forth in the Purchase Contract. The Purchase Contract is hereby authorized to be executed and delivered on behalf of the Township by the Chief Financial Officer, in substantially the form on file in the offices of the Township, with such changes as the Chief Financial Officer in his/her respective sole discretion, after consultation with, among others, Bond Counsel and the Municipal Advisor, Acacia Financial Group, Inc., Mount Laurel, New Jersey, to the Township, shall determine, such determination to be conclusively evidenced by the execution of the Purchase Contract by an authorized officer as determined hereunder.

Section 6. The Refunding Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Refunding Bonds maturing in each year. Both the principal of and interest on the Refunding Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository ("Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Refunding Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 through book-entries made on the books and the records of The Depository Trust Company and its participants. The principal of and interest on the Refunding Bonds will be paid to The Depository Trust Company by the Township on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of either : (i) the 1st day of the calendar month containing an interest payment date; or (ii) the 15th day of a calendar month next preceding an interest payment date, as applicable (the record dates for the Refunding Bonds). The Refunding Bonds will be executed on behalf of the Township by the manual or facsimile signatures of the Chief Financial Officer, attested by the Township Clerk or Deputy Township Clerk (such execution shall constitute conclusive approval by the Township of the form of the Refunding Bonds), and shall bear the affixed, imprinted or reproduced seal of the Township thereon.

Section 7. The Township is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Refunding Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 8. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Refunding Bonds or is removed by the Township and if no successor Securities Depository is appointed, the Refunding Bonds which were previously issued in book-entry form shall be converted to registered bonds in denominations of \$5,000, or any integral multiple thereof ("Registered Bonds"). The beneficial owner under the book-entry system, upon registration of the Registered Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 9. The Refunding Bonds shall be general obligations of the Township. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the Refunding Bonds and, to the extent

payment is not otherwise provided, the Township shall levy *ad valorem* taxes on all taxable property without limitation as to rate or amount for the payment thereof.

Section 10. The preparation of a final official statement ("Official Statement") with respect to the Refunding Bonds is hereby authorized and directed. Within seven (7) business days of the sale of the Refunding Bonds and in sufficient time to accompany any confirmation that requests payment from a customer, the Township will deliver sufficient copies of the Official Statement to the Underwriter to comply with Paragraph (b)(4) of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934, as amended ("Rule 15c2-12"). The Mayor, Chief Financial Officer and Township Clerk are each hereby authorized to execute the Official Statement, and the distribution thereof to the Underwriter and others is hereby authorized and directed. The execution of the final Official Statement by the Mayor, Chief Financial Officer or Township Clerk shall constitute conclusive evidence of approval by the Township of the changes therein from the Preliminary Official Statement. The Mayor, Chief Financial Officer and Township Clerk are each hereby authorized to approve any amendments of or supplements to the Official Statement.

Section 11. The appointment of Bowman & Company, LLP ("Printer"), to provide printing, electronic and physical dissemination services for the Township with respect to the Preliminary Official Statement and Official Statement (hereinafter defined) is hereby authorized, approved, ratified and confirmed. The Chief Financial Officer is hereby authorized and directed to enter into an agreement with Printer for the services to be provided.

Section 12. The Township hereby covenants that it will not make any use of the proceeds of the Refunding Bonds or do or suffer any other action that would cause: (i) the Refunding Bonds 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 Refunding Bonds to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Refunding Bonds to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 13. The Township hereby covenants as follows: (i) it has not abandoned, sold or otherwise disposed of any facility, equipment or improvement (except through normal retirement) financed directly or indirectly with the proceeds of the Callable Bonds; (ii) it does not intend to, during the term that the Refunding Bonds are outstanding, abandon, sell or otherwise dispose of any facility, equipment or improvement (except through normal retirement) financed directly or indirectly with the proceeds of the Callable Bonds; (iii) 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 Section 148(f) and 149(e) of the Code; (iv) it shall take no action that would cause the Refunding Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code; (v) it will not employ a device in connection with the issuance by it of the Refunding Bonds which will enable it to obtain a material financial advantage

(based on arbitrage) apart from the savings that may be realized as a result of the lower interest rates on the Refunding Bonds than on the Callable Bonds; (vi) the amount of "excess gross proceeds", as such term is defined in Income Tax Regulation §1.148-10(c)(2), of the Refunding Bonds will not exceed one percent (1%) of the proceeds received from the sale thereof; and (vii) it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Regulation §1.148-0 through 1.148-11, 1.149(b)-1 and 1.149(i)-1, 1.149(g)-1, 1.150-1 and 1.150-2 as such regulations and statutory provisions may be modified insofar as they apply to the Refunding Bonds.

Section 14. The Chief Financial Officer is hereby authorized and directed to engage the services of a qualified financial institution to serve as paying agent for the Bonds ("Paying Agent") and as escrow agent ("Escrow Agent") for the Refunded Bonds (hereinafter defined). The Chief Financial Officer is hereby authorized to execute and deliver an agreement with the Paying Agent and the Escrow Agent for the services to be provided.

Section 15. The Escrow Agent is hereby authorized, if so directed by the Township, to redeem the Callable Bonds on their respective first call dates, at a redemption price equal to 100% of the Callable Bonds to be redeemed, plus interest accrued to the redemption date ("Refunded Bonds"). The Escrow Agent shall mail any required notice of redemption as set forth in the Refunded Bonds and in the Escrow Deposit Agreement (hereinafter mentioned) by and between the Township and the Escrow Agent.

Section 16. To provide for the redemption of the Refunded Bonds as set forth in Section 15 above, the Chief Financial Officer is hereby authorized to execute and deliver an escrow deposit agreement ("Escrow Deposit Agreement") on behalf of the Township and to make the deposit of moneys and investments specified therein ("Escrow Investments").

Section 17. The appointment of Acacia Financial Group, Inc., Mount Laurel, New Jersey ("Municipal Advisor"), to provide municipal advisory services for the Township in connection with the authorization, issuance, sale and delivery of the Refunding Bonds is hereby authorized, approved, ratified and confirmed. The Chief Financial Officer is authorized and directed to enter into an agreement with the Municipal Advisor for the services to be provided.

Section 18. In order to assist the Underwriter in complying with the secondary market disclosure requirements of Rule 15c2-12, the Chief Financial Officer is hereby authorized to execute on behalf of the Township before the issuance of the Refunding Bonds an agreement with the Municipal Advisor, as dissemination agent, providing for the preparation and filing of the necessary reports in accordance with Rule 15c2-12.

Section 19. The Chief Financial Officer is hereby authorized to engage the services of Bowman & Company, LLP ("Verification Agent"), to verify the mathematical

accuracy of certain computations made by the Underwriter regarding: (i) the adequacy of the maturing principal of and interest on the Escrow Investments to pay each series of the Refunded Bonds as set forth in the Escrow Deposit Agreement; and (ii) the yields on the Refunding Bonds and the Escrow Investments.

Section 20. The Chief Financial Officer is hereby authorized to pay the costs associated with the issuance of the Refunding Bonds and refunding of the Refunded Bonds.

Section 21. If necessary or advisable, the appropriate Township officials and the Township's professional advisors are hereby authorized to (i) obtain one or more ratings on the Refunding Bonds; and (ii) furnish certain information to the various municipal bond insurance companies concerning the Township and the Refunding Bonds for the purpose of qualifying the Refunding Bonds for municipal bond insurance. The Chief Financial Officer is hereby authorized to execute such documents as may be necessary or appropriate to effectuate the obtainment of ratings for the Refunding Bonds and the obtainment of municipal bond insurance with respect to the Refunding Bonds if determined to be cost effective.

Section 22. 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 authorization and issuance of the Refunding Bonds and the refunding of the Refunded Bonds, as described in the Refunding Bond Ordinance, are hereby ratified, confirmed, approved and adopted in all respects.

Section 23. The Mayor, Chief Financial Officer and Township Clerk are each hereby severally authorized to determine all matters and execute all documents and instruments in connection with the issuance of the Refunding Bonds and refunding of the Refunded Bonds, as described in the Refunding Bond Ordinance, not determined or otherwise directed to be executed by applicable law, or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 24. All resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 25. This Resolution shall take effect immediately upon adoption this 22nd day of October, 2020.

No public wished to comment

Committeewoman McBride moved a motion to adopt Resolution 2020:272.

Committeewoman Rafeh seconded the motion.

An affirmative 5/0 roll call vote was recorded.

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

2020:273

RESOLUTION REQUESTING PERMISSION OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ANTICIPATE SPECIAL ITEMS OF REVENUE IN THE 2020 BUDGET (FY2019 Federal Bulletproof Vest Grant Program - \$10,329.03)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item has been made available and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Pennsauken has received a \$10,329.03 grant from the United States Department of Justice from the FY2019 Federal Bulletproof Vest Grant Program and wishes to amend its 2020 Budget to include the full amount as revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Pennsauken, County of Camden and the State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of\$10,329.03

which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

USDOJ FY19 Federal Bulletproof Vest Grant Program

pursuant to provisions of Statute; and

BE IT FURTHER RESOLVED, that the like sum of.....\$10,329.03 (TEN THOUSAND THREE HUNDRED TWENTY-NINE DOLLARS AND THREE CENTS) be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from 5% Caps

Public and Private Programs Off-Set by Revenues:

USDOJ FY19 Federal Bulletproof Vest Grant Program

	Police	–	Other
Expenses.....	\$10,329.03		

2020:274

RESOLUTION REQUESTING PERMISSION OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ANTICIPATE SPECIAL ITEMS OF REVENUE IN THE 2020 BUDGET (FY2020 Bulletproof Vest Grant Program - \$18,998.97)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item has been made available and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Pennsauken has received a \$18,998.97 grant from the United States Department of Justice from the FY2020 Federal Bulletproof Vest Grant Program and wishes to amend its 2020 Budget to include the full amount as revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Pennsauken, County of Camden and the State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of\$18,998.97 which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

USDOJ FY20 Federal Bulletproof Vest Grant Program

pursuant to provisions of Statute; and

BE IT FURTHER RESOLVED, that the like sum of.....\$18,998.97 (EIGHTEEN THOUSAND NINE HUNDRED NINETY-EIGHT DOLLARS AND NINETY-SEVEN CENTS) be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from 5% Caps

Public and Private Programs Off-Set by Revenues:

USDOJ FY20 Federal Bulletproof Vest Grant Program

	Police	-	Other
Expenses.....	\$18,998.97		

2020:275

RESOLUTION REQUESTING PERMISSION OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ANTICIPATE SPECIAL ITEMS OF REVENUE IN THE 2020 BUDGET (Camden County, Municipal & County Agency Corona Virus Relief Fund Program - \$259,000.00)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government

Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item has been made available and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Pennsauken has received a \$259,000.00 grant from the United States Treasury through the County of Camden from the Camden County Municipal and County Agency Coronavirus Relief Fund Program and wishes to amend its 2020 Budget to include the full amount as revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Pennsauken, County of Camden and the State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of\$259,000.00 which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

Camden County Municipal and County Agency Coronavirus Relief Fund Program

pursuant to provisions of Statute; and

BE IT FURTHER RESOLVED, that the like sum of.....\$259,000.00 (TWO HUNDRED FIFTY-NINE THOUSAND DOLLARS) be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from 5% Caps

Public and Private Programs Off-Set by Revenues:

Camden County Municipal and County Agency Coronavirus Relief Fund Program Emergency Management--Other Expenses.....\$259,000.00

2020:276

RESOLUTION REQUESTING PERMISSION OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ANTICIPATE SPECIAL ITEMS OF REVENUE IN THE 2020 BUDGET (BJA FY20 Corona Virus Emergency Supplement al Funding Program - \$35,838.00)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item has been made available and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Pennsauken has received a \$35,838.00 grant from the United States Department of Justice from the BJA FY20 Corona Virus Emergency Supplemental Funding Program and wishes to amend its 2020 Budget to include the full amount as revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township Of Pennsauken, County of Camden and the State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of\$35,838.00 which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

USDOJ BJA FY20 Coronavirus Emergency Supplemental Funding Program pursuant to provisions of Statute; and

BE IT FURTHER RESOLVED, that the like sum of.....\$35,838.00

(THIRTY-FIVE THOUSAND EIGHT HUNDRED THIRTY-EIGHT DOLLARS) be and the same is hereby appropriated under the caption of:

General Appropriations
(a) Operations Excluded from 5% Caps
Public and Private Programs Off-Set by Revenues:
USDOJ BJA FY20 Coronavirus Emergency Supplemental Funding Program
Emergency Management—Other
Expenses.....\$35,838.00

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

2020:277

RESOLUTION APPROVING REFUND OF \$100.00 FOR STREET OPENING ESCROW TO VAN NGUYEN FOR STREET OPENING AT 5453 HOMESTEAD AVENUE

WHEREAS, Van Nguyen, 5453 Homestead Avenue, Pennsauken, NJ 08109 made a deposit with the Township of Pennsauken in the amount of \$500.00 for excavation and repaving the street, Permit #107037 dated May 3, 2019 located at 5453 Homestead Avenue, \$400.00 of which was returned by Resolution 19-257 and \$100.00 was held for a maintenance guarantee; and

WHEREAS, in accordance with Section 273-14 of the Code of the Township of Pennsauken, the Township Engineer has inspected the final repair of the street excavation and is satisfied that the repair is in acceptable condition and the applicant is now entitled to the return of the \$100.00 maintenance guarantee.

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 \$100.00 be returned to Van Nguyen, 5453 Homestead Avenue, Pennsauken, NJ 08109.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Township Clerk to Ron Crane-Municipal Finance Officer.

2020:278

RESOLUTION APPROVING REFUND OF \$100.00 FOR STREET OPENING

ESCROW TO STEVENS MANAGEMENT ASSOCIATES. FOR STREET OPENING AT
MADISON AVENUE & CLEMENT AVENUE

WHEREAS, Stevens Management Associates, 6834 Route 130 North, Pennsauken, NJ 08110 made a deposit with the Township of Pennsauken in the amount of \$500.00 for excavation and repaving the street, permit #103655 dated June 7, 2018 located at Madison Avenue & Clement Avenue, \$400.00 of which was returned by Resolution 2019:251 and \$100.00 was held for a maintenance guarantee; and

WHEREAS, in accordance with Section 273-14 of the Code of the Township of Pennsauken, the Township Engineer has inspected the final repair of the street excavation and is satisfied that the repair is in acceptable condition and the applicant is now entitled to the return of the \$100.00 maintenance guarantee.

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 \$100.00 be returned to Stevens Management Associates, 6834 Route 130 North, Pennsauken, NJ 08110.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Township Clerk to Ron Crane-Municipal Finance Officer.

2020:279

RESOLUTION APPROVING REFUND FOR ADDITIONAL FEES ASSOCIATED WITH
THE 2020 TAX SALE FOR REDEEMED CERTIFICATE 20-00067

WHEREAS, THE TAX COLLECTOR OF THE TOWNSHIP OF PENNSAUKEN HAD RECEIVED PAYMENT IN HER OFFICE ON SEPTEMBER 28, 2020 FOR BLOCK 813 LOT 4, AFTER THE TAX SALE HAD COMMENCED, CTL TITLE PROVIDED PROOF THAT THE CHECK WAS DELIVERED AND SIGNED FOR ON SEPTEMBER 3, 2020.

WHEREAS, THE TAX COLLECTOR OF THE TOWNSHIP OF PENNSAUKEN HAS DETERMINED THAT THE ADDITIONAL COST INCURRED DUE TO THE DELAY IN PROCESSING THE PAYMENT IS \$97.38. THIS INCLUDES THE ADDITIONAL INTEREST ACCRUED AND LIEN REDEMPTION CHARGES.
EXECUTED AS INDICATED ON THE FOLLOWING:

REFUND \$97.38 TO:

CTL TITLE

1103 LAUREL OAK RD S#146

VOORHEES, NJ 08043

REFERENCE #CTL-10842-A /BLOCK 813 LOT 4 /2131 47TH ST

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.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
813	4	CTL TITLE C/O SUSAN GDOVIN 1103 LAUREL OAK RD S#146 VOORHEES, NJ 08043 REFERENCE: CTL-10842-A / 2131 47 TH ST	\$97.38

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

2020:280

RESOLUTION AUTHORIZING A TAX REFUND DUE TO OVERPAYMENT FOR THE YEAR 2021

WHEREAS, THE BELOW LISTED OVERPAYMENT FOR THE YEAR DESIGNATED IS HELD IN RESERVE BY THE TOWNSHIP OF PENNSAUKEN; AND

WHEREAS, THERE WAS CHECK ISSUED BY CORETITLE LLC, IN THE AMOUNT OF \$4,018.83 WHICH CREATED AN OVERPAYMENT FOR THE 2021 TAX QUARTERS; AND

WHEREAS, CORELOGIC HAS REQUESTED THE AMOUNT OF \$761.69 TO BE REFUNDED BACK TO THEM.

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.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
4712	3	CORETITLE LLC 1300 RT 73, SUITE 12 MT LAUREL, NJ 08054	\$761.69

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

2020:281

RESOLUTION AUTHORIZING THE REFUND OF SITE INSPECTION ESCROW IN THE AMOUNT OF TWO THOUSAND, ONE HUNDRED TWENTY-NINE DOLLARS AND THIRTY-NINE CENTS (\$ 2,129.39) TO HOMEGROWN FARMS, LLC LOCATED AT 3333 HADDONFIELD RD, BLOCK 3401, LOT 3.

WHEREAS, Homegrown Farms applied to the Planning Board in the Township of Pennsauken for site improvement approvals on the premises located at 3333 Haddonfield Rd, Block 3401, Lot 3; and

WHEREAS, one of the conditions of said approval was to post escrow fees for the Planning Board Engineer's review and inspections of the site;

WHEREAS, Homegrown Farms satisfied the Planning Board Engineer Site Improvements and Construction Office Permits (see attached) and request the refund of the remaining escrow monies in the amount of Two Thousand, On Hundred Twenty-Nine Dollars and Thirty-Nine Cents (\$2,129.39).

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 the Pennsauken Finance Department is hereby directed to refund Homegrown Farms the remaining escrow monies in the amount of Two Thousand, one Hundred Twenty-Nine Dollars and Thirty-Nine Cents (\$ 2,129.39).

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Finance Department, the Planning & Zoning Office and to **Homegrown Farms, 3333 Haddonfield Rd. Pennsauken, NJ 08109**

No public wished to comment

Committeewoman Rafeh moved a motion to adopt Resolution on the consent agenda
Committeeman Dyer seconded the motion.
An affirmative 5/0 roll call vote was recorded.

DEPARTMENT REPORT(s) – EMS, Fire, Police

Committeewoman McBride moved a motion to file the submitted reports.
Committeewoman Rafeh seconded the motion.
An affirmative 5/0 voice vote was recorded.

CONFERENCE / ITEMS OF DISCUSSION –

Economic Development - Larry Cardwell

Mr. Cardwell introduced Mr. Keith Peltzman of Cherry Hill with Independence Solar. Mr. Peltzman stated his company is a commercial solar installer and explained a new state program. He stated his company would locate warehouses for solar placement, which would benefit residents of Pennsauken. The panels would not be visible but would be a large solar project, benefiting the warehouse and residents in close proximity. It would be Two to Three Hundred panels benefiting Three to Four Hundred residents that subscribe. He asked for the Township Committee for their support.

Committee had several specific questions.

Committeewoman McBride questioned the warehouses and the benefit to the companies.

Mr. Pelzman replied warehouses on Sherman Ave, National Avenue and River Road and that the buildings are 30 feet high. The panels are an additional Eight to Twelve inches off the roof top. He continued the benefit to the property owner is the opportunity to charge rent. The lease would be for Fifteen years. He also stated the State will only be approving between 50 - 60 applications.

Committeewoman Rafeh questioned if the property owner had to purchase the solar panels.

Mr. Pelzman replied the roof tops are rented space and that the panels are owned by his company.

Mayor Killion had concerns about residents having to sign contracts and if there was a penalty to opt out. He commented on a previous energy savings program the Township was in.

Committeeman Dyer commented some of his neighbors were happy many were not with the program Mayor Killion referenced. He questioned Mr. Pelzman if the reduction in savings of 20-25% would be per year or per month.

Deputy Mayor DiBattista commented he thought it was a good program but questioned if there was a way the Township could guarantee our residents would be those who benefitted. His concern was other municipalities would receive the majority of the saved energy and the cost savings. Mr. DiBattista commented it sounds like a good program but not enough to disrupt a community.

Mr. Pelzman replied to all questions and commented he would supply a link to a website that would go in depth to all the specific questions asked.

Committee thanked him for his presentation.

Mr. Cardwell then introduced Mr. Jeffrey Baron, Esq. representing 1061 Route #73.

Mr. Baron stated he was representing the real estate side of the project and that his client, Buy Rite was purchasing the former Taco Bell on Route #73 for a Plenary Distribution liquor license. They wish to expand the footprint of the building but will wait to begin once it is operational. He commented the property was in the Crossroads redevelopment district and needing Site plan approval.

Township Attorney Galella stated she was not convinced it to be a permitted use. She also questioned Mr. Baron if they were looking for relief as a developer or a PILOT program. Mr. Baron assured her they were not.

Mayor and Committee had many questions and concerns with another liquor store so close to the school property.

Committeewoman McBride expressed her concerns with a second liquor store and questioned Mr. Baron as to his security plans.

Mr. Baron stated they plan to have cameras both inside and outside of the building when the establishment is closed. A security guard would be present during operation hours.

Deputy Mayor DiBattista stated he is not happy with another liquor store so close to the school property either. He wishes Mr. Barons client would consider something else.

Mr. Baron stated his clients knows there is another liquor store a couple doors down. He commented there was no issue with ABC and that the Two-Hundred-foot statue is door to door. Mr. Baron stated there could be planning board issues but, they would seek a variance and the by right it is a permitted use in the area. He further stated it would be a distribution only. His client purchased Connie Mac and that his client would actually be swapping liquor licenses with Raytor One (Bobby Ray).

Mayor Killion stated he agreed with his colleagues and not happy with another liquor store so close to the high school. He also commented that Roger Wilco has been held to task.

Committeewoman Rafeh stated she agrees and is not happy with another liquor store so close to the high school.

Committeeman Dyer stated he is also disappointed with another liquor store so close to the school property.

PUBLIC COMMENT

Mayor Killion opened the floor to the public for public comment.

Cynthia Bundy of Moorestown, NJ, had several questions for Mr. Peltzman concerning the discounts for residents and the solar energy, if PSE&G would continue to deliver the supply from his business. She questioned if the credit would be deducted directly from the PSE&G bill. She asked what other communities would benefit from the energy without having the solar panels?

Mr. Peltzman replied most energy discounts would go to Pennsauken residents but surrounding municipalities could benefit also. He also stated he thought it was a win/win for Pennsauken.

No other public wished to comment.

Deputy Mayor DiBattista moved a motion to close the floor to public comment.

Committeewoman Rafeh seconded the motion.

An affirmative 5/0 vice vote was recorded.

COMMITTEE COMMENT

Mayor Killion

- Ribbon cutting ceremony for the 49th Street park. Thanked Public Works, Duke Martz and Deputy Mayor DiBattista for all the hard work and beautification of the park.
- Halloween will be held from 3 pm – 7 pm and encouraged everyone to wear their filter mask under their costume mask, social distance, no big crowds, and to try and give out individually packaged candy. Urged everyone to stay diligent when out for Halloween.
- Tippins Pond clean up with Committeeman Dyer a lot of trash was picked up, he encouraged residents to get out enjoy and take advantage of the trail from the park to Tippins pond.

Deputy Mayor DiBattista

- Condolences to the families who have suffered a loss due to the virus
- Beauty of the newly renovated 49th Street park and the beautiful trail to Tippins pond.
- State of art softball field across from the renovated park. Improvements to the pickle ball court with lights and restrooms at the hockey park.
- Drive in movie night and food drive

Committeewoman Rafeh

- Library updates; read aloud virtual program on October 29th; Virtual Chair Yoga at 11 am on October 23rd.
- Please donate for the food drive

Committeewoman McBride

- Thanked everyone for participation in Census, the Townships numbers exceeded the 2010 census.
- Please VOTE, remind all family and friends it's too important not to get out the VOTE.

Committeeman Dyer

- Thanked the Mayor for all he does and his public service.
- Youth sports the First Tee golf program and those who participated.

- Continued open dialogue and meetings with the Black Lives Matter organizers and its importance.
- Stay vigilant with mask wearing and social distancing; people are beginning to be too relaxed.
- Continued prayer for the families affected by the virus in any way.

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

2020:282

RESOLUTION AUTHORIZING A CLOSED SESSION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN TO DISCUSS MATTERS OF ATTORNEY CLIENT PRIVILEGE (Contracts), PERSONNEL AND PUBLIC SAFETY

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 October 22, 2020.
2. The general natures of the subjects to be discussed at said closed meeting shall be matters of Attorney Client Privilege, Public Safety 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 October 22, 2020.

Deputy Mayor DiBattista moved a motion to adopt Resolution 2020:282.
Committeewoman Rafeh seconded the motion.
An affirmative 5/0 roll call vote was recorded.

Mayor Killion stated no formal action would be taken and there would be no need to come back to open session.

Committee moved in to closed session at 7:30 pm

Committee returned to open session at 9:45 pm

Committeewoman McBride moved a motion to adjourn
Committeewoman Rafeh seconded the motion
An Affirmative 5/0 roll call vote was recorded

Meeting adjourned at 9:46 pm

Respectfully submitted



Pamela Scott-Forman
Acting Township Clerk