

**MINUTES  
TOWNSHIP OF PENNSAUKEN  
TOWNSHIP COMMITTEE MEETING  
APRIL 18, 2018**

A Meeting of the Pennsauken Township Committee was held on Wednesday, April 18, 2018 in the caucus room of the Township of Pennsauken Municipal Building, 5605 N. Crescent Blvd. Pennsauken, NJ 08110.

Mayor Killion called the meeting to order at 5:31 pm, the roll was recorded as such:

**PRESENT:** Committeeman Figueroa, Committeeman Orth, Committeeman Taylor Deputy Mayor Betsy McBride and Mayor Killion.

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

Roll call was followed by the Pledge to the Flag and a moment of silence.

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

**APPROVAL OF MINUTES-**  
Meeting-April 4, 2018

Committeeman Figueroa moved a motion to accept the minutes on the agenda  
Committeeman Taylor seconded the motion  
An affirmative 5/0 Voice vote was recorded

**BIDS OPENED-**

Opened on April 5, 2018- Demolition of 4401 Madison Ave. BP # 18-08

Committeeman Figueroa moved a motion to acknowledge the opening of BID #18-08  
Deputy Mayor McBride seconded the motion  
An affirmative 5/0 voice vote was recorded

**ORDINANCES-SECOND READING/PUBLIC HEARING (PUBLIC MAY COMMENT)**

**ORDINANCE NO. 2018:04** AN ORDINANCE OF PENNSAUKEN TOWNSHIP ESTABLISHING AN ELECTRIC AND/OR NATURAL GAS AGGREGATION PROGRAM

**WHEREAS**, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric utility market and/or natural gas market; and

**WHEREAS**, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service and/or natural gas pursuant to N.J.S.A. 48:3-93.1 et seq. and

**WHEREAS**, the Township hereby finds that it is in the best interests of residential and non-residential ratepayers for the Township to create the opportunity for them to enter into an aggregation agreement in order to seek substantial savings on electric and/or natural gas rates; and

**NOW, THEREFORE BE IT ORDAINED**, by the Township Committee of Pennsauken Township in the County of Camden and the State of New Jersey, duly assembled in public session, as follows:

1. The Township publicly declares its intent to become an aggregator of electric power on behalf of its residential users of electricity pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implementing regulations.
2. The Township will utilize approved vendor, Concord Engineering's dba Concord Energy Services, Reverse Energy Auction Platform pursuant to the NJ E-PROCUREMENT Pilot program (P.L. 2001, c.30) under the NJ Department of Community Affairs. The Reverse Energy auction will seek bids from licensed and appropriate third party suppliers. If such winning bid is selected and agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire.
3. The Mayor and Township Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.
4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
5. If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
6. This ordinance shall be effective immediately upon adoption and publication in accordance with law.

Ellyn McMullen of Palace Court commented why this was printed in the All Around Pennsauken if it's just being voted on now.

Administrator John Kneib replied it was in the All Around Pennsauken listed as the lowest bidder

Joanne Young of Park Avenue questioned if this program will continue to work as the other did in the past; that you have to "opt out"

Administrator Kneib replied yes, however if you are already with a third party or have solar panels you will automatically be opted out

Committeeman Taylor commented that with the last time when the price levelled off they did exactly what they said they would do.

<i>Figueroa</i>	√		√			
<i>Orth</i>			√			
<i>Taylor</i>		√	√			
<i>McBride</i>			√			
<i>Killion</i>			√			

<i>Figueroa</i>			√			
<i>Orth</i>	√		√			
<i>Taylor</i>		√	√			
<i>McBride</i>			√			
<i>Killion</i>			√			

**ORDINANCE NO. 2018: 06 AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF PENNSAUKEN ENTITLED "VEHICLES AND TRAFFIC" TO DESIGNATE A STOP INTERSECTION**

<i>Figueroa</i>		√	√			
<i>Orth</i>			√			
<i>Taylor</i>	√		√			
<i>McBride</i>			√			
<i>Killion</i>			√			

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

**2018:154 RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN AUTHORIZING THE SALE OF LAND OWNED BY THE TOWNSHIP OF PENNSAUKEN**

Township of Pennsauken County of Camden State of New Jersey \*\*\*NOTICE OF LAND SALE\*\*\*

Notice is hereby given that the Township of Pennsauken has authorized exposure to sale of certain Township owned property whereas, N.J.S.A. 40a:12-13 authorizes the sale of real property not needed for public use; and

WHEREAS, the Governing Body of the Township of Pennsauken has determined that Block 1001, Lot 10, is not necessary for public use and that said property would be of better value to the Township as a privately owned tax property and;

WHEREAS, the Governing Body of the Township of Pennsauken has further determined that the minimum fair market value for said lot is \$75,000.00;

NOW, THEREFORE BE IT RESOLVED that Block 1001, Lot 10 be sold to the highest bidder on Tuesday, May 8, 2018 at 10:30 AM at Pennsauken Municipal Building 5605 North Crescent Boulevard, Pennsauken, New Jersey 08110, pursuant to N.J.S.A. 40A:12-13, and

BE IT FURTHER RESOLVED, that the minimum price for said lot shall be \$75,000.00; and

BE IT FURTHER RESOLVED, as follows;

1. Said lot shall be used only for a use permitted in the zone.
2. Said lot is being sold with the condition that the municipality is issuing no representations or warranties as the permissibility or advisability of building.
3. The Township reserves the right at any time prior to confirmation of the sale made hereunder to reject any and all bids.
4. In addition to the bid amount, the successful bidder shall pay the cost of legal and engineering fees; ad

8. Said sale and conveyance shall be subject to all covenants, conditions, easements and restrictions whether of record or not, as well as subject to all existing municipal rules, regulations and ordinances, including the zoning ordinance and amendments thereto of the Township. The sale shall in no way bind the Township of Pennsauken to provide access to or improve presently existing accesses, whether there be public roads or not, nor is there any representation, in fact, that accesses do exist to the parcel named herein.
9. In the event the successful bidder shall fail to pay the balance as herein provided, the payment made at the time of sale shall be retained by the Township as liquidated damages for the non-performance of said bidder.
10. No representation is made by the Township of Pennsauken as to the marketability of, or insurability of title to said parcel. In the event that the title of the Township of Pennsauken to said parcel or portion thereof is not marketable or insurable at regular rates by a reputable title insurance company licensed to do business in the State of New Jersey, the successful bidder's sole remedy shall be the right to demand the return of any deposit paid to the Township of Pennsauken.
11. At least 15 days prior to the date of settlement, the successful bidder will provide the Township attorney with the following:
  - (a) Preliminary report of title with legal description; and (b) Current survey
12. The Township solicitor, mayor and township clerk are hereby authorized and directed to execute and deliver any documents necessary to effectuate the subject conveyance.

Administrator Kneib commented this is now a Land Sale Notice. The person who had previously been interested in purchasing the property after the walk through is no longer interested.

**NO PUBLIC WISHED TO COMMENT**

<i>Figuroa</i>	√		√			
<i>Orth</i>			√			
<i>Taylor</i>		√	√			
<i>McBride</i>			√			
<i>Killion</i>			√			

**2018: 155 RESOLUTION AWARDDING BID PACKET #18-08 DEMOLITION OF 4401 MADISON AVENUE TO THE ORIGINAL W. HARGROVE DEMOLITION INC.**

**Whereas**, bids were received for the demolition of various vacant properties with the Township of Pennsauken on April 5, 2018 under

Bid Packet 15-17;

**Whereas**, The Original W. Hargrove Demolition Inc. 1507 State Street, Camden, NJ 08108 is determined to be the lowest responsible bidder and therefore bid be awarded to same;

**Now Therefore Be It Resolved**, that the Township Administrator is hereby authorized to issue the necessary purchase order to demolish said properties per specifications in Bid Packet 18-08 for an amount of \$52,000.00; and

**BE IT FURTHER RESLOVED**, that a certified copy of this Resolution shall be submitted by the Township Clerk to the following

Administrator

John Kneib

<i>Figueroa</i>			√			
<i>Orth</i>			√			
<i>Taylor</i>		√	√			
<i>McBride</i>	√		√			
<i>Killion</i>			√			

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

**2018:156 RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO DISPOSE OF VARIOUS PIECES OF EQUIPMENT DETERMINED TO BE OF NO VALUE TO THE TOWNSHIP OF PENNSAUKEN THORUGH ONLINE AUCTION**

WHEREAS, the Township of Pennsauken is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Administrator is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, be it RESOLVED by the Township Committee in the Township of Pennsauken, County of Camden, as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Township Purchasing Agent.

(2) The sale will be conducted online and the address of the auction site is [www.govdeals.com](http://www.govdeals.com).

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:

- SEE ATTACHED

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Township of Pennsauken reserves the right to accept or reject any bid submitted.

- Computer Equipment
- Office Furniture
- Office Supplies
- Communications Equipment and Accessories

**2018:157 RESOLUTION ADOPTING THE 3-YEAR COOPERATION AGREEMENT WITH THE COUNTY OF CAMDEN**

**WHEREAS**, the Township of Pennsauken will propose certain activities to be carried out under the 2018, 2019 and 2020 Community Development, HOME Programs and Emergency Solutions Grant programs; and

**WHEREAS**, the aforesaid activities are in the best interest of the Township of Pennsauken and the County of Camden;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of the Pennsauken that the 2018, 2019 and 2020 Year Cooperation Agreement be adopted;

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon its enactment.

Administrator Kneib commented this resolution is for the CDBG grants now listed by fiscal year **2018:158 RESOLUTION ACCEPTING THE RESIGNATION OF A CROSSING GUARD(S) LAURA MASON**

BE IT RESOLVED by the Township Committee Township of Pennsauken in the County of Camden and the State of New Jersey; that Laura Mason has resigned from her position of Crossing Guard. She has returned her equipment to the Police Department and, therefore, the deposit of fifteen dollars (\$15.00) is to be refunded as follows:

**Laura Mason**

**4764 Oak Terrace**

**Pennsauken, NJ 08109**

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Township Clerk to the Township Chief Financial Officer Chief of Police and Human Resources

**2018:159 RESOLUTION ACCEPTING THE RESIGNATION OF A CROSSING GUARD(S) JAMES HARKINS**

BE IT RESOLVED by the Township Committee Township of Pennsauken in the County of Camden and the State of New Jersey; that James Harkins has resigned from his position of Crossing Guard. He has not returned his equipment to the Police Department and, therefore, is not entitled to a refund until said equipment has been returned.

**James Harkins**

**831 Engard Avenue**

**Pennsauken, NJ 08110**

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Township Clerk to the Township Chief Financial Officer Chief of Police and Human Resources

**NO PUBLIC WISHED TO COMMENT**

<i>Eiguera</i>							
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Discussion of Businesses in Redevelopment Areas Mr. Kneib presented the following in the absence of Mr. Cardwell and Mr. Carr.

**Sidmar Mgt Burger King** – 1071 Route 73. For sale only a new owner of the Burger King. The use remain the same.

*Mayor and Committee were okay with this moving forward*

**Bruce & John Fox LLC** – 6950 South Crescent Blvd. For sale only of a portion of Forman Mills. The use will remain the same.

*Mayor and Committee said more information was needed; and the comment was made that Forman Mills has racks of clothing outside which they are in violation of.*

**Hiram Carlo** – 9382 North Crescent Blvd. The applicant would like to open a “Vape” store. (See separate write up)

*Mayor and Committee want more information*

**Veronica Carlo Sanchez** – 9384 North Crescent Blvd. this application is for a bakery owned by a husband and wife. (Write up attached)

*Mayor and Committee want more information*

**Food Trailer** – 6540 North Crescent Blvd. The applicant would like to have a food trailer in the Cooks Liquor parking lot Mondays thru Friday 10am – 5pm. This would be in the same location of a food truck that was approved previously.

*Mayor and Committee want a picture of the truck but that it could move forward*

### **Items for Discussion**

**La Cocina purchase** looking to purchase the property next to it to add outdoor seating and parking the property is owned by the Township

*Mayor and Committee were okay with it but that they need to abide by the 8pm curfew like the other eateries on Westfield*

**Sergeant Scrap** Mr. Eric Goldberg, Esq. was present with the property owner, who said they were working on holding Sgt. Scrap to the requirement to clean up

*Mayor Killion stated they have been in noncompliance for 4 years and they still have 9 violations outstanding. He is in favor of no forward movement until they correct ALL violations.*

*Committeeman Taylor commented that the Sgt. Scrap location in Gloucester City is pristine and that the location here in Pennsauken needs to step up their game.*

*Mayor and Committee has denied their request until they correct ALL violations and the location is better organized and taken care of.*

### **Liquor License-Possible Liquor Store-Marlton Pike**

Clerk Padalino brought to the attention a liquor license who’s location had fallen through and he now has a new location he is looking at the corner of Rosemount Avenue and Marlton Pike.

built. The County wants to own it; they would be responsible for the upkeep and beautification.

*Mayor and Committee are okay with it.*

## **AGENDA ITEMS**

### **UNFINISHED BUSINESS/ORDINANCES ON SECOND READING:**

ORDINANCE NO. 2018:03  
CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)-(Second Reading/Public Hearing-April 25)

### **RESOLUTIONS – MATTERS OF LITTLE OR NO DISCUSSION:**

2018:125 RESOLUTION AUTHORIZING THE 2018 GARBAGE DISTRICT BUDGET TO BE READ BY TITLE ONLY-( April 25)

2018:126 RESOLUTION INTRODUCING THE 2018 PENNSAUKEN TOWNSHIP MUNICIPAL BUDGET BY TITLE- (April 25)

## **PUBLIC COMMENT**

Ellyn McMullen of Palace Court – commented that at the last meeting there was a resolution for appropriation of reserves. How much money was put in the reserve.

Administrator Kneib replied that resolution is so that the current bills can be paid will waiting for the Budget to be passed. It's the emergency use of cash flow to pay bills.

Joann Young of Park Avenue questioned if the Shade Tree Commission is still working as a commission and if its following the powers of the state.

Deputy Mayor McBride replied yes

No other public wished to comment

Committeeman Taylor moved a motion to close the floor to public comment

Committeeman Figueroa seconded the motion

An affirmative 5/0 voice vote was recorded

Mayor Killion asked if there was any other business if not he would call for a motion to adjourn.

## **ADJOURNMENT**

Committeeman Taylor moved a motion to adjourn

Committeeman Figueroa seconded the motion

An affirmative 5/0 voice vote was recorded