

**MINUTES  
TOWNSHIP OF PENNSAUKEN  
PUBLIC COMMITTEE MEETING  
November 2, 2023**

Pennsauken Township Public Committee Meeting was held at the Municipal Building located at 5605 N. Crescent Blvd Pennsauken, NJ 08110 on Thursday, November 2, 2023.

The Meeting was called to order by Mayor Martinez at 6:00 pm.

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

**PRESENT:** Committeewoman Roberts, Committeewoman Rafeh, Committeeman DiBattista (arrived at 6:06 pm), Deputy Mayor Olivo and Mayor Martinez.

Also, present were Township Administrator Tim Killion, Township Clerk Pamela Scott-Forman, Deputy Clerk Ana Matos, and Christopher Orlando Esq.

Mayor Martinez called for the Salute to the Flag, to be followed by a Moment of Silence. Mayor also announced the meeting complies with the "Senator Byron M. Baer Open Public Meetings Act."

**NOTE:** Township Clerk announced that this meeting was published in the Courier Post on January 13, 2023.

**CONSIDERATION OF/AND POSSIBLE ACTIONS ON ANY REQUEST FOR ELECTRONIC PARTICIPATION IN MEETING – None received.**

**NOTE:** Meeting was streamed live on YouTube.

**APPROVAL OF MINUTES**

Meeting of October 19, 2023

*Deputy Mayor Olivo moved the motion to approve the minutes on the agenda.  
Committeewoman Rafeh seconded the motion.  
A 4/0 affirmative voice vote was recorded.*

**BID OPENNING**

23-22 Concrete  
Tuesday, October 31, 2023 @ 10 AM

*Committeewoman Rafeh moved the motion to acknowledge the BID.  
Deputy Mayor Olivo seconded the motion.  
A 4/0 affirmative voice vote was recorded.*

**BEST PRACTICES**

Deputy Mayor Olivo moved a motion acknowledging the Best Practices review. Committeewoman Roberts seconded the motion. An affirmative 4/0 voice vote was recorded.

**ORDINANCE ON SECOND READING**

**2023:26** AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF PENNSAUKEN CHAPTER 299 ENTITLED "VEHICLES AND TRAFFIC" (Lexington Avenue)

BE IT ORDAINED by the Mayor and Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey, as follows:

Chapter 299-57 "Restricted Parking Zones in Front of Residences: is hereby amended to ADD the following:

1. Handicapped Parking Signs located at 2221 Lexington Avenue beginning 25 feet south from the southwest corner of Lexington Avenue and Jefferson Avenue and continuing 22 feet south.

All Ordinances or parts of Ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

This Ordinance shall take effect upon due publication and final enactment as provided by law.

Deputy Mayor Olivo moved a motion to open the floor for public comment.  
 Committeewoman Roberts seconded the motion.  
 4/0 affirmative voice vote was recorded.

No public wished to comment.

Deputy Mayor Olivo moved a motion to close the floor for public comment.  
 Committeewoman Roberts seconded the motion.  
 4/0 affirmative voice vote was recorded.

**Motion To Adopt: Ordinance 2023:26**

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

No Public Wished to Comment

**2023:27 AN ORDINANCE BY THE TOWNSHIP COMMITTEE AMENDING CHAPTER 243 PROPERTY MAINTENANCE OF THE CODE OF THE TOWNSHIP OF PENNSAUKEN TO ADD ARTICLE VI PRIVATELY OWNED SALT STORAGE**

**WHEREAS**, the Township of Pennsauken has received authorization under the Tier A Municipal Stormwater General Permit from the New Jersey Department of Environmental Protection (NJDEP) to discharge stormwater to surface water and groundwater from the storm sewer system owned and operated by the Township; and

**WHEREAS**, it is required by said Permit that the Municipality shall adopt and enforce an ordinance regulating the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Pennsauken in the County of Camden and State of New Jersey, that the Code of the Township of Pennsauken, Chapter 243 Property Maintenance, be amended to add Article VI Privately Owned Salt Storage as follows:

**Article VI Recitals**

**243-24 Purpose.** The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Township of Pennsauken to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

**243-25 Definitions.** For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. "Storm drain inlet" means the point of entry into the storm sewer system.
- D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
  - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
  - 3. The structure shall be erected on an impermeable slab;
  - 4. The structure cannot be open sided; and
  - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
  - F. "Resident" means a person who resides on a residential property where de-icing material is stored.

#### **243-26 Deicing Material Storage Requirements.**

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15<sup>th</sup> and April 15<sup>th</sup>:
  - 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
  - 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
  - 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
  - 4. Loose materials shall be covered as follows:
    - a. The cover shall be waterproof, impermeable, and flexible;
    - b. The cover shall extend to the base of the pile(s);
    - c. The cover shall be free from holes or tears;
    - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
    - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
  - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
  - 5. Containers must be sealed when not in use; and
  - 6. The site shall be free of all de-icing materials between April 16<sup>th</sup> and October 14<sup>th</sup>.

- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
  - C. Temporary and/or permanent structures constructed for this purpose must comply with local ordinances, including building and zoning regulations.
  - D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

**243-27 Exemptions.** Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

**243-28 Enforcement.** This ordinance shall be enforced by the Pennsauken Township Police Department, Pennsauken Township Building Department and Code Enforcement during the course of ordinary enforcement duties.

**243-29 Violations and Penalties.** Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall be subject to one or more of the following: a fine not exceeding \$1,250 or imprisonment in the county jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, in the discretion of the Municipal Court Judge.

**243-30 Severability.** Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

**243-31 Effective Date.** This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

This Ordinance shall take effect in accordance with law.

Deputy Mayor Olivo moved a motion to open the floor for public comment.  
 Committeewoman Roberts seconded the motion.  
 4/0 affirmative voice vote was recorded.

No public wished to comment.

Deputy Mayor Olivo moved a motion to close the floor for public comment.  
 Committeewoman Roberts seconded the motion.  
 4/0 affirmative voice vote was recorded.

**Motion To Adopt: Ordinance 2023:27**

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Roberts</i>		√	√			
<i>Rafeh</i>			√			
<i>DiBattista</i>						√

<i>Olivo</i>	√		√			
<i>Martinez</i>			√			

No Public Wished to Comment

**2023:28 AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF PENNSAUKEN CHAPTER 269, SOLID WASTE REGULATING THE PLACEMENT OF YARD WASTE IN THE STREET**

**WHEREAS**, the Township of Pennsauken is authorized to discharge stormwater to surface water and groundwater in accordance with the Tier A Municipal Stormwater General Permit issued by the New Jersey Department of Environmental Protection (NJDEP); and

**WHEREAS**, the NJDEP has revised the requirements of the Tier A Permit to add a seven (7) day restriction prior to a scheduled or announced collection for the placement of un-containerized yard waste in the street.

**THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Pennsauken in the County of Camden and State of New Jersey, that the Code of the Township of Pennsauken, Chapter 269, Solid Waste, Section 269-11, General Regulation is hereby amended as follows:

Section 269-11, Subsection D, now to read:d the following location:

**The sweeping, raking, blowing, or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.**

All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

This Ordinance shall take effect in accordance with law.

Deputy Mayor Olivo moved a motion to open the floor for public comment.  
Committeewoman Roberts seconded the motion.  
4/0 affirmative voice vote was recorded.

No public wished to comment.

Deputy Mayor Olivo moved a motion to close the floor for public comment.  
Committeewoman Roberts seconded the motion.  
4/0 affirmative voice vote was recorded.

**Motion To Adopt: Ordinance 2023:28**

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

No Public Wished to Comment

**ORDINANCE ON FIRST READING (No Public Comment – Second Reading will take place on December 7<sup>th</sup>)**

**2023:29 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF PENNSAUKEN CHAPTER 299 ENTITLED “VEHICLES AND TRAFFIC” (June Rd.)**

**BE IT ORDAINED** by the Mayor and Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey, as follows:

Chapter 299-29 “Schedule I: No Parking” is hereby amended to ADD the following:

June Road, Both, From Sheppard Road to Day Avenue.  
All Ordinances or parts of Ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

This Ordinance shall take effect upon due publication and final enactment as provided by law.

Deputy Mayor Olivo moved a motion to approve on first reading.  
Committeewoman Roberts seconded the motion.  
4/0 affirmative voice vote was recorded.

**2023:30 BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS FOR THE PENNSAUKEN TOWNSHIP COUNTRY CLUB; APPROPRIATING THE SUM OF \$500,000 THEREFOR; 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 \$475,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; 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 (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 purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Pennsauken, County of Camden, New Jersey ("Township").

**Section 2.** It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$500,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$475,000;
- (c) a down payment in the amount of \$25,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*; and

**Section 3.** The sum of \$475,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$25,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$475,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$475,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$50,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Various Improvements and Renovations to Golf Course Club House including, but not limited to, Deck and Ground Level Renovations, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$500,000	\$25,000	\$475,000	15 years

**Section 8.** The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 15 years.

**Section 9.** Additional grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

**Section 10.** 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 Clerk prior to the passage of this 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. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$475,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 11.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 12.** The applicable Capital Budget of the Township is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 13.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 14.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) 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 Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 15.** The improvements authorized hereby are not current expenses and are 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 16.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 17.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Committeewoman Roberts moved a motion to approve on first reading.  
Deputy Mayor Olivo seconded the motion.  
4/0 affirmative voice vote was recorded.

**RESOLUTION (s) The Following will be Considered Individually**

**2023:334 RESOLUTION AUTHORIZING REFERRAL TO THE PENNSAUKEN PLANNING BOARD AN ORDINANCE TO AMEND "CHAPTER 141 DEVELOPMENT REGULATIONS, ARTICLE XIV STORMWATER CONTROL" AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND PURSUANT TO N.J.S.A. 40:55D-26**

WHEREAS, pursuant to N.J.S.A. 40:55D-26, prior to the adoption of a development regulation, revision or amendment thereto, the municipal governing body is to refer the matter to the municipal planning board for study and recommendation; and

WHEREAS, in July 2023, the New Jersey Department of Environmental Protection published and instituted the Inland Flood Protection Rules, requiring updates statewide updates to municipal stormwater control ordinances; and

WHEREAS, the Pennsauken Township Committee desires to amend Pennsauken Township's Stormwater Control Ordinance, Article XIV Stormwater Control in Chapter 141 Development Regulations, to agree with the NJDEP's current model ordinance, in order to maintain compliance with the State Statutes and its Tier A Municipal Stormwater General Permit; and

WHEREAS, the Pennsauken Township Committee desires that the Pennsauken Township Planning Board review the amendment to Chapter 141 Development Regulations Chapter XIV Stormwater Control to ensure it is consistent with the master plan and make such recommendations as they feel are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden and State of New Jersey, that the Pennsauken Township Planning Board review the state mandated amendments to Chapter XIV Stormwater Control of the Pennsauken Township Development Regulations, created by the adoption of the Inland Flood Protection Rules and make such recommendation for such amendment to the Development Regulations as they feel appropriate.

BE IT FURTHER RESOLVED, that the Municipal Clerk is authorized to forward a certified copy of this resolution to the Pennsauken Planning and Zoning Offices, and to the Pennsauken Planning Board Solicitor.

I hereby certify the forgoing to be a true copy of a resolution adopted by the Pennsauken Township Committee.



NOTE: Committeeman DiBattista arrived at 6:06 pm during the role call for adoption.

Name	Motion	Second	Aye	Nay	Abstain	Absent
Roberts	√		√			
Rafeh			√			
DiBattista					√	
Olivo		√	√			
Martinez			√			

No Public Wished to Comment

**RESOLUTION(s) The Following will be Considered by Consent Agenda**

**2023:335 TOWNSHIP OF PENNSAUKEN APPROPRIATION TRANSFERS (No. 1)  
2023 MUNICIPAL BUDGET**

WHEREAS, the Director of the Finance Department, through the Office of the Township of Administrator, has informed the Township Committee that it is necessary to expend funds for certain purposes for which funds were appropriated in the 2023 budget and the amount of said anticipated expenditures exceeds the amount appropriated therefor, said insufficient appropriations being more particularly set forth in the attached Schedule “A”; and

WHEREAS, the Director of the Finance Department, through the Office of the Township Administrator, has informed the Township Committee that a certain amount of funds, which are set forth on the attached Schedule “A” are appropriated for certain purposes, but are not required to be expended for said purposes and the Director has recommended that the Township Committee transfer said excess appropriations to the aforementioned insufficient appropriations; and

WHEREAS, N.J.S.A. 40A:4-58(a) states that should it become necessary, during the last two months of the fiscal year to expend for any of the purposes specified in the Budget, an amount in excess of the respective sums appropriated therefor, and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such an appropriation, the governing body, may by resolution, setting forth the facts adopted by not less than two-thirds of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient; and

WHEREAS, the Township Committee has reviewed the aforementioned recommendation and desires to act favorably upon same.

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

1. That the Township Committee for the aforementioned reasons hereby declares that certain appropriations are insufficient to fulfill the purposes for which the funds were appropriated and hereby declares that certain appropriations are in excess of the amount of funds necessary to fulfill the purposes for which the funds were appropriated, said insufficient and excess appropriations being more particularly set forth on the attached Schedule “A”.
2. That the Township Committee for the aforementioned reasons hereby transfers certain funds from the excess appropriations to the insufficient appropriations which exist in the 2023 Budget, said transfer being more particularly set forth on the Attached Schedule “A”.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey, at their meeting held in the Municipal Building, 5605 North Crescent Boulevard, New Jersey on November 2, 2023.

**2023:336 RESOLUTION AUTHORIZING THE EXTENSION OF UTILIZATION OF THE CONTRACT FOR TRAFFIC SIGNAL AND SCHOOL FLASHER EMERGENCY RESPONSE AND SIGNAL MODIFICATIONS AND MISCELLANEOUS ELECTRIC SERVICE WITH AN OPTION FOR MAINTENANCE AND INSPECTION UNDER THE CHERRY HILL COOPERATIVE PRICING SYSTEM IDENTIFIER #37-CHCPS**

WHEREAS, the Township of Pennsauken is in need of Traffic Signal and School Flasher Emergency Response and Signal Modifications with an option for Maintenance and Inspection to ensure the safe operation of the Township's traffic signal system equipment; and

WHEREAS, the Township by Resolution 2022:449 became a member of a cooperative contract with Cherry Hill Township serving as the lead agency to secure a contract for Traffic Signal and School Flasher Emergency Response and Signal Modifications and Miscellaneous Electric Service with an Option for Maintenance and Inspection under Cherry Hill Cooperative Pricing System – Identifier #37-CHCPS; and

WHEREAS, pursuant to Cherry Hill Township Resolution 2022-10-19, Techna-Pro Electric, LLC (Techna-Pro), 100 Pike Road, Bldg. B-1, Mt. Laurel, NJ 08054 was awarded a one (1) year contract with two (2) one (1) year renewals at the same terms, conditions, and pricing upon mutual written consent of Cherry Hill Township and Techna-Pro; and

WHEREAS, the Cherry Hill Township evaluation committee assessed the past services received; and

WHEREAS, by mutual written consent between Cherry Hill Township and Techna-Pro Electric, LLC have agreed to extend the contract under the same terms, conditions, and pricing for the first one (1) year renewal period commencing November 3, 2023 to November 2, 2024; and

WHEREAS, the Township Engineer recommends to Township of Pennsauken's continuing participation in the cooperative contract in order to satisfy the Township's above-elaborated needs; and

WHEREAS, as a participating member of the cooperative, the Township Committee is required to pass a resolution approving continued participation in the cooperative pursuant to the conditions of the bid in accordance with applicable law for material (Base Bid) and Maintenance and Inspections (Option #1), if and when needed, in addition to applicable prevailing wage rates; and

WHEREAS, said resolution approving continued participation shall be forwarded to Cherry Hill Township and Techna-Pro Electric, LLC; and

WHEREAS, pursuant to the Cooperative Pricing Agreement, The Township of Pennsauken hereby requests continued participation in the Traffic Signal and School Flasher Emergency Response and Signal Modifications and Miscellaneous Electric Service with an Option for Maintenance and Inspection under the Cherry Hill Cooperative Pricing System Identifier #37-CHCPS described in the Cherry Hill Township master contract; and

WHEREAS, the Township of Pennsauken acknowledges that it has received and reviewed the Agreement in its entirety, and agrees to be bound by its promises, covenants, terms and conditions as well as by any rules and regulation duly promulgated by the Lead Agency (Township of Cherry Hill) and the members of the Cooperative Pricing System; and

WHEREAS, the Township of Pennsauken shall likewise be entitled to all the rights and benefits of a member of the Cooperative pricing System; and

WHEREAS, the first renewal contract period shall commence November 3, 2023 and with the adoption of this Resolution, and/or at final execution of a separate contract or purchase order between Pennsauken Township and Techna-Pro, and will terminate November 2, 2024 with the option for one (1) additional one (1) year extensions upon written consent of the Township of Cherry Hill and Techna-Pro; and

WHEREAS, the availability of this contract best serves the needs of Pennsauken Township and the governing body recommends utilization of this contract; and

WHEREAS, all repairs will be made on an as-needed basis and this is an open-ended contract which the Township is not obligated to order, accept or pay for the goods and services hereunder until an order is placed, required certification of available funds shall be made when goods or services are ordered.

WHEREAS, the cost of these goods and services shall not exceed \$65,000 for FY 2024 for Pennsauken Township only.

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 accept the option to continue participation in the cooperative contract, Traffic Signal and School Flasher Emergency Response and Signal Modifications and Miscellaneous Electric Service with an Option for Maintenance and Inspection under the Cherry Hill Cooperative Pricing System Identifier #37-CHCPS, under the same terms and conditions of the original contract for the first one (1) year extension period, for an amount not to exceed \$65,000.

. by the Township Council of the Township of Cherry Hill, County of Camden, State of New Jersey that the Mayor or 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.

**2023:337 RESOLUTION ACCEPTING, AND AWARDING BIDS FOR THE 2023-24 STORM SEWER REPAIR PROGRAM CONTRACT BID PACKET NO. 23-21 (R. Moslowski Excavating, Inc.)**

WHEREAS, bids were received and opened for the Storm Sewer Repair Program Contract, Bid Packet No. 23-22, on October 17, 2023; and

WHEREAS, the Township Engineer has reviewed the bids submitted and has determined that R. Moslowski Excavating Inc., 3 Meirs Road, Cream Ridge, New Jersey 08514 is the lowest responsible bidder; and

WHEREAS, the Township Engineer recommends to the Township Committee that a 12-month contract be awarded to R. Moslowski Excavating, Inc. for the unit prices stated on the bid form and with work to be performed on an as-needed basis; and

WHEREAS, R. Moslowski Excavating Inc, 3 Meirs Road, Cream Ridge, New Jersey 08514 shall not exceed \$50,000; and

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

1. The Township hereby awards a 12-month contract for the 2023-24 Storm Sewer Repair Program to R. Moslowski Excavating, Inc. for the unit prices stated on the bid forms with work to be performed on an as-needed basis, as directed by either the Township Engineer or the Superintendent of Public Works.
2. The Township Administrator is hereby authorized to execute any and all documents necessary to effectuate the award of this contract.
3. The aforementioned contract is a "Term Contract" permitting the purchase of items at a stated price on an "as-needed" basis, at which time certifications of available funds shall be provided for each purchase by means of an encumbered purchase order, in accordance with Local Public Contracts Regulation 5:30-14.5(c)2ii.

**2023:338 RESOLUTION ACCEPTING, AND AWARDING BIDS FOR THE 2023-24 CONCRETE REPAIR PROGRAM CONTRACT BID PACKET NO. 23-22 (Diamond Construction)**

WHEREAS, bids were received and opened for the 2023-24 Concrete Repair Program, Bid No. 23-22 on October 31, 2023; and

WHEREAS, the Concrete Repair Program Bid is a unit price bid, not a stipulated sum bid, with the total price bid used solely as the basis for fair and equal comparison of bids submitted; and

WHEREAS, the Township Engineer has reviewed the bids submitted and based on the total price bid, has determined that Diamond Construction, 35 Beaverson Boulevard, Suite 12C, Brick, NJ 08723 is the apparent low bidder and recommends to the Township Committee that a contract be awarded to Diamond Construction with work to be completed in accordance with the unit prices contained in the bid proposal.

WHEREAS, Diamond Construction, 35 Beaverson Boulevard, Suit 12C, Brick, NJ 08723 shall not exceed \$55,000; and

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

1. The Township hereby awards a 12-month contract for the 2023-24 Concrete Repair Program to Diamond Construction, 35 Beaverson Boulevard, Suite 12C, Brick, NJ 08723.
2. The Township Administrator is hereby authorized to execute any and all documents necessary to effectuate the award of this contract.
3. The aforementioned contract is a "Term Contract" permitting the purchase of items at a stated price on an "as-needed" basis, at which time certifications of available funds shall be provided for each purchase by means of an encumbered purchase order, in accordance with Local Public Contracts Regulation 5:30-14.5(c)2ii.

**2023:339 RESOLUTION FOR UNPAID MUNICIPAL CHARGES FOR EXAMPLE BUT NOT LIMITED TO GRASSCUTTING, CLEAN-UP AND BOARD-UP; ESTABLISH A FINAL BILLING; IMPOSE MUNICIPAL ASSESSMENTS; ENFORCE THROUGH TAX SALE; AND IMPOSE MUNICIPAL LIENS.**

WHEREAS, the Township of Pennsauken has incurred an expense in the year(s) 2022 against various properties within the Township for failure of the property owner to comply with Municipal Ordinances concerning the condition of their property, and;

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

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

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

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

**2023:340 RESOLUTION AUTHORIZING REFUND OF \$2,500.00 FOR ROSTER REQUIREMENT ESCROW (PYAA)**

BE IT RESOLVED by the Township Committee of the Township of Pennsauken, in the County of Camden, and State of New Jersey that the Municipal Finance Officer is hereby authorized to refund \$2,500.00 to

PENNSAUKEN YOUTH ATHLETIC ASSOCIATION  
2702 Powell Avenue  
Pennsauken, NJ 08110

**2023:341 RESOLUTION AUTHORIZING REFUND OF \$2,500.00 FOR ROSTER REQUIREMENT ESCROW (Pennsauken Youth Soccer Club)**

BE IT RESOLVED by the Township Committee of the Township of Pennsauken, in the County of Camden, and State of New Jersey that the Municipal Finance Officer is hereby authorized to refund \$2,500.00 to

PENNSAUKEN YOUTH SOCCER CLUB  
P O Box 1162  
Merchantville, NJ 08109

**2023:342 A RESOLUTION ESTABLISHING A POLICY FOR APPLICATIONS APPROVED FOR TOTALLY DISABLED TAX-EXEMPT VETERANS**

WHEREAS, the Pennsauken Township Tax Assessor's office receives applications for Totally Disabled Veterans; and

WHEREAS, when the Tax Assessor approves these applications tax dollars are cancelled; and

WHEREAS, the Pennsauken Township Committee has an interest in establishing a policy concerning tax dollars, for the cancellation of taxes on approval of applications for Totally Disabled Tax Exempt Veterans; and

NOW, THEREFORE BE IT RESOLVED THAT THE Pennsauken Township Committee hereby sets the following policy on cancellation of taxes due to approval of an application for Totally Disabled Tax-Exempt Veterans:

- Pennsauken Township will cancel taxes on the date of the Township's receipt of a completed application form D.V.S.E.E. (CLAIM FOR PROPERTY TAX EXEMPTION ON DWELLING OF DISABLED VETERAN OR SURVIVING SPOUSE/CIVIL UNION OR DOMESTIC PARTNER OF DISABLED VETERAN OR SERVICEPERSON Form). The form must be date received stamped by the Tax Assessor's office.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey at their meeting held in the meeting room of the Municipal Building located at 5605 N. Crescent Blvd. Pennsauken, New Jersey 08110 on November 2, 2023.

**2023:343 RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE 0427-33-013-010 BDP BREWING LLC. (DOUBLE NICKEL) WITH 12:39 RELIEF FOR 2023-2024**

WHEREAS, APPLICATION HAS BEEN FILED WITH THE TOWNSHIP CLERK FOR THE RENEWAL OF LIQUOR LICENSES NOW IN EFFECT IN THE TOWNSHIP OF PENNSAUKEN: AND

WHEREAS, PROPER RENEWAL FEES HAVE BEEN PAID AND NO OBJECTIONS HAVE BEEN FILED AGAINST THE PROPERTY: AND

WHEREAS, THE ATTORNEY GENERALS OFFIC3E HAS GRANTED 12:39 RELIEF

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 LICENSES ON THE ATTACHED LISTS BE RENEWED WITH THE CONTINUANCE OF ALL TERMS AND CONDITIONS IMPOSED BY THE TOWNSHIP COMMITTEE IN PRIOR YEARS. THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO PREPARE AND ISSUE THE LICENSE WITH TERMS AND CONDITIONS FOR THE YEAR 2023-2024.

BE IT FURTHER RESOLVED THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, AND TO THE CHIEF OF POLICE OF THE TOWNSHIP OF PENNSAUKEN.

**2023-2024 LIQUOR LICENSES - PLENARY RETAIL CONSUMPTION LICENSE**

0427-33-013-010 BDP BREWING LLC  
DOUBLE NICKEL  
1585 ROUTE #73

Name	Motion	Second	Aye	Nay	Abstain	Absent
Roberts			√			
Rafeh		√	√			
DiBattista			√			
Olivo	√		√			
Martinez			√			

No Public Wished to Comment

**PAYMENT OF BILLS**

October 2023 \$2,400,218.11

Committeewoman Roberts moved amotion to pay the bills.

Deputy Mayor Olivo seconded.  
A 5/0 affirmative voice vote was recorded.

### **ECONOMIC DEVELOPMENT**

Mr. Shakir Ali introduced Alina Victoriano for 5505-07 Westfield Avenue. They would like to expand the hair salon into a full-service salon. Sher salon is currently in 5505 Westfield and wishes to increase her footprint by extending it into 5507 also.

*Committee - approved to move forward.*

Mr. Ali introduced the owners of the International Barber Shop, who would like to move to 4814 Westfield Avenue. Committeewoman Rafeh helped to translate for her. They are interested in making the property a barbershop for everyone which will also employ several people. It would be 7 days a week 8:30 am – 7:30 pm they will accept walk-ins along with appointments.

*Committee - approved to move forward.*

Mr. Ali introduced the owner of Countrywide Home Care. Ana stated their headquarters is located at Point Plaza here in Pennsauken. She would like to move some of her administrative offices into 5824 Westfield Avenue and it would only be about 12 employees who would not all be there at the same time. They are a certified home health care facility.

*Committee - approved to move forward.*

Committeeman DiBattista reminded all of them that parking has always been an issue on Westfield with businesses.

Mr. Ali commented that each one would still need to go before the Planning Board.

### **PUBLIC COMMENT**

No public wished to comment.

Committeeman DiBattista moved a motion to close the floor for public comment.  
Deputy Mayor Olivo seconded.  
5/0 affirmative voice vote was recorded.

### **COMMITTEE COMMENTS**

Mayor Martinez - We have a big Event Saturday our Fall Festival, and it will be a good time for all.

Deputy Mayor Olivo – Thanked the public for coming to the meeting. He commented that a spooktacular time was had at the Haunted Hey Ride and its success.

Committeeman DiBattista – Wished Good Luck to all who presented their entrepreneurial business' and if you need anything to reach out for help. He commented on the growth of the Hey Ride each year and thanked everyone who helped make it a success and participated including Public Works, Police, Fire, Pennsauken Sewerage Authority, EMS and the Country Club.

Committeewoman Rafeh – Commented on the Senior event which took place at Homestead and thanked the FBI, Jefferson Health, Amy & Pam and Officer Rossner for putting it together. "It was a lot of important information." Public Works leaf collection signs have gone up throughout the neighborhoods specifying when collection will take place. The Fall Festival is Saturday, the 4<sup>th</sup> from 12 noon to 4 pm. There will be shuttles to and from the facility to parking at the World Harvest Church on Westfield Avenue. There will be a small ceremony on November 11<sup>th</sup>. The holiday parade is scheduled for November 25<sup>th</sup> at 1 pm and Breakfast with Santa will be on December 2<sup>nd</sup> and tickets for that event will go on sale Monday, November 13<sup>th</sup>.

Committeewoman Roberts – Thanked the Entrepreneurs for coming to Pennsauken. The library is having their fall raffle and tickets are 3 for \$5. The Fall Festival promises to be epic. It's Native American Heritage month and the library has a lot of cool stuff going on; please be sure to check it out.

Administrator Killion announced the building would be closed on Tuesday, November 7<sup>th</sup> and again on the 10<sup>th</sup> for elections and veterans' day. The next meeting will be on Monday, November 14<sup>th</sup>.

**ADJOURNMENT**

Committeeman DiBattista moved the motion to adjourn.  
Deputy Mayor Olivo seconded.  
An affirmative 5/0 voice vote was recorded.

Meeting adjourned at 6:49 pm

Respectfully submitted.

Pamela Scott-Forman, RMC  
Township Clerk

Approved: