

**MINUTES**  
**TOWNSHIP OF PENNSAUKEN**  
**TOWNSHIP COMMITTEE MEETING**  
**March 4, 2021**

The Committee Meeting of the Pennsauken Township Committee was held via electronic participation on Thursday, March 4, 2021.

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

Mayor DiBattista announced the meeting complies with the "Senator Byron M. Baer Open Public Meetings Act".

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

Committeeman Killion moved the motion to approve the use of electronic participation. Deputy Mayor Rafeh seconded the motion. An affirmative 5/0 voice vote was recorded.

**PRESENT:** Committeeman Martinez, Committeeman Killion, Committeewoman Roberts, Deputy Mayor Rafeh and Mayor DiBattista.

Also present were Director of Regulatory Services Shakir Ali, Deputy Clerk Ana Matos & Linda Galella, Esq.

**ABSENT:** Acting Administrator Joseph Palumbo & Acting Clerk Pamela Scott-Forman

**APPROVAL OF MINUTES**

Regular Meeting Minutes	February 18, 2021
Closed Session	February 18, 2021

Deputy Mayor moved the motion for approval of minutes. Committeeman Killion seconded the motion. An affirmative 5/0 voice vote was recorded.

**ORDINANCES: SECOND READING (PUBLIC MAY COMMENT)**

**2021:07**

**AN ORDINANCE AUTHORIZING RIGHT-OF-WAY USE AGREEMENT WITH ZAYO GROUP FOR THE INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT**  
(Maple Avenue)

**WHEREAS**, the Township of Pennsauken possesses numerous permanent rights-of-way that are, or are planned to be, utilized throughout the Township and those rights-of-way are depicted on the current tax map and/or documents of public record; and

**WHEREAS**, Zayo Group LLC is a telecommunications provider licensed by the Federal Communications Commission that deploys and operates wireless and wireline communications infrastructure.; and

**WHEREAS**, in accordance with the provisions of N.J.S.A. 48:3-11, *et. seq.*, Zayo Group LLC has petitioned the Township for its consent to locate, place, attach, install, operate, control,

maintain, upgrade, and enhance its Personal Wireless Service Facilities in a municipal right-of-way at a site identified by the individual Right-of Way Agreement between the Township and Zayo Group LLC and on a utility, pole located at 4498 Cooper Avenue; and

**WHEREAS**, N.J.S.A. 48:3-18 provides that a municipality may enter into a written agreement with any other person owning utility poles erected under municipal consent in any street, highway, or other public place and N.J.S.A. 48:3-19 requires that the person obtain the consent of the municipality; and

**WHEREAS**, N.J.S.A. 48:3-15 provides that, upon satisfaction of the procedures that are set forth in N.J.S.A. 48:3-11 through N.J.S.A. 48:3-14, consent for use of any street, avenue, park, parkway, highway, or other public place may be granted by ordinance and not otherwise; and

**WHEREAS**, Zayo Group LLC has agreed that its use of the municipal right-of-way at 4498 Cooper Avenue shall be subject to the terms and conditions of a Non-exclusive Small Wireless Facility Right-of-Way Use Agreement (“the Agreement”) the form and substance of which shall be subject to the approval of the Mayor and Township Solicitor not to be unreasonably withheld; and

**WHEREAS**, the initial term of the Agreement shall be 10 years and there shall be three five-year options and the Agreement shall include such other provisions including, but not limited to, insurance, indemnification and hold harmless and permitting provisions that the Mayor and Township Solicitor, in the reasonable exercise of their professional judgment, deem prudent and necessary.

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

**Section One.** All the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.

**Section Two.** The Mayor and Township Clerk be, and they hereby are authorized, on behalf of the Township of Pennsauken, to execute a Non-exclusive Small Wireless Facility Right-of-Way Use Agreement with Zayo Group LLC having an initial term of ten years with three five-year options that provides municipal consent and allows for Zayo Group LLC to install a utility pole with Personal Wireless Service Facilities within the municipal rights-of-way at 4498 Cooper Avenue.

**Section Three.** If any portion of this Ordinance is determined to be invalid by a court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

**Section Four.** All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same hereby are repealed.

**Section Five.** This Ordinance shall take effect immediately upon final passage and publication as provided by law.

Deputy Mayor Rafah moved the motion to close for public hearing.  
Committeeman Killion seconded the motion to close the floor to Public Hearing.  
An affirmative 5/0 voice vote was recorded.

Motion To Adopt:

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

No Public wished to comment.

**2021:08**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF PENNSAUKEN CHAPTER 299 ENTITLED "VEHICLES AND TRAFFIC"**

(Handicap parking 4620 Highland 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 4620 Highland Avenue beginning 184 feet north from the northeast corner of Terrace Avenue and Highland 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 Rafeh moved the motion to close for public hearing.

Committeeman Killion seconded the motion to close the floor to Public Hearing.

An affirmative 5/0 voice vote was recorded.

Motion To Adopt:

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

No Public wished to comment.

**ORDINANCES: FIRST READING - NONE**

**RESOLUTION(s) (PUBLIC MAY COMMENT) The Following Resolution(s) will be considered individually.**

**2021:110**

**RESOLUTION ACCEPTING THE RESIGNATION OF GEORGE PIPERNO FROM THE MERCHANTVILLE PENNSAUKEN WATER COMMISSION.**

**WHEREAS** the Township Committee, Township of Pennsauken, Camden County, State of New Jersey appoints individuals to serve on the Merchantville Pennsauken Water Commission, and

**WHEREAS** Mr. George Piperno has served as a Commissioner representing the Township for the past Six years and has submitted a letter of resignation as he wishes to retire.

**BE IT RESOLVED** by the Township Committee of the Township of Pennsauken in the County of Camden and the State of New Jersey accepts the resignation of George Piperno from the Merchantville Pennsauken Water Commission effective February 28, 2021.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded by the Township Clerk to the Chief Financial Officer, Merchantville Pennsauken Water Commission and George Piperno.

Committeeman Killion moved the motion to close for public hearing.  
Deputy Mayor Rafeh seconded the motion to close the floor to public hearing.  
An affirmative 5/0 voice vote was recorded.

Motion To Adopt:

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

No Public wished to comment.

**2021:111**

**RESOLUTION APPOINTING A MEMBER TO THE MERCHANTVILLE PENNSAUKEN WATER COMMISSION.**

**BE IT RESOLVED**, by the Township Committee of the Township of Pennsauken in the County of Camden and State of New Jersey that the following individual is hereby appointed as a member to the Merchantville-Pennsauken Water Commission commencing March 1, 2021 and expiring June 30, 2023.

**Frank Warwick**

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution will be forwarded by the Township Clerk to Ron Crane, Chief Financial Officer, President of the Merchantville-Pennsauken Water Commission and Frank Warwick.

Committeeman Killion moved the motion to close for public hearing.  
Deputy Mayor Rafeh seconded the motion to close the floor to public hearing.  
An affirmative 5/0 voice vote was recorded.

Motion To Adopt:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Martinez</i>		√	√			

<i>Killion</i>	√		√			
<i>Roberts</i>			√			
<i>Rafeh</i>			√			
<i>DiBattista</i>			√			

No Public wished to comment.

**2021:112**

**RESOLUTION APPOINTING A SCHOOL CROSSING GUARD (Kayla Thompson)**

**BE IT RESOLVED** by the Township Committee of the Township of Pennsauken in the County of Camden and State of New Jersey, that the following be appointed as a standby Crossing Guard

Kayla M. Thompson  
3435 Finlaw Avenue  
Pennsauken, NJ 08109

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

Committeeman Killion moved the motion to close for public hearing.  
Deputy Mayor Rafeh seconded the motion to close the floor to public hearing.  
An affirmative 5/0 voice vote was recorded.

Motion To Adopt:

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

No Public wished to comment.

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

**2021:113**

**RESOLUTION REFUND TAX OVERPAYMENT (\$1,760.83 TO CORELOGIC)**

**WHEREAS**, AN OVERPAYMENT FOR 2<sup>ND</sup> AND 3<sup>RD</sup> QUARTER 2020 TAXES ON BLOCK 2220 LOT 5, COMMONLY KNOWN AS 7011 GRANT AVE HAS OCCURRED, AND

**WHEREAS**, THE HOMEOWNER IS A DISABLED VETERAN EFFECTIVE JULY 3, 2020, AND WAS NOT RESPONSIBLE FOR THIS AMOUNT; AND

**WHEREAS**, PROOF OF DISABLED VETERAN STATUS HAS BEEN SUPPLIED BY THE TAX ASSESSOR.

**NOW, THEREFORE, BE IT RESOLVED** BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN OF THE STATE OF NEW JERSEY, AS FOLLOWS:

THE CHIEF FINANCIAL OFFICER SHALL ISSUE A CHECK IN THE AMOUNT OF \$1,760.83 TO

CORELOGIC  
3001 HACKBERRY ROAD

IRVING, TX 75063

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

**2021:114**

**RESOLUTION APPROVING A REFUND OF \$125.00 FOR MARRIAGE REFUND**

(Melissa Francis)

**WHEREAS**, the Township of Pennsauken received payment in the amount of \$125.00 for invoice #118920; and

**WHEREAS**, the marriage will no longer take place;

**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 \$125.00 is returned to

Melissa Francis  
903 Velde Avenue  
Pennsauken, NJ 08110

**A CERTIFIED COPY** of this resolution will be forwarded by the Township Clerk to the Applicant and the Finance Department.

**2021:115**

**RESOLUTION ACCEPTING A RESIGNATION OF A CROSSING GUARD**

(Janice Shea)

**BE IT RESOLVED** by the Township Committee of the Township of Pennsauken in the County of Camden and the State of New Jersey that Janice Shea has resigned from her position of Crossing Guard. There is no refund due.

Janice Shea  
7481 Collins Avenue  
Pennsauken, NJ 08109

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

**2021:116**

**RESOLUTION ACCEPTING A RESIGNATION OF A CROSSING GUARD**

(Daisy Threadgill)

**BE IT RESOLVED** by the Township Committee of the Township of Pennsauken in the County of Camden and the State of New Jersey that Daisy Threadgill has resigned from her position of Crossing Guard. There is no refund due.

Daisy Threadgill  
1535 West River Drive  
Pennsauken, NJ 08110

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

Committeeman Killion moved the motion to close for public hearing.

Committeeman Martinez seconded the motion to close the floor to public hearing.  
An affirmative 5/0 voice vote was recorded.

Motion To Adopt:

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

No Public wished to comment.

## CONFERENCE ITEMS / ITEM OF DISCUSSION

### Larry Cardwell - Economic Development

**2109 Sherman Ave** – This property has no significant violations. There has been no Police activity at this location over the last 3 years.

A to B Auto Sales LLC – This location would be used for used auto sales. The vehicles would be kept indoors and sold by appointment only. See the attached proposal overview. The property is in an LI zone.

New info – there is an exhaust fan and a bathroom in the building.

- Committee agreed for the business to be at a different location and to obtain used car license.

**5900 Westfield Ave** – This property has no significant violations. There has been no Police activity at this location over the last 3 years.

JMP Creations – This location would be used as a creative space, office, and headquarters for an online business. (see the attached write up)

The property is in a P1 zone and in the Westfield Avenue Redevelopment zone.

- Committee agreed to go forward.

## PAYMENT OF BILLS - NONE

## DEPARTMENT REPORT(S) - NONE

## PUBLIC COMMENT

### Cookie Sey (Buckingham Lane)

Cookie questioned the pickleball Ordinance and when would the pickleball courts be available for use. Director of Municipal Services Martz commented that they will contact Ms. Cookie to discuss the Ordinance and how and when to access the pickleball court.

Committeeman Killion moved the motion to close the floor for Public Comment.

Deputy Mayor Rafah seconded the motion.

An affirmative 5/0 voice vote was recorded.

## COMMITTEE COMMENTS

### Mayor DiBattista:

- Numbers for Covid-19 are 3781 cases and 68 lives lost. Please continue to keep safe.

- Thoughts and prayers go out to everyone going through a loss or dealing with Covid.
- Pennsauken has been working very hard to get a couple of places here in town to start vaccinating. We have two fire houses available that will be operating alongside CAMcare. Fire house located in Bloomfield and fire house located in Delview.
- Director Shakir and Committeewoman Roberts have been in constant contact with CAMcare to have everything ready for our residents.
- Please remember that CAMcare will contact you for your appointments. Although we are taking the applications our staff members will not be contacting you.
- Even though we see a decline in numbers we are still urging everyone to please wear your mask, wash your hands and use social distance.
- March 13 will be the ribbon cutting for six new pickleball courts. The facilities will have bathrooms, sitting area and shade area. Open spaces are very important to us and our residents.

**Deputy Mayor Rafeh:**

- Thoughts and prayers for everyone dealing with a death and Covid-19. We are with you all.
- We are very excited for the pickleball courts to open. We love that our residents will have additional outdoor space.
- Please continue to wash your hands, wear a mask and social distance.
- Vaccinations are around the corner. Our locations here in Pennsauken will be up and running soon for our residents.

**Committeeman Killion:**

- Saturday, March 27 is our Easter egg hunt. There will be three locations for this event. Locations are the Municipal Building, Walter Nicgorski Sports Complex and "The PIT" Football Complex.
- All locations are only by drive thru, no walk-ups allowed.
- There will be decorations and goodies for the kids.
- Please remember to wear yours masks and continue to wash your hands and social distance.

**Committeewoman Roberts:**

- CAMcare is getting closer with vaccinations please be patient we are almost there.
- The Library will be holding a Virtual program with a former Ambassador on March 9, NJ Makers Day on March 19-20, and Historical Re-Enactment of Ida B. Wells on March 24.
- Please join these Virtual programs you will enjoy them.
- Please wear masks, wash hands and social distance.

**Committeeman Martinez:**

- We have a lot of great events please join and support.
- We are very excited that we have had a great turn out to our sports in Pennsauken. Baseball season is near, and we are excited to start and to have our kids back on the fields. We are taking all precautions there is to keep it safe for everyone.
- Pennsauken Tippin's Pond Environmental Commission will be holding a clean-up, please sign up to help.
- Please continue to wear your masks, wash your hands and social distance.

**Adjournment**

Committeeman Killion moved the motion to Adjourn.

Committeeman Martinez Second the Motion.

An affirmative 5/0 voice vote was recorded.

**Time:** 7:02 pm

**Respectfully Submitted**



Ana Matos  
Deputy Clerk

**ADOPTED: March 18, 2021**