

**MINUTES
TOWNSHIP OF PENNSAUKEN
PUBLIC COMMITTEE MEETING
May 18, 2023**

Pennsauken Township Public Committee Meeting was held at the Municipal Building located at 5605 N. Crescent Blvd Pennsauken, NJ 08110 on Thursday, May 18, 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 Mckenna, Committeewoman Rafeh, Deputy Mayor Olivo, and Mayor Martinez

NOTE: Committeeman DiBattista was not present for Roll call but later joined meeting.

Also, present were Township Administrator Tim Killion, Township Clerk Pamela Scott-Forman, Deputy Clerk Ana Matos, and Christopher A. 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 May 4, 2023

Committeeman DiBattista moved motion to accept minutes.
Deputy Mayor Olivo second the motion.
An affirmative 5/0 voice vote was recorded.

ORDINANCE SECOND READING – Public Hearing (public may comment)

2023:11 Bond Ordinance Authorizing the Completion of Various Capital Improvements and Acquisitions of Equipment for the Pennsauken Township Country Club; Appropriating the Sum of \$1,500,000 Therefore; Authorizing the Issuance of General Obligation Bonds or Bond Anticipation Notes of the Township of Pennsauken, County of Camden, State of New Jersey, in

the Aggregate Principal Amount of up to \$1,425,000; 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 \$1,500,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,425,000;
- (c) a down payment in the amount of \$75,000 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 \$1,425,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$75,000, 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 \$1,425,000 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 \$1,425,000 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 \$340,000.

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 Club House including, but not limited to, Deck Renovations and Bar/Patio Renovations, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$1,328,503	\$66,425	\$1,262,078	15 years
B. Completion of Various Improvements to Golf Course including, but not limited to Tee Signs, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	33,212	1,661	31,551	10 years
C. Acquisition and Installation of a Cart Barn Roof, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	13,285	664	12,621	15 years
D. Acquisition of Various Capital Equipment for Golf Course Maintenance including but not limited to, Rough Mower, Grass Mats, Public Address System, and Aerification, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	125,000	6,250	118,750	15 years
Totals:	<u>\$1,500,000</u>	<u>\$75,000</u>	<u>\$1,425,000</u>	

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 14.88 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 \$1,425,000 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.

Notice of Pending Bond Ordinance and Summary

The bond ordinance, the summary terms of which are included herein, was introduced, and passed upon first reading at a meeting of the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey, on April 20, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at the Pennsauken Township Municipal Building, 5605 North Crescent Boulevard, Pennsauken, New Jersey on May 18, 2023 at 6 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITION OF EQUIPMENT FOR THE PENNSAUKEN TOWNSHIP COUNTRY CLUB; APPROPRIATING THE SUM OF \$1,500,000 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 \$1,425,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<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 Club House including, but not limited to, Deck Renovations and Bar/Patio Renovations, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$1,328,503	\$66,425	\$1,262,078	15 years
B. Completion of Various Improvements to Golf Course including, but not limited to Tee Signs, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	33,212	1,661	31,551	10 years
C. Acquisition and Installation of a Cart Barn Roof, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	13,285	664	12,621	15 years
D. Acquisition of Various Capital Equipment for Golf Course Maintenance including but not limited to, Rough Mower, Grass Mats, Public Address System, and Aerification, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	125,000	6,250	118,750	15 years

Appropriation: \$1,500,000
 Bonds/Notes Authorized: \$1,425,000
 Grants (if any) Appropriated: \$0
 Section 20 Costs: \$340,000
 Useful Life: 14.88 years

Committeeman DiBattista moved motion to open floor for public hearing
 Deputy Mayor Olivo second motion.
 An affirmative 5/0 voice vote was recorded.

Committeeman DiBattista moved motion to open floor for public hearing
 Deputy Mayor Olivo second motion.
 An affirmative 5/0 voice vote was recorded.

Motion To Adopt on SECOND reading:

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

No Public Wished To Comment

2023:12 Ordinance of the Township of Pennsauken, County of Camden and State of New Jersey Authorizing and Approving an Amendment to a Certain Tax Exemption Agreement, Dated September 22, 1999, Between the Township of Pennsauken and the Camden County Improvement Authority for Property Located at 6725 River Road, Pursuant to the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1 *et seq.*)

WHEREAS, the Camden County Improvement Authority ("Authority") was created pursuant to the County Improvement Authorities Act, constituting Chapter 183 of the Public Laws of 1960, as amended ("Act"), for the purposes, among other things, of providing within the county structures, franchises, equipment, and facilities for public use; and

WHEREAS, the Authority is authorized, pursuant to the Act, to issue bonds for the purposes of financing the cost of any public facility or facilities; and

WHEREAS, the Authority owns an indoor ice skating and recreational facility commonly known as Twin Rinks ("Facility"), located at 6725 River Road, in the Township of Pennsauken, New Jersey ("Township"); and

WHEREAS, the Authority has previously leased the Facility to Comcast-Spectacor, by and through its affiliate, Flyers Skate Zone, L.P. ("Comcast"), pursuant to a Lease Agreement, dated as of September 15, 1999 ("Lease Agreement"), pursuant to which Comcast agreed and was obligated to make lease payments to the Authority and other amounts payable in connection therewith, including payments in lieu of taxes; and

WHEREAS, N.J.S.A. 40:37A-85 provides that all properties of the Authority, including the Facility, are declared to be public property of a political subdivision of the state and those properties, and all public facilities, devoted to an essential public and governmental function and purpose shall be exempt from all taxes and special assessments of the state of any subdivision thereof; and

WHEREAS, pursuant to N.J.S.A. 40:37A-83, the Authority is authorized and empowered with municipalities to enter into agreements with respect to the payment and collection of such annual sums of money in lieu of taxes on such properties in such amounts as may be agreed upon; and

WHEREAS, pursuant to that certain Agreement for Payment in Lieu of Taxes, dated September 22, 1999, between the Authority and the Township (the "Tax Exemption Agreement"), the Authority agreed to collect from Comcast certain amounts in lieu of taxes in order to compensate the Township for the loss of tax revenues resulting from the otherwise applicable tax-exemption for the Facility and to enable the Township to provide for services to its citizens; and

WHEREAS, subsequent to the execution of the Tax Exemption Agreement, and in accordance with the Lease Agreement, Comcast assigned all of its rights, duties, and obligations in and to the Lease Agreement to Pennsauken Skate Zone, LLC, an affiliate of Black Bear Sports Group, Inc.; and

WHEREAS, the Authority and the Township have carefully examined the terms and provisions of the Tax Exemption Agreement and have collectively determined that the amounts payable thereunder are significantly below similarly operative agreements for the provision of payments in lieu of taxes in and for the Township; and

WHEREAS, as a result of such determination, the Authority and the Township are now desirous of amending the Tax Exemption Agreement as specifically set forth in a First Amendment to Agreement for Payment in Lieu of Taxes ("First Amendment"), a copy of which is attached as Exhibit "A"; and

WHEREAS, pursuant to Section VII of the Tax Exemption Agreement any subsequent amendments to the Tax Exemption Agreement shall be made in writing duly executed by the authorized representative of the Authority and the Township; and

WHEREAS, in accordance with the provisions of the New Jersey Long Term Tax (N.J.S.A. 40A:2-1 et seq.) (Tax Exemption Law") is now desirous of adopting an Ordinance authorizing the execution and delivery of the First Amendment and making certain other determinations in connection therewith:

NOW, THEREFORE, BE IT ORDAINED by the of the Township Committee of the Township of Pennsauken, County of Camden, and State of New Jersey ("Township Committee"), that the Township will enter into the First Amendment with the Authority on the terms and conditions stated in the First Amendment substantially in the form attached to this Ordinance, with such

changes as shall be deemed necessary or required by the Township and its professional advisors, and as further set forth herein:

1. The Township Committee makes such determinations and findings by virtue of and pursuant to and in conformity with the Tax Exemption Law.

2. The First Amendment and all exhibits and schedules thereto are hereby authorized and approved.

3. Upon adoption of this Ordinance and execution of the First Amendment, a certified copy of this Ordinance and the First Amendment shall be transmitted to the Department of Community Affairs, Director of the Division of Local Government Services.

BE IT FURTHER ORDAINED that the Mayor, Township Administrator and Chief Financial Officer and any other officer or official of the Township authorized to execute and deliver agreements on behalf of the Township are each hereby authorized and directed to execute and deliver the First Amendment on behalf of the Township and any additional documents as are necessary to implement and carry out the intent of this Ordinance and the First Amendment.

BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance shall take effect upon proper passage in accordance with the law.

Deputy Mayor Olivo moved motion to open floor for public hearing
 Committeewoman Rafeh second motion.
 An affirmative 5/0 voice vote was recorded.

Deputy Mayor Olivo moved motion to open floor for public hearing
 Committeewoman Mckenna second motion.
 An affirmative 5/0 voice vote was recorded.

Motion To Adopt on SECOND reading:

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

No Public Wished To Comment

ORDINANCE FIRST READING – No Public Comments Public Hearing will take place on June 15, 2023

2023:14 Calendar Year 2023 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Pennsauken in the County of Camden finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$362,385.79 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Pennsauken, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Township of Pennsauken shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 1,268,350.27, and that the CY 2023 municipal budget for the Township of Pennsauken be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion To Adopt:

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

No Public Wished To Comment

RESOLUTION(s) The Following Resolution(s) will be considered individually

2023:195 Resolution of the Township of Pennsauken, County of Camden, State of New Jersey, Adopting 2023 Spending Plan (Fair Share Housing)

WHEREAS, on or about November of 2008, the Township adopted a Housing Element and Fair Share Plan. This Housing Element and Fair Share Plan included the Township’s October 2008 Spending Plan; and

WHEREAS, on or about December 3, 2008, the Township adopted a Development Fee Ordinance, which is codified in Sections 155-14 through 23 of its Code; and

WHEREAS, the Township has now amended its Spending Plan and Development Fee Ordinance to be in compliance with the updated applicable rules and regulations; and

WHEREAS, the Township Planner prepared a Spending Plan which provides for the use of Affordable Housing Trust Funds in furtherance of the provision of affordable housing in the Township of Pennsauken; and

WHEREAS, the Spending Plan will need to be approved by the Court; and

WHEREAS, The Township is a qualified Urban Aid Municipality in accordance with applicable regulations and, therefore, is not required to seek repose through the preparation of a fair share plan prior to Spending Plan approval; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey, as follows:
The Township of Pennsauken hereby adopts and approves a Spending Plan dated January 25, 2023. Said Spending Plan is attached hereto and made a part hereof.
The Township requests that the Court review and approve the Spending Plan dated January 25, 2023.

A certified true copy of the Resolution shall be filed by the municipal clerk with Fair Share Housing Center.

This Resolution was adopted at a meeting of Township Committee on May 18, 2023 and shall take effect immediately.

Motion To Adopt:

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

No Public Wished To Comment

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

2023:196 Resolution Authorizing A Refund For Overpayment (2548 Oakley Drive)

WHEREAS, the below listed overpayment for the year designated is held in reserve by The Township of Pennsauken; and

WHEREAS, that CoreLogic made an online duplicate tax payment to the 2nd quarter property taxes, the property located at 2548 Oakley Dr. also known as Block 3504 Lot 16; and

WHEREAS, the property was overpaid in the amount of \$1,867.79 due to SQS Square Settlement making the 2nd quarter property tax payment on April 24, 2023 for the tax year of 2023; and

WHEREAS, PennyMac Loan Services requested, on behalf of CoreLogic, to issue a refund for the overpayment to them.

NOW, THEREFOR, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey, that the following overpayment be refunded to PennyMac Loan Services.

PENNYMAC LOAN SERVICES
ATTENTION: TAX DEPARTMENT
6101 CONDOR DRIVE
SUITE 200
MOORPARK, CA 93021

REFUND TO:	BLOCK LOT	AMOUNT	YEAR
PENNYMAC LOAN SERVICES	3504	16 \$1,867.79	2023

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Township of Pennsauken Tax Collector and Chief Financial Officer by the Township Clerk.

2023:197 Resolution Authorizing Cancellation Of Property Taxes For Who Is Entitled To An Exemption Due To The Veteran Administration Determination Of 100% Permanently And Totally Disabled (1524 Hillside Terr)

WHEREAS, The owner and resident of the below property has met all the requirements for a Totally Disabled Veteran Exemption as prescribed by New Jersey Statute 54:4-3,30 for exempt status until the applicant passes or the home is sold; and

WHEREAS, The owner Charles J McEady, owner of 1524 Hillside Terr., also known as Block 303 Lot 24, has applied to the Tax Assessor of The Township of Pennsauken for Tax Exempt Status and have been approved by the Tax Assessor of The Township of Pennsauken for Tax Exempt Status on July 27, 2022; AND

WHEREAS, The Tax Collector of The Township of Pennsauken recommends the cancellation of taxes for taxes for the year 2022 and preliminary 2023, for the listed property; AND

BE IT RESOLVED, That the taxes on the aforementioned list be cancelled and that the Tax Assessor and the Tax Collector are herewith authorized and instruction to adjust their records; accordingly, AND

BE IT FURTHER RESOLVED, That a certified copy of this Resolution shall be forwarded to the Tax Assessor, Tax Collector and Chief Financial Officer; AND

NOW, THEREFORE, BE IT RESOLVED, By the Township Committee of The Township of Pennsauken and State of New Jersey, that the exemptions are granted.

2023:198 Authority To Award Windowing Contracts Between \$17,500 To \$44,000 To The Qualified Purchasing Agent (Elizabeth Peddicord, QPA)

WHEREAS, pursuant to N.J.S.A. 40A:11-3(a), the threshold at which contracts as defined pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ("LPCL"), may be subject to competitive bidding if they are in excess of the amount designated by the Governor of New Jersey pursuant to N.J.S.A. 40A:11-3(c); and

WHEREAS, N.J.S.A. 40A:11-3(c) permits the Governor of New Jersey to adjust the bid threshold, originally set by statute at \$25,000.00, for the awarding of contracts pursuant to the LPCL with a designated Qualified Purchasing Agent ("QPA"), in an amount proportional to the index rate as defined in N.J.S.A. 40A:11-2 every five (5) years from the date of the effective date of P.L. 1999, c.440; and

WHEREAS, pursuant to previously issued order of the Governor of New Jersey, the bid threshold for the awarding of contracts pursuant to the LPCL with a designated QPA was increased from \$40,000.00 to \$44,000.00 as of July 1, 2020; and

WHEREAS, by Resolution 2023-16 adopted January 6, 2023, the Township Committee appointed Elizabeth Peddicord as the Township's QPA and granted the QPA authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.S.A. 40A:11-3(a) requires that contracts up to the bid threshold that are required to be bid may be awarded by a QPA, or other employee so designated by the governing body by resolution, and such powers may be generally delegated to the QPA; and

WHEREAS, P.L. 2023 Chapter 30, allows the QPA to award directly either through a fair and open or an enhanced disclosure method as appropriate such contracts which exceed the limits set forth in P.L. 2004, c 19, s. 3, but do not exceed the provisions of N.J.S.A. 40A:11-3(a), and

WHEREAS, the Township Committee desires to take advantage of the increased bid threshold which was enacted to increase efficiency and adjust for changes in purchasing and business dynamics, and the Township further wishes to confirm the statutory general delegation of this purchasing power Elizabeth Peddicord as the duly appointed QPA; and

WHEREAS, P.L. 2023 Chapter 30 repealed Section 1 of P.L. 2005, c. 271 (N.J.S.A. 40A:11-51); and

WHEREAS, the Township Committee has previously adopted rules and procedures in accordance with the repealed N.J.S.A. 40A:11-51 and to be consistent with law the Township now wishes to rescind such policies, forms and procedures.

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

1. That the Township Committee, as the governing body of the Township, hereby maintains its bid threshold as \$44,000.00.

2. Elizabeth Peddicord shall be and is hereby confirmed as the Townships QPA and, as such, she shall be and is hereby authorized to exercise the contracting powers granted pursuant to N.J.S.A. 40A:11-3, including to prepare, sign, and execute such documents as needed for the purposes of such an award.

3. All provisions of the Township's rules and procedures previously adopted by the Township in accordance with N.J.S.A. 40A:11-51 shall be and are hereby rescinded in their entirety.

4. The formal action(s) of the Township Committee of Township of Pennsauken embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

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 on May 18, 2023

2023:199 Award Contract Under A National Cooperative Purchase Agreement Houston – Galveston Area Council (H-GAC) Cooperative Purchasing Program, A.K.A. HGACBUY Freightliner M2-106 (Foam Fire Truck)

WHEREAS, P.L 2011, c. 139 allows local contracting units to utilize national cooperative contracts as a method of procurement of goods and services; and

WHEREAS, Houston-Galveston Area Council (H-GAC) is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local government Code; and

WHEREAS, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform government functions and services, including purchases of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, Township of Pennsauken has joined and is a member of the H-GAC cooperative purchasing program and is eligible to purchase goods and services available under contracts that have been duly awarded by the H-GAC; and

WHEREAS, H-GAC has awarded a contract that was publicly advertised and bid to Houston Freightliner LLC, under contract number HT06-20 for fire apparatus; and

WHEREAS, the Purchasing Agent, in accordance with the requirements of P.L 2011, c. 139 has recommended to the Township Committee the use of the contract awarded by H-GAC to purchase Freightliner M2-106 for the reasons of efficiency and economy; and

WHEREAS, The New Jersey Department of Community Affairs in LFN 2021-10 set forth that a government authority must engage in a procedure that assert that cost saving benefits will be achieved, and further that the national contract entity has demonstrated that it has met appropriate New Jersey requirements; and

WHEREAS, the Chief Financial Officer of the Township of Pennsauken, as required by N.J.A.C. 5:30-1, has hereby declares that there are sufficient funds available for the aforesaid purpose, as is evidenced by the attached Certification of Availability of Funds; and

WHEREAS, the purchase totaling not exceed of \$133,000; and

WHEREAS, this resolution will take effect on Tuesday May 25, 2023 after the 10 day estoppel period of publication

NOW, THEREFOR, BE IT RESOLVED, by the Township Committee of Township of Pennsauken as follows:

1. That a purchase contract for the acquisition of Freightliner M2-106 as specifically described in the Contract Pricing Worksheets which are attached hereto and made part hereof, by and between Township of Pennsauken and Houston Freightliner LLC, 1015 Cranbury South River, South Brunswick, NJ 08331 pursuant to the terms and conditions of the H-GAC contract number HT06-20, be and is hereby approved and authorized
2. The total amount authorized for this purchase shall not exceed \$133,000
3. Funds for this purchase are Certificated by the Chief Financial Officer of the Township of Pennsauken
4. This resolution will take effect on Thursday, May 25, 2023

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Committee of the Township of Pennsauken, County Camden, State of New Jersey, at their meeting held in the Meeting Room of the Municipal Building, 5605 N. Crescent Blvd, Pennsauken, NJ 08053

2023:200 Governing Body Certification Of Compliance With The United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the

Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *(name of governing body)* of the *(name of local unit)*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Motion To Adopt:

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

No Public Wished To Comment

ECONOMIC DEVELOPMENT

Shakir Ali – Presentation Carefinders.org – Property on 5824 Westfield Ave

- Andre Olave - Senior Facilities Manager
- Esther Rodriguez Torres - Regional Director of Operations

Committee agreed to move forward.

PUBLIC COMMENT: NONE

Deputy Mayor Olivo moved motion to close public hearing.

Committeeman DiBattista seconded the motion.

An affirmative 5/0 voice vote was recorded.

COMMITTEE COMMENTS

Mayor Martinez

- PPD vs PFD is this Friday at the Walt Nicgorski Field. Come out and support all proceeds will be for the fallen officer from Deptford Twp.
- The Pennsauken Pool will open next weekend. Please call our Parks and Rec Director to make your appointments for pool passes.
- The Weekly Newsletter is out and ready for your enjoyment.

Deputy Mayor Olivo

- Thank you to everyone who came out this evening and those who are watching us through YouTube.
- Next Sunday we will have a Memorial service at Liberty Park.

Committeeman DiBattista

- Sunday was Mother’s Day and Woman are amazing and us men could not do it without you.
- Senior Pool Day is June 8th from 12p-4p bring your bathing suits and dance shoes.
- Stay safe and have a great weekend.

Committeewoman Rafeh

- Summer Kick off will be Saturday June 10th from 6p-9:30p. We will have fireworks and activities for everyone.
- Next week it is National Public Works week. We thank our PWD for all their hard work and for all they do to make our town look as good as it does. Compost is available at the Pennsauken pool parking lot.
- Have a wonderful safe long weekend and I hope all mothers had a wonderful Mother’s Day.

Committeewoman McKenna

- Stay safe and have a wonderful long weekend.

REMINDER(s)

Tim Killion

- Next meetings will be Junes 1st and June 15th at 6pm here in our municipal Building.

ADJOURNMENT

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

Time: 6:25 pm.

Respectfully,

Deputy Clerk, Ana Matos