

**MINUTES
TOWNSHIP OF PENNSAUKEN
PUBLIC COMMITTEE MEETING
April 4, 2024**

Pennsauken Township Public Committee Meeting was held at the Municipal Building located at 5605 N. Crescent Blvd Pennsauken, NJ 08110 on Thursday, April 4, 2024.

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

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

PRESENT: Committeewoman Roberts, Committeeman Olivo, Committeeman Martinez, and Deputy Mayor Rafeh.

NOTE: Mayor DiBattista was absent from meeting.

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

Deputy Mayor Rafeh 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 and Retrospect on January 13, 2024

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

NOTE: Meeting was streamed live on YouTube.

PROCLAMATION

Infertility Awareness Week - Laura Carrasquillo, the National Infertility Awareness Association

APPROVAL OF MINUTES

Regular meeting of March 18, 2024

Committeeman Olivo moved motion to approve minutes.

Committeewoman Roberts second the motion.

An affirmative 4/0 voice vote was recorded.

BID OPENING(s)

Bid # 24-08 2024 Pool Chemicals - March 19th at 10:30 am

Committeeman Olivo moved motion to acknowledge Bid opening.

Committeewoman Roberts second the motion.

An affirmative 4/0 voice vote was recorded.

ORDINANCES ON SECOND READING (Public may comment)

2024:06 An Ordinance Amending Chapter 155 Entitled “Fees”, Creating Article IX of the Code of the Township of Pennsauken Entitled “Pennsauken Police Department Extra Duty Fee” to Establish Fees for Extra Duty Assignments Police Officers

WHEREAS, on February 15, 2024, and pursuant to Resolution No. 2024:110, the Township Committee of the Township of Pennsauken approved a Memorandum of Agreement for a Successor Collective Negotiations Agreement (“CNA”) between the Township of Pennsauken and the Fraternal Order of Police, Lodge 3, representing rank and file police officers;

WHEREAS, as part of the CNA the parties negotiated certain rates for extra duty pay of rank and file police officers;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Pennsauken, County of Camden and State of New Jersey that Chapter 155 of the Township of Pennsauken Code shall be amended and supplemented as follows:

SECTION I:

Article IX: Pennsauken Township Extra Duty Pay For Police Officers

§ 155-32 – Extra Duty Fees for Rank and File Police Officers

- A. The rate to be charged under this Section shall be \$90 per hour per Police Officer.”
- B. The administrative fee of \$30 per hour per Police Officer will be remitted to the Township.
- C. All County jobs will be paid at the County rate with 75% paid to the Police Officer and 25% paid to the Township as an administrative fee.

SECTION II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall become effective upon adoption and publication in the manner prescribed by law.

Committeewoman Roberts moved motion to open floor for public hearing
 Committeeman Martinez second motion.
 An affirmative 4/0 voice vote was recorded.

Committeewoman Roberts moved motion to close floor for public hearing
 Committeeman Martinez second motion.
 An affirmative 4/0 voice vote was recorded.

Motion on Second reading:

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

2024:07 An Ordinance Amending the Code of the Township of Pennsauken Chapter 299 Entitled “ Vehicles and Traffic” (Handicapped space for Hollinshed & Lafayette)

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 4738 Lafayette Avenue beginning 595 feet west from the southwest corner of Myrtle Avenue and Lafayette Avenue and continuing 22 feet west.
2. Handicapped Parking Signs located at 2260 Hollinshed Avenue beginning 195 feet north from the northeast corner of Wayne Avenue and Hollinshed Avenue and continuing 22 feet north.

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.

Committeeman Olivo moved motion to open floor for public hearing
 Committeewoman Roberts second motion.
 An affirmative 4/0 voice vote was recorded.

Committeeman Olivo moved motion to close floor for public hearing
 Committeewoman Roberts second motion.
 An affirmative 4/0 voice vote was recorded.

Motion on Second reading:

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

2024:08 Bond Ordinance Authorizing the Completion of Various Capital Improvements and the Acquisition of Various Capital Equipment in and for the Township of Pennsauken, County of Camden, New Jersey, Appropriating the Sum of \$4,298,782 Therefore' 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 \$3,570,100; 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 \$4,298,782;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$3,570,100;

(c) a down payment in the amount of \$187,900 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 \$3,570,100, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of (i) \$187,900, which amount represents the required down payment and (ii) grants from the New Jersey Department of Transportation and the Affordable Housing Trust in the aggregate amount of \$540,782, 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 \$3,570,100 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 \$3,570,100 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 \$500,000.

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>Grants</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A Reconstruction and Repaving of Garfield Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$1,027,459	\$450,782	\$28,834	\$547,843	10 years
B Concrete Repairs and Improvements for Various Sidewalks, Curbs, and other Structures in the Township, all as more particularly described in the documentation on file in the Office of the Township Administrator and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	126,224	0	6,311	119,913	5 years
C Construction and Reconstruction of Various Streets and Roads in the Township as part of the Township's 2024 Road Reconstruction Program, all as more particularly described in the documentation on file in the Office of the Township Administrator and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	959,299	90,000	43,465	825,834	10 years
D Reconstruction and Repaving of Various Streets in the Township including, but not limited to, Harris Avenue, Baldwin Road, and Schleicher Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	56,800	0	2,840	53,960	10 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Grants</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
E Acquisition of Various Equipment for the Fleet Department including, but not limited to, a Fluid Transfer Machine and a Tig AC/DC Welder, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$7,000	\$0	\$350	\$6,650	5 years
F Acquisition of Commercial Mowers for the Public Works Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$25,000	\$0	\$1,250	\$23,750	10 years
G Construction of "Jake's Place" Playground, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	190,000	0	9,500	180,500	15 years
H Acquisition of Various Equipment for the Police Department including, but not limited to, Body-Worn Cameras, Radios, and Body Armor, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	193,000	0	9,650	183,350	5 years

I.	Acquisition of Various Equipment for the Buildings and Grounds Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	10,000	0	500	9,500	5 years
J.	Acquisition of Vehicles for the Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	235,000	0	11,750	223,250	5 years
K.	Acquisition of Playground Equipment, Fencing, and Baseball Field Lights for the Parks and Recreation Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	200,000	0	10,000	190,000	15 years
L.	Acquisition of Heavy Vehicles including, but not limited to, a Street Sweeper for the Public Works Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	300,000	0	15,000	285,000	15 years
M.	Acquisition of an Ambulance for the Fire Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	365,000	0	18,250	346,750	10 years
N.	Acquisition of Information Technology Equipment and related Hardware and Software, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	50,000	0	2,500	47,500	7 years
O.	Various Repairs to the Storm Water System, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	250,000	0	12,500	237,500	40 years
	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Grants</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
P.	Various Improvements to the Township Pool, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$25,000	\$0	\$1,250	\$23,750	15 years
Q.	Various Improvements to the Township Skatepark, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	13,000	0	650	12,350	15 years
R.	Improvements to Various Township Fields, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	150,000	0	7,500	142,500	15 years
S.	Improvements to the Homestead Youth Association Building, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	16,000	0	800	15,200	15 years

<p>T Various Upgrades to the Township Municipal Court and Police Department Building, all as more particularly described in the documentation on file in the Office of the Township Administrator and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto</p>	100,000	0	5,000	95,000	15 years
Totals:	<u>\$4,298,782</u>	<u>\$540,782</u>	<u>\$187,900</u>	<u>\$3,570,100</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 12.51 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 \$3,570,100 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 March 7, 2024. 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 April 4, 2024 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 THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$4,298,782 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 \$3,570,100; 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>Grants</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
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F	Acquisition of Commercial Mowers for the Public Works Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$25,000	\$0	\$1,250	\$23,750	10 years
G	Construction of "Jake's Place" Playground, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	190,000	0	9,500	180,500	15 years
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I	Acquisition of Various Equipment for the Buildings and Grounds Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	10,000	0	500	9,500	5 years
J	Acquisition of Vehicles for the Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	235,000	0	11,750	223,250	5 years
K	Acquisition of Playground Equipment, Fencing, and Baseball Field Lights for the Parks and Recreation Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	200,000	0	10,000	190,000	15 years
L	Acquisition of Heavy Vehicles including, but not limited to, a Street Sweeper for the Public Works Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	300,000	0	15,000	285,000	15 years
M	Acquisition of an Ambulance for the Fire Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	365,000	0	18,250	346,750	10 years
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Appropriation:	\$4,298,782
Bonds/Notes Authorized:	\$3,570,100
Grants (if any) Appropriated:	\$540,782
Section 20 Costs:	\$500,000
Useful Life:	12.51 years

Bond Ordinance Statements and Summary

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey on April 4, 2024 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$4,298,782 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 \$3,570,100; 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>Grants</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
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I.	Acquisition of Various Equipment for the Buildings and Grounds Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	10,000	0	500	9,500	5 years
J.	Acquisition of Vehicles for the Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	235,000	0	11,750	223,250	5 years
K.	Acquisition of Playground Equipment, Fencing, and Baseball Field Lights for the Parks and Recreation Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	200,000	0	10,000	190,000	15 years
L.	Acquisition of Heavy Vehicles including, but not limited to, a Street Sweeper for the Public Works Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	300,000	0	15,000	285,000	15 years
M.	Acquisition of an Ambulance for the Fire Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	365,000	0	18,250	346,750	10 years
N.	Acquisition of Information Technology Equipment and related Hardware and Software, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	50,000	0	2,500	47,500	7 years
O.	Various Repairs to the Storm Water System, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	250,000	0	12,500	237,500	40 years
P.	Various Improvements to the Township Pool, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$25,000	\$0	\$1,250	\$23,750	15 years
Q.	Various Improvements to the Township Skatepark, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	13,000	0	650	12,350	15 years
R.	Improvements to Various Township Fields, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	150,000	0	7,500	142,500	15 years
S.	Improvements to the Homestead Youth Association Building, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	16,000	0	800	15,200	15 years

T Various Upgrades to the Township Municipal Court and Police Department Building, all as more particularly described in the documentation on file in the Office of the Township Administrator and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto

100,000 0 5,000 95,000 15 years

Totals: \$4,298,782 \$540,782 \$187,900 \$3,570,100

Appropriation: \$4,298,782
 Bonds/Notes Authorized: \$3,570,100
 Grants (if any) Appropriated: \$540,782
 Section 20 Costs: \$500,000
 Useful Life: 12.51 years

Committeeman Olivo moved motion to open floor for public hearing
 Committeewoman Roberts second motion.
 An affirmative 4/0 voice vote was recorded.

Committeeman Olivo moved motion to close floor for public hearing
 Committeewoman Roberts second motion.
 An affirmative 4/0 voice vote was recorded.

Motion on Second reading:

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) Public Comment will be on the 18th of April agenda

2024:10 An Ordinance to Amend Chapter 289 in Regard to Tree Removal and Replacement

WHEREAS, the Mayor and Township Committee recognize that trees play a critical, often overlooked, role in the water cycle and in the mitigation of stormwater runoff issues such as soil erosion, pollutant reduction, infiltration, quantity reduction, and thermal effects; and

WHEREAS, the Mayor and Township Committee wish to establish community-wide regulations to control tree removal and replacement in Pennsauken Township to ensure that permittees for tree removal and replacement are considering these undervalued assets in their stormwater management efforts.

NOW, THEREFOR, BE IT ORDAINED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey, that the code of the Township of Pennsauken is hereby amended regarding tree removal and replacement:

SECTION I. Purpose:

An ordinance to establish requirements for tree removal and replacement in Pennsauken Township to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

SECTION II. 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 ordinance 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 use of the word "shall" means the requirement is always mandatory and not merely directory.

- A. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.
- B. "Critical Root Radius (CRR)" – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.
- C. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.
- D. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
 - 1. Has an infectious disease or insect infestation;

2. Is dead (more than 75%) or dying;
 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
 4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
 5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).
- E. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.
- F. "Planting strip" means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.
- G. "Resident" means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.
- H. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.
- I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.
- J. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.
- K. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION III. Regulated Activities:

A. Tree Removal Application Process:

1. Any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5” or more or any non-street tree with DBH of 6” or more on their property shall submit a Tree Removal Application to the Planning and Zoning Office. There is no cost for a resident application. Commercial property owners will have a permit cost of \$100. No tree shall be removed until municipal officials have reviewed and approved the removal. For larger scale clearing projects, the Township, in the discretion of the Planning and Zoning Office, may require a tree survey be submitted as part of the application to determine number, sizes, and exemptions of trees.
2. Any person may hire a Tree removal company subject to the following:
 - a. Companies that are contracted to perform the above tree removal services must have the following:
 - i. Proof of insurance;
 - ii. Certification of a licensed tree expert of license tree care operator;
 - b. In addition, tree removal companies must register with the Pennsauken Building Department at an annual fee of \$100.
3. Performing tree removal services without proper registration shall result in a \$500 fine for the company for each instance. Tree removal companies, residents and commercial property owners are prohibited from placing Tree waste that is greater than 2 feet in length and/or weighing more than 50 pounds at the curbside. The penalty for violation of this condition would be subject to the cost for labor, equipment and removal assessed by DPW as well as a fine of \$1,250.

B. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5” or more, unless exempt under Section IV, shall replace the trees in accordance with the species type and diversity of replacement trees on the prescribed list found on the NJ Tree Foundation Website: www.njtreefoundation.org.
2. Any person, who removes three more tree(s), as defined as Tree Removal, with a DBH of 6” or more per acre, unless otherwise detailed under Section IV, shall replace the trees in accordance with the species type and diversity of replacement trees on the prescribed list found on the NJ Tree Foundation Website: www.njtreefoundation.org.
3. All Replacement Tree(s) shall:
 - a. Be replaced in kind with a tree that has an equal or greater DBH than tree removed; and

- b. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality; and
- c. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
- d. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

C. Replacement Alternatives:

- 1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the municipality.
 - b. Pay a fee of \$175 for residents and \$300 for commercial property owners per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

SECTION IV. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption. Proof of proper justification may include photos or statements from a New Jersey Licensed Tree Expert pursuant to New Jersey Statute 45:15C-11, or a tree arborist. Such proofs of proper justification shall be reviewed by the Planning and Zoning Office. If in the discretion of the Planning and Zoning office additional or different proofs are necessary, the applicant will present such additional or different proofs as requested.

- A. Residents who remove less than three (3) trees per acre;
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.

- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no fee or replacement requirement.

SECTION V. Enforcement:

This ordinance shall be enforced by the Planning and Zoning Office, Property Maintenance Department and Department of Public Works during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a minimum fine of \$175.00 up to a maximum of \$1,250.00, but in no event shall such fine be less than the amount of the required replacement tree(s) and cost of planting.

SECTION VII. 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.

SECTION VIII. Repealer, Severability, and Effective Date:

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. The fines and penalties established within this Ordinance shall be considered cumulative, and not superseding, as a remedy available to the Township in addition to those which may also apply under any other applicable Township ordinance, or other applicable local, county, or State law or regulation.

D. This Ordinance shall become effective immediately upon adoption and publication in the manner prescribed by law.

Motion on FIRST reading:

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

2024:11 Bond Ordinance Authorizing, Ratifying and Confirming Supplemental Funding for Route #130 Redevelopment Area Improvements, Including the Development and Construction of the Municipal Building/Library Complex Facilities, In and For the Township of Pennsauken, County of Camden, New Jersey; Appropriating the Sum of \$15,630,000 Therefore; Authorizing the Issuance of General Obligation Bonds or Bond Anticipation Notes of the Township of Pennsauken, County of Camden, New Jersey, in the Aggregate Principle Amount of up to \$15,630,000; Making Certain Determinations and Covenant Authorizing Certain Related Actions in Connection With The Forgoing

WHEREAS, on March 17, 2022, the Township Committee ("Township Committee") of the Township of Pennsauken, County of Camden, New Jersey ("Township"), adopted Ordinance 2022.07 ("Prior Ordinance") authorizing and approving supplemental funding (including the issuance of bonds or bond anticipation notes) for the development and construction of certain improvements as part of the Township's Route 130 Redevelopment Plan, including, but not limited to, the development and construction of the new municipal building and library complex facilities; and

WHEREAS, it was subsequently discovered that the notice published between introduction and adoption of the Prior Ordinance included a typographical error that incorrectly stated the date upon which the Township Committee would consider the Prior Ordinance for final adoption (and upon which public comments would be accepted in connection therewith); and

WHEREAS, as a result of the forgoing, the Township Committee has determined formally re-authorize, ratify and confirm the improvements authorized by, and the issuance of bonds or

bond anticipation notes to finance the costs of such improvements under, the Prior Ordinance by the adoption of this ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee (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, *N.J.S.A. 40A:2-1 et seq.* ("Local Bond Law"), the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State of New Jersey, as amended and supplemented and *N.J.S.A. 40A:12A-37*, as follows:

Section 1. The purposes described in Section 7 hereof are hereby re-authorized, ratified and confirmed as general improvements to be made or acquired by the 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 \$15,630,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$15,630,000.

Section 3. The sum of \$13,800,000, to be raised by the issuance of bonds or bond anticipation notes is 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 \$15,630,000 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 \$15,630,000 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 \$3,000,000.

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 maximum amount of obligations to be issued for each said purpose; the maximum rate of interest the obligations are to bear; 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>Amount of Obligations</u>	<u>Maximum Rate of Interest on Obligations</u>	<u>Period of Usefulness</u>
A. Supplemental Funding for the Development and Construction of Improvements as part of the Route 130 Redevelopment Plan, including, but not limited to, the development and construction of the new Municipal Building/Library Complex Facilities, together with the completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator	\$15,630,000	\$15,630,000	8.5%	30 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 the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 30 years.

Section 9. Grants or other monies received from any governmental entity including, but not limited to, the State of New Jersey by and through the New Jersey Library Trust Fund, 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. A 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 was 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*, remains unchanged resulting from the reduction of the gross debt as previously reported in connection with the Prior Ordinance and the subsequent increase of the gross debt authorized by this Bond Ordinance.

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. To the extent all, or a portion of the purposes described in Section 7 above are determine to be for a tax-exempt purpose, the Township hereby covenants as follows with respect to those purposes:

(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 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. By adoption of the Bond Ordinance is hereby repealed in its entirety.

Section 17. Any moneys expended or any expenses incurred pursuant to appropriations made by the Prior Ordinance, if any, shall be accounted and deemed to have been issued, expended or incurred pursuant to this Bond Ordinance.

Section 18. All other ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 19. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: April 4, 2024

Date of Adoption: April 18, 2024

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 4, 2024. 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 April 18, 2024 at _____ o'clock __M. 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, RATIFYING AND CONFIRMING SUPPLEMENTAL FUNDING FOR ROUTE 130 REDEVELOPMENT AREA IMPROVEMENTS, INCLUDING THE DEVELOPMENT AND CONSTRUCTION OF THE MUNICIPAL BUIDLING/LIBRARY COMPLEX FACILITIES, IN AND FOR THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$15,630,000 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 \$15,630,000; 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>Amount of Obligations</u>	<u>Maximum Rate of Interest on Obligations</u>	<u>Period of Usefulness</u>
A. Supplemental Funding for the Development and Construction of Improvements as part of the Route 130 Redevelopment Plan, including, but not limited to, the development and construction of the new Municipal Building/Library Complex Facilities, together with the completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator	\$15,630,000	\$15,630,000	8.5%	30 years

Appropriation: \$15,630,000
 Bonds/Notes Authorized: \$15,630,000
 Grants (if any) Appropriated: N/A
 Section 20 Costs: \$3,000,000
 Useful Life: 30 years

Bond Ordinance Statements and Summary

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey on April 18, 2024 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AUTHORIZING, RATIFYING AND CONFIRMING SUPPLEMENTAL FUNDING FOR ROUTE 130 REDEVELOPMENT AREA IMPROVEMENTS, INCLUDING THE DEVELOPMENT AND CONSTRUCTION OF THE MUNICIPAL BUILDING/LIBRARY COMPLEX FACILITIES, IN AND FOR THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$15,630,000 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 \$15,630,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

FOREGOING

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Amount of Obligations</u>	<u>Maximum Rate of Interest on Obligations</u>	<u>Period of Usefulness</u>
A. Supplemental Funding for the Development and Construction of Improvements as part of the Route 130 Redevelopment Plan, including, but not limited to, the development and construction of the new Municipal Building/Library Complex Facilities, together with the completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator	\$15,630,000	\$15,630,000	8.5%	30 years

Appropriation: \$15,630,000
 Bonds/Notes Authorized: \$15,630,000
 Grants (if any) Appropriated: N/A
 Section 20 Costs: \$3,000,000
 Useful Life: 30 years

Motion on FIRST reading:

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

No Public Wished to Comment

RESOLUTION - The Following will be Considered by consent agenda

2024:157-A Amending the Resolution Accepting and Awarding Bid for the Green Acres Urban Parks Grant Pennsauken Pool Complex Project Bid Number 2024 -05 (All State Technology)

WHEREAS, this resolution is being amended due to an incorrect bid number and opening date and therefore shall read;

WHEREAS, bids were received and opened for the Pennsauken Pool Complex Improvements, Bid Packet No. 2024-05, on February 13, 2024; and

WHEREAS, this project consists of the rehabilitation to the Pools and underground pipes at the existing Municipal Pool located at 6100 River Road; and

WHEREAS, the Township Consulting Engineer has reviewed the bids submitted and has determined that in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq, the contract should be awarded to the lowest responsible bidder, All State Technology 10 Lark Lane, Oak Ridge, NJ in the amount of \$129,000.00 Base Bid and Alternates 1, 2 and 3 for \$100,000.00 totaling \$229,000.00.

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 the contract for the Green Acres and Urban Parks Grant Pennsauken Pool Complex Project improvements in the amount of \$129,000.00 Base Bid and Alternates 1, 2 and 3 for \$100,000.00 totaling \$229,000.00.to All State Technology.

2. The Chief Financial Officer of the Township of Pennsauken, as required by N.J.A.C. 5:30-5.1, has certified that there are sufficient funds available for the aforementioned purchase, said certification being attached hereto and made a part hereof.

3. The Township Committee hereby authorizes the Township Administrator, Township Clerk, and Purchasing Agent to execute any contract documents which are necessary to effectuate the terms of this Resolution, subject to review, revision, and approval by the Township Solicitor.

2024:158-A Amending the Resolution Accepting and Awarding Bid for the Green Acres Urban Parks Grant Pennsauken Pool Complex Project Bid Packet 2024 -06 (Think Pavers Hardscaping)

WHEREAS, this resolution is being amended due to an incorrect bi number and opening date and therefore shall read;

WHEREAS, bids were received and opened for the Pennsauken Pool Complex Improvements, Bid Packet No. 2024-06, on March 5, 2024; and

WHEREAS, this project consists of the rehabilitation of deteriorated sports courts, installation of a rail and new parkour park; and

WHEREAS, the Township Consulting Engineer has reviewed the bids submitted and has determined that in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq, the contract should be awarded to the lowest responsible bidder, Think pavers Hardscaping 125 Kings Highway Mt. royal, NJ in the amount of \$597,710.00 Base Bid and \$20,000.00 for Alternate #1 for a total of \$617,710.00.

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 the contract for the Green Acres and Urban Parks Grant Pennsauken Pool Complex Project Improvements in the amount of \$597,710.00 Base Bid and \$20,000.00 for Alternate #1 to Think Pavers Hardscaping.

2. The Chief Financial Officer of the Township of Pennsauken, as required by N.J.A.C. 5:30-5.1, has certified that there are sufficient funds available for the aforementioned purchase, said certification being attached hereto and made a part hereof.

3. The Township Committee hereby authorizes the

4. Township Administrator, Township Clerk, and Purchasing Agent to execute any contract documents which are necessary to effectuate the terms of this Resolution, subject to review, revision, and approval by the Township Solicitor.

Motion to adopt:

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

RESOLUTION - The Following will be Considered individually

2024:171 Police Radios through the State of New Jersey Cooperative Purchasing Program I- NJCP State Contract (Motorola Solutions #83909)

WHEREAS, The Township of Pennsauken wishes to purchase vehicles for use by the Police Department from an authorized vendor under contract by the Division of Purchase and Property, Department of Treasury, State of New Jersey; and

WHEREAS, Motorola Solutions, 153 Cooper Rd, West Berlin, NJ 08091 has been awarded New Jersey State Contract Number 83909 for the purchase of Police Radios for the period 5/1/2013-4/30/2024; and

WHEREAS, the Police Chief has recommended the use of this contract, price and other factors considered; and

WHEREAS, the cost of this purchase shall not exceed \$200,000 and

WHEREAS, this is an open-ended contract, and 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.

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

1. That Motorola Solutions, 153 Cooper Rd, West Belin, NJ 08091 be awarded a contract for the purchase of Police Radios, as recommended by the Assistant Township Administrator, in an amount not to exceed \$200,000 retroactively from January 1, 2024, through April 30, 2024.
2. That the aforesaid contract is a term contract permitting the purchase of items at a stated price on an "as-needed" basis, at which time certification of available funds shall be provided for each purchase in accordance with Local Public Contracts Regulation 5:30-14.4.5 (c) 2ii.
3. That the Township Committee hereby directs the Township Administrator, the Township Clerk, and the Purchasing Agent to execute any contract documents which are necessary to effectuate the terms of this Resolution, subject to review, revision and approval by the Township Solicitor.

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 the 4th of April, 2024.

2024:172 Resolution of the Township Committee of the Township of Pennsauken, County of Camden, New Jersey Authorizing the Issuance and Sale of up to \$1,040,000 One million forty thousand dollars - of Special Emergency Notes of the Township of Pennsauken, making certain Covenants to Maintain the Exemption of the Interest on said Notes from Federal Income Taxation, and Authorizing such Further Actions and Making such Determinations as May Be Necessary or Appropriate to Effectuate the Issuance and Sale of the Notes

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, *inter alia*, municipalities to adopt

ordinances authorizing special emergency appropriations for the complete program of revaluation of real property; and

WHEREAS, the Township Committee of the Township of Pennsauken, County of Camden, New Jersey ("Township"), has duly and finally adopted Ordinance 2023:09 ("Ordinance"), appropriating the sum of \$1,300,000 to pay the costs associated with a complete program of revaluation of real property in and for the Township ("Project"); and

WHEREAS, Section 55 of the Local Budget Law, *N.J.S.A. 40A:4-55*, authorizes the Township to issue special emergency notes to finance the costs of the Project and requires the Township to pay, at maturity, one-fifth of the total amount authorized under the Ordinance; and

WHEREAS, the Township has heretofore issued its Special Emergency Notes of 2023, Series A, in the principal amount of \$1,300,000 to finance the costs of the Project ("Prior Note"); and

WHEREAS, the Prior Note matures on July 12, 2024; and

WHEREAS, it is the desire of the Township to issue its special emergency notes in the principal amount of up to \$1,040,000, as further described in Exhibit "A", the proceeds of which, together with other available funds in the amount of \$260,000, will be used to repay the Prior Note at maturity; and

WHEREAS, pursuant to the Local Budget Law and the Ordinance, it is the intent of the Township Committee to hereby authorize, approve and direct the issuance and sale of such special emergency notes for the Project as further described in Exhibit "A" attached hereto, to ratify and confirm certain actions heretofore taken by or on behalf of the Township, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law, the issuance of special emergency notes of the Township, to be designated, substantially, "Township of Pennsauken, County of Camden, New Jersey, Special Emergency Notes of 2024, Series A" ("Notes"), in an aggregate principal amount of up to \$1,040,000, is hereby authorized, approved, ratified and confirmed.

Section 2. The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

Section 3. At the next meeting of the Township Committee after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the Township Committee, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 4. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law, *N.J.S.A. 40A:4-55(b)*.

Section 5. The Notes shall be issued in bearer or registered form in denominations of \$5,000 or greater. The Notes shall be executed in the name of the Township by the manual

or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the Township affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the Township Clerk or Deputy Township Clerk.

Section 6. The Notes are ultimately payable from *ad valorem* taxes that shall be levied upon all taxable real property in the Township without limitation as to rate or amount.

Section 7. The Township hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 8. The Township hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 9. The Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 10. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Administrator, Chief Financial Officer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 11. The Mayor, Chief Financial Officer and Township Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 12. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 13. This Resolution shall take effect immediately upon adoption this 4th day of April, 2024.

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

2024:173 Amend Award of Contract for Professional Services: Design Build Contract of a Community Center (SSP)

WHEREAS, the Township of Pennsauken is preparing a design-build contract for a new community center; and

WHEREAS, the Township authorized SSP as the Design Criteria Architect through an RFP process for an amount not to exceed \$185,000 with Resolution 2022:240; and

WHEREAS, SSP has provided an amended proposal for additional costs associated with Phase I for an additional \$57,125, which was approved with Resolution 2023:114; and

WHEREAS, SSP has provided another amended proposal for additional costs associated with Phase I for an additional \$31,900; and

WHEREAS, the Chief Financial Officer, as required by N.J.A.C. 5:30-5.1, has certified that there are sufficient funds available for the purpose of awarding a contract for said purpose, said certification being attached hereto and made a part hereof; and

WHEREAS, the Township Committee believes that SSP, possesses the necessary professional qualifications to provide the aforementioned services for an amount not to exceed \$274,025 for Phase I of the Design-Build Contract.

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

1. The Township Committee, for the aforementioned reasons, hereby declares that SSP, possesses the necessary qualifications to render the aforementioned professional services and hereby awards a contract to said entity for the aforesaid purposes in an amount not to exceed \$274,025 for Phase I of the Design-Build Contract, and in accordance with the terms and conditions of an agreement on file in the Office of the Township Clerk and available for public inspection during regular business hours.
2. That the Township Mayor and Township Clerk are hereby authorized to execute any documents which are necessary to effectuate the terms of this Resolution, subject to review, revision and approval by the Office of the Township Attorney and hereby directs the Township Clerk to prepare and publish the appropriate notice of the award of this contract.

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 the 4th of April, 2024.

2024:174 Authorizing Transfers of Appropriation Reserve #4

WHEREAS, various 2023 bills have been present for payment this year, which bills were not covered by a purchase order number or recorded at the time of transfers between the 2023 Budget Appropriations in the last two months of 2023 and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey, that the transfers in the amount of \$60,000 be made between the 2023 Budget Appropriation Reserves as per 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....and effective as of March 31, 2024.

2024:175 Resolution Authorizing Refund of Zoning Board Escrow Account # ZB24-0003

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 \$746.50 to

Ray Caviccho
428 Curtis Avenue
Pennsauken NJ 08110

2024:176 Resolution Authorizing and Supporting the Submission of an Application for the Camden County Recreation Facility Enhancement Project and the Execution of said Grant if Received (community garden)

WHEREAS, the Township of Pennsauken supports and desires to apply and obtain a grant from the Camden County Open Space, Farmland and Historic Preservation Trust Fund in the amount of \$25,000 for the construction of a new Community Garden including 20+planting plots, water sources, fencing and other amenities at the Githens Avenue park located in the Collins Tract section of town, identified as Block;3005 Lot;1 on the Pennsauken Tax Map.

BE IT FURTHER RESOLVED, the Township of Pennsauken authorizes the submission of the application for the Recreation Facility Enhancement Project Grant and the Township Administrator, or his designee is authorized to execute the grant agreement if grant is received.

2024:177 Resolution Approving the Refund of Lead Paint Application Fees (9 properties)

WHEREAS, the Township of Pennsauken received Lead Paint Application fees for various properties within the Township.

WHEREAS, the Construction Official of the Township of Pennsauken is satisfied that the fees collected for these properties were not required and should be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden, and State of New Jersey that a refund of Lead Paint Application fees shall be issued for the attached list of properties designated by Block and Lot Number, owner of record and mailing address of record.

CERTIFIED COPY of this resolution will be forwarded by the Township Clerk to the Applicant, Construction Official, Finance Department, and the Manager of the Building & Housing Department.

2024:178 Resolution Authorizing the Issuance of a Used Car License for 2024 to Auto Auction of NJ, Inc.

BE IT RESOLVED, by the Township Committee of the Township of Pennsauken that the following Used Car License is authorized to be issued for 2024.

FIRST FEDERAL AUTO AUCTION INC.

DBA U.S. AUTO AUCTION

6601 S. Crescent Blvd.
Pennsauken, NJ 08110

2024:179 Resolution Authorizing the Issuance of a Used Car License for 2024 to Prince Auto Service, LLC

BE IT RESOLVED, by the Township Committee of the Township of Pennsauken that the following Used Car License is authorized to be issued for 2024.

PRINCE'S AUTO SERVICE, LLC

6591 S. Crescent Blvd.
Pennsauken, NJ 08109

2024:180 Resolution for Emergency Board-Up; Establish a Final Billing; Impose Municipal Assessments; Enforce Through Tax Sale; and Impose Municipal Liens (Velde)

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 Leigha Bogdanowicz, 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.

2024:181 Resolution Authorizing the Issuance of a Used Car License for 2024 to Elite Sales, LLC

BE IT RESOLVED, BY THE Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the following Used Car License is authorized to be issued in 2024.

Elite Auto Sales
4200 Strand Avenue
Pennsauken, NJ 08109

The following restrictions are in effect:

All used cars that enter the site will be pre-sold: NO sales will occur on site.

1. No invitations to the general public to purchase used care from the site.
2. No used cars will be stored on site
3. No advertisement that used cars are sold at the site.
4. No signs that indicate used cars are sold at the site.

2024:182 Resolution Authorizing the Issuance of a Used Car License for 2024 to Joshua Motor Car Company, Inc.

BE IT RESOLVED, BY THE Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the following Used Car License is authorized to be issued in 2024.

Joshua Motor Car Company, Inc
3429 Haddonfield Road
Pennsauken, NJ 08109

Motion to adopt:

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

PUBLIC COMMENT - NONE

COMMITTEE COMMENTS

Deputy Mayor Rafeh

- Easter Egg Hunt was a success. Thank you to everyone who made it happened and to all volunteers.
- Thank you to kiddie junction for their sponsorship.
- April is Autism Awareness Month and to honor that we will be hosting our first time ever Autism Awareness Expo at Eden Garden 1444 Rt 73.
- April 24th will officially be named Autism Day in Pennsauken by our Mayor.

Committeeman Martinez

- Our PFD received their highly anticipated truck to be able to service our town in an emergency.
- Subscribe to our Newsletter to stay up to date with all our events.

Committeeman Olivo

- Saturday we will be having a shredding event at 8201 Park Ave rain or shine event.
- Spring Cleanup/Nature Day 38th and Chestnut. To participate or for any questions please contact Juan Vazquez.

Committeewoman Roberts

- April 6th Library will be hosting a Solar Eclipse activity and we will have glasses to hand out.
- Poetry Contest was 4/26th
- For more information on events or any other Library event please visit Pennsauken Library website.

Reminder(s)

Tim Killion

- Our new building 1st phase will be completed June/July 2025 and second phase about 60 days after that.
- Next meeting April 18th.

ADJOURNMENT

Committeeman Olivo moved motion to Adjourn
Committeeman Martinez second motion.
An affirmative 4/0 voice vote was recorded.

TIME: 6:25 pm

Respectfully submitted,

Ana Matos

Deputy Clerk

Approved: April 18, 2024