

TOWNSHIP OF QUINTON  
COUNTY OF SALEM  
**REGULAR MEETING**  
QUINTON TOWNSHIP MUNICIPAL BUILDING  
JULY 5, 2022

Called to order by Mayor Sperry at 7:00pm

Pledge of allegiance

Open Public Meetings Act

This meeting is being held in compliance with the Open Public Meetings Act. Advanced notice of this meeting was given by way of the annual notice which was filed with the Quinton Township Clerk, forwarded to the South Jersey Times and was posted on the bulletin board located in the lobby of the Quinton Township Municipal Building.

Roll Call Mayor Sperry, Deputy Mayor Hannagan, Committeemen Owens, Solicitor Arbittier, CFO Elwell, Clerk Uzdanic

Minutes to be approved- June minutes to be reapproved at August meeting

Vouchers to be approved

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

Each Committeeman abstains from voting from their paycheck

**RESOLUTIONS TO BE APPROVED**

**Resolution No. 2022-67**

**Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Brown Road Section II Resurfacing.**

**NOW, THEREFORE, BE IT RESOLVED** that The Township Committee of Quinton Township formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Township Committee and Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Quinton Township-00143 Reconstruction of Brown Road Section II.to the New Jersey Department of Transportation on behalf of Quinton Township.

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Quinton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Township Committee  
On this 5<sup>th</sup> day of July, 2022

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

**Resolution No. 2022-68**

**Resolution:** Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for S. Burden Hill Road Resurfacing.

**NOW, THEREFORE, BE IT RESOLVED** that The Township Committee of Quinton Township formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Township Committee and Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Quinton Township-00144 to the New Jersey Department of Transportation on behalf of Quinton Township.

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Quinton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Township Committee  
On this 5<sup>th</sup> day of July, 2022

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

**RESOLUTION NO. 2022-69**  
**RESOLUTION TO HONOR MASON J. ELWELL**

**WHEREAS**, The Quinton Township Committee recognizes the importance of the Boy Scouts of America; and

**WHEREAS**, Boy Scouts of America helps to prepare young people for life; and

**WHEREAS**, The Quinton Township Committee commends Mason J. Elwell for his effort to achieve the Eagle Scout Badge; and

**WHEREAS**, Mason J. Elwell attends Rowan University, studying Electrical and Computer Engineering; and

**NOW THEREFORE BE IT RESOLVED** that the Quinton Township Committee recognizes and honors Mason J. Elwell for his achievements; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be presented to Mason J. Elwell and another placed in the minutes of the Quinton Township Clerk.

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

**RESOLUTION NO. 2022-70**  
**RESOLUTION TO HONOR ALEC R. SICKLER**

**WHEREAS**, The Quinton Township Committee recognizes the importance of the Boy Scouts of America; and

**WHEREAS**, Boy Scouts of America helps to prepare young people for life; and

**WHEREAS**, The Quinton Township Committee commends Alec R. Sickler for his effort to achieve the Eagle Scout Badge; and

**WHEREAS** Alec R. Sickler plans to attend Rowan University, to become an Accountant (CPA); and

**NOW THEREFORE BE IT RESOLVED** that the Quinton Township Committee recognizes and honors Alec R. Sickler for his achievements; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be presented to Alec R. Sickler and another placed in the minutes of the Quinton Township Clerk.

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

**RESOLUTION NO. 2022-71**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF QUINTON, COUNTY OF SALEM, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$70,000 OF SPECIAL EMERGENCY NOTES OF THE TOWNSHIP OF QUINTON; 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**

**BACKGROUND**

**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 Quinton, County of Salem, New Jersey ("Township"), duly and finally adopted Ordinance 2019:05 ("Ordinance"), appropriating the sum of \$175,000 to pay the costs associated with the 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 2021, Series A, in the principal amount of \$105,000 to finance the cost of the Project by the payment at maturity of a prior series of special emergency notes ("Prior Note"); and

**WHEREAS**, the Prior Note matures on July 26, 2022; and

**WHEREAS**, it is the desire of the Township to issue its special emergency notes in the principal amount of up to \$70,000, as further described in Exhibit "A", the proceeds of which, together with other available funds in the amount of \$35,000, 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 QUINTON, COUNTY OF SALEM, 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 Quinton, County of Salem, New Jersey, Special Emergency Notes of 2022, Series A" ("Notes"), in an aggregate principal amount of up to \$70,000, 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 form in denominations of \$10,000 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.** The Township hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Township hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Township during the period from January 1, 2022 to December 31, 2022, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 10, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Township: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

**Section 11.** 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 12.** 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 13.** All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

**Section 14.** This Resolution shall take effect immediately upon adoption this 5th day of July, 2022.

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

Solicitor Arbittier explained the new law for Lead Paint Inspections. Townships will have to have a certified Lead Paint Inspector for all rental units built before 1978 needing a CO.

## **PUBLIC SESSION**

Motion to open to the public

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

No Public Session

Motion to close to the public

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

### **RESOLUTION 2022-72**

#### **Resolution Authorizing Executive Session**

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12b permits a public body to go into a closed session during a public meeting to discuss certain matters as follows:

- (1) *Matters Required by law to be confidential:* Any matter which by express provision of the Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Any matter in which the release of information would impair the right to receive federal funding.
- (3) *Matters involving individual privacy:* Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations or other personal material of any education, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned .
- (4) *Matters pertaining to a collective bargaining agreement:* Any matter involving a collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) *Matters relating to the purchase, lease acquisition of real property or investment of public funds:* Any matter involving the lease, purchase or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) *Matters of public protection:* Any tactic and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.
- (7) *Matters relating to litigation, negotiations and attorney-client privilege:* Any matter of pending or anticipated litigation or contract negotiation other than in (4) above in which the Township is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise ethical duties as a lawyer.
- (8) *Matters relating to the employment relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of , promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all of the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed in public.
- (9) *Deliberations after public hearing.* Deliberations by the Township occurring after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party; and

**WHEREAS**, the Township Committee has determined that it is necessary to go into a closed session to discuss certain matters relating to the items as permitted by N.J.S.A. 10:4-12b

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of Quinton that the Committee will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

7. Attorney Client / Pending Litigation

**BE IT FURTHER RESOLVED**, that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

Motion to close open session

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

Motion to open closed session

**Motion Hannagan**

**Second Owens**

**2 RCV yes**

Solicitor Arbittier updated the committee on pending litigation.

There being no further business motion to adjourn at 7:54pm Motion Hannagan Second Owens  
3 RCV yes

Marty R. Uzdhanovics  
Clerk