

RESOLUTION:12:200-22

**RESOLUTION AUTHORIZING ADJUSTMENT FOR WATER BILLING  
DUE TO PROPERTY BEING VACANT**

**WHEREAS**, the water charges billed were estimated charges issued for the property at 333 Bergen Avenue, Bellmawr, also know as block 47.04 lot 9

**WHEREAS**, the property was vacant.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Bellmawr, the Water Collector is authorized to adjust the account by removing the charge of \$835.85 from account #990000-1.

**DECEMBER 29, 2022**

**APPROVED:**

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

**ATTEST:**

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	✓	✓	✓	✓	
NAY						
ABSTAIN						
ABSENT						✓

**CERTIFICATION**

I, Francine M. Wright Borough Clerk of the Borough of Bellmawr, County of Camden, State of New Jersey, hereby certify that the above is a true and correct copy of a resolution adopted by the Mayor and Borough at their meeting of December 29, 2022 in the Municipal Building, 21 East Browning Road, Bellmawr, New Jersey.

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION:12:201-22

RESOLUTION AUTHORIZING ADJUSTMENT FOR WATER BILLING  
DUE TO WATER METER NOT WORKING PROPERLY

**WHEREAS**, the water charges billed were 6000 gallon minimum charges issued for 3 quarters of 2022 at the Property 275 Meyner Drive, block 52.05, lot 28. The outside water meter readout was not working properly. The inside meter reading was used to correct the water billing and usage.

**WHEREAS**, the water meter was not working properly.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Bellmawr, the Water Collector is authorized to adjust the account by removing the charge of \$121.50 from account #1742000-1.

DECEMBER 29, 2022

APPROVED:

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

ATTEST:

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	✓	✓	—	✓	
NAY						
ABSTAIN						
ABSENT						—

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*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: 12:202-22

RESOLUTION AUTHORIZING THE BOROUGH OF BELLMAWR  
TO PLACE  
PROPERTY MAINTENANCE LIENS

WHEREAS, it has become necessary for the Borough of Bellmawr to incur expenses for property maintenance pursuant to Chapter 78 of the Code of the Borough of Bellmawr, and

WHEREAS, Chapter 78 permits the Borough, after proper certification with regard to the cost of such removals, to charge such costs as a lien against the lands and properties in question, and

WHEREAS, the Governing Body of the Borough of Bellmawr desires to require the following costs be charged:

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>DATE</u>
147/6	313 Saunders Ave	\$299.52	10/18/2022

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bellmawr that the charges be added to the properties as a lien pursuant to the Borough Code.

DECEMBER 29, 2022

APPROVED:

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

ATTEST:

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FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	✓	✓	✓	✓	
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ABSTAIN						
ABSENT						✓

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FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: 12:203-22

**RESOLUTION APPROVING TAX EXEMPTION DUE TO 100%  
DISABLED AMERICAN VETERAN STATUS**

**WHEREAS**, New Jersey State Statute 55:4-3-30 provides that the property of a Veteran with 100% service connected disability shall be exempt from all property taxes, and

**WHEREAS**, the Tax Assessor has certified that the following property is entitled to the provisions of this act as of December 12, 2022,

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Bellmawr that the taxes for 2022 4<sup>th</sup> quarter be adjusted as per below and the 2023 1<sup>st</sup> and 2<sup>nd</sup> quarters be cancelled.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>1<sup>st</sup> QTR AMOUNT</u>
81.01	6	Monroe, Brian & Kathleen 209 Cardinal Drive	\$389.97

**DECEMBER 29, 2022**

**APPROVED:**

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

**ATTEST:**

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

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AYE	✓	✓	✓	✓	✓	
NAY						
ABSTAIN						
ABSENT						✓

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*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: 12:204-22

**RESOLUTION TO CANCEL VACANT PROPERTY CHARGES**

**WHEREAS**, vacant property registration charges were billed on the property known as 133 Dobbs Avenue, block 73 lot 9 for the years 2020 and 2021 under the previous owner's name, and

**WHEREAS**, the property was sold to new ownership in 2019 and considered no longer vacant, and

**WHEREAS**, the charges below should be cancelled off the record to clear the property,

<u>Acct ID</u>	<u>Amount</u>
I0-00016	\$1000.00
I1-00101	\$3000.00

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Bellmawr, County of Camden, State of New Jersey, that the Tax Collector is hereby authorized to cancel the above balances on the referenced property.

**DECEMBER 29, 2022**

**APPROVED:**

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

**ATTEST:**

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	✓	✓	✓	✓	
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ABSTAIN						
ABSENT						✓

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*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: 12:205-22

**AUTHORIZING REIMBURSEMENT OF OVERPAYMENT TO ISABEL C. BALBOA IN THE AMOUNT OF \$342.76 WHICH WAS PAID TO BOROUGH OF BELLMAWR WATER UTILITY IN ERROR**

WHEREAS, Isabel C. Balboa is requesting a reimbursement for the property located 332 Peach Road, Bellmawr NJ. Payment was made in error for Case Number 22-14716.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Bellmawr that a check in the amount of \$342.76 be issued to Isabel C. Balboa, Cherry Tree Corporation Center, 535 Route 38, Suite 580, Cherry Hill, NJ 08002-2977.

DECEMBER 29, 2022

APPROVED:

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

ATTEST:

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	✓	✓	✓	✓	
NAY						
ABSTAIN						
ABSENT						✓

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*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: #12-207-22

AWARDING CONTRACT RESOLUTION

WHEREAS, the Borough of Bellmawr is in need of a supplier that provides Basic Life Support Services and transportation to meet the needs of the New Jersey residents and others within the boundaries of the Borough of Bellmawr EMS and all areas served by the Borough of Bellmawr Ems. (The "Region")

WHEREAS, Supplier provides emergency transport for patients to various hospitals in the Region for specified fees;

WHEREAS, Supplier is appropriately and currently licensed by the New Jersey Department of Health pursuant to N.J.A.C. 8:40 et seq.;

WHEREAS, Supplier and Virtua are both properly enrolled as providers in the Medicare and Medicaid programs by the Centers for Medicare & Medicaid Services ("CMS");

WHEREAS, Supplier has a need to provide Advanced Life Support Services to its residents and others in specific situations in the Region;

WHEREAS, Virtua is a provider of such Advanced Life Support Services in the Region;

WHEREAS, Supplier has expressed a desire for Virtua to provide it with Advanced Life Support Services as set forth herein; and

WHEREAS, the health, safety and welfare of the residents of the Region will benefit from Supplier and Virtua entering into this mutual agreement;

NOW, THEREFORE in consideration of the mutual promises and understandings contained herein,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bellmawr, Camden of Camden, and State of New Jersey authorize the extension of Transport Billing Agreement to be executed.

DECEMBER 29, 2022

APPROVED:

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

ATTEST:

*Francine M. Wright*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	Bider	Casey	D'Angelo	Evans	Fina	Wilhelm
AYE	✓	✓	✓	✓	✓	
NAY						
ABSTAIN						
ABSENT						✓

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*Francine M. Wright*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: #12:208-12

**A RESOLUTION OF THE BOROUGH OF BELLMAWR, COUNTY OF CAMDEN, STATE OF NEW JERSEY FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY 2023 LOCAL FREIGHT IMPACT FUND IMPROVEMENTS TO HAAG AVENUE PROJECT**

**WHEREAS**, the Borough Council of the Borough of Bellmawr desires to make application to the New Jersey Department of Transportation for the FY 2023 Local Freight Impact Fund program for the Improvements to Heller Place project; and

**WHEREAS**, the Borough Engineer has recommended submission of the Grant Application and supporting documents for such Project.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Bellmawr that the Borough Council does hereby formally approve the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **LFIF-2023-Improvements to Haag Avenue-00060** to the New Jersey Department of Transportation on behalf of the Borough of Bellmawr forthwith after the adoption hereof; and

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

DECEMBER 29, 2022

APPROVED:

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

ATTEST:

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

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<b>AYE</b>	✓	✓	—	✓	—	
<b>NAY</b>						
<b>ABSTAIN</b>						
<b>ABSENT</b>						✓

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*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: #12:209-22

RESOLUTION AUTHORIZING APPLICATION FOR FISCAL YEAR 2023  
LOCAL RECREATION IMPROVEMENT GRANT FOR THE BELL ROAD  
RECREATION FIELD IMPROVEMENTS PROJECT, BOROUGH OF  
BELLMAWR, COUNTY OF CAMDEN, STATE OF NEW JERSEY

WHEREAS, the Borough of Bellmawr desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$165,000.00 to carry out a project to complete the installation and implementation of recreation field turf improvements at the Bell Road recreation facility;

BE IT THEREFORE RESOLVED, the Borough of Bellmawr does hereby authorize the application for such grant;

BE IT FURTHER RESOLVED, that the Borough does hereby recognize and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Bellmawr and the New Jersey Department of Community Affairs;

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

DECEMBER 29, 2022

APPROVED:

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

ATTEST:

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	✓	✓	✓	✓	
NAY						
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*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: #12:210-22

RESOLUTION AUTHORIZING APPLICATION FOR FISCAL YEAR 2023  
LOCAL RECREATION IMPROVEMENT GRANT FOR THE  
BRAISINGTON AVENUE PLAYGROUND PROJECT, BOROUGH OF  
BELLMAWR, COUNTY OF CAMDEN, STATE OF NEW JERSEY

WHEREAS, the Borough of Bellmawr desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project to complete the installation and implementation of a playground at the Braisington Avenue Park;

BE IT THEREFORE RESOLVED, the Borough of Bellmawr does hereby authorize the application for such grant;

BE IT FURTHER RESOLVED, that the Borough does hereby recognize and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Bellmawr and the New Jersey Department of Community Affairs;

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

DECEMBER 29, 2022

APPROVED:

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

ATTEST:

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	✓		✓		
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BOROUGH CLERK

RESOLUTION # 12:211-22

RESOLUTION ACCEPTING TRANSFER OF TITLE  
AND ESTABLISHMENT OF CROSS-EASEMENT

**WHEREAS**, on or about December 14, 2020, the New Jersey Department of Transportation (“**DOT**”) conveyed by deed (the “**DOT Deed**”), certain real property located on Essex Avenue in the Borough of Bellmawr, County of Camden and State of New Jersey (the “**DOT Property**” as more particularly described in the DOT Deed and Plan attached hereto as Exhibits); and

**WHEREAS**, on or about the spring of 2017, DOT built a parking lot on the DOT Property intended to service batting cages to be located at the DOT Property, and

**WHEREAS**, on or about the summer of 2017, the Borough of Bellmawr (the “**Borough**”) built batting cages on the DOT Property (the “**Batting Cages**”), and

**WHEREAS**, DOT has undertaken a roadway project on Route 42, I-76, and I-295 known as the Direct Connection Project (the “**Project**”), and thereby DOT agreed to dedicate the entire DOT Property to the Borough in consideration of the permitting conditions associated with the Project and for the Borough’s construction of the batting cages; and

**WHEREAS**, the Borough is the prior owner of the former Essex Avenue right-of-way located within the DOT Property (the “**Former Essex Avenue Right-Of-Way**”, as shown on the attached Plan); and

**WHEREAS**, the Borough agreed to vacate the Former Essex Avenue Right-Of-Way to enable DOT’s dedication of the DOT Property to the Borough; and

**WHEREAS**, on or about November 2017, the Borough delivered a deed of vacation (the “**Right-Of-Way Vacation Deed**”) to DOT confirming that the portion of the Former Essex Avenue Right-Of-Way located on the DOT Property was owned by DOT; and

**WHEREAS**, the DOT has prepared, executed and recorded the DOT Deed, conveying the DOT Property to the Borough, and

**WHEREAS**, the DOT has requested that the Borough approve a Resolution confirming acceptance of title to the DOT Property; and

**WHEREAS** the Bellmawr Planning Board has recommended and approved a cross easement (the “**Cross Easement**”, as shown on the attached Cross Easement Plan, and as described in the attached Cross Easement document attached hereto as an Exhibit), benefiting both adjoining properties by providing mutual access and shared parking serving both the 100 Essex Ave. and the DOT Property, which Cross Easement provides for joint use of both a common driveway and shared parking facilities located on both 100 Essex Ave. and the DOT Property, in order to improve public safety and provide additional overflow parking spaces for use by citizens using the Batting Cages located on the DOT Property.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough as follows:

1. The Borough hereby confirms and accepts the conveyance of the DOT Property as evidenced by the DOT Deed; and
2. The Borough hereby approves the grant of the Cross Easement; and

3. The Mayor is duly authorized to execute the Cross Easement attached hereto, and
4. The Mayor is authorized to cause a copy of this Resolution to be provided to the DOT, as requested by the DOT.

This Resolution shall take effect when duly passed and published according to law.

**DECEMBER 29, 2022**

**APPROVED:**

Charles J. Sauter, III

**CHARLES J. SAUTER, III**

**MAYOR**

**ATTEST:**

Francine M. Wright, RMC  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
<b>AYE</b>	✓	✓	✓	✓	✓	
<b>NAY</b>						
<b>ABSTAIN</b>						
<b>ABSENT</b>						✓

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Francine M. Wright, RMC  
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BOROUGH CLERK

**RESOLUTION # 12:212-22**

**RESOLUTION AUTHORIZING GREEN ACRES MAJOR DIVERSION  
APPLICATION FOR BELL ROAD PARK (BLOCK 79, LOT 9.21); AND  
WARREN AVENUE PARK (BLOCK 30, LOTS 1 AND 2)**

**WHEREAS** Bellmawr Borough (the “Borough”), is the fee owner of Block 79, Lot 9.21 (the “Bell Road Park Lot”); and also Block 30, Lots 1 and 2 (the Warren Ave. Park Lots); and

**WHEREAS** the New Jersey Department of Environmental Protection, Office of Public Lands Administration (“NJDEP”), has asserted that the Borough has diverted 0.14 acres of dedicated parkland at the Bell Road Park Lot for use by the Borough’s Public Works Department, without first obtaining prior approval from NJDEP and without providing a multiple of replacement acreage at the rate of 5:1, totaling 0.7 acres of replacement parkland, pursuant to N.J.A.C. 7:36-2.1 (the “Green Acres Regulations”); and

**WHEREAS** the NJDEP has asserted that the Borough has also diverted 0.36 acres of dedicated parkland at the Warren Ave. Park Lot for use by the Borough’s Public Works Department, without first obtaining prior approval from NJDEP and without providing a multiple of replacement acreage at the rate of 5:1, totaling 1.8 acres of replacement parkland, pursuant to the Green Acres Regulations; and

**WHEREAS** Bellmawr Borough has disputed in part the assertions of the NJDEP regarding the diversions at the Bell Road Park Lot and the Warren Avenue Lot; and

**WHEREAS** a local business, Bellmawr Waterfront Development, LLC, has offered to help resolve this dispute by donating to the Borough, at no expense to the Borough, proposed replacement ground totaling 2.5 acres (the “Replacement Ground”), located adjacent to the new, to be built, Waterfront Park along the north shore of the Big Timber Creek, along with associated engineering expenses; and

**WHEREAS** the NJDEP has communicated to Bellmawr Borough that it would consider favorably a new Green Acres Major Diversion application, in respect of the Bell Road Park Lot and the Warren Avenue Lot, offering the proposed 2.5 acres of Replacement Ground.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council that the Mayor, Council and the Borough's duly appointed professionals are authorized and directed to prepare, execute and submit to NJDEP Green Aces a new "Major Diversion Application", pursuant to the Green Acres Regulations, requesting final approval to divert: (i) 0.14 acres from the Bell Road Park Lot; and (ii) 0.36 acres from the Warren Avenue Park Lot, in exchange for the 2.5 acres of Replacement Ground, which Replacement Ground will be added as an enhancement to the new Waterfront Park.

**DECEMBER 29, 2022**

**APPROVED:**

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

**ATTEST:**

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

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<b>AYE</b>	✓	✓	—	✓	—	
<b>NAY</b>						
<b>ABSTAIN</b>						
<b>ABSENT</b>						✓

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*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

**RESOLUTION #12:213-22**

**RESOLUTION AUTHORIZING CONVEYANCE OF BLOCK 78, LOTS 1 AND 2, FROM BELLMAWR BOROUGH TO THE BELLMAWR REDEVELOPMENT AGENCY, PURSUANT TO THE BELLMAWR REDEVELOPMENT AGREEMENT**

**WHEREAS** Bellmawr Borough (the “Borough”), is the fee owner of Block 78, Lots 1 and 2, within the Borough of Bellmawr (the “Borough Parcels”); and

**WHEREAS** the Borough Parcels were formerly part of the “Dewey Blanton Landfill”; and

**WHEREAS** Bellmawr Waterfront Development, LLC (“BWD”), is the owner in fee of certain property located adjacent to the Borough Parcels, also former landfills, known as: Block 79.01, Lot 9.01 in Bellmawr; Block 78, Lot 3 in Bellmawr, and Block 1.02, Lot 1 in Deptford (the “BWD Parcels”; collectively the Borough Parcels and the BWD Parcels comprise the “Project Site”); and

**WHEREAS** the Borough Parcels, along with Block 78, Lot 3 and Block 79.01, Lot 9.01, were all previously declared an “area in need of redevelopment” by Bellmawr Borough, under the New Jersey Redevelopment Law (N.J.S.A. 40A:12A-1 *et seq.*, the “Redevelopment Law”); and

**WHEREAS** Deptford Township has also declared Block 1.02, Lot 1 in Deptford to be an “area in need of redevelopment” under the Redevelopment Law; and

**WHEREAS**, pursuant to Ordinance No. 01:01-06, first adopted by Council on January 26, 2006 and then by second reading on February 23, 2006, the Mayor and Council of Bellmawr approved and endorsed the recommendation of the Bellmawr Planning Board and adopted a Redevelopment Plan prepared by Remington and Vernick, as subsequently revised in February, 2008 and November, 2017 (the “Redevelopment Plan”); and

**WHEREAS** the Redevelopment Plan covers the Borough Parcels, as well as Block 78, Lot 3 and Block 79.01, Lot 9.01; and

**WHEREAS**, pursuant to Resolution No. 09:220-17 dated September 28, 2017, the Bellmawr Council appointed Big Timber Junction, LLC, as the designated “Redeveloper”, under the Redevelopment Law; and

**WHEREAS** BWD has successfully conducted environmental remediation at the entire Project Site (inclusive of the Borough Parcels as well), acting under the oversight

of and under site remediation permits issued by, the New Jersey Department of Environmental Protection (“NJDEP”); and

**WHEREAS** by Ordinance No. 09:16-17, adopted by a second reading on October 26, 2017 (the “RDA Ordinance”), Bellmawr Borough authorized the creation of the Bellmawr Redevelopment Agency (the “Bellmawr RDA”); and

**WHEREAS** on November 9, 2017, the New Jersey Local Finance Board (“LFB”) granted Bellmawr permission to create the Bellmawr RDA pursuant to the Local Authorities Fiscal Control Law (C.40A:5-1 et seq.). Pursuant to the RDA Ordinance, Bellmawr Borough designated the Bellmawr RDA as the Redevelopment Entity pursuant to the Redevelopment Law, and thus the Bellmawr RDA is now authorized: (i) to implement the Redevelopment Plan as approved by Mayor and Council; (ii) to exercise municipal redevelopment powers as the designated “Redevelopment Entity” pursuant to Section 4 of the Redevelopment Law; and

**WHEREAS** Bellmawr Borough has determined, as expressed in Resolution No. 05:106-09 dated May 28, 2009 (the “Acquisition Resolution”), that the remediation and redevelopment of the Project Site will be served by the Borough (or at the Borough’s election, by the Borough RDA), acquiring fee title to both the Borough Parcels and the BWD Parcels, as authorized by the Redevelopment Law and contemplated within the Redevelopment Agreement (as hereinafter defined); and

**WHEREAS** Bellmawr Borough, Big Timber Junction, LLC, Bellmawr Waterfront Development, LLC and the Bellmawr Redevelopment Agency, are all parties to that certain Redevelopment Agreement dated June 26, 2020 (the “Redevelopment Agreement”); and

**WHEREAS** pursuant to the terms of the Redevelopment Agreement, upon the occurrence of certain enumerated conditions precedent (including but not limited to Big Timber Junction, LLC obtaining certain Tidelands grants, and also obtaining an environmental insurance policy naming both Bellmawr Borough and the Bellmawr RDA as additional insureds), Bellmawr Borough would convey the Borough Parcels to the Bellmawr RDA, and BWD would convey the BWD parcels to the Bellmawr RDA; and

**WHEREAS** upon the Bellmawr RDA’s contemplated acquisition of title to both the Borough Parcels and the BWD Parcels, the Project Site would constitute a

contiguous +/- One Hundred and Fifty (150) acre redevelopment parcel under the common ownership of the Bellmawr RDA, located along the Big Timber Creek, and south of Interstate 295 and Camden County's Creek Road, west of the New Jersey Turnpike and North of the Big Timber Creek, and lying within both Bellmawr and Deptford; and

**WHEREAS** the Borough Parcels" are currently subject to encumbrances of record under NJDEP's Green Acres Program, which encumbrances currently limit the use of the Borough Parcels to recreation and conservation purposes only, as defined at N.J.A.C. 7:36-2.1, and which Green Acres encumbrances currently prohibit commercial development; and

**WHEREAS** by correspondence dated July 19, 2010, The NJDEP Green Acres Program approved a Preliminary Green Acres Major Diversion Application that had been submitted by submitted by Bellmawr Borough in 2009, which proposed: (i) releasing Green Acres restrictions from Block 78, Lot 2; (ii) the creation of a new 17 acre Waterfront Park along the north shore of the Big Timber Creek (inclusive of Block 78, Lot 1 and other new parkland to be dedicated from a portion of the BWD Parcels); and (iii) the preservation of other lands located in West Deptford within the Delaware River watershed comprising +/- 140 acres, and identified as Block 328, Lot 5 in West Deptford Township, and

**WHEREAS** pursuant to the Redevelopment Agreement, the Bellmawr BRA desires that Bellmawr Borough confirm to the Bellmawr BRA its desire to implement the terms of the Redevelopment Agreement by: (i) causing the Borough to convey Block 78, Lots 1 and 2 to the Bellmawr Redevelopment Agency; and (ii) to endorse the Bellmawr Redevelopment Agency also accepting fee title the BWD Parcels by deed from BWD to the Bellmawr BRA, upon a determination by the Bellmawr BRA that all conditions precedent to such action contained in the Redevelopment Agreement have been satisfied; and

**WHEREAS** Bellmawr Borough desires to facilitate the development of the new Waterfront Park and to encourage commercial development at the Project Site, all as contemplated in and authorized by, the Redevelopment Plan and the Redevelopment Agreement.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council that

upon an affirmative finding by the Bellmawr BRA that all conditions precedent contained in the Redevelopment Agreement have been satisfied, the Borough shall implement the express terms of the Redevelopment Agreement, by causing an Agreement of Sale for Block 78, Lots 1 and 2 to be prepared and executed, and then a deed to be prepared, executed and recorded, transferring fee title to Block 78, Lots 1 and 2 from Bellmawr Borough to the Bellmawr RDA; and

**BE IT FURTHER RESOLVED** that upon a finding by the Bellmawr BRA that all conditions precedent contained in the Redevelopment Agreement have been satisfied, the Bellmawr BRA is authorized by the Borough to **accept** a fee title transfer of the BWD parcels from BWD to the Bellmawr BRA, pursuant to the express terms of the Redevelopment Agreement.

**DECEMBER 29, 2022**

**APPROVED:**

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

**ATTEST:**

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	—	—	—	✓	
NAY						
ABSTAIN						
ABSENT						—

**CERTIFICATION**

I, Francine M. Wright Borough Clerk of the Borough of Bellmawr, County of Camden, State of New Jersey, hereby certify that the above is a true and correct copy of a resolution adopted by the Mayor and Borough at their meeting of December 29, 2022 in the Municipal Building, 21 East Browning Road, Bellmawr, New Jersey.

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

**RESOLUTION 12:214-22**

**RESOLUTION AUTHORIZING FINAL GREEN ACRES MAJOR  
DIVERSION APPLICATION FOR BLOCK 78, LOT 2**

**WHEREAS** Bellmawr Borough (the “Borough”), is the fee owner of Block 78, Lots 1 and 2, within the Borough of Bellmawr (the “Borough Parcels”); and

**WHEREAS** the Borough Parcels were formerly part of the “Dewey Blanton Landfill”; and

**WHEREAS** Bellmawr Waterfront Development, LLC (“BWD”), is the owner in fee of certain property located adjacent to the Borough Parcels, also former landfills, known as: Block 79.01, Lot 9.01 in Bellmawr; Block 78, Lot 3 in Bellmawr, and Block 1.02, Lot 1 in Deptford (the “BWD Parcels”; collectively the Borough Parcels and the BWD Parcels comprise the “Project Site”); and

**WHEREAS** the Borough Parcels, along with Block 78, Lot 3 and Block 79.01, Lot 9.01, were all previously declared an “area in need of redevelopment” by Bellmawr Borough, under the New Jersey Redevelopment Law (N.J.S.A. 40A:12A-1 *et seq.*, the “Redevelopment Law”); and

**WHEREAS** Deptford Township has also declared Block 1.02, Lot 1 in Deptford to be an “area in need of redevelopment” under the Redevelopment Law; and

**WHEREAS**, pursuant to Ordinance No. 01:01-06, first adopted by Council on January 26, 2006 and then by second reading on February 23, 2006, the Mayor and Council of Bellmawr approved and endorsed the recommendation of the Bellmawr Planning Board and adopted a Redevelopment Plan prepared by Remington and Vernick, as subsequently revised in February, 2008 and November, 2017 (the “Redevelopment Plan”); and

**WHEREAS** the Redevelopment Plan covers the Borough Parcels, as well as Block 78, Lot 3 and Block 79.01, Lot 9.01; and

**WHEREAS**, pursuant to Resolution No. 09:220-17 dated September 28, 2017, the Bellmawr Council appointed Big Timber Junction, LLC, as the designated “Redeveloper”, under the Redevelopment Law; and

**WHEREAS** BWD has successfully conducted environmental remediation at the entire Project Site (inclusive of the Borough Parcels as well), acting under the

oversight of and under site remediation permits issued by, the New Jersey Department of Environmental Protection (“NJDEP”); and

**WHEREAS** by Ordinance No. 09:16-17, adopted by a second reading on October 26, 2017 (the “RDA Ordinance”), Bellmawr Borough authorized the creation of the Bellmawr Redevelopment Agency (the “Bellmawr RDA”); and

**WHEREAS** on November 9, 2017, the New Jersey Local Finance Board (“LFB”) granted Bellmawr permission to create the Bellmawr RDA pursuant to the Local Authorities Fiscal Control Law (C.40A:5-1 et seq.). Pursuant to the RDA Ordinance, Bellmawr Borough designated the Bellmawr RDA as the Redevelopment Entity pursuant to the Redevelopment Law, and thus the Bellmawr RDA is now authorized: (i) to implement the Redevelopment Plan as approved by Mayor and Council; (ii) to exercise municipal redevelopment powers as the designated “Redevelopment Entity” pursuant to Section 4 of the Redevelopment Law; and

**WHEREAS** Bellmawr Borough has determined, as expressed in Resolution No. 05:106-09 dated May 28, 2009 (the “Acquisition Resolution”), that the remediation and redevelopment of the Project Site will be served by the Borough (or at the Borough’s election, by the Borough RDA), acquiring fee title to both the Borough Parcels and the BWD Parcels, as authorized by the Redevelopment Law and contemplated within the Redevelopment Agreement (as hereinafter defined); and

**WHEREAS** Bellmawr Borough, Big Timber Junction, LLC, Bellmawr Waterfront Development, LLC and the Bellmawr Redevelopment Agency, are all parties to that certain Redevelopment Agreement dated June 26, 2020 (the “Redevelopment Agreement”); and

**WHEREAS** pursuant to the terms of the Redevelopment Agreement, upon the occurrence of certain enumerated conditions precedent (including but not limited to Big Timber Junction, LLC obtaining certain Tidelands grants, and also obtaining an environmental insurance policy naming both Bellmawr Borough and the Bellmawr RDA as additional insureds), Bellmawr Borough would convey the Borough Parcels to the Bellmawr RDA, and BWD would convey the BWD parcels to the Bellmawr RDA; and

**WHEREAS** upon the Bellmawr RDA's contemplated acquisition of title to both the Borough Parcels and the BWD Parcels, the Project Site would constitute a contiguous +/- One Hundred and Fifty (150) acre redevelopment parcel under the common ownership of the Bellmawr RDA, located along the Big Timber Creek, and south of Interstate 295 and Camden County's Creek Road, west of the New Jersey Turnpike and North of the Big Timber Creek, and lying within both Bellmawr and Deptford; and

**WHEREAS** the Borough Parcels" are currently subject to encumbrances of record under NJDEP's Green Acres Program, which encumbrances currently limit the use of the Borough Parcels to recreation and conservation purposes only, as defined at N.J.A.C. 7:36-2.1 (the "Green Acres Regulations"), and which Green Acres encumbrances currently prohibit commercial development; and

**WHEREAS** by correspondence dated July 19, 2010, The NJDEP Green Acres Program approved a Preliminary Green Acres Major Diversion Application that had been submitted by submitted by Bellmawr Borough in 2009, which proposed: (i) releasing Green Acres restrictions from Block 78, Lot 2; (ii) the creation of a new 17 acre Waterfront Park along the north shore of the Big Timber Creek (inclusive of Block 78, Lot 1 and other new parkland to be dedicated from a portion of the BWD Parcels); and (iii) the preservation of other lands located in West Deptford within the Delaware River watershed comprising +/- 140 acres, and identified as Block 328, Lot 5 in West Deptford Township, and

**WHEREAS** pursuant to the Redevelopment Agreement, the Bellmawr BRA desires that Bellmawr Borough confirm to the Bellmawr BRA its desire to implement the terms of the Redevelopment Agreement by: (i) causing the Borough to convey Block 78, Lots 1and 2 to the Bellmawr Redevelopment Agency; and (ii) to endorse the Bellmawr Redevelopment Agency also accepting fee title the BWD Parcels by deed from BWD to the Bellmawr BRA, upon a determination by the Bellmawr BRA that all conditions precedent to such action contained in the Redevelopment Agreement have been satisfied; and

**WHEREAS** Bellmawr Borough desires to facilitate the development of the new Waterfront Park and to encourage commercial development at the Project Site, all as

contemplated in and authorized by, the Redevelopment Plan and the Redevelopment Agreement.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council that the Mayor, Council and the Borough's duly appointed professionals are authorized and directed to prepare, execute and submit to NJDEP Green Aces the "Final Major Diversion Application", pursuant to the Green Acres Regulations, requesting final approval to: (i) release from Green Acres restrictions Block 78, Lot 2; (ii) create a new 17 acre Waterfront Park along the north shore of the Big Timber Creek (inclusive of Block 78, Lot 1 and other new parkland to be dedicated from a portion of the BWD Parcels); and (iii) to preserve and make subject to Green Acres restrictions, other lands located in West Deptford within the Delaware River watershed comprising +/- 140 acres, and identified as Block 328, Lot 5 in West Deptford Township, all as contemplated in the Redevelopment Agreement.

**DECEMBER 29, 2022**

**APPROVED:**

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

**ATTEST:**

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	Bider	Casey	D'Angelo	Evans	Fina	Wilhelm
AYE	✓	✓	✓	✓	✓	
NAY						
ABSTAIN						
ABSENT						✓

**CERTIFICATION**

I, Francine M. Wright Borough Clerk of the Borough of Bellmawr, County of Camden, State of New Jersey, hereby certify that the above is a true and correct copy of a resolution adopted by the Mayor and Borough at their meeting of December 29, 2022 in the Municipal Building, 21 East Browning Road, Bellmawr, New Jersey.

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: #12:215-22

RESOLUTION APPOINTING FULL TIME EMPLOYEES FOR  
THE BOROUGH OF BELLMAWR

WHEREAS, there is a need for the Borough of Bellmawr to appoint full time employees for positions of Helper 4 within the DPW

WHEREAS, to fill these positions, the Mayor has submitted the names of  
Tristan Casey  
Joseph Cava  
Larry King  
John Jefferson  
Kyle Murray

NOW, THEREFORE BE IT RESOLVED, that the nominations of the above names are hereby confirmed and to be appointed to full time positions for the with the Borough of Bellmawr

DECEMBER 29, 2022

APPROVED:

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

ATTEST:

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	Bider	Casey	D'Angelo	Evans	Fina	Wilhelm
AYE	✓	✓	✓	—	✓	
NAY						
ABSTAIN						
ABSENT						✓

CERTIFICATION

I, Francine M. Wright Borough Clerk of the Borough of Bellmawr, County of Camden, State of New Jersey, hereby certify that the above is a true and correct copy of a resolution adopted by the Mayor and Borough at their meeting of December 29, 2022 in the Municipal Building, 21 East Browning Road, Bellmawr, New Jersey.

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

RESOLUTION: #12:216-22

RESOLUTION APPOINTING PART TIME EMPLOYEE FOR THE  
BOROUGH OF BELLMAWR

WHEREAS, there is a need for the Borough of Bellmawr to appoint a part time employees for position for the Fire Department EMT Division

WHEREAS, the Mayor has submitted the following name to fill this position,

Geraldo Maldonardo-Rodriguez

NOW, THEREFORE BE IT RESOLVED, that the nominations of, Geraldo Maldonardo-Rodriguez is hereby confirmed to be appointed as part time position with the Borough of Bellmawr

DECEMBER 29, 2022

APPROVED:

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

ATTEST:

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	Bider	Casey	D'Angelo	Evans	Fina	Wilhelm
AYE	✓	✓	✓	✓	✓	
NAY						
ABSTAIN						
ABSENT						✓

CERTIFICATION

I, Francine M. Wright Borough Clerk of the Borough of Bellmawr, County of Camden, State of New Jersey, hereby certify that the above is a true and correct copy of a resolution adopted by the Mayor and Borough at their meeting of December 29, 2022 in the Municipal Building, 21 East Browning Road, Bellmawr, New Jersey.

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

**RESOLUTION APPOINTING FIRE LIEUTENANT/FIRE  
INSPECTOR FOR THE BOROUGH OF BELLMAWR**

**WHEREAS**, there is a need for the Borough of Bellmawr to appoint a Fire Lieutenant / Fire Inspector; and

**WHEREAS**, the Mayor has submitted the name of John Hernisey, to fill said position

**NOW, THEREFORE BE IT RESOLVED**, that the nomination of John Hernisey hereby be confirmed and appointed to the position of Fire Lieutenant / Fire Inspector with the Borough of Bellmawr

**EFFECTIVE DATE:** January 13, 2023

**DECEMBER 29, 2022**

**APPROVED:**

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

**ATTEST:**

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	—	—	—	—	
NAY						
ABSTAIN						
ABSENT						—

**CERTIFICATION**

I, Francine M. Wright Borough Clerk of the Borough of Bellmawr, County of Camden, State of New Jersey, hereby certify that the above is a true and correct copy of a resolution adopted by the Mayor and Borough at their meeting of December 29, 2022 in the Municipal Building, 21 East Browning Road, Bellmawr, New Jersey.

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

**Resolution # 12:219-22**

**2022 BUDGET APPROPRIATION TRANSFER**

BE IT RESOLVED by the Mayor and Council of the Borough of Bellmawr, County of Camden and State of New Jersey that the following 2022 budget appropriation transfers be made as amended:

<u>Appropriation Title</u>	<u>To</u>	<u>From</u>
Construction S&W	\$ 7,000.00	
Planning S&W	\$ 6,500.00	
EMS S&W	\$ 3,600.00	
Fire S&W	\$ 4,500.00	
Social Security	\$ 4,000.00	
Health Insurance	\$ 109,400.00	
Gasoline	\$ 12,000.00	
Building & Grounds	\$ 5,000.00	
Administration S&W	\$ 4,000.00	
Tax Collector S&W	\$ 6,000.00	
Tax Collector OE	\$ 4,000.00	
Legal	\$ 21,000.00	
Engineer Services	\$ 7,000.00	
Planning Other Expense	\$ 7,000.00	
Other Insurance	\$ 15,000.00	
Police S&W	\$ 45,000.00	
Garbage & Trash OE	\$ 10,000.00	
Sewer S&W	\$ 3,000.00	
Municipal Court S&W	\$ 30,000.00	
	<u>\$ 152,000.00</u>	<u>\$ 152,000.00</u>
Water S&W	\$ 50,000.00	
Water Other Expense	<u>\$ 50,000.00</u>	

APPROVED:

*Charles J. Sauter, III*  
CHARLES J SAUTER III  
MAYOR

*Francine Wright*  
FRANCINE WRIGHT  
BOROUGH CLERK

I, Francine Wright, Borough Clerk of the Borough of Bellmawr, County of Camden, State of New Jersey hereby certify that the above is a true and correct copy of a Resolution adopted by the Mayor and Council of the Borough of Bellmawr at a regular meeting held on December 29, 2022 at the Municipal Building, Bellmawr, New Jersey beginning at 7:00PM.

RESOLUTION: #12:220-22

**WHEREAS**, it is the intent of the governing body of the Borough of Bellmawr to pay all outstanding bills; and

**WHEREAS**, all bills here presented are the obligation of the Borough of Bellmawr to pay total of \$875,543.44

**For the Month of December**

**NOW, THEREFORE BE IT RESOLVED** by Mayor and Council of the Borough of Bellmawr that all outstanding bills be paid for the month of December 2022.

**DECEMBER 29, 2022**

**APPROVED:**

*Charles J. Sauter, III*  
CHARLES J. SAUTER, III  
MAYOR

**ATTEST:**

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK

	<u>Bider</u>	<u>Casey</u>	<u>D'Angelo</u>	<u>Evans</u>	<u>Fina</u>	<u>Wilhelm</u>
AYE	✓	✓	✓	—	✓	
NAY						
ABSTAIN						
ABSENT						—

**CERTIFICATION**

I, Francine M. Wright Borough Clerk of the Borough of Bellmawr, County of Camden, State of New Jersey, hereby certify that the above is a true and correct copy of a resolution adopted by the Mayor and Borough at their meeting of December 29, 2022 in the Municipal Building, 21 East Browning Road, Bellmawr, New Jersey.

*Francine M. Wright, RMC*  
FRANCINE M. WRIGHT, RMC  
BOROUGH CLERK