

# **Bellmawr Redevelopment Authority**

## **Organizational Meeting**

**March 14, 2018**

- 1. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY ELECTING A CHAIRMAN**
- 2. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY ELECTING A VICE CHAIRMAN**
- 3. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY APPOINTING EXECUTIVE DIRECTOR AND ASSISTANT EXECUTIVE DIRECTOR**
- 4. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY ESTABLISHING ORDER OF BUSINESS**
- 5. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY SCHEDULING REGULAR AUTHORITY MEETINGS**
- 6. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY DESIGNATING THE OFFICIAL NEWSPAPER AND THE NEWSPAPER FOR PUBLIC NOTICES**
- 7. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY ADOPTING A TEMPORARY BUDGET**
- 8. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY DESIGNATING BANK DEPOSITORIES AND AUTHORIZED SIGNATURES**
- 9. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY DESIGNATING AUTHORIZED PERSON TO PREPARE, CODE AND SIGN PURCHASE ORDERS FOR THE AUTHORITY**
- 10. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY PROVIDING FOR A DEFENSE AND INDEMNIFICATION OF OFFICIALS, EMPLOYEES AND SERVANTS**
- 11. A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY ESTABLISHING A PROCEDURE FOR THE AWARE OF PROFESSIONAL CONTRACTS**

**RESOLUTION: # \_\_\_\_\_**

**A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY  
ADOPTING A TEMPORARY BUDGET**

**BE IT RESOLVED** that the Bellmawr Redevelopment Authority, County of Camden and State of New Jersey, hereby adopts the Temporary Appropriation Budget for the year 2018 which is annexed hereto and made a part thereof, in accordance with the laws of the State of New Jersey.

MARCH 14, 2018

APPROVED

\_\_\_\_\_  
, Chairman

The foregoing resolution was duly adopted by the Bellmawr Redevelopment Authority at the organization meeting held in the Municipal Building, Bellmawr, New Jersey on March 14, 2018 at 5 PM.

\_\_\_\_\_  
, Secretary of  
the Authority

**RESOLUTION: # \_\_\_\_\_**

**A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY  
ESTABLISHING A PROCEDURE FOR THE AWARD OF PROFESSIONAL  
CONTRACTS**

**WHEREAS**, N.J.S.A. 19:44A-20.2 provides that no State agency in the Executive Branch shall enter into a contract having an anticipated value in excess of \$17,500.00 with a business entity, except a contract that is awarded pursuant to a fair and open process, if during the preceding one-year period that business entity has made a political contribution to the local political parties; and

**WHEREAS**, the Bellmawr Redevelopment Authority is desirous of putting in place a fair and open process for the award of professional services contracts which shall include but not be limited to the positions of Authority Solicitor, Auditor, Engineer, Planner and Insurance Broker.

**NOW, THEREFORE**, the Bellmawr Redevelopment Authority will solicit requests for proposals for professional contracts for the above positions which shall be accepted by the Borough of Bellmawr Administrator up until April 6, 2018 @ 3pm. Awards of contracts may be made by the Authority at Authority's meeting on April 16, 2018.

A Brief description of each position and the criteria which will be used by the Authority In awarding the contract on each position will be posted on the Bellmawr Borough website from March 20, 2018 onward, posted on the Borough Bulletin Board and published in the official newspaper as soon as practicable.

MARCH 14, 2018

APPROVED

\_\_\_\_\_  
, Chairman

The foregoing resolution was duly adopted by Authority and Council of the Borough of Bellmawr at the organization meeting held in the Municipal Building, Bellmawr, New Jersey on March 14, 2018 at 5 PM.

\_\_\_\_\_  
, Secretary of  
the Authority

**RESOLUTION: # \_\_\_\_\_**

**A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY  
PROVIDING FOR A DEFENSE AND INDEMNIFICATION OF OFFICIALS,  
EMPLOYEES AND SERVANTS**

**WHEREAS**, the Bellmawr Redevelopment Authority (hereinafter Authority) has considered whether and to what extent a defense and indemnification of Authority officials, employees and servants for actions in the good faith performance of their duties is consistent with law, appropriate and fair given the volunteer status of authority members and promotes efficiency in Authority operations by eliminating conflicts between the Authority and employees and reduces defense costs in the event of litigation; and

**WHEREAS**, the Authority makes the following findings:

A. The State of New Jersey, through the passage of the Tort Claims Act, as amended and supplemented, from time to time (N.J.S.A. 59:1-1 et seq.) has determined the circumstances under which claims may be against public entities and their officials, employees and servants.

B. Said Tort Claims Act also specifies under what circumstances a public entity may defend and indemnify its officials, employees and servants.

C. The Authority hereby provides, under certain circumstances, for the defense and indemnification of its officers, employees and servants in the good faith performance of their duties and responsibilities.

D. Such defense and indemnification are especially appropriate for members of appointed boards who serve the Authority without monetary compensation.

E. The indemnification of municipal employees is also expressly designed to avoid a conflict between the employer and the employee when claims are lodged. The Supreme Court for the State of New Jersey has noted that because the law does not require, but does permit, indemnification of local public entity employees, conflicts of interest may arise in the absence of such indemnification where an entity and an employee are both sued for compensatory damages in, for example, a civil rights action and both employ the same attorney to defend. Likewise, the Court pointed out such conflict could arise because the employee is liable for punitive damages and the entity is not. (See Petition for Review of Opinion 552, 102 N.J. 194). Finally, this indemnification policy is also intended to increase the efficiency and reduce the costs of defending the Authority and its employees and agents in the event of such actions.

NOW, THEREFORE, be it resolved as follows:

**§1 DEFINITIONS.**

As used in this chapter, the following terms shall have the meanings indicated:

## PUBLIC EMPLOYEE

Shall include any employee of the Authority and shall include any elected or appointed official, counsel or special counsel, or any officer, employee or servant, whether or not compensated, who is authorized to perform any act or employment, provided the events giving rise to a cause of action or claim hereunder conform to the requirements herein established.

## DEFENSE

The means by which such public employee may respond to any suit, allegation or cause of action. The Authority shall upon request provide the defense of any action, suit or proceeding, whether civil, criminal, administrative or investigative, including a cross action, counterclaim or cross complaint against any public employee because of any good faith act or omission of that employee in the scope of his or her employment and shall defray all reasonable costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, excepting actions, suits or proceedings brought by the Authority against any such employee. Expressly exempted from this chapter providing defense and indemnification to public employees of the Authority are any charges, allegations or actions of whatever nature asserted by the Authority against its own employees.

## INDEMNIFICATION

To secure against loss or damage which may occur in the future or to provide compensation for or to repair loss or damage already suffered; to insure; to save harmless.

## §2 PROVISIONS OF INDEMNIFICATION.

A. Whenever a civil action shall be brought against any person holding an office, position or employment with the Authority for any good faith action or omission arising out of or in the course of the performance of the duties of such office, position or employment, the Authority shall provide payment of that portion of any exemplary or punitive damage award not otherwise covered by a policy of insurance. Note, however, that the Authority does not, by indemnifying its employees against punitive damages, indirectly or directly waive its own immunity against such claims. (See *T&M Homes, Inc. v. Pemberton Twp*, 190 N.J. Super. 637.)

B. Whenever a civil action shall be brought against any person holding an office, position or employment with the Authority for any action or omission arising out of or in the course of the performance of the duties of such office, position or employment, the Authority shall provide payment of that portion of reasonable costs of defense of said action not covered by a policy of insurance. Whenever any insurance policy whose purpose is to provide the defense and indemnification of the Authority or its public employees is in dispute, the Authority will stand in the place of the insurance carrier, subject to all rights of subrogation, and provide for the defense and indemnification of its employees as specified herein. Said public employee has an affirmative duty, to be eligible for said defense and indemnification, to fully cooperate with the Authority in any and all of its efforts to resolve any disputed insurance coverage.

## §3 LIMIT OF OBLIGATION.

By common law and the express provisions of this chapter, the Authority's authority to indemnify is limited to acts by public employees that are within the scope of their employment and which is not criminal, fraudulent, malicious or instances of willful misconduct. Additionally, the Authority will not provide the means for a defense nor indemnify any public employee in those instances where the Authority has initiated the charges or action. In the event that any such public employee is charged with criminal charges and he or she is later acquitted, any application to recover the cost of his or her defense is expressly conditioned upon the ultimate determination of administrative charges which may or may not arise out of the same conduct or behavior. Notwithstanding all of the above, in the event that the Authority elects to assert such administrative charges and even if the employee should hereafter prevail, all such claims for reimbursement for costs of defense will be subjected to the controlling statutory and common law as opposed to this chapter.

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, Chairman

It is certified, hereby, that this is a true copy of the Resolution adopted by the Bellmawr Redevelopment Authority on \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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, Secretary of  
the Authority

RESOLUTION: # \_\_\_\_\_

**A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY  
DESIGNATING THE OFFICIAL NEWSPAPER AND THE NEWSPAPER FOR PUBLIC  
NOTICES**

**BE IT RESOLVED** by the Bellmawr Redevelopment Authority, County of Camden and State of New Jersey, that the following newspapers be and are hereby designated as the official newspaper and newspapers for Public Notices for the Bellmawr Redevelopment Authority, for the 2018 in accordance with Chapter 231, P.L. 1975.

COURIER POST NEWSPAPER, CHERRY HILL, NJ (Official Newspaper)

RETROSPECT NEWSPAPER, COLLINGSWOOD, NJ

GLOUCESTER CITY NEWS, GLOUCESTER CITY, NJ

MARCH 14, 2018

APPROVED

\_\_\_\_\_  
, Chairman

The foregoing resolution was duly adopted by the Bellmawr Redevelopment Authority at the organization meeting held in the Municipal Building, Bellmawr, New Jersey on March 14, 2018 at 5 PM.

\_\_\_\_\_  
, Secretary of  
the Authority

**RESOLUTION: # \_\_\_\_\_**

**A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY  
ELECTING A CHAIRMAN**

**WHEREAS**, the Bellmawr Redevelopment Authority (hereinafter Authority) requires a Chairman who shall preside at all meetings and exercise all powers provided for by the Redevelopment Law N.J.S.A. 12A-1, et. seq.

**WHEREAS**, at the organizational meeting of the Authority Frank R. Filipek was nominated by motion and seconded and there was/were no further nominations and upon poll vote Frank R. Filipek was elected Chairman to serve for the balance of 2018.

**NOW THEREFORE**, this Resolution memorializes the election of Frank R. Filipek as Chairman of the Authority for the year 2018.

MARCH 14, 2018

APPROVED

\_\_\_\_\_  
, Chairman

The foregoing resolution was duly adopted by the Bellmawr Redevelopment Authority at the organization meeting held in the Municipal Building, Bellmawr, New Jersey on March 14, 2018 at 5 PM.

\_\_\_\_\_  
, Secretary of  
the Authority

**RESOLUTION: # \_\_\_\_\_**

**A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY  
ELECTING A VICE CHAIRMAN**

**WHEREAS**, the Bellmawr Redevelopment Authority (hereinafter Authority) requires a vice Chairman who shall in the absence of the chairmen, preside at all meetings and exercise all powers of the chairman provided for by the Redevelopment Law N.J.S.A. 12A-1, et. seq.

**WHEREAS**, at the organizational meeting of the Authority Ray Bider was nominated by motion and seconded and there was/were no further nominations and upon poll vote Ray Bider was elected Vice Chairman to serve for the balance of 2018.

**NOW THEREFORE**, this Resolution memorializes the election of Ray Bider as Vice Chairman of the Authority for the year 2018.

MARCH 14, 2018

APPROVED

\_\_\_\_\_  
, Chairman

The foregoing resolution was duly adopted by the Bellmawr Redeployment Authority at the organization meeting held in the Municipal Building, Bellmawr, New Jersey on March 14, 2018 at 5 PM.

\_\_\_\_\_  
, Secretary of  
the Authority

**RESOLUTION: # \_\_\_\_\_**

**A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY  
ESTABLISHING ORDER OF BUSINESS**

**BE IT RESOLVED** by the Bellmawr Redevelopment Authority (hereinafter Authority), County of Camden and State of New Jersey, that the following order of business be adopted for the conducting of all regular meetings during the year 2018.

1. Call the meeting to order and read the Statement of Open Public Meeting Law Compliance (N.J.S.A. 10:4-10)
2. Opening ceremony – salute to the flag.
3. Roll call.
4. Reading of minutes.
5. Communications.
6. Committee reports.
7. Old business.
8. New business.
9. Public portion.
10. Payment of bills.
11. Adjournment.

**BE IT RESOLVED** that Roberts Rules of Order be and is hereby adopted as procedure to be utilized at all Authority meetings whenever there is no conflict with the laws of the State of New Jersey.

**BE IT FURTHER RESOLVED** that the Chairman may alter the foregoing order of business for good cause.

MARCH 14, 2018

APPROVED

\_\_\_\_\_  
, Chairman

The foregoing resolution was duly adopted by the Bellmawr Redevelopment Authority at the organization meeting held in the Municipal Building, Bellmawr, New Jersey on March 14, 2018 at 5 PM.

\_\_\_\_\_  
, Secretary of  
the Authority

**RESOLUTION: # \_\_\_\_\_**

**A RESOLUTION OF THE BELLMAWR REDEVELOPMENT AUTHORITY  
SCHEDULING REGULAR AUTHORITY MEETINGS**

**WHEREAS**, the Bellmawr Redevelopment Authority (hereinafter Authority) will conduct a regular meeting during each month of the year 2018, following March 2018, unless otherwise cancelled or rescheduled.

**NOW, THEREFORE BE IT RESOLVED** that all meetings of the Bellmawr Redevelopment Authority shall be held in the Municipal Building, Bellmawr, New Jersey at 6:00 PM (prevailing time) unless some other place shall be specifically designated by a majority of Bellmawr Redevelopment Authority for any particular meeting and in such action, such meetings shall require adequate notice under the Open Public Meetings Act.

**BE IT FURTHER RESOLVED** that the regular meeting of the Authority shall be held on 3<sup>rd</sup> Monday of each month @ 5pm. Any changes Regular meeting dates will be held in conformity with the P.L., 1975, 231 (Open Meeting Law).

**BE IT FURTHER RESOLVED** that notice of this resolution shall be forwarded to at least two of the newspapers designated as official newspapers at this meeting, posted on the bulletin Board in Borough Hall and filed with the Borough Clerk, and an affidavit of compliance with these notice requirements shall be executed by the individual providing such notice, stating the date time and place of compliance.

Dated: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
, Chairman

The foregoing resolution was duly adopted by the Bellmawr Redevelopment Authority at the organization meeting held in the Municipal Building, Bellmawr, New Jersey on March 14, 2018 at 5 PM.

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, Secretary of  
the Authority