

**BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL MEETING**

**AGENDA
January 16, 2018**

1. PLEDGE OF ALLEGIANCE.

2. INVOCATION – Kayla M. Veltman, Deputy Clerk/CMR

3. ROLL CALL:

4. CORRESPONDENCE:

5. COMMITTEE REPORTS:

- Recreation/Board of Health:
- Buildings & Grounds:
- Public Safety:
- Public Works/Streets & Roads:
- General Government:
- Housing/Zoning & Construction/Shade Tree:

6. SOLICITOR’S REPORT:

7. MUNICIPAL CLERK’S REPORT:

8. FINANCE OFFICER’S REPORT:

9. CHIEF OF POLICE REPORT:

10. FIRE CHIEF REPORT:

11. RESOLUTIONS:

➤ **2018-1-16 - RESOLUTION AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Borough Council 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, that the Mayor and Council of the Borough of Penns Grove 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:

- I. **Attorney-Client Privilege:** Discussion of Penns Grove Elk’s Lodge No. 1342 **pursuant to N.J.S.A. 10:4-12b (7).**
- II. **Attorney-Client/Contractual Negotiation:** Discussion of Vacant property collection, Future Systems, LLC. **Pursuant to N.J.S.A. 10:4-12b (7).**

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.

➤ **2018-1-17 – A RESOLUTION AUTHORIZING FINAL PAYMENT**

WHEREAS, the Borough of Penns Grove awarded a contract to J. Wilson, Inc. for the Mary Street Storm Sewer Repairs; and

WHEREAS, the Contractor has completed all of the work required by the contract and has requested final payment in the amount of \$13,905.00; and

WHEREAS, the Borough Engineer has reviewed this matter and has determined that the work has been properly completed and has recommended that final payment be made in the amount of \$13,905.00, by letter dated December 27, 2017.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that final payment shall be made to J. Wilson, Inc. in the amount of \$13,905.00 as set forth in the engineer's December 27, 2017 letter.

AND, BE IT FUTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

➤ **2018-1-18 – A RESOLUTION APPROVING SETTLEMENT AGREEMENT**

WHEREAS, the Borough of Penns Grove has been named as a defendant in a Class Action law suit entitled Russell R. Peppers, Individually and on Behalf of Others Similarly Situated v. Borough of Penns Grove under Docket Number SLM-L-11-17 (the "Law Suit"); and

WHEREAS, the Law Suit alleges that the Borough's Ordinance, concerning Landlord Licensing Fees, was illegal; and

WHEREAS, in order to avoid the cost and expense of litigation, the Borough successfully negotiated a settlement of the claim; and

WHEREAS, the settlement agreement has been attached hereto as Exhibit A; and

WHEREAS, the Borough would like to adopt the settlement agreement and finalize this matter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that the Borough of Penns Grove hereby approves the Settlement Agreement attached hereto as Exhibit A and authorizes the Mayor to sign the Settlement Agreement as well as any other documents necessary to finalize this matter.

AND, BE IT FUTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

➤ **2018-1-19 – RESOLUTION AUTHORIZING THE ACCEPTANCE OF BIDS FOR REVALUATION**

WHEREAS, the Borough of Penns Grove requires a revaluation; and

WHEREAS, in order to conduct a revaluation, the Borough must obtain the services of a property appraiser; and

WHEREAS, the Borough must solicit bids for a property appraiser pursuant to Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Borough has prepared Bid Specifications and would like to advertise and begin receiving bids.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Penns Grove approve the bid specifications and the Borough shall accept bids from property appraisers for the revaluation project;

AND, BE IT FUTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

➤ **2018-1-20 – RESOLUTION AUTHORIZING PARTIAL PAYMENT NO.5 DELAWARE AVENUE PUMP STATION IMPROVEMENTS AND INSTALLATION OF STANDBY GENERATOR**

WHEREAS, the Borough of Penns Grove awarded a contract to Sub-Level Installations, Inc. for the Delaware Avenue Pump Station Improvements and installation of Standby Generator; and

WHEREAS, the Contractor has requested a partial payment in the amount of \$26,167.50 for; and

WHEREAS, the Borough Engineer has reviewed the progress of work completed and verified the as -built quantities requested for payment. The Contractor is requesting payment for the balance of the electrical improvements within the pump station (service, MCB, SPD and related panels), for the balance of the standby power system natural gas generator installation, automatic transfer switch, grounding, exterior lighting, receptacles including the startup and testing and the installation of the natural gas supply to the generator: and

WHEREAS, the Contractor is also requesting payment for the balance of the bypass pumping during the completion of electrical improvements including setup and removal of equipment, a portion of the project contingency allowance to cover the cost to remove and replace the roof, remove existing Pump No. 1 and installing blind flange, for the balance of the extended bypass pumping beyond the Base Bid to complete work related to the installation of Pump No. 2: and

WHEREAS, the Borough Engineer has reviewed this matter and has recommended payment of this amount as set forth in their letter dated December 5, 2017.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that partial payment No. 5 shall be made to Sub-Level Installations, Inc. in the amount of \$26,167.00 as set forth in the engineer's January 8, 2018 letter.

AND, BE IT FUTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

➤ **2018-1-21 – RESOLUTION AUTHORIZING FINAL PAYMENT EAST MAIN STREET STORM SEWER REPAIR**

WHEREAS, the Borough of Penns Grove awarded a contract to J. Wilson, Inc. for the East Main Street Storm Sewer Repairs; and

WHEREAS, the Contractor has completed all of the work required by the contract and has requested final payment in the amount of \$14,095.00; and

WHEREAS, the Borough Engineer has reviewed this matter and has determined that the work has been properly completed and has recommended that final payment be made in the amount of \$14,095.00, by letter dated December 12, 2017.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that final payment shall be made to J. Wilson, Inc. in the amount of \$14,095.00 as set forth in the engineer's December 12, 2017 letter.

AND, BE IT FUTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

➤ **2018-1-22 – RESOLUTION AUTHORIZING TRANSFER BALANCES FROM 2017 TO 2018**

BE IT RESOLVED, by the Council of the Borough of Penns Grove, County of Salem, State of New Jersey, that the amount of taxes overpaid be transferred from 2017 to 2018 as described below:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
41	10.01	David Worthington Jr.	\$2,440.00

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Tax Collector and Chief Financial Officer for their records and guidance.

➤ **2018-1-23 – RESOLUTION PROVIDING FOR THE TRANSFERS OF THE 2017 BUDGET APPROPRIATION RESERVES**

WHEREAS, it has become necessary to expend for certain purposes specified in 2017 Appropriation Reserves, amounts of the respective sums appropriated therefore; and

WHEREAS, there is an excess in one or more appropriations in said 2017 Appropriations Reserves necessary to provide for the purposes of such appropriations; and;

WHEREAS, N.J.S.A. 40A:4-59: provides for the transfer of such excess amounts into the Appropriation Reserves which are insufficient;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Penns Grove, County of Salem, State of New Jersey that the following transfers are hereby authorized to be made by and between the 2017 Appropriations Reserves.

TRANSFER TO:	TO	FROM
OTHER EXPENSES		
Liquidation TTL\Foreclosure	10,500.00	
Legal Service and Costs	4,000.00	
Fire Hydrant Services	3,100.00	
Electricity and Natural Gas	9,000.00	
Telecommunications	2,000.00	

TRANSFER FROM:	TO	FROM
OTHER EXPENSES		
Municipal Clerk		5,000.00

Group Insurance Plans for Employees		18,300.00
Petroleum Products		5,300.00
TOTAL TRANSFERS	\$ 28,600.00	\$ 28,600.00

➤ **2018-1-24 – RESOLUTION APPOINTING POLICE OFFICER PAUL PSENSKY**

WHEREAS, the Borough of Penns Grove is in need of a Police Officer; and
 WHEREAS, Paul Psensky has fulfilled all of the requirements set forth by statute to be a police officer; and
 WHEREAS, the Chief of Police supports his candidacy; and
 WHEREAS, Paul Psensky has successfully completed or will complete the necessary training to serve as a police officer;
 and
 WHEREAS, Paul Psensky has obtained or will obtain the proper certifications from the Police Training Commission to serve as Police Officer

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that:

1. Paul Psensky is appointed as a Penns Grove Police Officer.
2. This appointment shall be subject to approval by the State of New Jersey Department of Community Affairs and shall not be effective until such approval is received by the Borough of Penns Grove.

AND, BE IT FUTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

➤ **2018-1-25 – RESOLUTION APPOINTING POLICE OFFICER**

WHEREAS, the Borough of Penns Grove is in need of a Police Officer; and
 WHEREAS, Tyquan McIntosh has fulfilled all of the requirements set forth by statute to be a police officer; and
 WHEREAS, the Chief of Police supports his candidacy; and
 WHEREAS, Tyquan McIntosh has successfully completed or will complete the necessary training to serve as a police officer; and
 WHEREAS, Tyquan McIntosh has obtained or will obtain the proper certifications from the Police Training Commission to serve as Police Officer

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that:

1. Tyquan McIntosh is appointed as a Penns Grove Police Officer.
2. This appointment shall be subject to approval by the State of New Jersey Department of Community Affairs and shall not be effective until such approval is received by the Borough of Penns Grove.

AND, BE IT FUTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

12. ORDINANCES:

➤ **2018-1 – AN ORDINANCE AUTHORIZING SPECIAL EMERGENCY APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-53(b) TO FUND THE COSTS ASSOCIATED WITH THE EXECUTION OF A COMPLETE ROGRAM OF REVALUATION OF REAL PROPERTY FOR THE BOROUGH OF PENNS GROVE, COUNTY OF SALEM, NEW JERSEY (PUBLIC HEARING)**

WHEREAS, the Borough of Penns Grove, County of Salem, New Jersey ("Borough"), has determined that it is necessary to prepare and execute a complete program of revaluation of real property for use by the Borough Tax Assessor and the Salem County Board of Taxation (collectively, the "Project"); and
 WHEREAS, the amount to be appropriated by the Borough for the purposes described above is \$340,000, which amount shall be deemed a special emergency appropriation as defined and provided for in the Local Budget Law, N.J.S.A. 40A:4-1 *et seq.*; and

WHEREAS, it is the desire of the Mayor and Borough Council to adopt an ordinance to create said special emergency appropriation.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF PENNS GROVE, COUNTY OF SALEM, NEW JERSEY, PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. There is hereby appropriated, pursuant to N.J.S.A. 40A:4-53(b), the sum of \$340,000 for the

Project, as further described in the preamble of this ordinance.

Section 2. The appropriation of said \$340,000 for the Project as further described in the preamble of this ordinance shall be deemed a special emergency appropriation as defined, and provided for, in *N.J.S.A. 40A:4-53(b)*.

Section 3. Said emergency appropriation shall be financed from surplus funds currently available or from borrowed funds, pursuant to *N.J.S.A. 40A:4-55*; provided, however at least one-fifth (1/5th) of said amount shall be included in each succeeding annual budget until the appropriation has been fully provided for.

Section 4. A certified copy of this ordinance as finally adopted shall be filed by the Borough Clerk with the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs.

Section 5. All ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 6. This ordinance shall take effect immediately upon final adoption in accordance with applicable law.

➤ **2018-2 – ORDINANCE AUTHORIZING 2017, 2018 AND 2019 SALARY FOR POLICE CHIEF (PUBLIC HEARING)**

BE IT ORDAINED, by the Mayor and Council of the Borough of Penns Grove, County of Salem, State of New Jersey, that the Salary Ordinance provision of Borough Salary Ordinance as heretofore pursuant to Chapter 55 of the code of the Borough of Penns Grove are hereby amended as follows and that the salaries of the following employees will be payable semi-monthly:

SECTION 1:

<u>Position</u>	<u>Salary</u>	<u>Budget Year</u>
Police Chief	\$ 109,000.00 per year	2017
	\$ 111,000.00 per year	2018
	\$ 112,000.00 per year	2019

SECTION 2: Borough Employees may be reimbursed at the current Federal Rate when it is necessary for the employee to use his/her vehicle in the performance of Borough business and or seminars.

SECTION 3: If any section, sentence, phrase or portion of this ordinance is for any reason invalid, such portion shall be considered separate and shall not affect the validity of the remaining ordinance.

THIS ORDINANCE SHALL BE EFFECTIVE and Retroactive from January 1, 2017 and shall take effect immediately upon final passage, posting and publication according to law.

13. PROCLAMATION:

WHEREAS, Carol Mayers was born in Baltimore, Maryland on May 10, 1957, to the late Theodore and Rose Mayers; and

WHEREAS, Carol Mayers became an employee for the Borough of Penns Grove since September of 1996, she was hired for the position as Dispatcher and Crossing Guard; and

WHEREAS, Carol Mayers also became a member of the Ambulance squad September 1992; and

WHEREAS, Carol Mayers demonstrated dedication of commitment to protect the people, crossing the streets of Penns Grove. Carol Mayers was an Angel sent from God, she devoted her life to the community of Penns Grove, where she served until January, 2018; and

Therefore, Let It Be Known, that we Thank you Carol Mayers, for serving the Borough of Penns Grove; and

NOW, THEREFORE, BE IT PROCLAIMED, that John A. Washington, Sr., Mayor of the Borough of Penns Grove, and the Borough Council, do hereby extend our sincerest condolences to the bereaved Family

of Carol Mayers and that this PROCLAMATION be presented to her Family with our love and we pray the love of God enfolds you during your journey through grief. We send you thoughts of comfort; IN WITNESS WHEREOF, I hereunto have set my hand and caused the seal of the Borough of Penns Grove to be affixed this 16th day of January, 2018.

14. PAYMENT OF BILLS:

15. PUBLIC SESSION:

16. ADJOURNMENT