

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

**AGENDA
FEBRUARY 7, 2016**

1. PLEDGE OF ALLEGIANCE.

2. INVOCATION – Municipal Clerk.

3. ROLL CALL:

4. RESOLUTION:

➤ **2017-2-29 – 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

I. EMPLOYMENT RELATIONSHIPS (pursuant to N.J.S.A. 10:4-12b(8)): Discussion of the appointment of Public Defender for the Penns Grove Municipal Court.

II. EMPLOYMENT RELATIONSHIPS (pursuant to N.J.S.A. 10:4-12b(8)): Discussion of the appointment of Conflict Attorney.

III. EMPLOYMENT RELATIONSHIPS (pursuant to N.J.S.A. 10:4-12b(8)): Discussion of the Lieutenant Orlando Pagan request of terminal leave.

5. CORRESPONDENCE:

Letter of Resignation – Marie Danks

6. COMMITTEE REPORTS:

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

7. SOLICITOR'S REPORT:

8. FINANCE OFFICER'S REPORT:

9. MUNICIPAL CLERK'S REPORT:

10. CHIEF OF POLICE REPORT:

11. FIRE CHIEF REPORT:

12. RESOLUTIONS:

2017-2-30 – RESOLUTION AUTHORIZING MAINTENANCE BOND

WHEREAS, the governing body of the Borough of Penns Grove awarded a contract to G. Helmer Construction Company, Inc. for the Mill Street Storm Water Improvements and Installation of Standby Generator; and

WHEREAS, G. Helmer Construction Company, Inc. completed the work on November 29, 2016; and

WHEREAS, the contract requires G. Helmer Construction Company, Inc. to post a maintenance bond in favor of the Borough of Penns Grove for one year, commencing on the date of completion; and

WHEREAS, the maintenance bond amount, as established by the Borough Engineer, is \$352,171.00; and

WHEREAS, G. Helmer Construction Company, Inc. has provided the Borough with a copy of the maintenance bond, which is attached hereto as Exhibit A.

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

1. The maintenance bond attached hereto as Exhibit A is acceptable.
2. The maintenance bond period shall commence on November 29, 2016 and expire on November 29, 2017.

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

2017-2-31 – A RESOLUTION AUTHORIZING THE FORECLOSURE OF TAX TITLE LIENS IN REM

WHEREAS, pursuant to the provisions of N.J.S.A. 54:5-104.29, et seq., the Tax Collector has certified to the Mayor and Council that the Borough of Penns Grove is the holder of various Municipal Tax Sale Certificates, covering the lands for the amounts, including subsequent municipal liens, as shown on the Tax Foreclosure List hereto annexed and made a part hereof, being Schedule Numbers 1 to 20, and;

WHEREAS, the Mayor and Council of the Borough of Penns Grove desire to proceed with the foreclosure action on twenty (20) Municipal Tax Lien Certificates.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Penns Grove that Borough of Penns Grove Tax Collector and Adam I. Telsey, Esquire are hereby authorized to foreclose said certificates by summary proceedings, In Rem, as provided by N.J.S.A. 54:5-104.29 to 54:5-104.75.:

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

2017-2-32 – RESOLUTION AUTHORIZING THE BOROUGH OF PENNS GROVE TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its Administration; and

WHEREAS, the County of Salem, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on February 7, 2017 the governing body of the Borough of Penns Grove, County of Salem, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

Telecommunications	6,000.00	
TRANSFER FROM		
SALARY & WAGES		
Municipal Clerk		2,000.00
TRANSFER FROM:	<u>TO</u>	<u>FROM</u>
OTHER EXPENSES		
Municipal Clerk		800.00
Economic Development Agencies		2,900.00
Group Insurance Plans for Employees		1,000.00
Petroleum Products		6,500.00
TOTAL TRANSFERS	\$ 13,200.00	\$ 13,200.00

2017-2-35 – RESOLUTION AUTHORIZING THE RELEASE OF PREMIUM BID TO PENNS GROVE

BOROUGH

WHEREAS, the Tax Collector of the Borough of Penns Grove, County of Salem is directed to turn over the premium bid money to the Borough of Penns Grove;

<u>Block</u>	<u>Lot</u>	<u>Certificate Number</u>	<u>Amount</u>	<u>Reason</u>
84	12	#14-00592	\$ 4,000.00	Foreclosed by Lien holder 01-20-17

WHEREAS, the amount of \$4,000.00 and should be issued from the Premium Bid Account to: Borough of Penns Grove, 1 State Street, Penns Grove, NJ 08069;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Penns Grove, County of Salem a refund should be issued in the amount of \$4,000.00 from the Premium Bid Account;

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

2017-2-36 – RESOLUTION AUTHORIZING THE RELEASE OF PREMIUM BID MONEY TO BOROUGH

OF PENNS GROVE

WHEREAS, the Tax Collector of the Borough of Penns Grove, County of Salem is directed to turn over the premium bid money to the Borough of Penns Grove.

<u>Block</u>	<u>Lot</u>	<u>Certificate Number</u>	<u>Amount</u>	<u>Reason</u>
13	18	#13-00207	\$ 3,500.00	Foreclosed by Lien holder 01-26-17

WHEREAS, the amount of \$3,500.00 and should be issued from the Premium Bid Account to: Borough of Penns Grove, 1 State Street, Penns Grove, NJ 08069.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Penns Grove, County of Salem a refund should be issued in the amount of \$3,500.00 from the Premium Bid Account.

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

2017-2-37 – A RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 50 LOT 1

WHEREAS, the Borough of Penns Grove (“Borough”) is the owner of certain lands and premises within the Borough and shown on the Penns Grove Borough tax map as follows:

1. Block 50, Lot 1 (the “Property”)

WHEREAS, the Property is not needed for public use; and
WHEREAS, in accordance with N.J.S.A. 40A:12-13(a) the Property was publicly advertised for sale with a minimum purchase price of \$500.00; and
WHEREAS, the Borough received no bids in response to the advertisements; and
WHEREAS, after the time for bids had expired, Thorbjorg Thorisdottir expressed an interest in the Property and is willing to pay \$5.00 for the Property; and
WHEREAS, in light of the fact that no bids were received, the direct sale to Ms. Thorisdottier is appropriate; and
WHEREAS, this sale is authorized by N.J.S.A. 40A:12-13(b)(2).
NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Property shall be sold to Thorbjorg Thorisdottir for \$5.00 and that the Mayor is authorized to execute the contract of sale, deed and any other document necessary for the sale of the Property.
AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

2017-2-38 – A RESOLUTION AUTHORIZING A CORRECTIVE DEED

WHEREAS, the Borough of Penns Grove (“Borough”) sold Block 7 Lot 4 (the “Property”) to Richard Donnell
by deed dated January 10, 1985, which was recorded in the Salem County Clerk’s Office on August 5, 1985
in Deed Book 660 Page 443.
WHEREAS, the legal description for the Property set forth in the above referenced deed had an error;
and
WHEREAS, the error must be corrected to reflect the correct legal description for the Property;
and
WHEREAS, a Corrective Deed has been prepared and attached hereto as Exhibit A.
NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Corrective Deed attached as Exhibit A is approved and that the Mayor is authorized to execute the Corrective Deed and any other document necessary with regard to the Property.
AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

2017-2-39 - Resolution Authorizing Acceptance of Bids for Assignment of Tax Sale Certificate Number 13-406

WHEREAS, N.J.S.A. 54:5-114.2 authorizes assignment by a municipality of a tax sale certificate for less than the total amount due including interest and costs to the highest bidder; and
WHEREAS, on December 16, 2013, the Borough of Penns Grove (“Penns Grove”) sold Tax Sale Certificate 13-406 (the “TSC”), which reverted to Penns Grove and was recorded with the Salem County Clerk in Mortgage Book 3711, Page 488 which is a lien on Block 55 Lot 2 and known as 205 West Main Street, Penns Grove, New Jersey (“Property”). At the time of the sale, the TSC was assessed to WIG Realty, LLC in the amount of \$15,143.43, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and
WHEREAS, the Property is in dire need of rehabilitation; and
WHEREAS, Penns Grove has determined that due to these challenges and the failure of the Property to produce tax revenue or other economic and social benefit to the community for many years, it would be advisable to assign the TSC for an amount less than the total amount due on the TSC plus interest and costs pursuant to terms and conditions acceptable to Penns Grove;
NOW THEREFORE, BE IT HEREBY RESOLVED, that the Mayor and Council of the Borough of Penns Grove

have determined that it will seek bids for the assignment of the TSC for less than the full amount of the certificate, but in no event less than \$20,000.00, and shall perform the following in order to comply with N.J.S.A. 54:5-114.2:

1. Penns Grove shall post a public notice in five of the most public places in the municipality, stating the description of the lot and parcel of land covered by the TSC and subsequent municipal liens and the name of the owner of the land as contained in the collector's list, together with the total amount required for redemption including all subsequent municipal liens with interest and costs and stating in substance that the municipality will receive bids for the TSC and subsequent municipal liens, even though such bid may be less than the total amount due on the TSC including subsequent liens plus interest and costs.

2. Upon receipt of a bid which the governing body is inclined to accept, the governing body shall give public notice setting forth the amount of the bid for the TSC including subsequent municipal liens together with interest and costs, the description of the lot and parcel of land covered by the TSC and subsequent municipal liens, the name of the owner of the land as contained in the collector's list and also the total amount which would otherwise be required for redemption to the date of proposed sale and state in substance that the governing body will accept or reject such bid at a regular meeting and setting forth the place, time and date of such regular meeting in which it will accept or reject the bid.

3. A copy of this public notice shall be published in a newspaper circulating at least once in the week preceding the date set for the regular meeting of the governing body at which meeting such bid will be passed on.

4. A copy of the public notice shall be sent to the last owner at its last known address.

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

2017-2-40 – RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2017 ROADWAY IMPROVEMENT PROJECT

WHEREAS, the Borough of Penns Grove would like to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2017 Roadway Improvement Project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that the Borough of Penns Grove formally approves the grant application for the above stated project; and BE IT FURTHER RESOLVED THAT the Mayor is hereby authorized to submit an electronic grant application identified as MA-2017-00378 to the New Jersey Department of Transportation on behalf of the Borough of Penns Grove; and

BE IT FURTHER RESOLVED THAT the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Penns Grove and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement; and BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

2017-2-41 - A RESOLUTION AUTHORIZING THE FORECLOSURE OF TAX TITLE LIENS IN REM

WHEREAS, pursuant to the provisions of N.J.S.A. 54:5-104.29, et seq., the Tax Collector has certified to the Mayor and Council that the Borough of Penns Grove is the holder of various Municipal Tax Sale Certificates, covering the lands for the amounts, including subsequent municipal liens, as shown on the Tax Foreclosure List hereto annexed and made a part hereof, being Schedule Numbers 1 to 13, and;

WHEREAS, the Mayor and Council of the Borough of Penns Grove desire to proceed with the foreclosure action on thirteen (13) Municipal Tax Lien Certificates.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that Borough of Penns Grove Tax Collector and Adam I. Telsey, Esquire are hereby

authorized to foreclosure said certificates by summary proceedings, In Rem, as provided by N.J.S.A. 54:5-104.29 to 54:5-104.75.:

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

2017-2-42 - A RESOLUTION AUTHORIZING THE FORECLOSURE OF TAX TITLE LIENS IN REM

WHEREAS, pursuant to the provisions of N.J.S.A. 54:5-104.29, et seq., the Tax Collector has certified to the Mayor and Council that the Borough of Penns Grove is the holder of various Municipal Tax Sale Certificates, covering the lands for the amounts, including subsequent municipal liens, as shown on the Tax Foreclosure List hereto annexed and made a part hereof, being Schedule Numbers 1 to 13, and;

WHEREAS, the Mayor and Council of the Borough of Penns Grove desire to proceed with the foreclosure action on thirteen (13) Municipal Tax Lien Certificates.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that Borough of Penns Grove Tax Collector and Adam I. Telsey, Esquire are hereby authorized to foreclosure said certificates by summary proceedings, In Rem, as provided by N.J.S.A. 54:5-104.29 to 54:5-104.75.:

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

2017-2-43 - A RESOLUTION AUTHORIZING THE FORECLOSURE OF TAX TITLE LIENS IN REM

WHEREAS, pursuant to the provisions of N.J.S.A. 54:5-104.29, et seq., the Tax Collector has certified to the Mayor and Council that the Borough of Penns Grove is the holder of various Municipal Tax Sale Certificates, covering the lands for the amounts, including subsequent municipal liens, as shown on the Tax Foreclosure List hereto annexed and made a part hereof, being Schedule Numbers 1 to 20, and;

WHEREAS, the Mayor and Council of the Borough of Penns Grove desire to proceed with the foreclosure action on twenty (20) Municipal Tax Lien Certificates.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that Borough of Penns Grove Tax Collector and Adam I. Telsey, Esquire are hereby authorized to foreclose said certificates by summary proceedings, In Rem, as provided by N.J.S.A. 54:5-104.29 to 54:5-104.75.:

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

2017-2-44 - A RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 65 LOT 9

WHEREAS, the Borough of Penns Grove ("Borough") is the owner of certain lands and premises within the Borough and shown on the Penns Grove Borough tax map as follows:

1. **Block 65**, Lot 9 (hereinafter collectively referred to as the "Property")

WHEREAS, the Property is not needed for public use; and

WHEREAS, in accordance with N.J.S.A. 40A:12-13(a) the Property was publicly advertised for sale with a minimum purchase price of \$500.00; and

WHEREAS, the Borough received a timely bid from **Pinkard & Hall Investment Prop. LLC** for \$500.00 for the Property; and

WHEREAS, **Pinkard & Hall Investment Prop., LLC** agrees to abide by the terms and conditions set forth in the public bid; and

WHEREAS, this sale is authorized by N.J.S.A. 40A:12-13(b)(2).

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Property shall be sold to Pinkard & Hall Investment, LLC. for \$500.00 and that the Mayor is authorized to execute the contract of sale, deed and any other document necessary for the sale of the Property.

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

2017-2-45 – A RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 65 LOT 10

WHEREAS, the Borough of Penns Grove (“Borough”) is the owner of certain lands and premises within the Borough and shown on the Penns Grove Borough tax map as follows:

1. Block 65, Lot 10 (hereinafter collectively referred to as the “Property”)

WHEREAS, the Property is not needed for public use; and

WHEREAS, in accordance with N.J.S.A. 40A:12-13(a) the Property was publicly advertised for sale with a minimum purchase price of \$500.00; and

WHEREAS, the Borough received a timely bid from **Pinkard & Hall Investment Prop. LLC** for \$500.00 for the Property; and

WHEREAS, **Pinkard & Hall Investment Prop., LLC** agrees to abide by the terms and conditions set forth in the public bid; and

WHEREAS, this sale is authorized by N.J.S.A. 40A:12-13(b)(2).

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Property shall be sold to Pinkard & Hall Investment, LLC. for \$500.00 and that the Mayor is authorized to execute the contract of sale, deed and any other document necessary for the sale of the Property.

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

13. PROCLAMATIONS:

14. ORDINANCES

2017-1 -

15. OLD/NEW BUSINESS:

16. CONTRACTS/REQUEST:

Certified Animal Control – Ned Shimp

Animal Shelter – R.S. Animal Shelter, Inc.

Employee Benefits – Renewal of Health Insurance (BCBSNJ)

Coin Drop Permit – PG-CP-PED Soccer League

Coin Drop Permit – Penns Grove Elk No. 1358

17. APPOINTMENTS:

Patrick N. Stutzenburg – Penns Grove Ambulance

18. PAYMENT OF BILLS:

19. PUBLIC SESSION.

20. ADJOURNEMNT