

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

**AGENDA  
MARCH 7, 2017**

**1. PLEDGE OF ALLEGIANCE.**

**2. INVOCATION** – Municipal Clerk.

**3. ROLL CALL:**

**4. RESOLUTION:**

➤ **2017-3-51 – 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/CONTRACT NEGOTIATIONS (pursuant to N.J.S.A. 10:4-12b(7)(8):** Discussion of the Lieutenant Orlando Pagan request of terminal leave and payment of sick time.
- II. MATTERS RELATING LITIGATION (pursuant to N.J.S.A. 10:4-12b(7):** Discussion regarding Civil Action Summons, Russell Pepperess, individually and a class representative on behalf of others similarly situated vs. Borough of Penns Grove.
- III. MATTERS RELATING TO EMPLOYMENT RELATIONSHIP (pursuant to N.J.S.A. 10:4-12b(8):** Discussion regarding the request from the Municipal Court Judge for “per call” compensation.
- IV. MATTERS RELATING TO CONTRACT NEGOTIATIONS (pursuant to N.J.S.A. 10:4-12b):** Discussion regarding contractual agreement between the Borough of Penns Grove and Liberty One Fire Department as it relates to the sale of two Borough owned fire trucks to the Liberty One Fire Department.
- V. MATTERS RELATING TO ATTORNEY-CLIENT AND POTENTIAL LITIGATION (pursuant to N.J.S.A.10:4-12(7):** Discussion regarding code enforcement against certain properties.
- VI. MATTERS RELATING TO ATTORNEY-CLIENT and LITIGATION (pursuant to N.J.S.A. 10:4-12(7):** Information and discussion regarding Caldwell vs. Borough of Penns Grove with regard to a request for public records.
- VII. EMPLOYMENT RELATIONSHIPS (pursuant to N.J.S.A.10:4-12(8):** Discussion of request for salary increase as received from the Deputy Court Administrator, Charmaine Bennefield.
- VIII. EMPLOYMENT RELATIONSHIPS (pursuant to N.J.S.A.10:4-12(8):** Discussion of request for salary increase as received from the Court Administrator, Sharon O. Bye.

**5. CORRESPONDENCE:**

Local Government Association – March 23<sup>rd</sup> Dinner Meeting

**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:** Tax Anticipation Notes

8. **FINANCE OFFICER'S REPORT:**

9. **MUNICIPAL CLERK'S REPORT:**

10. **CHIEF OF POLICE REPORT:**

11. **FIRE CHIEF REPORT:**

12. **RESOLUTIONS:**

➤ **2017-3-52 – RESOLUTION AUTHORIZING MAILINGS AND ADVERTISEMENT OF TAX SALE NOTICES**

WHEREAS, N.J.S.A. 54:5-26 requires, among other things, that notice of a pending tax sale shall be published in a newspaper circulating in the municipality, once a week for four calendar weeks preceding the calendar week containing the website address where the of the tax sale may be viewed; and

WHEREAS, N.J.S.A. 54:5-38 requires, the Tax Collector shall mail the tax sale notice no less than three times during the four calendar weeks preceding the calendar week notice to the property owner and to any person or entity entitled to notice of foreclosure pursuant to section 20 of P.L. 1948, c96 (C.54:5-104.48). Said notice of tax sale may be given by regular or certified mail, the costs of which shall be added to the cost of the sale in addition to those provided in R.S. 54:5-38 not to exceed \$25.00 for each notice for a particular property. Such mailings shall not be in lieu of the Advertisement, but shall be in addition to such Advertisements; and

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove, County of Salem in New Jersey, that the Tax Collector of the Borough of Penns Grove, in hereby authorized to Advertise the tax sale once a week for four calendar weeks preceding the calendar week containing the website address where the of the tax sale may be viewed; and shall mail the tax sale notice no less than three times during the four calendar weeks preceding the calendar week of the tax sale.

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

➤ **2017-3-53 - ELECTRONIC TAX SALE NOTICES IN ACCORDANCE WITH N.J.S.A 54:5-19.1**

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and  
WHEREAS, the municipality of Borough of Penns Grove wishes to participate in the pilot program for an electronic tax sale; and  
THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove, County of Salem in New Jersey, that the Tax Collector of the Borough of Penns Grove, is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to Director of the Division of Local Government Services;  
AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

- **2017-3-54 – A RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 46 LOT19** 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 46, Lot 19 (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 \$100.00; and  
WHEREAS, the Borough received one bid in response to the advertisement in the amount of \$100.00 from Isidro Lopez Ramirez; 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 Isidro Lopez Ramirez for \$100.00 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.

- **2017-13-55 – A RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT**

WHEREAS, Orlando Pagan (“Pagan”) served the Borough of Penns Grove (“Borough”) as a police officer for more than 25 years and recently submitted his notice of retirement; and  
WHEREAS, Pagan retired with the rank of Sergeant, however, he served as Lieutenant for a period of time before voluntarily requesting a downgrade to Sergeant; and  
WHEREAS, Pagan has accumulated unused sick time and vacation time; and  
WHEREAS, a dispute has arisen between the Borough and Pagan regarding accumulated sick time and selling it back the Borough; and  
WHEREAS, the Borough and Pagan have resolved the issue of accumulated sick time and selling that time back to the Borough; and  
WHEREAS, a Memorandum of Agreement has been prepared between Pagan and the Borough which resolves the issue of unused sick time and vacation time.  
NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Memorandum of Agreement is hereby approved and that the Mayor is

authorized to execute the Memorandum of Agreement on behalf of the Borough of Penns Grove.

AND, BE IT FURTHER RESOLVED, that this approval is subject to the approval of the State of New Jersey, Department of Community Affairs pursuant to the Memorandum of Understanding between the Borough and the State of New Jersey.

AND, BE IT FURTHER RESOLVED, that this Resolution is subject to the approval of Pagan as it is related to the form and substance of the Memorandum of Agreement.

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

### **13. PROCLAMATIONS:**

- WHEREAS, **Josephine Fisher** is a life-long resident of Salem County, residing in Penns Grove for the past 47 years; and

WHEREAS, Josephine Fisher is the proud mother of one child, and three wonderful grandchildren, who she enjoys spending time with; and

WHEREAS, Josephine, being a devoted grandmother, remained actively involved with her grand children's school band and was a strong supporter of 'Relay For Life';

WHEREAS, Ms. Fisher is a strong advocate in the fight against childhood poverty, demonstrating her fight by playing a significant role with Walgreen in the 'Win A Red Nose' day, by engaging the community in this National event;

WHEREAS, Josephine has dedicated most of her career to pharmacy stores, working for Eckerd's, Rite Aide and currently for Walgreens where she began her employment on February 25, 1977; and

WHEREAS, Ms. Josephine Fisher, has not only shown commitment to family and her community, she has shown outstanding workmanship to her employer, Walgreens, where she celebrates 40 years of dedicated service;

NOW, THEREFORE, BE IT PROCLAIMED, that John A. Washington, Mayor and the Borough Council of Penns Grove, do hereby congratulate Josephine fisher, on her 40 years of dedicated service to Walgreens; and that this PROCLAMATION is presented to Josephine Fisher with our best wishes for continued good health, happiness and prosperity;

### **14. ORDINANCES**

- **2017-1 – AN ORDINANCE ACCEPTING DONATION OF BLOCK 68 LOTS 8, 15 and 16 (PUBLIC HEARING)**

WHEREAS, the property shown on the tax map of the Borough of Penns Grove as Block 68 Lots 8, 15 and 16 and located on Mitchell Avenue (the "Property") is currently owned by Pro Capital 1, LLC by way of tax sale foreclosure; and

WHEREAS, Pro Capital 1, LLC would like to donate the Property to the Borough of Penns Grove for no charge; and

WHEREAS, the Borough of Penns Grove would like to accept the Property pursuant to N.J.S.A. 40A:12-5; and

WHEREAS, a recent title search of the Property revealed no outstanding liens or encumbrances other than a tax sale certificate owned by the Borough of Penns Grove.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Penns Grove that the Borough shall accept the donation of Block 68 Lot 8 from Pro Capital 1, LLC.

### **15. OLD/NEW BUSINESS:**

**16. CONTRACTS/REQUEST:**

Employee Benefits – Renewal of Dental Insurance (BCBSNJ)

Terri J. Jones/Janice McDaniel – Property 73-75 W Pitman Street

**17. APPOINTMENTS:**

**18. PAYMENT OF BILLS:**

**19. PUBLIC SESSION.**

**20. ADJOURNEMNT**