

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

**AGENDA
April 18, 2017**

1. PLEDGE OF ALLEGIANCE.

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

3. ROLL CALL:

4. CORRESPONDENCE:

- Thank you card- Dorraine Robinson

5. PRESENTATION:

- Stephen Ross – Use of Barber Avenue Pavilion.

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. MUNICIPAL CLERK’S REPORT:

9. FINANCE OFFICER’S REPORT:

10. CHIEF OF POLICE REPORT:

11. FIRE CHIEF REPORT:

12. ORDINANCES:

- **2017-2 – AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Penns Grove in the County Salem finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Council of Borough of Penns Grove hereby determines that a 3 % increase in the budget for said year, amounting to \$ 133,896.28 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Council of the Borough of Penns Grove hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Penns Grove, in the County of Salem, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Penns Grove shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50 %, amounting to \$ 156,212.33, and that the CY 2017 municipal budget for the Borough of Penns Grove be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

THIS ORDINANCE shall take effect according to law. All other Ordinances or part of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

13. PUBLIC HEARING ON THE 2017 MUNICIPAL BUDGET ADOPTION

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Burl						
Johnson						
Oliver						
Poindexter						
Scott						
Washington, Jr.						

14. RESOLUTIONS:

➤ **2017-4-68 – AUTHORIZING INVITATION OF BIDS FOR WALNUT STREET BLOCK 68, LOT 24**

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:

- Block 68, Lot 24 (hereinafter collectively referred to as the “Property”)

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

WHEREAS, N.J.S.A. 40A:12-13 requires that the opportunity to purchase county or municipal property be offered to the public and awarded to the highest bidder. NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Borough shall accept bids for the sale of the Property in accordance with the “Borough of Penns Grove Bid Conditions for Sale of Real Property,” attached hereto as Exhibit A.

An advertisement of such invitation for bids will be placed in the **South Jersey Times**, by two insertions at least once a week during two consecutive weeks. The last publication is to be not earlier than seven days prior to the sale.

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

➤ **2017-4-69 – TURNING OVER PREMIUM OLDER THAN FIVE YEARS**

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

Block	Lot	Certificate Number	Amount	Reason
12	4	#12-00000	\$100.00	Past the 5 year sale date of 4/19/12
12	8	#12-00011	\$600.00	Past the 5 year sale date of 4/19/12
16	1	#12-00020	\$100.00	Past the 5 year sale date of 4/19/12
43	5.01	#12-00056	\$300.00	Past the 5 year sale date of 4/19/12
48	5	#12-00073	\$3,200.00	Past the 5 year sale date of 4/19/12
87	2	#12-00129	\$700.00	Past the 5 year sale date of 4/19/12

\$5,000.00

WHEREAS, the amount of \$5,000.00 and should be issued from the Redemption Account to: Borough of Penns Grove, 1State 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 \$5,000.00 from the Redemption Account.

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

➤ **2017-4-70 – AUTHORIZING SALE OF 45 SOUTH BROAD STREET BLOCK 67, LOT 5**

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 67, Lot 5 (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 \$200.00; and

WHEREAS, the Borough received one bid in response to the advertisement in the amount of \$500.00 from Antonio 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 Antonio Ramirez 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.

➤ **2017-4-71 – AUTHORIZING SALE OF 86 NAYLOR AVENUE BLOCK 61, LOT 9**

A RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE 86 NAYLOR AVENUE BLOCK 61 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 61, Lot 9 (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 one bid in response to the advertisement in the amount of \$3,000.00 from BBTB, LLC; 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 BBTB, LLC for \$3,000.00 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.

➤ **2017-3 – AN ORDINANCE AMENDING THE LENGTH OF SERVICE AWARD PROGRAM (LOSAP)**

WHEREAS, the Borough of Penns Grove deems it appropriate and necessary to act to ensure retention of existing members and to provide incentives for recruiting new volunteer firefighters and rescue squad members; and

WHEREAS, by Ordinance 99-17 and subsequent passage of a referendum by public vote, the Borough of Penns Grove instituted a Length of Service Awards Program for its volunteer firefighters and rescue squad members; and

WHEREAS, The Borough of Penns Grove has determined that the creation of the Length of Service Awards Program has enhanced the ability of the Penns Grove Fire Department & Rescue Squad to retain and recruit volunteer firefighters and rescue squad members; and

WHEREAS, the Borough of Penns Grove would like to amend the Length of Service Awards Program by increasing the annual maximum contribution under the Length of Service Awards Program from \$300.00 per person per year to \$800.00 per person per year, while leaving every other aspect of the program the same.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Penns Grove as follows:

1. A Length of Service Awards Program (LOSAP) is herewith continued as it was originally established by Ordinance 99-17 in accordance with Chapter 388 of the Laws of 1997 to reward active volunteer members of the Borough of Penns Grove Fire Department & Rescue Squad for their loyal, diligent and devoted services to the residents of the Borough of Penns Grove.
2. The LOSAP shall continue to provide for fixed annual contributions to a deferred income account for each active volunteer member that meets the criteria set forth below; that such contributions shall be made in accordance with a plan that has been established by the Borough of Penns Grove pursuant to P.L. 1997, C. 388; and that such plan shall be administered in accordance with the Laws of the State of New Jersey, the U.S. Internal Revenue Code and this Ordinance.
3. The LOSAP shall continue to provide for annual contributions to each eligible member of the Borough of Penns Grove Fire Department & Rescue Squad who, meet the criteria established in Ordinance 99-17.
4. The current Length of Service Awards Program shall be amended so that each active member who achieves this point total will receive Eight Hundred Dollars (\$800.00) for a full year of service instead of Three Hundred Dollars (\$300.00).
5. The estimated yearly cost of revised program shall be \$20,800.00, plus an annual inflation adjustment as permitted by law.
6. If any section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance, as a whole, or any other part thereof.
7. All Ordinances or parts of Ordinances heretofore adopted that are inconsistent with the term sand provisions of the Ordinance are hereby repealed to the extent of such inconsistency.

15. OLD/NEW BUSINESS:

- Landscaping – Councilwoman Johnson
- Social Affair Permit – River Walk Junction

- Revaluation – Adam Telsey

16. APPOINTMENTS:

- Oath of Allegiance – Carol Mincey as Shade Tree Commissioner
- Oath of Allegiance – Nathan Dunn as Shade Tree Commissioner
- Oath of Allegiance – Roxzanne Johnson as Shade Tree Commissioner
- Oath of Allegiance – Zena Moore as Shade Tree Commissioner
- Oath of Allegiance – Kerry Carmer as Shade Tree Commissioner
- Penns Grove Ambulance Membership – Jennifer N. Whitehead

17. PAYMENT OF BILLS:

18. PUBLIC SESSION:

19. ADJOURNMENT