

**BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL
MEETING MINUTES
Of
JUNE 19, 2018**

The Regular meeting of Mayor and Council was held on the above date in the courtroom of the Borough Hall, 1 State Street, Penns Grove, New Jersey. Meeting was called to order by Mayor John A. Washington, Sr.

Mayor Washington led the Pledge of Allegiance.

Roll Call:

Governing Body: Johnson – absent, Oliver – present, Pasquale - present, Poindexter - absent, Scott – present, Washington, Jr. – present.

Also attending: Sharon Williams, Ericka Walker, Adam Telsey

2018-6-83 – RESOLUTION AUTHORIZING EXECUTIVE SESSION

Attorney-Client Privilege/Contractual Matters pursuant to N.J.S.A. 10:4-12b(7) – Update of matters regarding contractual matters as it relates to redevelopment.

Motion to adopt by Oliver; second Washington. All in favor.

REGULAR SESSION: Motion to open regular session by Washington; second Scott. All in favor

COMMITTEE REPORTS:

PARKS & RECREATION/BOARD OF HEALTH: Washington, Jr. addressed/stated the following: Code Enforcement Report for the month of May 2018. Motion to receive and file by Oliver; second Scott. All in favor; 3rd Annual Puerto Rican Parade to be held August 26, 2018 at noon with festivities to follow at the Barber Avenue Park; Issues of drug trafficking in park, cameras are operating. Sponsoring bus trip to Dorney's Park in July-free to first 100 registrants.

BUILDINGS & GROUNDS: Johnson addressed/stated the following: No report.

PUBLIC SAFETY: Poindexter addressed/stated the following: No report.

PUBLIC WORKS/STREETS & ROADS: Oliver addressed/stated the following: Nothing to report.

GENERAL GOVERNMENT: Pasquale addressed/stated the following: Finance Officer Report for the month of May 2018. Motion to receive and file by Oliver; second Scott. All in favor.

HOUSING/ZONING & CONSTRUCTION/SHADE TREE: Scott addressed/stated the following: Nothing to report.

SOLICITOR'S REPORT: Telsey addressed/stated the following: Summary Judgement in favor of Penns Grove and the Mayor in the Manganaro vs. Penns Grove matter.

FINANCE OFFICER'S REPORT: Walker addressed/stated the following: Expenditure Ration to date for temporary budget prorated from January through September 2018 is 62.27 percent; Emergency Temporary Budget Resolution adds an additional three months of budget appropriations; Resolution accepting grant from the Salem Health & Wellness Fund for Hurst E-Tools for the Fire Department.

CHIEF OF POLICE REPORT: Sgt. Riley addressed/stated the following: Suspicious death on June 12th due to overdose; slow construction in the Department (30-35 percent complete) due to daily operations; Commended Patrolman Paul and Catalano for performance during bank robbery.

CHAPLAIN’S REPORT: Reverend DeWitt Timmons addressed/stated the following: No report.

FIRE CHIEF REPORT: Hartsough addressed/stated the following: No report.

MAYOR’S REPORT: Mayor addressed/stated the following: No announcement of Transitional Aid award; congratulations to Middle and High School graduates; Bike-A-Thon on June 23, 2018 at Pointe Pontiac. Penns Grove.

RESOLUTIONS:

2018-6-84 – A RESOLUTION AUTHORIZING CANCELLATION OF CHECK NO. 1219

BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that the Chief Financial Officer be and is hereby authorized to cancel the following check listed below from the Tax Collectors Account. The issued check remained outstanding until stale dated and will be reissued to the payee;

Check No. 1219	Broad 74 LLC	10-31-17	\$ 307.87
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BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Tax Collector and the Chief Financial Officer for their records and guidance.

Motion to adopt by Washington; second Poindexter. All in favor.

2018-6-85 – RESOLUTION AUTHORIZING MAILINGS AND ADVERTISEMENT OF TAX SALE NOTICES

WHEREAS, N.J.S.A. 54:5-26 requires, among other information, 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. 54:5-27 requires, the Tax Collector shall mail the tax sale notice at least once during the four calendar weeks preceding the tax sale date to the property owner and 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 provided in R.S. 54:5-38; and

WHEREAS, municipalities conducting online tax sales are permitted to add up to \$25.00 per mailing of in lieu of advertisement. A maximum of two in lieu of mailings, totaling \$50.00 per parcel, are permitted per municipal fee ordinance; and

WHEREAS, the tax sale notice, with all required information, shall be published in five public places as well as on the municipal website as required by regulations set forth;

NOW, 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, in hereby authorized to advertise the tax sale once a week for four calendar weeks preceding the tax sale date containing the website address where the of the tax sale may be viewed; and shall mail the tax sale notice at least once during the four calendar weeks preceding the calendar week of the tax sale. Two in lieu of advertisement mailings may be completed at the fee of \$25.00 each, not to exceed \$50.00 per parcel;

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

Motion to adopt by Oliver; second Scott. All in favor.

2018-6-86 – EMERGENCY TEMPORARY RESOLUTION N.J.S.A. 40A:4-20

WHEREAS, an emergency condition has arisen with respect to the need to provide budgetary funds for 2018 and

WHEREAS, the cause of the emergency is due to the fact that the Borough is unable to adopt the 2018 Annual Budget without proper revenue figures and state approval, and

WHEREAS, it is considered necessary for the health and welfare of the community to continue to provide necessary services,

WHEREAS, the total emergency temporary resolution adopted in the year 2018 pursuant to the provisions of Chapter 96 P.L.1951 (N.J.S. 40A:4-20) including this resolution totals \$2,902,370.43 for the Current Fund.

1. Emergency temporary appropriations are made and the same are hereby made for:

GENERAL GOVERNMENT		
Mayor & Council		
Salaries & Wages		7400.00
Other Expenses		300.00
Municipal Clerk		
Salaries & Wages		22600.00
Other Expenses		8000.00
Financial Administration		
Salaries & Wages		29000.00
Other Expenses		5000.00
Audit Services		2000.00
Tax Assessment Administration		
Salaries & Wages		4100.00
Other Expenses		30.00
Revenue Administration		
Other Expenses		80.00
Liquidation TTIL/Foreclosure		
Other Expenses		8000.00
Legal Services & Costs		
Other Expenses		22000.00
Economic Development Agencies		
Other Expenses		2000.00
Engineering Services & Cost		
Other Expenses		5000.00
Municipal Land Use Law(N.J.S.40:55D-1)		
Planning Board		
Salaries & Wages		1440.00
Other Expenses		1000.00
Insurance		
Other Insurance Plans		143843.00
Group Insurance Plans		220000.00
Health Insurance Waiver		6000.00
Unemployment Compensation Insurance		100.00
Accumulated Leave Compensation		0.00
Fire Hydrant Services		
Other Expenses		9000.00
Fire Department		
Other Expenses		7000.00
Police Department		
Salaries & Wages		280000.00
Other Expenses		10000.00
Aid to Ambulance		
Other Expenses		5000.00
Aid to YMCA		
		0.00
Emergency Management Services		
Salary & Wages		2000.00
Other Expenses		0.00
Municipal Prosecutor		
Salaries & Wages		3300.00
MUNICIPAL COURT		
Salaries & Wages		25000.00
Other Expenses		1000.00
PUBLIC DEFENDER		
Other Expenses		2400.00
PUBLIC WORKS FUNCTIONS		
Public Buildings & Grounds		
Salaries & Wages		500.00

Other Expenses	10000.00
Shade Tree	
Other Expenses	50.00
Demolition	
Other Expenses	500.00
Vehicle Maintenance	12000.00
HEALTH & HUMAN SERVICES	
Board of Health	
Other Expenses	300.00
Safety Coordinator	
Salaries & Wages	800.00
Other Expenses	100.00
Animal Control	
Other Expenses	2000.00
Senior Citizen Transportation	
Other Expenses	0.00
RECREATION AND EDUCATION	
Board of Recreation Commissioners	
Other Expenses	0.00
UTILITY EXPENSES AND BULK PURCHASES	
Electricity and Natural Gas	38000.00
Telecommunications	11000.00
Water	500.00
Petroleum Products	9000.00
Sewage Processing & Disposal	50.00
LANDFILL/SOLID WASTE DISPOSAL COSTS	
Other Expenses-Penns Grove Garden Apartments	0.00
UNIFORM CONSTRUCTION CODE	
(N.J.S.A. 52:25d-120 et. Seq.)	
OTHER CODE ENFORCEMENT FUNCTIONS	
Salaries & Wages	4400.00
Other Expenses	300.00
STATUTORY EXPENDITURES	
Social Security System	18000.00
Public Employees Retirement System	0.00
Police and Fire Retirement System of N.J.	22962.43
Defined Contribution Retirement System	1000.00
Tax Appeal Judgement	0.00
Business Personal Property Tax (Bd. Of Ed.)	0.00
LOSAP	0.00
INTERLOCAL MUNICIPAL SERVICE AGREE.	
Revenue Administration(Tax Collection)	
Other Expenses	18000.00
Public Work Functions: Other Costs	
Other Expenses	150000.00
County of Salem Dispatching Services	
Other Expenses	38750.00
GRANTS	
NJS Senior Citizen and Disabled	
Transportation Assistant Act.	0.00
Clean Communities	0.00
Body Armor Replacement Program	0.00
Salem Health and Wellness Foundation	20250.00
Green Trust Loan Program	0.00
Loan Repay. For Princ. & Int.	18000.00
CAPITAL	
Capital Improvement Fund	0.00

DEBT SERVICE

Principal 0.00

Interest 0.00

TOTAL \$1,209,055.43

Motion to adopt Washington second Scott. All in favor.

2018-6-87 – A RESOLUTION OF THE BOROUGH OF PENNS GROVE AUTHORIZING ACCEPTANCE OF HEAVY RESCUE HURST E-TOOLS GRANT FROM THE SALEM HEALTH & WELLNESS FUND AT THE COMMUNITY FOUNDATION OF NEW JERSEY.

WHEREAS, the Borough of Penns Grove Ambulance Department has applied for Heavy Rescue Hurst E-Tools from the Salem Health & Wellness Fund at the Community Foundation of New Jersey; and WHEREAS, the Salem Health & Wellness Fund at the Community Foundation of New Jersey has offered a grant to the Borough of Penns Grove in the amount of \$ 20,250.00; and

WHEREAS, the Grant will pay for assistance with the purchase of a Heavy Rescue Hurst E-Tools;

BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove to accept the Grant from the Salem Health & Wellness Fund at the Community Foundation of New Jersey and authorize the Mayor to sign the Grant Acceptance Conditions.

Motion to adopt by Scott; second Pasquale. All in favor.

2018-6-88 – RESOLUTION AUTHORIZING PLACE-TO-PLACE TRANSFER EXPANSION OF PREMISES OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1707-33-015-007

WHEREAS, an application has been filed for a place-to-place transfer (Expansion of Premise) of Plenary Retail Consumption License 1707-33-015-007, for purposes of expanding the premises to the outside rear of the property, under license wherein the sale, service, and storage of alcoholic beverages are authorized; WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, that the Borough of Penns Grove Governing Body does hereby approve, effective June 19, 2018, the expansion of the aforesaid Plenary Retail Consumption Licensed premises located at 28 South Broad Street, Penns Grove, New Jersey, to place under license, the area delineated in the application form and the sketch of the licensed premises attached thereto;

NOW, THEREFORE BE IT RESOLVED, that the Municipal Clerk is hereby authorized to endorse and seal the aforesaid license;

BE IT FURTHER RESOLVED, that a copy of this resolution, certified by the Municipal Clerk, be forwarded to the Director of the Division of Alcoholic Beverage Control and the Treasurer of the State of New Jersey.

Motion to adopt by Oliver; second Scott. All in favor.

2018-6-89 – RENEWAL OF INACTIVE ALCOHOLIC BEVERAGE RETAIL LICENSE FOR THE 2018-2019 LICENSE TERM

WHEREAS, the following named persons has made application for renewal of Alcoholic Beverage License for the type designated and there appearing no objections to the contrary; and

WHEREAS, the licensee has received a special ruling from the Director of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.39 Special Ruling for license term 2018-2019; and

WHEREAS, has met all of the requirements of the Alcoholic Beverage Control Commission and the rules and regulations promulgated by the Director of the Division of Alcoholic Beverage Control; and

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 described license be granted, subject to local ordinance, from July 1, 2018 to June 30, 2019 for the following:

1707-33-007-006

ANTHONY'S ROTTEN RALPHS, N.J., INC.

36 East Main Street

Penns Grove, NJ 08069

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to endorse and seal the aforesaid license;

BE IT FURTHER RESOLVED, that a copy of this resolution, certified by the Municipal Clerk, be forwarded to the Director of the Division of Alcoholic Beverage Control and the Treasurer of the State of New Jersey.

Motion to adopt by Washington; second Pasquale. All in favor.

2018-6-90 – RENEWAL OF ALCOHOLIC BEVERAGE RETAIL LICENSES FOR THE 2018-2019 LICENSE TERM

WHEREAS, the following named persons has made application for renewal of Alcoholic Beverage License for the type designated and there appearing no objections to the contrary; and

WHEREAS, the licensee has met all of the requirements of the Alcoholic Beverage Control Commission and the rules and regulations promulgated by the Director of the Division of Alcoholic Beverage Control; and

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Penns Grove, County of Salem, State of New Jersey, approve the following described license be granted, subject to local ordinance, from July 1, 2018 to June 30, 2019 for the following premises:

PLENARY RETAIL DISTRIBUTION LICENSE:

1707-44-011-009

Incollingo's Associates, Inc.

t/a Inky's Discount Liquors

1 North Virginia Avenue

Penns Grove, NJ 08069

1707-44-003-001

Clemente's Liquor Store, Inc.

t/a Colonial Liquors

Rt. 130 South Virginia Avenue

Penns Grove, NJ 08069

PLENARY RETAIL CONSUMPTION LICENSE:

1707-33-015-007

Italian Kitchen, Inc.

28 South Broad Street

Penns Grove, NJ 08069

PLENARY RETAIL CONSUMPTION W/BROAD PACKAGE PRIVILEGE:

1707-32-001-003

VMP, Inc.

199 South Virginia Avenue

64 East Main Street

Penns Grove, NJ 08069

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to endorse and seal the aforesaid license; and that a copy of this resolution be by the Municipal Clerk, and be forwarded to the Director of the Division of Alcoholic Beverage Control and the Treasurer of the State of New Jersey.

Motion to adopt by Washington; second Pasquale. All in favor.

ORDINANCES:

2018-7 – AN ORDINANCE REGULATING OPEN AIR BURNING AND INDOOR AND OUTDOOR BURNING

WHEREAS, the Borough of Penns Grove currently has no rules or regulations regarding open air burning and indoor and outdoor burning; and

WHEREAS, the Borough would like to establish rules and regulations to control such activities; and

WHEREAS, the Borough would like to add Chapter 320 to the Code of the Borough of Penns Grove entitled "Open Air Burning; Indoor and Outdoor Burning" in order to regulate these activities.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Penns Grove that Chapter 320 shall be added to the Code of the Borough of Penns Grove as follows:

Chapter 320. Open Air Burning; Indoor and Outdoor Burning

§ 320-1. Title and authority.

Pursuant to authority granted by the State in the Air Pollution Control Act, N.J.S.A. 26:2C-22, as well as through N.J.S.A. 40:48-1 et seq., the New Jersey Home Rule Act of 1917, as amended, this chapter shall be known as the "Borough of Penns Grove Open Air Burning and Indoor and Outdoor Burning Prohibition Ordinance."

§ 320-2. Intent.

Although open air burning provides an additional source of leisure and passive recreation, concerns have been raised regarding the safety and environmental impacts of open air burning activities, particularly the production of offensive odors and the potential health effects of uncontrolled emissions and the burning of materials other than firewood or untreated lumber. Further concerns exist as to indoor and outdoor burning where the materials being burned also produce or have the potential to produce offensive odors, smoke and potential health effects of uncontrolled emissions from the burning of non-approved materials. This chapter is intended to ensure that open air burning and indoor and outdoor burning through furnaces, stoves, fireplaces and chimneys are regulated to prevent the creation of a nuisance or other situations which may be or become detrimental to the health, safety and general welfare of the residents of the Borough.

§ 320-3. Definitions.

The following terms shall have the following meanings when used in this chapter:

BONFIRE A fire as defined by Section 307 of the Uniform Fire Code, except that Section 307.4.1.1 of the Fire Code concerning the dimensions of a bonfire is amended to also include any fire greater than three feet in diameter.

CAMPFIRE An outdoor fire, not to exceed three feet in diameter, intended for recreation or cooking, but not including a fire intended for disposal of waste wood or refuse.

FIRE PIT, ASSEMBLED Non-pre-made fire pits built according to an individual's wishes, encompassing a wide variety of styles and functions, from a traditional campfire pit to more elaborate constructions of materials such as stone and concrete. The term "assembled fire pit" shall also include outdoor fireplaces, chimneys, patio warmers or other portable wood-burning devices used for outdoor recreation and/or heating.

FIRE PIT, PRE-MADE Pre-manufactured fire pits commercially sold for outdoor burning, often portable, and commonly made of metal and used for either wood or gas burning.

FIREWOOD Trunks and branches of trees and bushes, but does not include leaves, needles, vines or brush smaller than two inches in diameter.

FURNACE Any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated on a property for the purpose of combustion of fuel to produce heat and/or hot water for new or existing structures. A furnace may be a standalone device or a structure that may appear to be a small utility building which serves the same purpose. A furnace shall also include boilers and stoves used for this purpose.

INDOOR Any unit of space not covered by the definition of "outdoor."

OPEN AIR BURNING A fire where any material is burned in the open.

OUTDOOR Any unit of space outside of an existing structure.

REFUSE Any waste material except trees, logs, brush, and untreated lumber.

SUSTAINED SMOKE Any smoke that continues in a visible flow from the source of the fire for more than 20 feet for more than three minutes in duration. Sustained smoke shall not include the presence of any fragrance or odor caused by the burning of firewood or untreated lumber if same is not accompanied by the presence of visible smoke.

UNTREATED LUMBER Dry wood which has been milled and dried out but which has not been treated or combined with any petroleum product, chemical preservative, glue, adhesive, stain, paint or other substance.

§ 320-4. Prohibition against open burning.

- A. Open air burning is prohibited within the Borough of Penns Grove unless in conformance with the standards established herein.
- B. Except as provided herein, it shall be unlawful for any person to permit kindling, igniting or maintaining any bonfire, brush fire or to burn off grass, leaves, debris, branches, wood, refuse, garbage, waste, or rubbish on any lot or field or to authorize any such fire to be kindled or maintained on any street, alley lot, lands or public grounds or upon any private lots or fields unless a written permit to do so shall be first obtained from the Borough Council.

§ 320-5. Exceptions to open burning prohibition; standards.

- A. Outdoor fires utilized for cooking are permitted without a permit either when contained in a manufactured metal grill or other similar device intended for such use or a campfire.
- B. Outdoor fires utilized for any other recreational purpose are permitted when either contained in a manufactured device designed for such purpose and utilized strictly in accordance with the manufacturer's requirements or, alternatively, in a proper noncombustible stone, cement, brick, tile or metal assembled fire pit materials and shall not be more than three feet in diameter.
- C. For all existing pre-made or assembled fire pits within the Borough, should the Fire Chief or his authorized designee determine that a fire pit is unsafe, he may order that said fire pit not be used until he or his designee deems said fire pit safe. Challenges to such an order may be appealed to the Salem County Construction Board according to the time frames permitted by state regulations.
- D. No open air burn may occur on a residential property within 15 feet of any main or accessory structure on the property, including, but not limited to, any dwelling, garage or shed.
- E. A fully functioning fire extinguisher must be available for fire extinguishment purposes whenever any fire is ongoing.
- F. Permitted fuel. Only firewood and untreated lumber are permitted to be burned. Burning of any and all other materials, including but not limited to garbage, rubber, plastics, and yard waste, at any location within the Borough is prohibited. No green wood, leaves or other materials which cause excessive smoke may be burned indoors or outdoors at any time. Any smoke or odor from any indoor or outdoor fire must be kept to a minimum.
- G. Flames may not exceed two feet in height at any time, and should the prevailing winds cause the sustained smoke from said fire to blow into a neighboring dwelling or property, said fire must be extinguished immediately. The Fire Chief or his designee are authorized to require that any residential outdoor fire be immediately extinguished if he determines that said fire constitutes a hazardous condition. In addition, the Penns Grove Fire Department and/or the Penns Grove Police Department are authorized to require that any residential outdoor fire pit be immediately extinguished if sustained smoke emissions are found to be offensive to occupants of surrounding properties. Failure to comply with Fire or Police Department orders shall constitute a violation of this chapter in addition to any and all criminal and regulatory violations which may be cited against the property owner and those individuals responsible for maintenance of the hazardous or offensive condition.
- H. Indoor and outdoor fires must be attended at all times by a competent adult owner or legal resident of the property from the time said fire is commenced through the time said fire is completely extinguished.
- I. Permitted locations. Open burning shall be permitted only on residential properties and/or properties used for agricultural purposes, except in the event that a school, church, or other nonprofit organization conducts a bonfire which has obtained the necessary permit from the Fire Marshal to conduct said activity.

- J. Setbacks. Permitted open air burning devices shall be set back not less than 10 feet from the nearest lot line.

§ 320-6. Prohibition against indoor and outdoor furnace burning; existing furnaces.

- A. No materials shall be burned in a furnace other than firewood or untreated lumber, except where said furnace is designed and manufactured to burn other fuels such as coal, gas, or oil.
- B. No person shall cause, allow, or maintain the use of an indoor or outdoor wood-burning furnace within the Borough of Penns Grove without first having obtained a permit. Application for a permit shall be made on the forms provided by the Borough.
- C. Any outdoor furnace or furnace in an accessory structure in existence on the effective date of this chapter shall be permitted to remain, provided that the owner applies for and receives a permit within one year of such effective date. Notwithstanding the fact that any furnace in existence on the effective date of this chapter has one year to receive a permit, any existing furnace must comply with this chapter within 60 days of the effective date of this chapter. If the owner of an existing furnace does not receive a permit within one year of the effective date of this chapter, the furnace shall be removed. "Existing" or "in existence" means that the furnace is in place and operational on the site.

§ 320-7. Permit process.

- A. A written permit shall be obtained for all open burning purposes not specifically permitted in this chapter.
- B. Application for said permit shall be made to the Borough Council at least 30 days prior to the date requested and shall include:
 - 1. Applicant's name, address and contact information;
 - 2. Property address and owner information, if different;
 - 3. Type of open air burning request, date, time;
 - 4. Description of materials to be burned;
 - 5. Description of emergency procedures in place;
 - 6. Proof of personal injury and property damage insurance with limits of not less than \$2,000,000 per occurrence and \$5,000,000 aggregate;
 - 7. Proof of notification of the application to all properties within 300 feet of the fire location; and
 - 8. Submittal of a permit fee to the Borough of Penns Grove in the amount of \$150.00.
- C. Approval of permit. The Borough Council shall review any application for open burning and determine if said application meets the requirements. The Borough Council shall consult with the Fire Chief who, shall in his trained opinion, determine if appropriate fire safety standards are being met. The Borough Council shall have the discretion to approve or deny the application. The Borough Council is also empowered to approve a conditional permit establishing additional conditions on a case-by-case basis to ensure that fire safety standards are met.
- D. Revocation or suspension of permit. A permit issued by this chapter may be suspended or revoked as the Borough Council or Fire Chief may determine to be necessary to protect the public health, safety and welfare of the residents of the Borough. A suspended permit may be reinstated once the condition which resulted in suspension is remedied and reasonable assurances are given that such conditions will not recur. Recurrence of a condition which has previously resulted in suspension of a permit shall be considered a violation of this chapter subject to the penalties provided herein.

§ 320-8. Enforcement.

Enforcement of this chapter may be accomplished through the Borough Police Department, or the Borough Fire Chief, or their designees.

§ 320-9. Violations and penalties; distribution of fines to fire district.

Each and every person failing to comply with any of the provisions in this chapter shall, upon conviction thereof, be punished by a fine of up to \$2,500 per offense, a term of imprisonment of up to 90 days and/or be required to perform community service for up to 90 days. Each day a violation exists shall constitute a new and separate offense subject to prosecution.

§ 320-10. Effect of other regulations.

Nothing contained herein shall authorize or allow burning which is prohibited by codes, laws, rules or regulations promulgated by the United States Environmental Protection Agency, New Jersey State Department of Environmental Protection, or other federal, state, regional or local agencies. Indoor and outdoor burning devices shall be installed, operated and maintained in conformity with the manufacturer's specifications and any and all local, state and federal codes, law, rules and regulations. In case of any conflict between any provision of this chapter and any applicable federal, state or local ordinances, codes, laws, rules or regulations, the more restrictive or stringent provision or requirement shall prevail.

Motion to open meeting to the public by Scott; second Washington. All in favor.

Motion to close meeting to the public by Oliver; second Washington. All in favor.

Motion to adopt by Washington; second Scott. Roll call. All ayes.

OLD/NEW BUSINESS:

Bible Way Church – Mitchell Avenue: Telsey stated Borough obtained property, tax sale certificate cancelled. Telsey will contact realtor.

Council Meeting – Summer Schedule: Consensus of council to hold meeting on the third Tuesday for the month of July and August.

CONTRACTS/APPLICATIONS/PERMITS:

Motion to approve Charitable Solicitation application submitted by Club Oasis by Washington; second Oliver. All in favor.

PAYMENT OF BILLS: Motion to pay all bills signed and audited by Oliver; second Washington. All in favor.

PUBLIC SESSION:

Motion to open meeting to the public by Washington; second Pasquale. All in favor.

Andre' Merendino, Union Street, express concern regarding the high grass, vehicles, trash at 14 East Line Street.

Mayor advised that a complaint has been filed in Municipal Court, and that he will speak with Prosecutor.

Motion to close meeting to the public by Oliver; second Washington. All in favor.

ADJOURNMENT: Motion to adjourn by Washington; second Scott. All in favor.

Respectfully Submitted

Sharon R. Williams, RMC
Municipal Clerk

MINUTES ARE NOT VERBATIM. AUDIO ON FILE IN THE OFFICE OF MUNICIPAL CLERK