

**BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL MEETING
FEBRUARY 4, 2020**

AGENDA

1. PLEDGE OF ALLEGIANCE
2. INVOCATION
3. ROLL CALL
4. PLEDGE OF ALLEGIANCE.
5. EXECUTIVE SESSION:
2020-2-21 - RESOLUTION AUTHORIZING EXECUTIVE SESSION
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 Privileged pursuant to N.J.S.A. 10:4-12b(8): Discussion regarding the retention of records.
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.
6. REGULAR SESSION
 - ROLL CALL.
7. CORRESPONDENCE: TRI-CO JIF – Elected Officials Liability Seminar
8. MINUTES: January 7, 2020
9. COMMITTEE REPORTS:
 - Buildings & Grounds
 - General Government
 - Housing/Zoning & Planning/Shade Tree
 - Parks & Recreation/Board of Health
 - Public Works/Streets & Roads
 - Public Safety
10. SOLICITORS REPORT
11. FINANCE OFFICERS REPORT
12. CHIEF OF POLICE REPORT
13. FIRE CHIEF REPORT
14. CLERK'S REPORT

15. RESOLUTIONS: (Motion in Bulk 2020-2-22 through 2020-2-27)

2020-2-22 – A RESOLUTION AUTHORIZING THE REFUND OF RECORDING FEES PAID

BE IT RESOLVED by the Borough of Penns Grove, County of Salem that the recording fee of \$50.00 paid per lien redemption on the following property is refunded to the redeemer as the tax sale certificate was not recorded.

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Certificate #</u>	<u>Redeemer</u>
2019	13	23.01	33 Turner Avenue	#19-00506	Global Title

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 \$50.00 from the Tax Collector’s Redemption 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.

2020-2-23 – A RESOLUTION APPROVING AGREEMENT WITH BENECARD SERVICES, LLC

WHEREAS, the Borough of Penns Grove requires Fixed Rate Insured Prescription Drug Management Services; and

WHEREAS, Benecard Services, LLC provides such services and is experienced with providing administrative services in connection with prescription drug benefits for various groups, according to each group’s plan specifications; and

WHEREAS, the Borough of Penns Grove desires that Benecard provide such administrative services for Penns Grove’s prescription drug benefits as part of an arrangement whereby Penns Grove becomes a member of the Benecard Association and a certificate holder of an excess loss insurance policy issued by the Insurance Carrier and made available to members of the Association; and

WHEREAS, the Mayor and Council of the Borough of Penns Grove have reviewed the agreement with Benecard and found it to be acceptable; and

WHEREAS, the Agreement with Benecard shall be effective from January 1, 2020 through December 31, 2022.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove in the County of Salem and State of New Jersey that the Agreement with Benecard Services, LLC is approved and the Mayor is authorized to execute the Agreement on behalf of the Borough of Penns Grove.

2020-2-24 – RESOLUTION PROVIDING FOR THE TRANSFERS OF THE 2019 BUDGET APPROPRIATION RESERVES

WHEREAS, it has become necessary to expend for certain purposes specified in 2019 Appropriation Reserves, amounts of the respective sums appropriated therefore; and

WHEREAS, there is an excess in one or more appropriations in said 2019 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 that transfers are hereby authorized to be made by and between the 2019 Appropriations Reserves.

TRANSFERS TO:	<u>TO</u>	<u>FROM</u>
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OTHER EXPENSES:

Liquidation		
TTL/Foreclosure	1,200.00	
Police Department	4,000.00	
Fire Hydrant Services	2,500.00	
Dog Regulation	2,312.00	

Electricity and Natural Gas	12,000.00	
Municipal Court	200.00	
Petroleum Products	2,000.00	
TRANSFERS FROM:		
SALARY & WAGES		
Other Code Enforcement	4,000.00	
Police Department	5,000.00	
Public Building and Grounds	1,500.00	
Mayor and Council	1,900.00	
OTHER EXPENSES:		
Municipal Clerk	5,000.00	
Legal Services and Costs	1,200.00	
Other Code Enforcement Functions	1,000.00	
Health Insurance Waiver	1,000.00	
Planning Board	800.00	
Group Insurance Plan for Employees	1,500.00	
Board of Health	800.00	
Economic Development Agencies	512.00	
Totals	24,212.00	24,212.00

2020-2-25 – A RESOLUTION REJECTING BIDS FOR REAL PROPERTY

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 84, Lot 1, (5 Trumbull Avenue) (hereinafter referred to as the “Property”)

WHEREAS, on or about December 3, 2019, the Borough passed a resolution authorizing the sale of the Property and the receipt of bids for the property in accordance with N.J.S.A. 40A:12-13; and

WHEREAS, bids for the Property were due no later than January 31, 2020; and

WHEREAS, the Borough has reviewed the sale of the Property and has decided to reject any and all bids received for the Property and remove the Property from the sales market.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that all bids received for the Property are hereby rejected and the Property shall not be sold at this time.

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

2020-2-26 – A RESOLUTION APPROVING THE ISSUANCE OF REQUESTS FOR PROPOSALS

WHEREAS, The Borough of Penns Grove (“Borough”) requires Grant Management/Administration Services for NJDCA Small Cities Public Facilities Grant Funding for Infrastructure Improvements to Liberty Fire Station; and

WHEREAS, in accordance with N.J.S.A. 40A:11-4.1, et seq., the Borough would like to utilize competitive contracting to receive proposals for Grant Management/Administration Services; and

WHEREAS, Requests for Proposals have been prepared and are ready to be distributed.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove in the County of Salem and State of New Jersey that the Borough shall issue and properly advertise Requests for Proposals for Grant Management/Administration Services for NJDCA Small Cities Public Facilities Grant Funding for Infrastructure Improvements to Liberty Fire Station.

2020-2-27 – A RESOLUTION APPROVING THE ISSUANCE OF REQUESTS FOR PROPOSALS

WHEREAS, The Borough of Penns Grove (“Borough”) requires Professional Engineering Services for NJDCA Small Cities Public Facilities Grant Funding for Infrastructure Improvements to Liberty Fire Station; and WHEREAS, in accordance with N.J.S.A. 40A:11-4.1, et seq., the Borough would like to utilize competitive contracting to receive proposals for Professional Engineering Services; and

WHEREAS, Requests for Proposals have been prepared and are ready to be distributed.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove in the County of Salem and State of New Jersey that the Borough shall issue and properly advertise Requests for Proposals for Engineering Services for NJDCA Small Cities Public Facilities Grant Funding for Infrastructure Improvements to Liberty Fire Station.

16. ORDINANCE(S):

2020-1 – AN ORDINANCE CREATING THE POSITION OF BOROUGH ADMINISTRATOR (INTRODUCTION)

WHEREAS, the Borough of Penns Grove has determined that the day-to-day demand of administrative and governmental affairs has grown to the extent that it has become increasingly difficult for the Mayor and Council to devote adequate time to the discharge of such duties; and

WHEREAS, the public interest in the economical and efficient administration of Borough business requires the creation of the position of Borough Administrator; and

WHEREAS, the Borough Administrator will provide the Mayor and Council necessary assistance in the prompt day-to-day management of the administrative affairs of the Borough of Penns Grove, coordinate the activities of the various departments within the municipality and assist in planning and supervising the execution of governmental efforts in those areas where a continuous and sustained effort is required.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Penns Grove that Chapter 5 of the Code of the Borough of Penns Grove shall be created as follows:

1. Chapter 5 shall be titled, “Administrator, Borough of Penns Grove.”
2. Chapter 5 shall contain the following

§ 5-1. Position established.

The office of Business Administrator in and for the Borough of Penns Grove is hereby established pursuant to N.J.S.A. 40A:9-136 et seq.

§ 5-2. Appointment; removal from office.

A. The Business Administrator shall be appointed by the Mayor with the advice and consent of the Council.

B. The Business Administrator shall serve at the pleasure of the governing body and may be removed by a two-thirds vote of the governing body. The resolution of removal shall become effective three months after its adoption by the governing body. The governing body may provide that the resolution shall have immediate effect, provided that the governing body shall cause to be paid to the Administrator forthwith any unpaid balance of his/her salary and his/her salary for the next three calendar months following adoption of the resolution.

§ 5-3. Compensation.

A. The salary of the Administrator shall be fixed and adopted by the Mayor and Council in the annual salary ordinance.

B. Unless otherwise provided, no person named as Acting Administrator shall receive compensation in addition to his regular salary while serving in such capacity. If the Mayor and Council, by resolution, provides compensation for the Acting Administrator during his service as Acting Administrator, such compensation shall not exceed the maximum salary provided in the salary ordinance for the position of Administrator.

§ 5-4. Qualifications; residency requirement.

A. The Administrator shall possess such qualifications as the Mayor and Council deem necessary for the management and administration of the Borough of Penns Grove.

B. The Business Administrator need not be a resident of the Borough of Penns Grove or the State of New Jersey.

§ 5-5. General responsibilities.

A. The Business Administrator shall be the chief administrative officer of the Borough of Penns Grove and shall direct and supervise the administration of all departments and officers of the Borough government, following consultation with, and subject to the approval of, the governing body. The authority of the Mayor and Council to supervise the administration of all departments shall be transmitted through the Business Administrator where not prohibited by state statute, and all subordinate employees of the Borough shall be responsible to said authority.

B. The Business Administrator shall be required in all instances to consult and confer with, and obtain the consent of, the Mayor or the members of the Council who serve as director of a particular department prior to instituting or undertaking any action with respect to said department, and the Business Administrator shall implement all decisions and orders as directed by the Mayor and Council.

§ 5-6. Specific powers and duties.

A. The Business Administrator shall be the chief administrative officer of the Borough of Penns Grove and shall be responsible to the Mayor and Council for the administration of all Borough affairs, with the following powers and duties:

- (1) To direct and supervise the administration of all departments, offices and agencies of the Borough, except as otherwise provided by law.
- (2) To attend all meetings of the governing body with the right to take part in discussion but not to vote.
- (3) To ensure all laws and all acts of the governing body subject to enforcement by him/her or by officers and employees subject to his/her direction and supervision are faithfully executed.
- (4) To submit to the governing body and make available to the public a complete report of finances and administrative activities of the Borough as required by the Mayor and Council.
- (5) To keep the Mayor and Council fully advised as to the current financial condition and future needs of the Borough and to make such recommendations to the Mayor and Council concerning the affairs of the Borough as he/she deems appropriate.
- (6) To authorize any transfer of supplies, materials and equipment between departments and offices and, with the authorization of the governing body, to sell surplus, obsolete, unused or waste supplies, materials and equipment.
- (7) To study, recommend, implement and enforce the procedure and policy of the governing body for requisition, purchase, inspection, receipt, storage, distribution, internal transfer and disposal of, and standards, specifications and payment for, supplies, materials and equipment, after consultation with department heads.
- (8) To negotiate contracts for the Borough, other than personnel or labor contracts, as authorized and directed by and subject to the approval of the governing body and to ensure that all terms and conditions are favorable to the Borough and any statute or contract are faithfully kept and performed and, upon knowledge of any violation, shall immediately make said violation known to the governing body.
- (9) To prepare and present to the governing body an annual report of the Borough affairs, which shall include a report from each department head.
- (10) To act as a liaison between the Borough and the various state, county and federal agencies with respect to all applications for funds or services needed or required by the Borough.
- (11) To review and supervise the Borough's insurance program and policies.
- (12) To receive and review any complaints concerning the functions and obligations of the Borough made by any of its residents or taxpayers and to maintain a permanent record

of all complaints and the disposition of said complaints.

- (13) To advise the Mayor and Council on policy decisions.
- (14) To establish and maintain effective personnel practices and maintain appropriate records of all employees.
- (15) To receive and reply to all inquiries and complaints concerning Borough business and provide information and assistance in respect thereto.

To perform such other duties as may be required by the Mayor and Council.

17. OLD/NEW BUSINESS:

- Acknowledgement of Black History Month
- Cyber Security – computers, email
- Authorization for the Issuance of a Tax Anticipation Note up to \$1,400,000.00.

18. PAYMENT OF BILLS.

19. PUBLIC SESSION

20. ADJOURNMENT.