

BOROUGH OF PENNS GROVE
COUNTY OF SALEM, STATE OF NEW JERSEY
MAYOR AND COUNCIL
REGULAR MEETING MINUTES
January 21, 2020

Notice of this meeting was posted on the Borough of Penns Grove Municipal Bulletin Board designed for that purpose. Notice was also posted on the Borough of Penns Grove website: www.pennsgrove-nj.org
Notice was e-mailed to the official newspaper on January 17, 2020

At this time Mayor LaDaena Thomas asked everyone to stand for the Pledge of Allegiance and to remain standing for the Invocation.

Everyone participated in the flag salute and remained standing during invocation.

Invocation was led by Deputy Clerk at 6:14 p.m.

Present were: Madam Mayor LaDaena Thomas, Councilman Mike Bercute, Council-President Carol Mincey, Councilman Mark Oliver, Councilman Lou Pasquale, Councilwoman Deborah Scott, and Councilman Carl J. Washington, Jr. Also, present were: Adam Telsey, Acting Borough Attorney, Stephen Labb, Chief Finance Officer, Kayla Veltman, Deputy Clerk.

Absent Were: None.

2020-1-14 – RESOLUTION AUTHORIZING CLOSED 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 as follows:

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. Matters relating to the purchase, lease acquisition of real property or investment of public funds and Matters relating to litigation, negotiations and attorney-client privilege pursuant to N.J.S.A. 10:4-12b(5)(7): Discussion of the acquisition of land located at Straughn's Lane.

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.

Motion to enter executive session was moved by Councilman Washington, Jr., Councilman Oliver seconded the motion. All in favor, Motioned Carried by Madam Mayor Thomas, at 6:15 p.m.

Motion to close executive Session at 6:25 p.m. was made by Councilman Oliver, and second by Councilwoman Scott. All in favor. Motion Carried by Madam Mayor Thomas at 6:25 p.m.

The Regular Session of the regular meeting for the Borough of Penns Grove Council was called to order by Madam Mayor Thomas, at 6:30 p.m. The meeting was held in the Court Room of the Borough Hall Municipal Building at 1 State Street, Penns Grove, New Jersey, 08069

Present were: Madam Mayor LaDaena Thomas, Councilman Mike Bercute, Council-President Carol Mincey, Councilman Mark Oliver, Councilman Lou Pasquale, Councilwoman Deborah Scott, and Councilman Carl J. Washington, Jr. Also, present were: Adam Telsey, Acting Borough Attorney, Kayla Veltman, Deputy Clerk, Chief Finance Officer, Stephen Labb and Ericka Walker, Assistant Treasurer.

Absent Were: None.

CORRESPONDENCE:

Deputy Clerk announced the TRI-CO JIF – Elected Officials Liability Seminar.

MINUTES:

August 20, 2019 (open session meeting minutes) motion was moved by Councilman Oliver and it was second by Councilwoman Scott, that the open Session meeting minutes be approved. There being four (4) ayes, two (2) abstain and no nays, the minutes were approved. Motion carried by Madam Mayor Thomas.

August 20, 2019 (executive session meeting minutes) motion was moved by Councilman Oliver and it was second by Councilwoman Scott, that the executive Session meeting minutes be approved. There being four (4) ayes, two (2) abstain and no nays, the minutes were approved. Motion carried by Madam Mayor Thomas.

December 17, 2019 (open session meeting minutes) motion was moved by Councilwoman Scott and it was second by Councilman Pasquale, that the open Session meeting minutes be approved. There being four (4) ayes, two (2) abstain and no nays, the minutes were approved. Motion carried by Madam Mayor Thomas.

January 7, 2020 (open session meeting minutes) motion to table was moved by Council-president Mincey and it was second by Councilman Pasquale, that the open Session meeting minutes be tabled. There being five (5) ayes, and no nays, the January 7, 2020 minutes were tabled. Motion carried by Madam Mayor Thomas.

COMMITTEE REPORTS:

Buildings & Grounds: Councilman Pasquale reported that he is presently working with a recycling company to handle all out dated computers stored at the old public works building, Fire Company, ambulance hall and Municipal building. Motion to receive and file report, was made by Councilman Oliver, motion was second by Councilman Bercute. All in favor, none oppose, motion carried by Madam Mayor Thomas.

General Government: Councilman Washington, Jr., had nothing to report.

Housing/Zoning & Planning/Shade Tree: Councilwoman Scott gave forth the Housing Inspection and Zoning Report for the month of December, 2019: Twenty-Seven (27) Housing Inspections were performed: Seventeen (17) Initial Inspection, Ten (10) Re-Inspection; Thirty-Seven (37) Pending Certification of Occupancy: Twenty-nine (29) a waiting Re-Inspection ,Eight (8) completed pending tenant occupancy; Twenty-Seven (27) Certificate OF Occupancy Issued: Twenty-One (21) New tenant certificate of occupancy, six (6) Resale/tenant certificate of occupancy.

Two (2) Zoning use permits were applied for: 28 E. Union St. – Garage Demo, 29 Penn St. – Garage Demo One-hundred-one (101) e-mails were handled. Forty-six (46) Outbound, fifty-five (55) Inbound, forty-three (43) recorded messages received and processed, twenty (20) housing/ zoning letters issued: nineteen (19) first time notices, one (1) second and final notice, three (3) housing/Zoning Violation were resolved. Fourteen (14) summons Issued.

Motion to receive and file report, was made by Councilman Oliver, motion was second by Council-President Poindexter. All in favor, none oppose, motion carried by Madam Mayor Thomas.

Councilwoman Scott gave forth the December 2019 year end Housing and Zoning report. The Penns Grove housing officer conducted four-hundred, thirty-nine (439) Inspection during the year of 2019 of which Two Hundred, Ninety- Nine (299) were initial inspections with an additional One-Hundred, forty (140) Re-Inspections, Two-hundred, Seventy-five Certificate of occupancy were Issued as a result. Seventy-three (73) zoning use permits were applied for with sixty-seven (67) of them granted and four (4) denied. Twenty-one (21) Applications were from Solar Array Installations and Ten (10) were for building demolition.

One Thousand, Six-hundred-twenty-eight (1,628) e-mails were registered, Eight-hundred-fifteen (815) outbound, Eight-hundred-thirteen Inbound nature.

Seven-hundred, twenty-six (726) recorded messages were received and processed accordingly.

One-hundred, sixty-eight (168) Initial housing/zoning violation letters were prepared and mailed, resulting Ninety-five (95) Municipal court summons issued. Two landlord meetings were conducted in 2019 with fifty-nine (59) landlords in attendance. The 2019 February meeting centered on inspection procedures and the 2019 October meeting centered on the free Penns Grove Police Department Background check procedures offered to landlords on prospective tenants prior to occupancy.

Motion to receive and file report, was made by Councilman Oliver, motion was second by Councilman Bercute. All in favor, none oppose, motion carried by Madam Mayor Thomas.

Parks & Recreation/Board of Health: Councilman Bercute gave forth the Board of Health Report: Code Enforcement December 2019 Report: Thirty (30) Inspection Completed, thirty (30) ten-day notices Issued, three (3) summons Issued, fifteen (15) received complaints. The Code Enforcement Officer also translates for the Borough of Penns Grove.

Vital Statistics Report: none, Animal Control Report: will be looking for recommendations of a reputable company that conducts animal census (dogs/cats), Animal Registrars Report: Free Rabies Vaccination Annual Clinic for cats and dogs has been scheduled from 8:00 a.m. to 10:00 a.m. on Saturday April 11, 2020 at the old public works building.

Parks & Recreation committee report: none.

Motion to receive and file report, was made by Councilwoman Scott, motion was second by Councilman Oliver. All in favor, none oppose, motion carried by Madam Mayor Thomas

Public Works/Streets & Roads: Councilman Oliver had nothing to report.

Public Safety: Council-President Mincey had nothing to report.

SOLICITORS REPORT: Adam Telsey had nothing to report.

FINANCE OFFICERS REPORT: Chief Finance Officer reported that Mayor and Council received a copy of the budget status report. Budget Expenditure Ratio based on the Temporary Budget as of 1/21/2020 is 23.08 %

Chief Finance Officer Labb mentioned that he is currently working on the fourth quarter Federal 94I and State of New Jersey WR Forms. Edmunds System closeout and rollover for 2020.

Motion to receive and file report, was made by Councilman Oliver, motion was second by Councilwoman Scott. All in favor, none oppose, motion carried by Madam Mayor Thomas

CHIEF OF POLICE REPORTS: Chief Riley gave forth the Police Report from December 1, 2019 to January 15, 2020. Calls for service: one-thousand-ninety-nine (1,099); Adult arrest: fifty-three (53); traffic summons: Forty-two (42); DWI arrest: Four (4)

Hiring process- Application submittal is closed as of January 20, 2020 background investigations are being conducted.

Rescinding of Ptlm. Paul Psensky's resignation with a brief explanation of the circumstances.

Motion to receive and file report, was made by Councilman Oliver, motion was second by Councilwoman Scott. All in favor, none oppose, motion carried by Madam Mayor Thomas

FIRE CHIEF REPORTS: Adam Hartsough was not present, therefor no report.

CLERK'S REPORT: Kayla Veltman had nothing to report.

RESOLUTION(S):

2020-1-15 – A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER ONE REQUIREMENTS

Whereas, the Borough of Penns Grove is a member of the TRICO JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

Whereas, through its membership in the TRICO JIF, the Borough of Penns Grove enjoys cyber liability insurance coverage to protect the Borough of Penns Grove from the potential devastating costs associated with a cyber related claim; and

Whereas, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

Whereas, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1 & Tier 2 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Borough of Penns Grove; and

Whereas, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Borough of Penns Grove to claim a reimbursement of a paid insurance deductible in the event the member files a claim against Borough of Penns Grove's cyber insurance policy, administered through the TRICO JIF and the Municipal Excess Liability Joint Insurance Fund;

Now Therefore Be It Resolved, that the Borough of Penns Grove does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 1 of the NJ MEL Cyber Risk Management Plan;

- System and data back-up
- Security and system patching
- Defensive software
- Security Awareness Training
- Incident Response Plan

And, Be It Further Resolved, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

Madam Mayor Thomas requested a motion to adopt Resolution 2020-1-15, motion was made by Councilman Oliver, and was second by Council-President Mincey. All in favor, none oppose, motion carried by Madam Mayor Thomas.

2020-1-16 – A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER TWO REQUIREMENTS

Whereas, the Borough of Penns Grove is a member of the TRICO JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and Whereas, through its membership in the TRICO JIF, the Borough of Penns Grove enjoys cyber liability insurance coverage to protect the Borough of Penns Grove from the potential devastating costs associated with a cyber related claim; and

Whereas, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

Whereas, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1 & Tier 2 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Borough of Penns Grove; and

Whereas, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Borough of Penns Grove to claim a reimbursement of a paid insurance deductible in the event the member files a claim against Borough of Penns Grove's cyber insurance policy, administered through TRICO JIF and the Municipal Excess Liability Joint Insurance Fund;

Now Therefore Be It Resolved, that the Borough of Penns Grove does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 2 of the NJ MEL Cyber Risk Management Plan;

- Server Security
- Limiting Access Privileges
- Acceptable Use of Internet and Email
- Protection of Data
- Passwords Policy
- Appropriate level of Technology Support
- Leadership has Expertise to Support Technology Decision Making

And, Be It Further Resolved, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval

Madam Mayor Thomas requested a motion to adopt Resolution 2020-1-16, motion was made by Councilman Oliver, and was second by Councilman Pasquale. All in favor, none oppose, motion carried by Madam Mayor Thomas.

2020-1-17 – RESOLUTION REVISING MEETING DATE SCHEDULE

WHEREAS, on January 7, 2020, the Mayor and Council of the Borough of Penns Grove passed Resolution 2020-1-3 setting forth the meeting dates and times for Borough Council Meetings for the 2020 year pursuant to the provisions of N.J.S.A. 40:88-1 and the Municipal Codes and Ordinances of the Borough of Penns Grove; and

WHEREAS, the Mayor and Council would like to revise Resolution 2020-1-3 so that meetings shall be held on the first Tuesday of each month only and there shall be no meetings on the third Tuesday of the month; and

WHEREAS, the meeting time shall commence at 6:00 p.m. for Executive Session, if necessary and 6:30 for the Regular Session; and

WHEREAS, to the extent any regularly scheduled meeting shall fall on a Primary or General Election day, "National Night Out" and/or a legal holiday, the regularly scheduled meeting will be held on the following day at the aforementioned time;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove, that the aforementioned changes to the Council meeting schedule are hereby approved;

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

Madam Mayor Thomas requested a motion to adopt Resolution 2020-1-17, motion was made by Councilman Oliver, and was second by Council-President Mincey. All in favor, none oppose, motion carried by Madam Mayor Thomas.

2020-1-18 – RESOLUTION AUTHORIZING VARIOUS EMPLOYEE AND VOLUNTEER APPOINTMENTS FOR CALENDAR YEAR 2020

WHEREAS, the Borough of Penns Grove has a need to fill various positions within the municipality;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the following employees and volunteers be appointed to the respective offices:

<u>DEPARTMENT(S)</u>	<u>EMPLOYEE/VOLUNTEER</u>	<u>TERM</u>
<u>Board of Health:</u>		
Dog Registrar	Kayla M. Veltman	1 year
<u>General Government:</u>		
Benefits Administrator	Sharon R. Williams	1 year
Supervising Certifying Agent	Stephen F. Labb	1 year
Certifying Agent	Ericka A. Walker	1 year
Claims Coordinator	Sharon R. Williams	1 year
EPL Hotline Contact	Stephen F. Labb	1 year
Additional EPL Hotline Contact	Sharon R. Williams	1 year
Fund Commissioner	Councilman Mike Bercute	1 year
Alternate Fund Commissioner	Council President Carol Mincey	1 year
Municipal Search Officer	Sharon R. Williams	1 year
Public Agency Compliance Officer	Sharon R. Williams	1 year
Solid Waste Advisor	Mark Oliver	1 year
Tax Collector	Jennifer Koeturius	1 year
<u>Planning/Housing/Zoning</u>		
Fair Housing Officer	Edward Ramsey	1 year
Zoning Officer	Edward Ramsey	1 year
 <u>Planning Board:</u>		
Class I Member	Mayor LaDaena D. Thomas	4 year
Class III Member (Council)	Louis Pasquale	4 year
Class IV Member	Gregory Wright (unexpired term of Mincey)	4 year
Class IV Member	Irene Scarpaci	4 year
Class IV Member (Alternate)	Kenneth James	2 year
Class II Member (Employee)	Enid Reyes	1 year
 <u>Public Safety:</u>		
Court Administrator	Sharon O. Bye	1 year
Deputy Court Administrator	Charmaine Bennefield	1 year
Deputy Emergency Management	John Ashcraft	1 year
NIMS Coordinator	John Boucher	1 year
Right-To-Know Coordinator	Kayla M. Veltman	1 year
Safety Coordinator	Mayor LaDaena D. Thomas	1 year
 <u>Public Works:</u>		
Clean Communities Coordinator	Councilman Mike Bercute	1 year
Stormwater Management Coordinator	Joseph Santogrossi, DPW Superintendent	1 year
Recycling Coordinator	Joseph Santogrossi, DPW Superintendent	1 year
 <u>Sewerage Authority</u>		
Commissioner	John Scarpaci	5 year

BE IT FURTHER RESOLVED, that these appointments become effective immediately.

Madam Mayor Thomas requested a motion to adopt Resolution 2020-1-18, motion was made by Council-President Mincey, and was second by Councilman Oliver. All in favor, none oppose, motion carried by Madam Mayor Thomas.

2020-1-19 – A RESOLUTION REINITIATING A FAIR AND OPEN PROCESS FOR THE AWARD OF PROFESSIONAL SERVICE CONTRACTS WITH THE BOROUGH OF PENNS GROVE
WHEREAS, The Borough of Penns Grove requires the services of certain professionals; and
WHEREAS, retaining the services of qualified professionals for such positions has long been exempt from “public bidding” by N.J.S.A. 40A:11-5(a) due to the important policy consideration of allowing a body of elected officials to appoint candidates they deem to be most qualified and advantageous to the needs and goals of the municipality; and
WHEREAS, N.J.S.A. 19:44A-20.7 permits municipalities to establish a “fair and open process” that allows for public solicitation of qualifications of persons interested in providing such services when the total contract amount exceeds \$17,500.00; and
WHEREAS, the Borough has determined that establishing such a process protects its right to appoint the most qualified candidates while making the process more open and competitive; and
WHEREAS, the Borough has solicited qualifications of person interested in the position of engineer, auditor, municipal solicitor, bond counsel, grant consultant, in rem tax foreclosure attorney, planning board attorney and tax appeal attorney, all of which were due on December 13, 2019; and

WHEREAS, the Borough has received responses from various professionals in connection with the solicitation for qualifications from those professionals; and

WHEREAS, the Mayor and Council have reviewed the responses and are not satisfied with the number of responses which were received; and

WHEREAS, the Mayor and Council would therefore like to try to solicit additional proposals from qualified professionals so that it may make a more informed decision concerning the appointment of the aforementioned professionals; and

WHEREAS, the Mayor and Council have decided that there is no need for professionals, who previously submitted proposals, to submit new proposals, as all prior submissions will be considered when a decision is made concerning the appointment of the aforementioned professionals.

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 as follows:

1. The qualifications evaluation criteria for certain professionals attached hereto as Exhibit "A" are adopted in accordance with N.J.S.A. 19:44A-20-7 and have not been altered from the previous solicitation for qualifications from professionals.

2. The Borough Clerk shall advertise a notice of solicitation of qualifications for such positions in a form substantially similar to Exhibit "B" attached hereto. The Borough Clerk shall publish said notice at least 10 calendar days in advance of the date set forth therein as the deadline to submit proposals.

3. The Borough Clerk shall make the necessary arrangements to publicly open and announce all proposals received. The Borough Clerk shall forthwith thereafter review all proposals received and transmit them to the Borough Council with a report and recommendation.

4. Award of any contracts based on the submissions received shall be made by Resolution of the Borough of Penns Grove, after receipt of the materials from the Borough Clerk, at an open public meeting. In addition, the award of any contracts shall be conditioned upon the approval by the State of New Jersey Department of Consumer Affairs, Director of Local Government Services.

5. All professionals who submitted qualifications in response to the prior fair and open process shall not be required to re-submit and their prior submissions will be considered in making the final decision concerning the appointment of certain professionals for certain positions.

Madam Mayor Thomas requested a motion to adopt Resolution 2020-1-19, motion was made by Council-President Mincey, and was second by Councilman Pasquale, motion opposed was made by councilman Oliver, Discussion: Councilman Oliver does not believe that any changes should be made. He believes that the Borough of Penns Grove should continue to use the Professional Services of the professionals from CY 2019. He continues to say that it would be a mistake and does not want to risk losing any information during a transition. Councilman Oliver stated that there have not been any complaints of the Professionals and recommend Borough Council to take time this year to review and analyze on how they should decide for next year. Councilman Pasquale and councilwoman Scott agrees with Councilman Oliver.

Madam Mayor Thomas requested a motion to Table Resolution 2020-1-19, motion tabled was made by councilman Oliver, and second by Councilman Bercute. All in favor, none oppose, motion carried by Madam Mayor Thomas.

Roll call: Mr. Bercute – yes, Ms. Mincey- yes, Mr. Oliver- yes, Mr. Pasquale- yes, Ms. Scott-yes, Mr. Washington, Jr., -yes.

Adam Telsey let it be known that Resolution 2020-1-19 after discussion has been tabled to a further date, therefore no action has been taken.

2020-1-20 – A RESOLUTION TO HOLD OVER ALL PROFESSIONALS APPOINTED IN 2019

WHEREAS, the Borough of Penns Grove requires the services of certain professionals, such as engineer, solicitor, auditor, bond counsel, grant consultant, in rem foreclosure attorney and tax appeal attorney (the "Professionals") and

WHEREAS, the Borough is currently reviewing and evaluating its Professional appointments for the year 2020; and

WHEREAS, the Borough does not expect to be ready to make the appointments of Professionals until the regular meeting set forth March 3, 2020; and

WHEREAS, until such time as Professionals are appointed for the year of 2020, the Borough would like to hold over all Professionals who were appointed for the year 2019 and served the Borough during the year 2019.

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 as follows:

1. All Professionals appointed for the 2019 and who served the Borough of Penns Grove during 2019 shall be in a holdover status until such time as the Borough appoints professionals for the 2020 year.

2. All holdover Professionals shall continue to work under the same terms and conditions set forth in the 2019 contracts.

Madam Mayor Thomas requested a motion to adopt Resolution 2020-1-20, motion was made by Councilman Bercute, and was second by Councilman Oliver. All in favor, none oppose, motion carried by Madam Mayor Thomas.

ORDINANCE(S):

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

(TITLE ONLY)

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.
- (16) To perform such other duties as may be required by the Mayor and Council.

Adam Telsey made a comment, with regard to how the Ordinance is written. He stated that one of the oversight powers of the Business Administrator could be an issue, as it relates to the Police Department. Adam Telsey would like to make a change to the Ordinance whereas it indicates that the Business Administrator has oversight of all departments to the extent provided by law.

Madam Mayor Thomas requested a motion to adopt Ordinance 2020-1, motion was made by councilman Bercute, and was second by Council-President Mincey. Motion opposed was made by councilman Oliver, Discussion: Councilman Oliver stated that he would like to make a motion to table Ordinance 2020-1. He let it be known that the Borough of Penns Grove doesn't need a Borough Administrator. Councilman Oliver questioned if this position has been approved by the state. In response, Madam Mayor Thomas confirmed that the position has been approved by DCA and that the position was recommended by the Department of Community Affairs (DCA). Councilman Bercute made comments of how a Business Administrator would be good for the Borough of Penns Grove; he further mentioned that all elective officials are part-time and having a business administrator would help move the town forward. Councilman Oliver and Councilwoman Scott disagrees with Councilman Bercute. Councilman Pasquale mentioned that it would be overlapping to have a Business Administrator and that it would take away responsibilities of the Borough's Attorney as well as taking duties away from full time employees in various departments of the Borough. Councilman Pasquale mentioned that an Individual as a Business Administrator, would be able to generate one-hundred-thousand (100,000) dollar income; mentioning that the Borough of Penns Grove doesn't necessarily have the funds to give. Councilman Pasquale suggest that the Borough of Penns Grove should continue to operate without a Business Administrator during this time and re-address it at a further date with more aggressive measures. Council-President Mincey doesn't understand why the Borough council is hindering a change. Councilman Washington, Jr., made it clear that he did not get an impression from the state monitor making recommendations of needing to create such a position within the Borough of Penns Grove. Madam Mayor Thomas stated that the current job descriptions in place for current employees, need to be revised. Having a Business Administrator would be effective in restructuring job descriptions for the current employees. Councilman Washington, Jr., questioned Madam Mayor if she has been available to meet with department heads and find out their strengths and weaknesses, to see if having a business

administrator would be effective to other employees. In response Madam Mayor said “No”. Councilman Pasquale would be more interested in creating a position for Economic Development; suggesting that an individual in charge of economic development would help the town move forward in the right direction. Councilman Pasquale is not in favor of having a Business Administrator over small departments doing three tasks at a time. He also gave an example, stating that a business administrators job is to give directions to departments with expectations of employees to complete task without help from the business administrator. Councilman Washington, Jr., made a comment about how current employees have been employed at the borough without a raise for several years. Councilman Washington, Jr., let it be known that it would be more appropriate to compensate salary or hourly rate to current employees before finding money for a business administrator. Councilman Washington, Jr., made a suggestion to Madam Mayor Thomas and Council-President Mincey to meet with department heads and identify departments weaknesses and strengths. Councilwoman Scott stated that she’s not against the ordinance, but she also made recommendations for Borough council to come together and work together first.

Madam Mayor Thomas requested a motion to Table Ordinance 2020-1, motion tabled was made by councilman Oliver, and second by Councilman Washington, Jr... All in favor, none oppose, motion carried by Madam Mayor Thomas.

Adam Telsey stated that the motion made deals with the whole underlining of the ordinance and that this matter has been tabled.

OLD/NEW BUSINESS:

Madam Mayor Thomas made a request to rescind Paul Psensky resignation letter, motion was made by Councilman Washington, Jr., and second by Councilman Pasquale. All in favor, none oppose, motion carried by Madam Mayor Thomas.

Madam Mayor Thomas let it be known that it will no longer be tolerated to allow officers to resign, leave and return back to the Penns Grove Police Department.

Mayor and Council Workshops – Agenda item skipped at 7:39 p.m.

PAYMENT OF BILLS:

Madam Mayor Thomas made a request to pay bills, motion to approve was made by Councilman Pasquale, and second by Councilman Oliver. All in favor, none oppose, motion carried by Madam Mayor Thomas.

PUBLIC SESSION:

Madam Mayor Thomas opened the floor for the public to comment.

Mr. Walter Hudson - Penns Grove, NJ – thought tonight’s meeting was interesting, he compared former administration vs. new administration and explained that he has never witness this much resistance from certain council members. He further continued to say “if it was the former Mayor sitting in the seat it wouldn’t have been a problem passing the ordinance”. Moving along to a new topic, Walter Hudson mention that he has been very critical of education and he would like to see Madam Mayor LaDaena Thomas make education a priority in Penns Grove; with a much progressive approach. Walter Hudson mentioned that he would like for the Penns Grove Mayor to be involved in school education, just like North Jersey Mayors are involve with holding school districts accountable for what should be done. He mentioned that the expectations of change is very important to him and that he will be paying close attention.

Mrs. Irene Scarpaci – Penns Grove, Nj – Thanked everyone on the appointment for the position on Penns Grove Planning Board. She also took the time to remind everyone that three of the elective officials ran a platform “to make a change” , Irene Scarpaci made a request that council support new members. Irene Scarpaci mentioned that Madam Mayor Thomas did not get transitional training and that it wouldn’t be a bad idea to have a Business Administrator to assist in her transition.

Mr. Carter- 7 Iona Avenue, Penns Grove, NJ – stood up to say that he has made several of the same complaints, about trash and debris landing on his property from Dollar General within the past nine (9) years. He made note of his first complaint under new administration and he would like to see an effective change.

Mr. Greg Martin – Ppenns Grove, NJ – made a comment about how its not appropriate for a business owner to be a board member and that it might be a conflict of interest for Mrs. Scarpaci to be on Planning Board.

Mr. Armondo Vedeccchio – Mill Street, Penns Grove, Nj – stood up to introduce himself as a current member of the Penns Grove Planning Board. He mentioned that he is a business owner within the Borough and that he is well aware of the code of ethics and he does not overrise his authority.

Madam Mayor Thomas made a comment to Greg Martin that her mission is to work with a lot of citizens within the community and that she may want to encourage people owning businesses to sit as a board member or council member. Madam Mayor Thomas will not prevent anyone from sitting on any board unless there were any rules behind such matters.

Mr. Peter Washington – Penns Grove, Nj – stated that there are five-hundred-sixty-five (565) Municipalities in the state of New Jersey and only five (5) forms of government. He questioned if it's appropriate for the Borough to create a position such as a Business Administrator. He inquired about the salary and if the position would be part time or full time.

In response to Mr. Peter Washington's question, Adam Telsey replied that theirs nothing wrong in having a Business Administrator; if Mayor and Council deems that a position is necessary. Madam Mayor Thomas followed up to respond that a salary ordinance will be created after discovering salary for Business Administrator of other surrounding municipalities and that the Business Administrator position would begin as a part-time position.

Ms. Christine Schuller – South Broad Street, Penns Grove, NJ – stood up to address issues of Borough owned property being turned over to bidders and would like for contracts to have a stipulation of six (6) month to rehab property sold by the Borough of Penns Grove. Adam Telsey explained that he takes direction from Mayor and Council and will write any contract based on the direction of the governing body.


Mr. Peter Washington – Penns Grove, NJ – stood up to say that each councilmember has responsibilities and he further mentioned that he's aware of all councilmembers each have a chair on a committee. He questioned who is currently responsible of overseeing the department heads. Councilman Washington Jr., stated that he's newly appointed to the General Government chair position and that he is responsible of overseeing department heads. Mr. Peter Washington is not opposing Madam Mayor's proposal, as long as it doesn't affect tax payers money; he's unsure why it's necessary to create a position, when theirs a system already in place.

Madam Mayor Thomas made a request to close the floor for public comments, motion to close was made by Councilman Washington, Jr., and second by Councilwoman Scott. All in favor, none oppose, motion carried by Madam Mayor Thomas.

Madam Mayor Thomas, thanked everyone who attended, for coming out this evening.

ADJOURNMENT.

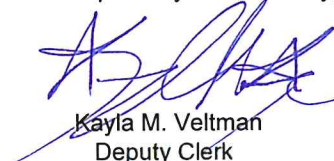
Motion to adjourn the meeting at 8:37 p.m. was moved by Councilwoman Scott, and seconded by Councilman Bercute, All in favor. Motion carried by Madam Mayor Thomas.


LaDaena Thomas, Madam Mayor of Penns Grove

Submitted: April 3, 2020

Approved: April 21, 2020

Respectfully Submitted by,


Kayla M. Veltman
Deputy Clerk