BOROUGH OF PENNS GROVE COUNTY OF SALEM, STATE OF NEW JERSEY MAYOR AND COUNCIL REGULAR MEETING MINUTES October 6, 2020 – 6:30 P.M.

The Regular Meeting of the Borough of Penns Grove Council was called to order by Madam Mayor LaDaena Thomas at 6:30 p.m. Due to the Corona Virus outbreak, and subsequent closure of the municipal building, the meeting was conducted via telephone conference using the online platform zoom.

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 October 2, 2020.

At this time Madam Mayor LaDaena Thomas asked everyone to stand or sit tall for the Pledge of Allegiance.

Invocation was led by Municipal Clerk Sharon Williams.

STATEMENT: In accordance with section V of the Open Public Meetings Act, Chapter 231 P.L 1975, 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 and was emailed to the official newspaper as provided by Resolution.

ROLL CALL: Present were: Councilman Mike Bercute, Council-President Carol Mincey, Councilman Mark Oliver, Councilman Louis Pasquale, and Councilwoman Deborah Scott.

Absent Were: None.

Also, present were: Madam Mayor LaDaena Thomas, Joseph Lento, Acting Borough Solicitor, Stephen Labb, Chief Finance Officer, Sharon Williams, Municipal Clerk, Kayla Veltman, Deputy Municipal Clerk.

PAYMENT OF BILLS & APPROVAL OF BILL OF BILL LIST: Motion: <u>Bercute</u> Second: <u>Mincey</u> Voice Vote: <u>Six (6)</u> Madam Mayor Thomas requested a motion for payment of bills and approval of bill list. Motion was made by Councilman Bercute and it was seconded by Council-President Mincey; motion was opposed by Councilman Mark Oliver. Discussion: Councilman Oliver inquired about two Invoices submitted by Lento Law Group. Councilman Oliver stated that Councilman Pasquale raised awareness at the previous Mayor and Council meeting, on September 11TH. Councilman Oliver questioned if those bills have been rectified. Councilman Pasquale mentioned that he has not gained any information in regards to Mr. Lento's invoices. Madam Mayor LaDaena Thomas questioned the issue. Councilman Mark Oliver explained to Madam Mayor Thomas, that Borough Council was not made aware of these private activities and legal fees. Council-President Mincey stated that there are no such bills on the bill list. Councilman Mark Oliver pointed out invoices listed, on the bill list. He referenced page number 3: Item Number 5: Mincey v. Washington.

Item Number 6: Chief Riley Matter.

Services totaling up to Ten thousand, three hundred sixty-two dollars and seventy-five cents (\$10, 362.75)

Councilman Mark Oliver mentioned that Borough Council was not made aware of those services. He also asked Madam Mayor Thomas if Borough Council is required to pay such legal fees.

Mr. Joseph Lento stated that there are no private legal bills, he further mentioned that all legal services were done on behalf of Borough Council. Councilman Oliver questioned Mr. Lento if those legal services were authorized by Borough Council. Mr. Lento simply responded and said that all services were done on behalf of Borough Council. Councilman Oliver acknowledge that Mr. Lento's response was not an answer to Councilman Oliver's questioned. Councilman Oliver continued to ask Mr. Lento if those legal services were authorized by Borough Council. Mr. Lento gave forth his response, stating that all legal services performed were done on behalf of Borough Council; Mr. Lento also explained to Councilman Oliver that it's not the matter of services being authorized by Borough Council, Mr. Lento expressed that it was services in need of being performed.

Councilman Oliver let it be known that he was not questioning Mr. Lento's performance. Councilman Oliver made it clear that he was more focused on "who" gave Mr. Lento authorization to perform such services. Councilman Oliver explained to Mr. Lento that those services in which Mr. Lento performed

was not authorized by Borough Council. Councilman Oliver mentioned that Borough Council has not met to discuss any lawsuits or personnel issues at any meetings. Madam Mayor Thomas let it be known to Councilman Oliver that he has the right to vote against or table any items. She also stated that "they" are in compliance of all codes.

Madam Mayor Thomas would like to proceed with approving the Bill List.

Councilman Pasquale made a motion to table Item Number 5 and Item Number 6

Madam Mayor Thomas reminded Councilman Pasquale, if Item Number 5 and Item Number 6 are being tabled, then the whole bill list will need to be tabled. Madam Mayor Thomas said that the Lento Law Group has done a job well done, she also stated that it's not fair to make Lento Law Group suffer.

Councilman Pasquale was not arguing Mr. Lentos job; Councilman Pasquale let it be known that Mr. Lento was not authorized, by Borough Council to perform such legal services.

Madam Mayor Thomas thought that Mr. Lento acted in his right capacity.

Councilman Pasquale asked Madam Mayor Thomas "who is responsible of paying Mr. Lento" Madam Mayor Thomas told Councilman Pasquale that "a Solicitor does not need to authorize every opinion or legal counsel". Madam Mayor Thomas stated that a motion has been made and will need to pay bills. Madam Mayor LaDaena Thomas called for a roll-call:

Councilman Bercute – yes, Council-President Mincey – yes, Councilman Oliver – No, Councilman Pasquale – No, Councilwoman Scott – No.

Madam Mayor Thomas said that they will need to pull the entire bill list.

Chief Finance Officer Labb interjected by bringing to Councils attention that certain bill are a priority in order for the Municipality to operate.

Madam Mayor Thomas asked if it's fair to have a "Borough Solicitor" to perform duties for free. Councilwoman Scott addressed Madam Mayor Thomas in regards of Mayor Thomas concerns. Councilwoman Scott said that the Borough Council should have been aware of those services. Councilwoman Scott mentioned that the issue became, when Borough Council was not made aware of such legal issues. Madam Mayor Thomas does not think it's fair to punish Mr. Lento for services performed.

Councilman Oliver asked if they can approve the bill list while placing Item Number 5 and Item Number 6 on hold. Councilman Oliver does not want to jeopardize the bill list. Madam Mayor Thomas reminded Council that "they" pulled those invoices at the September's meeting and she believes that it's a "malicious act" by Borough Council.

Councilman Oliver mentioned that he has nothing against Mr. Lento. However, Borough Council will need to know about such legal activity. Councilman Oliver expressed concerns of how process was authorized. Madam Mayor Thomas made it clear that Borough Council was made aware, when Councilman Washington was illegally appointed last year. Councilman Oliver mentioned that he was present during Councilman Washington's appointment, but he was not aware of any legal services provided for Council-President Mincey v. Washington.

Madam Mayor Thomas stated that legal services was also provided for Sharon Williams.

Madam Mayor LaDaena Thomas asked Borough Clerk to re-do roll-call:

Councilman Bercute – yes, Council-President Mincey – yes, Councilman Oliver – abstain, Councilman Pasquale – No, Councilwoman Scott – No.

There being two (2) ayes, one (1) abstain, and two (2) nays.

Mr. Lento provided legal advice during the vote process, and mentioned that Madam Mayor Thomas has the ability to break the tie.

Madam Mayor Thomas broke the tie and voted yes.

The payment of bill list has effectively been approved.

APPROVAL OF MINUTES:

Minutes were not available at this time.

PUBLIC PORTION FOR AGENDA ITEMS ONLY:

This portion of the meeting is provided for comments on Agenda items only. There will be a public portion later in the meeting for general comments. If you have any comments, please state your name and address for the record.

Motion to open to the public for agenda items only:

Motion: Oliver Second: Bercute Voice Vote Five (5)

Motion to close public portion on agenda items:

Motion: Bercute Second: Oliver Voice Vote Five (5)

INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION BY CONSENT:

<u>2020-10-141</u> – RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE BOROUGH OF PENNS GROVE AND TRIAD ASSOCIATES FOR PROFESSIONAL SERVICES FOR GRANT SERVICES FOR USDA RURAL DEVELOPMENT COMMUNITY FACILITIES APPLICATION – PURCHASE OF AIR PACKS.

2020-10-142 - RESOLUTION ADOPTING AGENDA POLICY

2020-10-143 - A RESOLUTION AUTHORIZING THE SALE OF VARIOUS PENNS GROVE PROPERTIES

<u>2020-10-144</u> – A RESOLUTION AUTHORIZING THE INVITATION OF BIDS FOR SALE BY THE BOROUGH OF PENNS GROVE OF REAL PROPERTY

2020-10-146 – A RESOLUTION AUTHORIZING THE EMERGENT DEMOLITION OF 123 TYRONE AVENUE, PENNS GROVE, NJ PER PENNS GROVE BOROUGH CODE §206-6

2020-10-147 – A RESOLUTION ACCEPTING DONATION OF 53 W. PITMAN STREET, PENNS GROVE, NJ 08069 (BLOCK #13 AND LOT #8)

2020-10-148 — A RESOLUTION AUTHORIZING THE DEMOLITION OF 110 TURNER AVENUE, PENNS GROVE, NJ PER PENNS GROVE BOROUGH CODE § 206-6

2020-10-149 – A RESOLUTION AUTHORIZING EMERGENCY TEMPORARY BUDGET RESOLUTION

Council-President Mincey pointed out Resolution 2020-10-146, she stated that she spoke with the MCFO and he advised her that Borough Council will need to be cautious with approving that particular resolution. Council-President Mincey advised Borough Council that a motion will need to be made "pending funds being available"

Borough Clerk Sharon Williams stated that Council will need to pull Resolution 2020-10-146 in order to make a motion to approve resolutions by consent.

Madam Mayor LaDaena Thomas requested a motion to adopt Resolutions, with the exclusion of Resolution 2020-10-146. It was moved by Councilman Mike Bercute and it was seconded by Council-President Carol Mincey. All in favor, motion carried by Madam Mayor LaDaena Thomas.

Roll Call: Ayes – Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott. Nays – None

There being five (5) ayes and no nays, to adopt Resolutions by consent, with the exclusion of 2020-10-146.

Motion: Bercute Second: Mincey Roll Call Vote: Five (5)

INTRODUCTION OF ORDINANCE(S) FOR FIRST READING:

This is the first reading and introduction. The public hearing for these ordinances will be on November 4, 2020 at 6:30 p.m.

2020-14 - ORDINANCE CREATING A CITIZENS' POLICE ADVISORY BOARD

Madam Mayor LaDaena Thomas requested a motion to adopt Ordinance 2020-14

Motion was made by Council-President Mincey, and was second by Councilman Bercute. Motion carried by Madam Mayor LaDaena Thomas.

Roll Call: Ayes – Mr. Bercute, Ms. Mincey, Ms. Scott Nays – Mr. Oliver, Mr. Pasquale

There being three (3) ayes and two (2) nays, to adopt Ordinance No. 2020-14 by title only.

Motion to adopt Ord. 2020-14 by introduction: Mincey Second Bercute Roll Call Vote: Five (5)

<u>2020-16</u> – BOND ORDINANCE PROVIDING FOR THE DEMOLITION OF BUILDINGS, IN AND BY THE BOROUGH OF PENNS GROVE, IN THE COUNTY OF SALEM, STATE OF NEW JERSEY; APPROPRIATING \$120,000

THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

Madam Mayor LaDaena Thomas requested a motion to adopt Ordinance 2020-16 Motion was made by Council-President Mincey, and was second by Councilman Bercute. Motion carried by Madam Mayor LaDaena Thomas.

Roll Call: Ayes – Mr. Bercute, Ms. Mincey, Mr. Oliver, Ms. Scott Nays – None

Councilman Pasquale was not in connection via zoom platform during roll call.

There being Four (4) ayes and zero (0) nays, to adopt Ordinance No. 2020-16 by title only.

Motion to adopt Ord. 2020-16 by introduction: Mincey Second Bercute Roll Call Vote: Four (4)

<u>2020-17</u> – AN ORDINANCE AMENDING CHAPTER 206 – BUILDINGS, UNFIT AND ABANDONED Madam Mayor LaDaena Thomas requested a motion to adopt Ordinance 2020-17 contingent on funds being available, motion was made by Councilman Bercute, and was second by Councilman Oliver. Motion carried by Madam Mayor LaDaena Thomas.

Roll Call: Ayes – Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott Nays – None

There being five (5) ayes and zero (0) nays, to adopt Ordinance No. 2020-17 by title only.

Motion to adopt Ord. 2020-17 by introduction Bercute Second Oliver Roll Call Vote Five (5)

2020-10-145 - RESOLUTION TO AMEND BUDGET

Madam Mayor LaDaena Thomas requested a motion to adopt Resolution 2020-10-145 Motion was made by Councilman Bercute, and was second by Councilman Oliver. Motion carried by Madam Mayor LaDaena Thomas.

Roll Call: Ayes – Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott Nays – None Motion to adopt: <u>Bercute Second Oliver Roll Call Vote</u> <u>Five (5)</u>

SECOND READING AND PUBLIC HEARING FOR ORDINANCE(S):

2020-9 – BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE PENNS GROVE SEWERAGE AUTHORITY; APPROPRIATING THE SUM OF \$400,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF PENNS GROVE, IN THE COUNTY OF SALEM, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$380,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Motion to open the public hearing on Ord. 2020-9: <u>Oliver Second</u>: <u>Bercute Voice Vote</u>: <u>Five (5)</u> Roll Call: Ayes – Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott

Nays - None

No public comments

Motion to close the public hearing on Ord. 2020-9: Bercute Second: Mincey Voice Vote: Five (5)

Roll Call: Ayes - Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott

Nays - None

Madam Mayor LaDaena Thomas requested a motion to adopt Ordinance 2020-9

Motion to adopt Ordinance 2020-9: Bercute Second Oliver Roll Call Vote Five (5)

Roll Call: Ayes – Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott

Nays - None

Madam Mayor Thomas requested a motion to open the meeting for public comments on all of the remaining ordinances listed below.

Motion to open the public hearing on all of the remaining ordinances listed below: Mincey Second:

Scott Voice Vote: Five (5)

Roll Call: Ayes – Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott

Nays - None

No public Comments

Motion to close the public hearing on all of the remaining ordinances listed below: Oliver

Second: Scott Voice Vote: Five (5)

Roll Call: Ayes - Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott

Nays - None

<u>2020-10</u> – AN ORDINANCE AMENDING CHAPTER 103, **OF THE COD**E OF THE BOROUGH OF PENNS GROVE – (VOLUNTEERS)

Madam Mayor LaDaena Thomas requested a motion to adopt Ordinance 2020-10

Motion to adopt Ord. 2020-10: Oliver Second: Bercute Roll Call Vote: Five (5)

Roll Call: Ayes - Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott

Nays - None

<u>2020-11</u> – AN ORDINANCE AMENDING CHAPTER 110, OF THE CODE OF THE BOROUGH OF PENNS GROVE – (DIRECT DEPOSIT)

Madam Mayor LaDaena Thomas requested a motion to adopt Ordinance 2020-11

Motion to adopt Ord. 2020-11: Oliver Second: Pasquale Roll Call Vote: Five (5)

Roll Call: Ayes - Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott

Nays - None

2020-12 - AN ORDINANCE CREATING AN ECONOMIC AND DEVELOPMENT BOARD

Madam Mayor LaDaena Thomas requested a motion to adopt Ordinance 2020-12

Motion to adopt Ordinance 2020-12: Oliver Second Mincey Roll Call Vote: Five (5)

Roll Call: Ayes - Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott

Nays - None

<u>2020-13</u> – AN ORDINANCE AMENDING CHAPTER 247 OF THE CODE OF THE BOROUGH OF PENNS GROVE (BONFIRES & PITS)

Madam Mayor LaDaena Thomas requested a motion to adopt Ordinance 2020-13

Motion to adopt Ord. 2020-13: Mincey Second: Oliver Roll Call Vote: Five (5)

Roll Call: Ayes - Mr. Bercute, Ms. Mincey, Mr. Oliver, Mr. Pasquale, Ms. Scott

Nays - None

COMMITTEE REPORTS:

Buildings & Grounds – (Pasquale, Bercute)

Councilman Pasquale gave forth his report.

He stated that he is in the process of removing nine empty filing cabinets from the old public works building

Councilman Pasquale mentioned that a person was wounded, dripping blood onto the carpet; while seeking service from the Penns Grove Police Department.

General Government – (Mincey, Scott)

Council-President Mincey gave forth the Municipal Clerks report for the Month of September, 2020

Housing/Zoning & Planning/Shade Tree – (Scott, Pasquale, Mincey)

Councilwoman Scott gave forth the Housing and Zoning report for the Month of September, 2020 Councilman Pasquale gave forth the Shade Tree report for the Month of September 2020

Parks & Recreation/Board of Health – (Bercute, Oliver, Pasquale)

Councilman Bercute reminded the Public that the Barber Avenue Park is still officially closed.

Councilman Bercute gave forth the Board of Health report for the Month of September 2020

-Code Enforcement Report

Borough Clerk Sharon Williams assisted Councilman Bercute by reading reports for the month of September, 2020:

- Animal Registration Report
- Vital Statistics Report

Councilman Bercute mentioned that Tyrone Jervey will soon be starting at the Borough hall, as a new employee for Penns Grove. Mr. Jervey is the Code Enforcement Officer and will be working under the jurisdiction of Board of Health.

Councilman Bercute also announced that there will be a Christmas house decorating Contest.

Public Works/Streets & Roads - (Oliver, Scott)

Councilman Oliver mentioned that he will be attending a meeting with Carneys Point Public Works Street Department, with the intent to discuss the existing contract with the Public Works Street department. Councilman Oliver mentioned that he's currently looking to receive estimates of a "street sweeper"

Public Safety – (Mincey, Bercute, Scott)

Council-President Mincey is looking into removing tires from the "old Broadway tires" building. She would like to include the clean-up cost as value to property, once property has been set up for auction.

DEPARTMENTAL REPORTS:

Finance Officer Report: Chief Finance Officer Stephen Labb compared last year budget with the current year budget and he believes that the amount collected this year will complement the following budget.

Chief of Police Report: Lieutenant Spera gave forth the Month of September 2020 Chief of Police report.

Fire Chief Report: Mr. Adam Hartsough reminded the Community that October is the Month of fire prevention month and Breast cancer awareness month. He also mentioned that if anyone needs smoke detectors, they shall reach out to him.

Ambulance/EMS Captain Report: Ms. Deborah Ashcraft spoke up on the Car Collision that recently occurred on October 1st in Penns Grove. Ms. Deborah Ashcraft mentioned that the current multiple shooting(s) in Penns Grove have been pretty extreme and very alarming.

Ms. Deborah Ashcraft commended the performance of Police Officers while assisting EMS.

Mayoral Comment: Madam Mayor LaDaena Thomas gave condolence to the families who recently lost their loved ones.

Madam Mayor Thomas invited the public to visit her Facebook page, were she has added a link for anyone who's interested in volunteering their time to walk with her against violence, in the streets of Penns Grove.

Attorney Report: Joseph Lento gave forth the September 2020 Attorney report.

APPOINTMENT(S):

Madam Mayor LaDaena Thomas appoints Mr. Arturo Hernandez-Cruz to be a volunteer for the Penns Grove Liberty One fire department.

REQUESTS:

Madam Mayor LaDaena Thomas requested authorization from Borough Council to participate with the donation of Penns Grove Housing Authority Thanksgiving Dinner event. Motion was made by Councilwoman Scott and it was seconded by Councilman Oliver.

Madam Mayor Thomas requested a roll call from Borough Clerk

Councilman Bercute – yes, Council-President Mincey – no, Councilman Oliver – no, Councilman Pasquale – yes, Councilwoman Scott – yes.

OLD BUSINESS: No old business was discussed at this meeting.

NEW BUSINESS:

Madam Mayor LaDaena Thomas would like to bring together a town hall meeting with a few council members.

Council-President Mincey stated that Halloween hours should begin at 4:00 p.m. and end at 8:00 p.m.

Borough Clerk, Sharon Williams announced to everyone present, that the new polling place for this year will be at the former Washington Club and the information of new location will be advertised on the Borough's website and for those who did not receive "mail in ballots" will have the ability to vote provisional at the new polling place location.

PUBLIC PORTION:

Motion to open the public portion of the meeting Mincey Second: Bercute Voice Vote Five (5)

Mr. Ceaser Valenciano, Edgewater, NJ – inquired about a recently submitted OPRA request for a copy of the resolution 2020-8-110. He assumed that the OPRA request would have been placed on the Agenda for discussion. Mr. Valenciano made a request for Council to discuss his properties that was taken back by resolution.

Mr. Greg Martin, Penns Grove, NJ -questioned the Recreation Budget and He also inquired why Councilman Oliver voted against the introduction Of Ordinance 2020-14.

Ms. Anjanette Scott, Penns Grove, NJ – Ms. Anjanette Scott questioned reason for Barber Avenue park being closed. Ms. Anjanette Scott also made recommendation to Borough Council, in regards to conducting a Background check for people interested in joining the recreation committee.

Mr. Sean Brown, Camden City NJ – Mr. Sean Brown spoke highly of Madam Mayor LaDaena Thomas. Mr. Brown mentioned the obstacles that Madam Mayor Thomas has dealt with, while being in office; such as: deaths from Covid -19 and Murders that made the news, across the state of New Jersey. Mr. Brown also pointed out that Madam Mayor Thomas has held the Police Chief accountable, which he claims is unheard of. He also noted that Madam Mayor Thomas was proactive with the 2020 census. Mr. Brown believes that Madam Mayor Thomas has done some remarkable things for her community. Mr. Brown is in support of the walk against Violence, along with Madam Mayor Thomas. Mr. Brown shared that his mother has taught him respect, especially woman. Mr. Brown pointed out that Councilman Oliver has not been respectful, which lead Mr. Brown to remind Councilman Oliver of his expired term date.

Mr. Waiverly Thomas, Penns Grove NJ – In regards to the Trunk or Treat event, Mr. Thomas stated that Maple Avenue and Willis Street would be an appropriate location. Mr. Thomas reminded Councilman Pasquale, that he is still waiting to receive and inspect, the list of 80 properties from Councilman Pasquale.

Motion to close the public portion of the meeting Mincey Second Scott Voice Vote Five (5)

ADJOURNMENT:

Motion to adjourn the meeting at 8:51 p.m. Mincey Second Oliver Voice Vote Five (5) All in favor. Motion carried by Madam Mayor Thomas.

LaDaena Thomas, Madam Mayor of Penns Grove

Submitted: November 4, 2020

Respectfully Submitted by,

ayla M. Veltmar Deputy Clerk Approved: November 17, 2020