

BOROUGH OF PENNS GROVE
COUNTY OF SALEM, STATE OF NEW JERSEY
MAYOR AND COUNCIL SPECIAL MEETING

September 11, 2020 – 6:00 P.M.

OPENING – 6:00 P.M.

PLEDGE OF ALLEGIANCE – Led by Deputy Clerk.

INVOCATION by Deputy Clerk.

Mayor Thomas made the Open Public Meeting 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: Bercute-present, Mincey-present, Oliver-present, Pasquale-present, Scott-present.

PAYMENT OF BILLS & APPROVAL OF BILL LIST: Pasquale expressed concern regarding a bill submitted by Lento Law Group, in the amount of \$5759.00 for the Mincey vs Washington, and bill submitted with regard to the Police Chief. Pasquale expressed concern that these matters were not approved by Council. Mayor advised that the two items will be discussed during an executive session meeting. Motion to approve Bill List, minus the two bills discussed by Mincey; second Bercute. Roll Call. All ayes.

Mayor requested all governing body members to utilize the visual feature on their devices. Mr. Lento advised, that those not on camera, should abstain.

APPROVAL OF MINUTES: Motion to adopt the July 8, 2020 Regular Session minutes by Bercute, second Mincey. Roll call. All ayes.

Motion to adopt the August 5, 2020 Regular Session minutes by Bercute. Oliver requested that the statement made by Walter Hudson be included in the minutes. Consensus to table minutes until corrected.

PUBLIC PORTION FOR AGENDA ITEMS ONLY:

Motion to open meeting to the public for agenda items only by Oliver; second Bercute. All in favor.

Motion to close meeting to the public for agenda items only by Bercute; second Mincey. All in favor.

RESOLUTIONS:

2020-9-133 – EMERGENCY APPROPRIATION RESOLUTION

Motion to adopt by Bercute; second Mincey. Roll Call. Bercute-yes, Mincey-yes, Oliver-yes, Pasquale-no, Scott-yes.

2020-9-136 – RESOLUTION ADOPTING AGENDA POLICY

Motion to table by Bercute; second Oliver. Roll call. All ayes.

INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION BY CONSENT:

2020-9-112 – RESOLUTION AUTHORIZING OVERPAYMENT TO CORELOGIC

2020-9-113 – RESOLUTION EXTENDING GRACE PERIOD FOR THE NOVEMBER 2020 TAX QUARTER

2020-9-114 – RESOLUTION AMENDING THE FY2020 UPDATE OF THE MUNICIPAL ALLIANCE STRATEGIC PLAN

2020-9-115 – RESOLUTION AUTHORIZING A PROPOSAL FOR PROFESSIONAL SERVICES FOR SICKELS AND ASSOCIATES – NEW GENERATOR AT STRAUGHENS LANE PUMP STATION

2020-9-116 – STORM WATER SYSTEM INFRASTRUCTURE IMPROVEMENTS TO EAST PITMAN STREET

2020-9-117 – GRANT MANAGEMENT PLAN FY2021 SMALL CITIES PROGRAM

2020-9-118 – CITIZEN PARTICIPATION PLAN FY2021

2020-9-119 – TO COMMIT TO THE COMPETITIVE CONTRACTING PROCUREMENT PROCESS PURSUANT TO NJSA 40A:11-4.1 THROUGH 40A:11-4.5 FOR CERTAIN PROFESSIONAL SERVICES, CONTINGENT UPON AN

FY2021 SMALL CITIES GRANT AWARD FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
FOR INFRASTRUCTURE IMPROVEMENTS ON EAST PITMAN STREET

2020-9-120 – IDENTIFYING CDBG FAIR HOUSING OFFICER – PUBLIC FACILITIES FUND: INFRASTRUCTURE IMPROVEMENTS ON EAST PITMAN STREET

2020-9-121 – RESOLUTION AUTHORIZING THE INVITATION OF BIDS FOR THE SALE BY THE BOROUGH OF PENNS GROVE OF REAL PROPERTY

2020-9-122 – RESOLUTION CANCELLING TAX BILLED AS BOROUGH OWNED

2020-9-123 – RESOLUTION CANCELLING TAX BILLED AS BOROUGH OWNED BY LIST NO. 2

2020-9-124 – RESOLUTION CANCELLING TAX BILLED AS BOROUGH OWNED

2020-9-125 – RESOLUTION CANCELLING TAX AS BOROUGH OWNED BY RECORDED DEED

2020-9-126 – A RESOLUTION AUTHORIZING THE EMERGENT DEMOLITION OF 51 W. PITMAN STREET, PENNS GROVE, NJ PER PENNS GROVE BOROUGH CODE § 206-6

2020-9-127 – A RESOLUTION AUTHORIZING THE EMERGENT DEMOLITION OF 55 W. PITMAN STREET, PENNS GROVE, NJ PER PENNS GROVE BOROUGH CODE § 206-6

2020-9-128 – A RESOLUTION AUTHORIZING THE EMERGENT DEMOLITION OF 78 NORTH BROAD STREET, PENNS GROVE, NJ PER PENNS GROVE BOROUGH CODE § 206-6

2020-9-129 – A RESOLUTION AUTHORIZING THE EMERGENT DEMOLITION OF 53 W. PITMAN STREET, PENNS GROVE, NJ PER PENNS GROVE BOROUGH CODE § 206-6

2020-9-130 – A RESOLUTION ACCEPTING DONATION OF 64 E. MAIN STREET, PENNS GOVE, NJ 08069 (BLOCK # 67 LOTS # 20, 20.02, 22, 23 & 26)

2020-9-131 – RESOLUTION VOIDING THE SALE OF PROPERTIES TO VALENCIANO CORPORATION

Bercute questioned if Mr. Valenciano was sent correspondence.

Mr. Lento stated correspondence was forwarded to Mr. Valenciano, but went unanswered.

2020-9-132 – EMERGENCY TEMPORARY BUDGET APPROPRIATION

2020-9-134 – A RESOLUTION AUTHORIZING THE RENEWAL OF ALCOHOLIC BEVERAGE LICENSES FOR THE 2020-2021 LICENSE TERM

2020-9-135 – RENEWAL OF INACTIVE ALCOHOLIC BEVERAGE RETAIL LICENSE FOR THE 2020-2021 LICENSE TERM

2020-9-137 – A RESOLUTION APPOINTING TYRONE JERVEY AS BOROUGH CODE ENFORCEMENT OFFICER

2020-9-138 – A RESOLUTION ACCEPTING PAYMENT PLAN FOR TAXES-VINCENT CAPECE

2020-9-139 – RESOLUTION AMENDING THE FY2021 UPDATE OF THE MUNICIPAL ALLIANCE STRATEGIC PLAN

Motion to adopt by consent Resolutions 2020-9-112 through 2020-9-132, 2020-9-134, 2020-9-135, 2020-9-137 through 2020-9-139 by Mincey; second Bercute. Roll call. Bercute-yes, Mincey-yes, Oliver-yes, Pasquale-abstained, Scott-abstained.

INTRODUCTION OF ORDINANCE(S) FOR FIRST READING:

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

Motion to table by Bercute; second Mincey. Roll call. All ayes.

2020-15 – AN ORDINANCE CREATING THE POSITION OF BUSINESS ADMINISTRATOR

Mayor stated that the position of Business Administrator is one which was recommended by the State Monitor.

Motion to adopt Ord. 2020-15 by introduction by Bercute; second Mincey. Roll call. Bercute-yes, Mincey-yes, Oliver-no, Pasquale-no, Scott-no.

COMMITTEE REPORTS:

Buildings & Grounds – Pasquale stated/addressed the following: grass cutting of 80 Borough owned properties and other abandoned properties; Boarded up of five buildings; “Do Not Drive on Walkway” signage posted at Riverwalk; “No Parking” signage posted at Fire Department building.

Housing/Zoning & Planning/Shade Tree – Scott stated/addressed the following: Housing report for the month of August 2020.

Pasquale advised that he contracted with Brandywine Tree for tree trimming and removal.

Mr. Lento questioned the process in contracting.

Pasquale stated two to three estimates were received.

Parks & Recreation/Board of Health – Bercute stated/addressed the following: Barber Avenue Park is closed until pandemic is resolved; Remembrance of victims due to ‘9-11’; expressed concern that animals aren’t being registered by the owner, suggested a notice to all and posting on website; expressed appreciation to Housing Officer, Edward Ramsay, who has been handling code enforcement complaints; Code Enforcement Report for the month of August 2020.

Mayor expressed concern regarding a severe roach infestation at 158 State Street. Mayor stated that the matter is being handled by the Housing Officer, Edward Ramsay, who is working along with the owner and County officials to resolve the issue.

Mayor suggested meeting to discuss solutions to reopen the Barber Avenue Park.

Public Works/Streets & Roads – Oliver stated/addressed the following: Requested residents assist in keeping their storm drains free of debris; Suggested resolution to conduct study needed for stormwater management, which would assist in resolving flooding issues; Meeting with Carneys Point Township to discuss Interlocal Agreement for Public Works.

Mayor Thomas addressed the flooding that takes place at Penn Village Apartments, expressing concern that many residents have lost belongings and some have been displaced. Mayor stated addressed the possibility of litigation from the residents. Mayor questioned the Borough’s role in resolving the flooding issues.

Oliver stated the need for an infrastructure study. Oliver stated the system is adequate for a normal rainfall, however, it cannot handle a 100-year flood. Oliver further stated that it is the Borough’s responsibility to insure that the infrastructure is working properly, however, the last storm caused major flooding throughout the Borough due to the water breaching the seawall.

Public Safety – Mincey stated/addressed the following: Municipal Clerk’s Report for the month of July 2020. Municipal Clerk’s Report for the month of August 2020. Fence at Riverwalk repaired and put back in place; Dumpster to be placed at left side of Riverwalk for the cleanup of illegally dumped items. Mincey requested residents to report illegal dumping. Grant for Fire Department parking lot has been extended. Spoke with county Mosquito Commission, who advised Broad Street ditch was cleaned in December, and Mill Street more recently. Mincey addressed the Clean Communities grant monies, stating that some of the funds are used to clean up abandoned properties.

Bercute suggested incorporating a policy to have items that have been illegally dumped, picked up by the Public Works Department.

Mayor Thomas addressed the many complaints received regarding businesses not requiring customers to wear masks. Mayor stated the need to enforce this requirement. Mayor suggested drafting an Ordinance. Mincey questioned who would enforce the Ordinance.

Oliver stated that it’s the business owner’s responsibility to enforce the law.

Pasquale suggested the Police enforce it by visiting the businesses periodically.

Lt. Spera suggested a meeting with the Police Committee to discuss enforcement.

DEPARTMENTAL REPORTS:

Finance Officer Report – Labb stated/addressed the following: Tax Collection rate has increased to 80.45 percent, which is an increase of 1.65 percent from last year.

Chief of Police Report – Lt. Spera stated/addressed the following: Police Report for the month of August 2020; staffing level of only 80 percent manpower.

Fire Chief Report – Chief Hartsough stated/addressed the following: New fire truck scheduled to be completed by September 23rd, and should be delivered within two to three weeks thereafter; The need for Air Pak bottles, further advising of an USDA Grant for the purchase of air paks.

Ambulance/EMS Captain Report – Deborah Ashcraft reported the following: 71 alarms during the month of August, 630 to date; expressed concern regarding Fire Department parking lot.

Mayoral Comment – Mayor requested a ‘moment of silence’ in remembrance of the ‘9-11’ victims; Mosquito Commission to spray a number of streets within the Borough.

Attorney Report – Joseph Lento, Attorney, stated/addressed the following: Matter of transfer of 41 South Virginia Avenue, deed was recorded, returning it to the Borough, on August 31, 2020. Transfer of 64 East Main Street, Block 67 LOTS # 20, 20.02, 22, 23, 24 and 26, contacted bank attorney. Ejectment order regarding 35-37 Westminster Avenue, waiting on Governor’s moratorium on ejectments to be vacated. Resolution passed regarding the void of sale to the Valenciano Corporation was voided as at the time of the sale, as the contract and buyer were revoked at the time of the sale, and the execution of the contract. Contacted Conrail regarding the railroad crossing, at Pitman and Beach avenues to examine and repair. Mr. Lento advised that Conrail will resolve the issues.

NEW BUSINESS:

Oliver expressed concern that a Resolution appointing Joseph DiNicola as Solicitor was not placed on the agenda.

Mayor stated that it is too late in the year to solicit proposals, stating that it would cost the Borough additional monies to transition to a new attorney. Further suggesting soliciting for proposals in November for calendar year 2021.

Mayor stated that Greg Martin requested use of Barber Avenue Park to host a movie-night for the children in the community, further advising that she spoke with Governor Murphy who is also in favor with the proper COVID precautions taking place, not exceeding 500 people for outdoor events.

Bercute stated that he is not in favor for use of the park until vaccine is developed or the pandemic is over. Bercute further stating that an agreement must be signed taking responsibility for any attendees who may contract COVID.

Clerk Williams stated that the Use of Facilities Agreement has been completed, however, no proof of insurance has been yet received.

Oliver expressed favor of the event, suggesting approval as long as documentation is complete.

Motion to approve Greg Martin’s Use of Facilities Request to host movie night in the Barber Avenue Park, contingent on proof of insurance by Scott; second Oliver. Roll call. Bercute-yes, Mincey-yes, Oliver-yes, Pasquale-no, Scott-yes.

Bercute expressed concern regarding blocking streets, questioning the number of attendees, enforcement of mask wearing.

Scott expressed concern over the time of the hours, suggesting additional information be gathered.

Mr. Lento suggested Lieutenant Spera conduct a preliminary investigation and be left to make the decision.

Motion to approve by Victoria Hill’s road block request to block Walnut Street, from Tyrone to Westminster Avenue with signatures of neighbors by Scott; second Mincey. Roll call. Bercute-yes, Mincey-yes, Oliver-yes, Pasquale-yes, Scott-yes.

Oliver questioned the ability to address items under “new business” that are not on the agenda.

Mr. Lento stated, that only items that are listed on the Special Meeting Agenda can be discussed.

Oliver motioned to place Carl Washington, Patrick Riley, and Enid Reyes back in office.

Mayor advised that they must all be discussed during a closed session meeting.

PUBLIC PORTION:

Motion to open the public portion of the meeting by Mincey; second Pasquale. All ayes.

Greg Martin, Spruce Street, expressed appreciation for approval of movie-night. Mr. Martin advised that children will be driven by parent or guardian. Attendees must park their vehicle and either stay in vehicle or place chair in front of parked vehicles. Insurance will be obtained once approved. Questioned Pasquale on his ‘no’ vote. Pasquale stated that his concern is due to the safety of the residents during the pandemic. Mr. Martin stated that CDC guidelines will be strictly followed.

Waverly Thomas, Delaware Avenue, questioned a list of the 80 properties currently being maintained by the Borough, questioned the company that cuts the grass.

Pasquale stated that three part-time employees cut the properties.

Mr. Thomas questioned how the employees are paid.

Pasquale stated paid an hourly rate.

Mr. Thomas questioned who would cover the cost of the infrastructure study.

Oliver stated that grants may be available to cover a portion of the costs.

Mr. Thomas questioned the location where the water breached the seawall during the last storm.

Oliver stated that the West side of State Street was affected, further stating that some seawalls are in disrepair.

Pasquale stated that the power went out, causing the Delaware Avenue pump to not start.

Mr. Thomas questioned what is causing the flooding at West Main at the railroad crossing. Pasquale stated the pipe that runs under the Riverwalk property was blocked off many years ago, and has yet to be rectified. Pasquale stated that some pipes in the Riverwalk area have collapsed.

Patricia Lockett, South Smith Avenue, expressed appreciation to the Mayor for bringing awareness of the flooding of Penn Village Apartments.

Irene Scarpaci, Railroad Avenue, questioned why the apartment complexes are not required to obtain a certificate of occupancy.

Scott suggested speaking with the Housing Official for further information.

Mincey stated that, according to the Housing Official, the complexes are inspected and issued certificates of occupancy.

Patricia Lockett, South Smith Avenue, expressed appreciation to the Mayor for bringing awareness of the flooding of Penn Village Apartments. Ms. Lockett expressed concern regarding air quality, stating that management has denied getting mold and air quality testing for most units. Ms. Lockett requested Mayor Thomas to attend a meeting being held with the owner to advocate on behalf of the tenants.

Ms. Lockett requested Mr. Oliver to elaborate on his prior statement regarding the seawall not being able to handle the storm.

Oliver stated that the seawall was not able to stand the 14 inches of rainfall in such a short amount of time. Oliver stated that the seawall is owned by each property owner, some of which has deteriorated. Mr. Oliver also advised of the need to have an infrastructure study conducted.

Ms. Lockett questioned the operation of the pumps.

Oliver stated that the pumps operate fine, however, the diesel powered backup generator located at the Delaware Avenue pump station. Oliver stated that this issue is currently under review.

Cesar Valenciano, Somerset Lane, Edgewater, NJ, questioned if he should have been notified of a motion taking place with regard to the sale of properties.

Mr. Lento advised that the sale has been void via Resolution, and advised that Mr. Valenciano is invited to submit a bid when the properties are offered for sale.

Mr. Valenciano indicated that he has mask for the school and the residents of the senior citizen building. Clerk Williams advised of the need to contact the school district and the Housing Authority.

Walter Hudson, Penns Grove, expressed concern that Councilman Oliver is not working together with the Mayor.

Mr. Hudson expressed concern regarding the ticket he received for protesting at Councilman Oliver home.

Sue Oliver, Church Street, expressed concern that insurance wasn't purchased by the Martin's prior to seeking approval.

Ms. Oliver also expressed concern that Mr. Hudson was not removed from the meeting.

Mayor stated he was removed upon review of the Zoom FAQ.

Christine Scholer, Broad Street, invited Mayor to attend a meeting with an investor she is in communicating with. Ms. Scholer requested a list of Borough owned properties.

Ms. Scholer expressed concern that there are only three employees to maintain the Borough owned properties.

Mayor stated that the matter is under review.

Ms. Scholer questioned the hours of operation for businesses.

Clerk Williams suggested contacting the Zoning Official for guidance.

Motion to close the public portion of the meeting Oliver; second Pasquale. All in favor.

Motion to adjourn the meeting by Mincey; second Oliver. All in favor.

Respectfully Submitted,

Sharon R. Williams
Municipal Clerk