

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

**AGENDA
January 15, 2019**

1. PLEDGE OF ALLEGIANCE.

2. INVOCATION

3. ROLL CALL:

4. CORRESPONDENCE:

- Salem County Association of Local Government – April Venable, Secretary.
- Center for Government Services – Rutgers University

5. Oath of Allegiance

- Luis A. Cruz

6. Minutes

- January 2, 2019 Reorganization Minutes

7. COMMITTEE REPORTS:

- Recreation/Board of Health:
- Buildings & Grounds:
- Public Safety:
- Public Works/Streets & Roads:
- General Government:
- Housing/Zoning & Construction/Shade Tree:

8. SOLICITOR'S REPORT:

9. MUNICIPAL CLERK'S REPORT:

10. FINANCE OFFICER'S REPORT:

11. CHIEF OF POLICE REPORT:

12. FIRE CHIEF REPORT:

13. MAYORIAL REPORT: - Committee Assignments

14. RESOLUTIONS:

➤ **2019-1-19 - RESOLUTION AUTHORIZING EXECUTIVE SESSION**

- I. **Attorney-Client Privilege/Contractual Matters pursuant to N.J.S.A. 10:4-12b(7)** - Discussion and update regarding redevelopment within the Borough.
- II. **Attorney-Client Privilege/Contractual Matters pursuant to N.J.S.A. 10:4-12b(7)** - Discussion in regards of entering into a Contract with a new Investment Group
- III. **Contractual Matters pursuant to N.J.S.A. 10:4-12b(7)** - Discussion of contracting with city planner

➤ **2019-1-20 – GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2019 - JUNE 2020**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough of Penns Grove Council of the Borough of Penns Grove, County of Salem, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough of Penns Grove Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Penns Grove Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Salem;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Penns Grove of County of Salem, State of New Jersey hereby recognizes the following:

1. The Borough of Penns Grove Council does hereby authorize submission of a strategic plan for the Borough of Penns Grove Municipal Alliance grant for fiscal year 2020 in the amount of:

DEDR	\$ 8,336 _____
Cash Match	\$ 2,084 _____
In-Kind	\$ 6,252 _____

2. The Borough of Penns Grove Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

➤ **2019-1-21 – A RESOLUTION AUTHORIZING THE APPOINTMENT OF MUNICIPAL ENGINEER FOR THE BOROUGH OF PENNS GROVE**

WHEREAS, the Borough of Penns Grove has determined that it shall use a fair and open process to acquire certain services in accordance with the provisions of N.J.S.A. 19:44A-30.5; and

WHEREAS, N.J.S.A. 19:44A-20.5 provides that contracts awarded through a fair and open process may be awarded based on price and other factors; and

WHEREAS, the Borough of Penns Grove has a need to acquire the services of Municipal Engineer as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough of Penns Grove’s Chief Financial Officer has determined and certified in writing that the value of these services will likely exceed \$17,500.00; and

WHEREAS, the local public contracts law N.J.S.A. 40A:11-1, et. seq. requires that the Resolution authorizing the award of contracts for “professional services” be publicly advertised; and

WHEREAS, Request for Proposals were submitted, and the opening was held on the 7th day of December 2018; and

WHEREAS, Sickels & Associates, Inc., were the only firm to submit a proposal to provide Municipal Engineering services for the Borough of Penns Grove; and

WHEREAS, funding for this contract shall be encumbered by the Borough of Penns Grove’s Chief Financial Officer in accordance with N.J.A.C. 5:30-5.4;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Penns Grove as follows.

1. This appointment is subject to the review and approval of the Division of Local Government Services.
2. Sickels & Associates, Inc., Woodbury, New Jersey is hereby awarded a contract, pursuant to a fair and open process, to provide Engineering Services for the Borough of Penns Grove, effective January 1, 2019 and terminating December 31, 2021, which services shall be performed in accordance with the terms and conditions contained in the attached supplemental documents which are filed in the Office of the Municipal Clerk.
 1. The Mayor and Borough Clerk are hereby authorized to execute the written contract setting forth the terms of employment, which shall be consistent with this resolution and satisfactory to the Borough and the Borough Solicitor.
 2. A notice awarding this contract shall be published in the South Jersey Times, as required by law, within ten (10) days after passage.

➤ **2019-1-22 – RESOLUTION AUTHORIZING A PROPOSAL FOR PROFESSIONAL SERVICES FOR SICKELS AND ASSOCIATES**

WHEREAS, Sickels and Associates currently serves as the Engineer to the Borough of Penns Grove; and
WHEREAS, the Borough of Penns Grove has a need for the Engineer to prepare plans and specifications related to the 2018 Road Maintenance Program- Reconstruction of Penns Street Phase II; and
WHEREAS, a proposal was submitted by Sickels and Associates which is attached hereto as Exhibit A; and
WHEREAS, the Mayor and Council are in support of the proposal.
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that the proposal attached hereto as Exhibit A is approved and that the Mayor is authorized to execute an agreement to accept the proposal on behalf of the Borough of Penns Grove.

➤ **2019-1-23 – RESOLUTION AUTHORIZING CONTRACT FOR ANIMAL CONTROL OFFICER**

WHEREAS, the Borough of Penns Grove is in need of an Animal Control Officer; and
WHEREAS, Edmund H. Shimp, Jr. possesses all of the experience and qualifications necessary for the position of Animal Control Officer; and
WHEREAS, the Borough would like to enter into a contractual agreement with Edmund H. Shimp, Jr. for Animal Control Officer for the calendar year 2019 at rate of \$750 per month, which is attached hereto;
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that the Mayor is authorized to execute a contract with Edmund H. Shimp, Jr. to provide animal control officer services to the Borough.
AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

➤ **2019-1-24 – RESOLUTION PROVIDING FOR THE TRANSFERS OF THE 2018 BUDGET APPROPRIATION RESERVES**

WHEREAS, it has become necessary to expend for certain purposes specified in 2018 Appropriation Reserves, amounts of the respective sums appropriated therefore; and
WHEREAS, there is an excess in one or more appropriations in said 2018 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 2018 Appropriations Reserves.

TRANSFERS TO:	<u>TO</u>	<u>FROM</u>
OTHER EXPENSES:		
Liquidation TTL/Foreclosure	\$ 5,460.00	
Legal Services & Costs	\$ 8,010.00	
Police Department	\$ 3,500.00	
Fire Hydrant Services	\$ 2,970.00	
Vehicle Maintenance	\$ 5,570.00	
Bd of Recreation	\$ 500.00	
Electricity & Natural Gas	\$ 5,050.00	
Telecommunications	\$ 4,740.00	
Public Works Functions(Shared Service)	\$ 1,200.00	
TRANSFERS FROM:		
SALARY & WAGES		
Other Code Enforcement	\$ 1,000.00	
Public Bldg & Grounds	\$ 600.00	
Police Department	\$ 9,000.00	
Municipal Court	\$ 300.00	
OTHER EXPENSES:		
Municipal Clerk	\$ 7,000.00	
Financial Administration	\$ 500.00	
Other Code Enforcement Functions	\$ 1,000.00	
Emergency Manaement	\$ 500.00	
Aid to YMCA	\$ 500.00	
Maintenance of Ambulance	\$ 2,000.00	
Fire Department	\$ 4,000.00	
Public Bldg. & Grounds	\$ 7,000.00	
Shade Tree	\$ 1,000.00	
Board of Health	\$ 1,000.00	
Safety Coordinator	\$ 400.00	
Petroleum Products	\$ 500.00	
Municipal Court	\$ 700.00	
Totals	\$ 37,000.00	\$ 37,000.00

➤ **2019-1-25 – RESOLUTION AUTHORIZING A REQUEST FOR BIDS FOR SNOW PLOWING AND REMOVAL**

WHEREAS, the Borough of Penns Grove (“Borough”) is in need of snow plowing and removal services for Borough roads; and

WHEREAS, it is necessary for the Borough to obtain a contractor to complete the snow plowing and removal services for the Borough; and

WHEREAS, it is anticipated that the total cost of the contract will exceed the threshold contract amount as set forth in N.J.S.A. 40A:11-3; and

WHEREAS, as a result, the Borough must obtain bids prior to the award of a contract in accordance with N.J.S.A. 40A:11-1 et. seq.; and

WHEREAS, bid specifications shall be prepared in order to obtain bids.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the

Borough of Penns Grove that the Clerk is authorized to advertise and receive Bids for a contract to perform snow plowing and removal services in accordance with Local Public Contracts Law.

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

➤ **2019-1-26 – RESOLUTION AUTHORIZING REFUND 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 properties is refunded to the redeemer as the tax sale certificate was not recorded.

Year	Block	Lot	Address	Certificate #	Redeemer
2018	84	5	14 Maryland Ave	#18-00574	Renee Alston 14 Maryland Ave. Penns Grove, NJ 08069
2018	112	4	85 State Street	#18-00587	Alta Residential Solutions, LLC 380 Data Drive Suite 110 Draper,UT 84020

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 Collectors’ Redemption Account.

BE IT FURHTER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector and the Chief Financial Officer for their record and guidance.

➤ **2019-1-27 – RESOLUTION AUTHORIZING THE CANCELATION OF MUNICIPAL LIENS**

BE IT RESOLVED, by the Mayor and Council of the Borough of Penns Grove, County of Salem that the Municipal Liens stated below is cancelled due to the filing of bankruptcy.

Year	Block	Lot	Address	Owner	Certificate
2018	43	5.01	24 E Harmony St	Ferrell, Robert	18-00520
2018	67	27	16 Cumberland Ave	Ferrell, Robert	18-00554

The property owner filed bankruptcy on 04/03/18, but the tax office was not notified until after the 2018 tax sale held on 10/15/18. The municipal liens need to be Cancelled of Record with the tax sale fees and costs removed. Proof of claim shall be filed for the arrears not collected with the Bankruptcy Court.

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Tax Collector and the Chief Financial Officer for their records and guidance

➤ **2019-1-28 – RESOLUTION RENEWAL OF ALCOHOLIC BEVERAGE RETAIL LICENSE NO.1707-32-006 FOR THE 2018-2019 LICENSE TERM**

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

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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Penns Grove, County of Salem, State of New Jersey, approve the following described license be granted renewal, subject to local ordinance, for the Licensing term from July 1, 2018 to June 30, 2019 for Charles E. Waldron, Receiver for Chetak Liquors, Inc., License No. 1707-32-006-006; BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to endorse and seal the aforesaid license; and that a copy of this resolution be certified by the Municipal Clerk, and be forwarded to the Director of the Division of Alcoholic Beverage Control and the Treasurer of the State of New Jersey.

➤ **2019-1-29 – RESOLUTION AUTHORIZING THE REQUEST FOR BIDS FOR SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL**

WHEREAS, the Borough of Penns Grove requires Solid Waste and Recyclable Collection and Disposal Services; and

WHEREAS, the Borough would like to obtain competitive bids for such services; and

WHEREAS, the Borough must solicit bids pursuant to Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, a Notice and Bid Specifications have been prepared and attached hereto as Exhibit A

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Penns Grove authorizes the Borough Clerk to advertise and solicit bids for Solid Waste and Recyclable Collection and Disposal Services and to utilize the Notice and Bid Specification attached hereto as Exhibit A for said solicitation; and

BE IT FURTHER RESOLVED that the Borough Clerk shall advertise the Notice to Bidders in the South Jersey Times as well as one additional newspaper that circulates throughout the State.

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

➤ **2019-1-30 – RESOLUTION APPOINTING SUBSTITUTE PROSECUTOR**

WHEREAS, the Borough of Penns Grove (the “Borough”) operates a Municipal Court; and

WHEREAS, N.J.S.A. 2B:25-4 requires that the Prosecutor of the Municipal Court be appointed by the Governing Body; and

WHEREAS, N.J.S.A. 2B:25-4 also requires that all additional Prosecutors of the Municipal Court be appointed by the Governing Body; and

WHEREAS, the Superior Court of the State of New Jersey has requested that all municipalities appoint Substitute Prosecutor(s) that can be called upon in the event of conflict, illness, vacation or any other type of absence of the duly appointed Prosecutor of the Municipal Court; and

WHEREAS, in accordance with this request, the Governing Body of the Borough of Penns Grove would like to appoint, as Substitute Prosecutor, any and all duly appointed Prosecutors within the Vicinage; and

WHEREAS, attached to this resolution are the names of all duly appointed Prosecutors within the Vicinage as of December 31, 2018.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that all Prosecutors (and/or their successors for 2019) set forth on the attached list are hereby appointed as Substitute Municipal Prosecutor for the Borough of Penns Grove, effective January 1, 2019 through December 31, 2019.

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

2019-1-31 – A RESOLUTION AUTHORIZING THE INVITATION OF BIDS FOR THE SALE BY THE BOROUGH OF PENNS GROVE OF 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 28, Lot 26
2. Block 50, Lot 16
3. Block 51, Lot 20
4. Block 67, Lot 33
5. Block 67, Lot 38
6. Block 67, Lot 43
7. Block 67, Lot 51
8. Block 67, Lot 52
9. Block 69, Lot 4
10. Block 69, Lot 5
11. Block 70, Lot 10
12. Block 72, Lot 3
13. Block 72, Lot 5
14. Block 72, Lot 5.01
15. Block 72, Lot 8
16. Block 73, Lot 1
17. Block 73, Lot 2
18. Block 73, Lot 4
19. Block 73, Lot 5
20. Block 73, Lot 18.
21. Block 73, Lot 19
22. Block 73, Lot 20
23. Block 74, Lot 1
24. Block 75, Lot 6
25. Block 75, Lot 18
26. Block 76, Lot 12

27. Block 77, Lot 12
 28. Block 87, Lot 13
 29. Block 87, Lot 17
 30. Block 87, Lot 21
 31. Block 99, Lot 4
 32. Block 100, Lot 5
 33. Block 100, Lot 6
 34. Block 100, Lot 6.01
 35. Block 100, Lot 17
 36. Block 101, Lot 10
 37. Block 110, Lot 1
 38. Block 111, Lot 13
 39. Block 111, Lot 23
 40. Block 115, Lot 3
 41. Block 128, Lot 16
- (hereinafter collectively referred to as the “Property”)

WHEREAS, the Property is not needed for public use; and

WHEREAS, N.J.S.A. 40A:12-13 requires that the opportunity to purchase county or municipal property be offered to the public and awarded to the highest bidder.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Borough shall accept bids for the sale of the Property in accordance with the “Borough of Penns Grove Bid Conditions for Sale of Real Property,” attached hereto as Exhibit A.

An advertisement of such invitation for bids will be placed in the South Jersey Times, by two insertions at least once a week during two consecutive weeks. The last publication is to be not earlier than seven days prior to the sale.

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

15. PAYMENT OF BILLS:

16. PUBLIC SESSION:

17. ADJOURNMENT