

**BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL MEETING
AGENDA
MAY 21, 2019**

1. PLEDGE OF ALLEGIANCE.

2. REGULAR SESSION:

- Invocation
- Roll Call

3. EXECUTIVE SESSION:

RESOLUTION NO. 2019-5-83 – RESOLUTION AUTHORIZING EXECUTIVE SESSION

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Penns Grove will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

- 1. Matters Relating To Contractual Matters and Attorney Client pursuant to N.J.S.A. 10:4-12b(8)** – Discussion regarding the Memorandum of Understanding between the Borough of Penns Grove and Department of Community Affairs.

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.

4. CORRESPONDENCE:

- Letter from 50 West Pitman Street Church
- Tulip Program

5. MINUTES: None available

6. COMMITTEE REPORTS:

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

7. DEPARTMENTAL REPORTS:

- SOLICITOR'S REPORT:
- MUNICIPAL CLERK'S REPORT:
- FINANCE OFFICER'S REPORT:
- CHIEF OF POLICE REPORT
- FIRE CHIEF REPORT
- MAYORIAL REPORT

8. RESOLUTION(S):

2019-5-84 – RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT TO CORELOGIC

BE IT RESOLVED by the Mayor and Borough Council of Penns Grove, County of Salem that the credit balance on the following property (ies) is refunded to:

Corelogic, PO Box 9202, Coppell TX 75019-9760

This credit was generated as the result of duplicate payment of 2019 2nd quarter tax.

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Amount</u>
2019	70	9	24 Walnut Street	\$801.76
2019	88	5.01	313 Gillette Avenue	\$772.64

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove, County of Salem, that a refund of \$1574.40 is issued from the Tax Collectors' Collector of Taxes Account;

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

2019-5-85 – A RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 87 LOTS 11, 13 AND 17

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:

Block 87, Lots 11, 13 and 17 (the "Property")

WHEREAS, the Borough would like to transfer the Property to Habitat for Humanity of Salem County, NJ LLC, which is a duly incorporated nonprofit organization which is organized for the purposes of building or rehabilitating residential property for resale; and

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

WHEREAS, in accordance with N.J.S.A. 40A:12-21(j) the Borough may transfer Borough owned property to a duly incorporated nonprofit organization which is organized for the purpose of building or rehabilitating residential property for resale at private sale; and

WHEREAS, the Borough would like to transfer the Property to Habitat for Humanity of Salem County, NJ LLC for \$1.00, subject to the terms and conditions of a Contract of Sale, which shall be satisfactory to the Borough Solicitor.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that Block 87, Lots 11, 13 and 17 shall be transferred to Habitat for Humanity of Salem County, NJ LLC for \$1.00 and that the Mayor is authorized to execute the contract of sale, deed and any other document necessary for the transfer of the Property.

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

2019-5-86 – RESOLUTION APPROVING PERSON TO PERSON TRANSFER OF LIQUOR LICENSE

WHEREAS, an application has been filed for the person to person transfer of a Plenary Retail Consumption Liquor License with Broad C, license number 1708-32-006-006 (the "License"), from Charles Waldron as Receiver for Chetak Liquors to Ramabhai Patel of In N' Out Liquors; and

WHEREAS, the application has been reviewed by the Municipal Clerk; and

WHEREAS, the application has also been reviewed and approved, and the background check of the applicants has been completed by the Penns Grove Police Department; and

WHEREAS, Charles Waldron as Receiver for Chetak Liquors must then complete closing on the sale of the License to Ramabhai Patel of 'In N' Out Liquors;

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 person to person transfer of the License, as outlined above, subject to the successful closing on the sale of the License between Charles Waldron as Receiver for Chetak Liquors and Ramabhai Patel of In N' and Out Liquors;

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 shall be signed 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.

2019-5-87 – 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 11, Lots 2 and 3 (to be sold together)- Minimum Bid \$500
 2. Block 12, Lot 8- Minimum Bid \$500
 3. Block 13, Lot 26- Minimum Bid \$50
 4. Block 17, Lot 14- Minimum Bid \$500
 5. Block 17, Lot 10- Minimum Bid \$500
 6. Block 18, Lot 5- Minimum Bid \$500
 7. Block 21, Lot 3- Minimum Bid \$500
 8. Block 22, Lot 5- Minimum Bid \$500
 9. Block 26, Lot 4.01- Minimum Bid \$500
 10. Block 27, Lot 18- Minimum Bid \$500
 11. Block 31, Lot 12- Minimum Bid \$50
 12. Block 36, Lot 12.01- Minimum Bid \$500
 13. Block 39, Lot 6- Minimum Bid \$500
- (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 FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

9. ORDINANCE(S):

2019-4 – CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

PUBLIC HEARING

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.50% unless authorized by ordinance to increase it to 3.50% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.50% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Council of the Borough of Penns Grove in the County of Salem finds it advisable and necessary to increase its CY 2019 budget by up to 3.50% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Council of the Borough of Penns Grove hereby determines that a 1.00% increase in the budget for said year, amounting to \$43,710.28 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Council of the Borough of Penns Grove hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW THEREFORE BE IT ORDAINED, by the Council of the Borough of Penns Grove, in the County of Salem, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Borough of Penns Grove shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$152,986.09, and that the CY 2019 municipal budget for the Borough of Penns Grove be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

10. OLD/NEW BUSINESS:

11. APPOINTMENTS:

12. CONTRACTS/REQUESTS:

13. PAYMENT OF BILLS:

14. PUBLIC SESSION:

15. ADJOURNMENT.