

**BOROUGH OF PENNS GROVE
COUNTY OF SALEM, STATE OF NEW JERSEY
MAYOR AND COUNCIL MEETING
AGENDA
JUNE 5, 2019**

1. PLEDGE OF ALLEGIANCE.

2. REGULAR SESSION:

- Invocation
- Roll Call

3. CORRESPONDENCE:

- **Dept. of Agriculture Div. of Plant Industry** – Report spotted Lanternfly
- **Walter L. Hudson, Sr.** – Open letter
- **Atlantic City Vegetation Management** – Tree pruning and removal

4. PRESENTATION - Paul Forlenza, TRI-CO JIF

5. MINUTES: February 19, 2019 (Regular Session)

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):

2019-6-88 – RESOLUTION AUTHORIZING THE REJECTION OF BIDS

Whereas, the Borough of Penns Grove solicited, received and opened sealed proposals on April 26, 2019 for the collection of solid waste and recyclables within the Borough of Penns Grove; and

Whereas, the receipt of said bids were duly advertised in accordance with the law and in such case made and provided; and

Whereas, all bid results and recommendations are on file in the Office of the Borough Clerk of Penns Grove as required by Law; and

Whereas, the only bid submitted was from Waste Management; and

Whereas, it has been determined that the bid exceeds the funding available and whereas it has been recommended that the Mayor and Council reject the bid at this time;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove as follows:

- 1. The Mayor and Council hereby rejects the Waste Management bid submitted for solid waste and recyclable collection.

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

2019-6-89 – A RESOLUTION AUTHORIZING CORRECTIVE DEED

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 (E. Griffith Street) (the “Property”)

WHEREAS, in accordance with N.J.S.A. 40A:12-13(a) the Property was publicly advertised for sale; and

WHEREAS, although a bid was received on the Property, the Borough awarded the Property to the adjacent property owner, Saul Constantino (“Constantino”), owner of Block 28, Lots 14 and 25 who expressed a desire to purchase the Property pursuant to Constantino’s right of first refusal as set forth in N.J.S.A. 40A:12-13.2; and WHEREAS, the Borough mistakenly awarded the Property to Valentine Constantino instead of Saul Constantino; and

WHEREAS, the Borough would like to correct this error and correct the deed to reflect the proper property owner.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that a corrective deed shall be prepared and recorded transferring the Property to Saul Constantino and the Mayor shall be authorized to execute that corrective deed and all other documents.

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

2019-6-90 – RESOLUTION AUTHORIZING FINAL PAYMENT No. 3

WHEREAS, the Borough of Penns Grove awarded a contract to Landberg Construction, LLC for the Reconstruction of Penns Street; and

WHEREAS, the Contractor has requested a final payment in the amount of \$9,492.11; and

WHEREAS, the Borough Engineer has reviewed this matter and recommends the final payment of \$9,492.11; and

WHEREAS, the Borough agrees with the Engineer’s evaluation of this matter.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that a final payment shall be made to Landberg Construction, LLC in the amount of \$9,492.11 as set forth in the engineer’s May 28, 2019 letter.

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

2019-6-91 – RESOLUTION AUTHORIZING THE CANCELATION OF TAX BILLED

BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove, County of Salem, State of New Jersey that the following parcels’ 2019 estimated third quarter tax be cancelled due to an In Rem Foreclosure final judgment dated 01/25/19.

WHEREAS, the properties are as followed:

| Block & Lot | Address | Billed Amount |
|-------------|--------------------|---------------|
| 11/2 | 74 W Line Street | \$225.87 |
| 12/8 | 81 Poplar Street | \$374.17 |
| 13/26 | Poplar Street | \$44.89 |
| 17/8 | 111 Lanning Avenue | \$1,002.35 |
| 17/10 | 115 Lanning Avenue | \$583.86 |

WHEREAS, the Council desires that the Planning Board of the Borough of Penns Grove (the “Planning Board”) review the Redevelopment Plan Amendment and, within 45 days of the date of this Resolution, transmit a report to the Council containing the Planning Board’s recommendation concerning the Redevelopment Plan Amendment in accordance with N.J.S.A. 40A:12A-7.e;

NOW, THEREFORE, BE IT RESOLVED by the Council as follows:

1. The Redevelopment Plan Amendment is hereby referred to the Planning Board for review and comment in accordance with the LRHL, specifically N.J.S.A. 40A:12A-7.e.

2. The Planning Board shall review the Redevelopment Plan Amendment and advise the Council whether the Redevelopment Plan is substantially consistent with the Borough’s Master Plan or designed to effectuate the Master Plan.

3. The Borough Clerk shall provide a certified copy of this Resolution to all parties of interest.

4. This Resolution shall take effect immediately.

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

9. ORDINANCE(S):

2019-6 – AN ORDINANCE IMPLEMENTING THE “AMENDMENT AND SUPPLEMENT TO THE BROAD STREET/MAIN STREET/ROUTE 130 STUDY AREA REDEVELOPMENT PLAN: DEVELOPMENT REGULATIONS FOR THE “WAWA REDEVELOPMENT DISTRICT” IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET. SEQ. *TITLE ONLY*

WHEREAS, by Resolution, the Borough of Penns Grove (the “Borough”) determined that the Broad Street, Main Street, Route 130 Study Area (the “Redevelopment Area”) is an “area in need of redevelopment” in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”) and that certain Remedial Investigation Report approved by the Borough’s Planning Board (the “Planning Board”) on January 17, 2001; and

WHEREAS, by Ordinance, the Borough adopted the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan (the “Redevelopment Plan”); and

WHEREAS, the Borough Council of the Borough of Penns Grove (the “Council”) has reviewed the Amendment and Supplement to the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan: Development Regulations for the “Wawa Redevelopment District” (the “Redevelopment Plan Amendment”) attached as Exhibit A; and

WHEREAS, the Redevelopment Plan Amendment sets forth the use, bulk, intensity of use, and other development standards proposed to be applicable to the redevelopment of the “Wawa Redevelopment District” that is located within the Redevelopment Area (the “Wawa Redevelopment District”) as detailed in the Redevelopment Plan Amendment; and

WHEREAS, by Resolution (the “Referral Resolution”), the Council referred the Redevelopment Plan Amendment to the Borough of Penns Grove Planning Board (the “Planning Board”) for the Planning Board’s recommendations consistent with N.J.S.A. 40A:12A-7.e; and

WHEREAS, the Planning Board considered the Redevelopment Plan Amendment at a duly-noticed public meeting; and

WHEREAS, the Planning Board thereafter transmitted to the Council a report (the “Planning Board Report”) setting forth the Planning Board’s recommendations with respect to the Redevelopment Plan Amendment within 45 days of the Referral Resolution in accordance with 40A:12A-7.e; and

WHEREAS, the Council considered the Redevelopment Plan Amendment and the Planning Board Report at its meeting of _____ ; and

WHEREAS, the Council desires to enact this Ordinance to implement the Redevelopment Plan Amendment;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council as follows:

1. The Redevelopment Plan Amendment is hereby adopted and incorporated by reference herein.
2. The Redevelopment Plan Amendment and the zoning regulations and other standards contained therein are intended by the Council to supersede all other applicable zoning regulations for the Wawa Redevelopment District. The full text of the Redevelopment Plan Amendment is hereby specifically incorporated by reference as if fully set forth herein.
3. The Borough's official zoning map is hereby amended to identify and incorporate the zoning standards and other regulations set forth in the Redevelopment Plan Amendment consistent with N.J.S.A. 40A:12A-7.
4. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance and the Redevelopment Plan Amendment are hereby repealed as to such inconsistency.
5. If any section, subparagraph, sentence, clause or phrase of this Ordinance or the Redevelopment Plan Amendment adopted hereby shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, sentence, clause or provision so adjudged and the remainder of this Ordinance and/or the Redevelopment Plan Amendment shall be deemed valid and effective.
6. This Ordinance and the Redevelopment Plan Amendment adopted hereby shall take effect upon passage and publication according to law.

10. OLD/NEW BUSINESS:

- Beach Avenue – A request was made for adequate visibility and legibility “**one-way**” street signage
- Broad St. and Beach Ave. – A request to add adequate visibility and legibility “**DO NOT ENTER**” Signage

11. APPOINTMENTS:

- Samantha A. Kopec – Penns Grove Ambulance Membership
- Cleopatra Johnson – Court Recording Clerk
- Garret L. Wright – Property Maintenance

12. CONTRACTS/REQUESTS:

- Dr. Gust D. Davis, Jr. – Resident request Handicap Street Parking Sign for Block 112, Lot 20
- Car Show Event – Date change from June 22, 2019 to August 10th with a rain date August 17th 2019

13. PAYMENT OF BILLS:

14. PUBLIC SESSION:

15. ADJOURNMENT.