

**BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL MEETING MINUTES**

MAY 21, 2019

PLEDGE OF ALLEGIANCE.

Invocation by Sharon R. Williams, Municipal Clerk

Roll Call – Leon-absent, Oliver-present, Pasquale-present, Scott-present, Washington-absent, Poindexter-present.

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:

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.

Motion to adopt by Oliver; second Scott. All in favor.

Motion to open Regular Session by Poindexter; second Oliver. All in favor.

Roll Call – Leon-absent, Oliver-present, Pasquale-present, Scott-present, Washington-absent, Poindexter – excused at 7:25 p.m.

MUNICIPAL CLERK REPORT: Williams addressed/stated the following: Letter from 50 West Pitman Street Church regarding outdoor church service; the need to adopt the T.U.L.I.P., advising that the program provide a means for the residents to obtain low cost insurance when renting the Borough's properties.

COMMITTEE REPORTS:

Recreation/Board of Health – Washington stated/addressed the following: No report.

Buildings & Grounds – Leon stated/addressed the following: No report.

Public Safety – Poindexter stated/addressed the following: Expressed appreciation to Police, Fire and Ambulance Departments; the violence within the community and urged community to come together.

Mayor Washington also requested the community's assistance.

Public Works/Streets & Roads – Oliver stated/addressed the following: Nothing to report.

General Government – Pasquale stated/addressed the following: Emailed Code Enforcement Officer regarding property with maintenance issues.

Housing/Zoning & Construction/Shade Tree – Scott stated/addressed the following: Nothing to report.

DEPARTMENTAL REPORTS:

Solicitor's Report: Telsey stated/addressed the following: Nothing to report.

Finance Officer's Report: Walker stated/addressed the following: As of May 21st, Budget Status Report Expenditure Ratio is 77.90 percent. Pubic Hearing to be held o the COLA Ordinance, which permits the increase of budget appropriations from 2.50 percent to 3.5 percent and authorizes the Banking of Balances not utilized in the 2019 Municipal Budget for the next two years.

Chief of Police Report: Sgt. Hernandez stated/addressed the following: 459 calls for service; 27 adult arrests and 1 juvenile arrest; 1 DWI arrest and 8 traffic tickets issues. Department has responded to several calls of shots being fired on or around West Pitman Street, resulting in 1 injury, and 7 detained,

and the discovery of a gun, drugs and counterfeit monies were recovered. Call for service after a house party, an individual fired a gun that ricocheted and hit one male. Members of the home were charged with maintain a nuisance.

Expressed appreciation to Mayor and Council for support during school events.

Encouraged public assistance with crimes, stating all tips are anonymous.

Fire Chief Report: Hartsough stated/addressed the following: Rental truck in for service. Construction has begun at the Fire House. Encouraged all to attend the Bike Rodeo, which is sponsored by the Penns Grove Police Department, Pointe Pontiac and Lapps, will be held on June 8, 2019 from 10:00 a.m. until 2:00 p.m.

Mayor Washington stated/addressed the following: Funding for the new fire truck; properties to be publicly bid; the former 'Advancement Club', suggesting that it be used as a community center. Further stating that he will speak with Councilman Washington, and invited volunteers and encouraged community input.

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.

Motion to adopt by Oliver; second Scott. All in favor.

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.

Motion to adopt by Pasquale; second Oliver. All in favor.

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.

Mayor Washington stated that Patel had initially proposed a strip mall on Virginia Avenue, however, he purchased the former 'PRAC' building, proposing take-out, liquor sales, and a laundry mat.

Motion to adopt by Pasquale; second Scott. Oliver oppose, all others in favor.

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:

Block 11, Lots 2 and 3 (to be sold together)- Minimum Bid \$500

Block 12, Lot 8- Minimum Bid \$500

Block 13, Lot 26- Minimum Bid \$50

Block 17, Lot 14- Minimum Bid \$500

Block 17, Lot 10- Minimum Bid \$500

Block 18, Lot 5- Minimum Bid \$500

Block 21, Lot 3- Minimum Bid \$500

Block 22, Lot 5- Minimum Bid \$500

Block 26, Lot 4.01- Minimum Bid \$500

Block 27, Lot 18- Minimum Bid \$500

Block 31, Lot 12- Minimum Bid \$50

Block 36, Lot 12.01- Minimum Bid \$500

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.

Motion to adopt by Pasquale; second Scott. All in favor.

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)

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.

Motion to open meeting to the public by Oliver; second Poindexter. All in favor.

Motion to close meeting to the public by Scott; second Poindexter. All in favor.

PAYMENT OF BILLS: Motion to pay all bills signed and audited by Oliver; second Scott. All in favor.

PUBLIC SESSION: Motion to open meeting to the public by Oliver; second Scott. All in favor.

Sue Ann Leighty, Habitat for Humanity, stated that Habitat has built 43 homes throughout Salem County. Ms. Leighty also stated that 5 new homes to be constructed on Iona Avenue by next year. Ms. Leighty further advised that the mortgage for each home will be \$700.00 or less, which also includes property taxes, and sewer. Encouraged those to obtain application from the Restore, Carneys Point.

Robert Carter, Iona Avenue, expressed appreciation for the resolution of the trash issue along Iona Avenue.

Mr. Carter questioned if blowing grass cuttings into street is permitted.

Mr. Carter was advised that the matter will be researched.

Joyce Martin, Franklin Street, expressed concern over those who place garbage at curb prior to scheduled collection day and time.

Christine Scholer, South Broad Street, questioned the status of the redevelopment agreement with the redeveloper named Fishman.

Mayor stated he can provide an answer by the next Borough meeting.

Cherelle Bullock, South Smith Avenue, expressed concern regarding the creek behind Penn Village Apartments, stating that it is overgrown, and a delivery person was recently robbed.

Ericka Walker, Housing Official/Assistant Treasurer, stated that the property is owned by Penn Village.

Mayor Washington stated that he will research the matter.

ADJOURNMENT: Motion to adjourn by Oliver; second Pasquale. All in favor.

Respectfully Submitted,

Sharon R. Williams, R.M.C.
Municipal Clerk