

STATE OF NEW JERSEY, COUNTY OF SALEM
BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL MEETING
MINUTES
MARCH 5, 2019

The Regular Meeting of the Borough of Penns Grove Council was called to order by Mayor Washington, Sr., at 7:21 p.m. The meeting was held in the Court Room of the Borough Hall Municipal Building at 1 State Street, Penns Grove, New Jersey, 08069

Notice of this meeting was published in the South Jersey Times on January 13, 2019. Notices was also posted on the Municipal Bulletin Board.

Everyone participated in the flag salute.

Invocation was led by Kayla Veltman, Deputy Clerk

Present were: Mayor Washington, Sr., Councilman Mark Oliver, Councilman Lou Pasquale, Council – President Clifford Poindexter, Councilwoman Deborah Scott, Councilman Carl Washington, Jr. Also, present were: Borough Solicitor Adam Telsey, Deputy Clerk Kayla Veltman, and Chief Finance Officer Stephen Labb.

Absent Were: Councilman Rafael Leon

Kayla Veltman read an Invitation received from, New Jersey Conference of Mayors for the upcoming event “56th Annual Spring Conference & Exposition” at the Borgata Hotel Casino & SPA, Atlantic City, New Jersey. Panel Sessions will address topics indicated as priority matters as a result of the recent Mayors Survey.

Office of Clerk of the Board – Benjamin H. Laury, Freeholder Director. Apologized to the Borough

MINUTES:

➤ JANUARY 15 2019 (Executive)

It was moved by Councilman Oliver and it was second by Councilman Washington, Jr., that the Executive Session Minutes be approved. There being five (5) ayes and no nays, the minutes were approved.

COMMITTEE REPORTS:

Recreation/Board of Health: Councilman Washington, Jr., gave forth the Code Enforcement February 2019 Report:

Twenty-Three (23) Inspections was completed, Twenty- Three (23) Ten-day notice have been mailed out. Five (5) Summons Issued, fifteen (15) Complaint calls received. Four property owners appeared in court. Motion to receive and file report, was made by Council-President Poindexter, motion was second by Councilwoman Scott. All in favor, none appose, motion carried by Mayor Washington, Sr.

Councilman Washington, Jr., gave forth the cat audit February 2019 Report

One (1) Cat was registered

Motion to receive and file report, was made by Councilman Oliver, motion was second by Councilwoman Scott. All in favor, none appose, motion carried by Mayor Washington, Sr.

Councilman Washington, Jr., gave forth the dog audit February 2019 Report

Six (6) dogs was registered

Motion to receive and file report, was made by Council-President Poindexter, motion was second by Councilwoman Scott. All in favor, none appose, motion carried by Mayor Washington, Sr.

Councilman Washington, Jr., gave an update about the “why not me” seminar that took place in the court room from 2:00 p.m. to 5:00 p.m. on Saturday February 23, 2019.

Buildings & Grounds: Councilman Leon was absent, therefore no report.

Public Safety: Council-President Poindexter announced that he is the chairman of Public Safety and that the Ambulance Captain, Police Chief and Fire Chief will be give forth any reports at Borough Council meetings.

Public Works/Streets & Roads: Councilman Oliver had nothing to report.

General Government: Councilman Pasquale had nothing to report.

Housing/Zoning & Construction/Shade Tree: Councilwoman Scott gave forth the Housing Inspection and Zoning Report for the month of February, 2019: Thirty-Three (33) Housing Inspections were performed, Forty-Two (42) Pending Certification, Eleven (11) Certificates Issued, Two (2) Housing Complaints were received: 53 and 55 W. Main St. (Rear). One (1) previous complaint in process: 91 S. Broad St. Two (2) complaints resolved: 162 W. Harmony St. and 47 Willis Ave.

One (1) Zoning Violation Notice were issued, Two (2) previous complaints in progress: 151 S. Virginia Ave. and Block 73, Lot 3 Cumberland Ave. Two (2) Resolved Complaints: 154 E. Main St. and 6 E. Main St. Two (2) Zoning Use Permit was issued: 135 E. Main St. and 66 Church St.

Motion to receive and file report, was made by Councilman Washington, motion was second by Councilman Pasquale. All in favor, none oppose, motion carried by Mayor Washington, Sr.

Councilwoman Scott shared the outcome of the Landlord meeting, in which was held on February 28, 2019. Approximately Fifty (50) Invitations were forwarded via e-mail, twenty-two (22) Landlords were present.

DEPARTMENTAL REPORTS:

SOLICITOR'S REPORT: Adam Telsey had nothing to Report.

MUNICIPAL CLERK'S REPORT: Deputy Clerk had nothing to Report

FINANCE OFFICER'S REPORT: Chief Finance officer reported that Mayor and Council received copies of budget status report which is based on Temporary budget prorated from January 2019 to March 2019. Expenditure ratio is 71.11% Tax Anticipation lowest bidder is 2.616% Aquahannah

CHIEF OF POLICE REPORT: John T. Stranahan gave forth the 2019 February Chief of Police Report: Twenty-Four (24) Adult Arrest, Two (2) Juvenile arrest, Eighteen (18) Complaints. New floor has been installed in the Police Department. Chief Stranahan announced that Patrick Riley will be in charge during his absence, while away for **State Wide Police** training next week. Chief Stranahan attended the **Attorney General Course for Immigration Status** where he received education that Police Enforcement Officers are not responsible of enforcing Immigration Laws. Motion to receive and file report, was made by Councilman Washington, motion was second by Councilman Oliver. All in favor, none oppose, motion carried by Mayor Washington, Sr.

FIRE CHIEF REPORT: Adam Hartsough was not present, therefor no report.

MAYORIAL REPORT: Mayor Washington, Sr. gave forth an update of the planning board meeting that took place yesterday evening March 4th 2019. He let it be known that flame works presented phase-one which was approved by the planning Board Commissioners, so that they can get moving on the three (3) buildings within the center of town.

Mayor Washington Sr., shared correspondence along with a contract, which was received from Ryan's home. Mayor Washington, Sr., questioned the Borough council if they've received the correspondence. Everyone including the Borough Solicitor Agreed that they've received the same correspondence along with contract.

Mayor John A. Washington, Sr., gave forth a brief synopsis of what the correspondence and contract entailed. Ryan homes proposed that they will build seventy-three (73) houses down by the river, the projective location would be in between the rail road tracks and river front.

Mayor John A. Washington, Sr., requested Borough Council to turn to the second page and focus on paragraph three which indicates that this offer is contingent upon a thirty (30) year pilot program.

Mayor Washington, Sr., is questioning the 30-year pilot program and wants the Borough Council to be aware of terms and conditions before executing a contract with Ryan's homes. Mayor Washington, Sr., does not understand why a "developer" is requesting a pilot program, with intention to sell property at a high rate.

Adam Telsey stated that it's not needed to respond to the correspondence, the letter was forwarded from Glen Fishman's Attorney to essentially show that they've made progress with regards of the redevelopment to the Riverwalk. Adam Telsey stated that the Fishman Group will need to stand before council and revise Redevelopment agreement, beings that its past due and out dated.

Mayor Washington, Sr., addressed the WAWA correspondence, which means that the only grocery store within the Borough will close. The Mayor will meet with the store owner(s) of the IGA store along with Councilwoman Deborah Scott, Councilman Lou Pasquale and Solicitor Adam Telsey, Monday March 11th at 3:00 p.m..

Mayor John A. Washington stated that theirs a 23 acre property on Rt 130 that is owned by the Borough of Penns Grove. Mayor John A. Washington, Sr., has spoken to someone who's interested in bringing a Medical center to the Borough. He also explained that it would be a nice incentive to give properties to people who are looking to redevelop and bring Business to the Borough.

Mayor John A. Washington, Sr., made a requested to appoint Council-President Clifford Poindexter back to the Sewage Authority.

It was moved by Councilman Washington, Jr., and it was second by Councilwoman Scott, to appoint Councilman Poindexter to the Sewage Authority Board. All in favor, motion carried by Mayor Washington, Sr.

RESOLUTION(S):

2019-3-46 – RESOLUTION TO ADOPT TEMPORARY CAPITAL BUDGET

WHEREAS, the need has arisen to introduce a capital ordinances to provide funds for various improvements within the Borough of Penns Grove prior to adoption of the 2019 Capital Budget, and;

WHEREAS, the regulations of the Local Finance Board (N.J.A.C. 5:30-4.3(b)) of the Division of Local Government Services, Department of Community Affairs requires that a municipality adopt a temporary capital budget if a capital ordinance is to be passed prior to adoption of the Annual Capital Budget,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Penns Grove, County of Salem that:

Section 1. 2019 Temporary Capital Budget is hereby created for the following:

Acquisition of an Aerial ladder Truck \$984,600.00

Section 2. The project will be included in the adopted 2019 Capital Budget, and

Section 3. One certified copy shall be forwarded to the Director of the Division of Local Government Services immediately after passage.

Mayor John A. Washington, Sr., requested a motion to adopt Resolution 2019-3-46, motion was made by Councilman Washington, and was second by Councilwoman Scott. All in favor, none oppose, motion carried by Mayor Washington, Sr.

2019-3-47 – RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH PENNS GROVE POLICE OFFICERES ASSOCIATION OF SALEM COUNTY FOP LODGE NO.6.

WHEREAS, the Borough of Penns Grove requires the services of Law Enforcement Officers; and

WHEREAS, the Penns Grove Police Officers are represented by Penns Grove Police Officers Association of Salem County FOP Lodge No. 6 ("FOP"); and

WHEREAS, the Borough and FOP negotiated a new contract for the term beginning January 1, 2018 and ending January 1, 2021; and

WHEREAS, the contract is attached hereto as Exhibit A; and

WHEREAS, the contract has been approved by the State of New Jersey, Department of Community Affairs, Division of Local Governments Services

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Penns Grove authorizes the Mayor to execute the Contract attached hereto as Exhibit A between the Borough of Penns Grove and FOP;

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

Mayor John A. Washington, Sr., requested a motion to adopt Resolution 2019-3-47, motion was made by Councilman Oliver, and was second by Councilwoman Scott. All in favor, none oppose, motion carried by Mayor Washington, Sr.

2019-3-48 – RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 28 LOT 26

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, the Property is not needed for public use; and

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

WHEREAS, the Borough received a high bid in response to the advertisement from Rolando Salgada in the amount of \$300.00; and

WHEREAS, the Property is undersized and without capital improvements; and

WHEREAS, the adjacent property owner, Valentine Constantino ("Constantino"), owner of Block 28, Lots 14 and 25 expressed a desire to purchase the Property; and

WHEREAS, Constantino has exercised his right of first refusal as set forth in N.J.S.A. 40A:12-13.2; and

WHEREAS, this sale is authorized by N.J.S.A. 40A:12-13(b)(2) and N.J.S.A. 40A:12-13.2.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Property shall be sold to Constantino for \$300.00 and that the Mayor is authorized to execute the contract of sale, deed and any other document necessary for the sale of the Property.

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

Mayor John A. Washington, Sr., requested a motion to adopt Resolution 2019-3-48, motion was made by Councilman Washington, and was second by Councilman Oliver. All in favor, none oppose, motion carried by Mayor Washington, Sr.

2019-3-49 – RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 76 LOT 12

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 76, Lot 12 (100 E. Main Street) (the "Property")

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

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

WHEREAS, the Borough received a high bid in response to the advertisement from Huyah Tram ("Tram") in the amount of \$300.00 and a second high bid from Richard Norton ("Norton") in the amount of \$100.00; and

WHEREAS, Tram has withdrawn his bid with the consent of the Mayor and Council; and

WHEREAS, the Borough would like to proceed forward with the sale of the Property to Norton; and

WHEREAS, this sale is authorized by N.J.S.A. 40A:12-13(b)(2).

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Property shall be sold to Norton for \$100.00 and that the Mayor is authorized to execute the contract of sale, deed and any other document necessary for the sale of the Property.

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

Mayor John A. Washington, Sr., requested a motion to adopt Resolution 2019-3-49, motion was made by Councilman Oliver, and was second by Councilwoman Scott. All in favor, none appose, motion carried by Mayor Washington, Sr.

2019-3-50 – RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 77, LOT 12

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 77, Lot 12 (38 S. Virginia Ave) (the "Property")

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

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

WHEREAS, the Borough received a high bid in response to the advertisement from Edward Ramsay in the amount of \$252.00; and

WHEREAS, the Property is undersized and without capital improvements; and

WHEREAS, the adjacent property owner, Orlando Nieves ("Nieves"), owner of Block 77, Lot 11 expressed a desire to purchase the Property; and

WHEREAS, Nieves has exercised his right of first refusal as set forth in N.J.S.A. 40A:12-13.2; and

WHEREAS, this sale is authorized by N.J.S.A. 40A:12-13(b)(2) and N.J.S.A. 40A:12-13.2.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Property shall be sold to Nieves for \$252.00 and that the Mayor is authorized to execute the contract of sale, deed and any other document necessary for the sale of the Property.

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

Mayor John A. Washington, Sr., requested a motion to adopt Resolution 2019-3-50, motion was made by Councilman Oliver, and was second by Councilman Washington, Jr. All in favor, none appose, motion carried by Mayor Washington, Sr.

2019-3-51 – RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 110 LOT 1

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 110, Lot 1 (S. Broad Street) (the "Property")

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

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

WHEREAS, the Borough received a high bid in response to the advertisement from Huyah Tram ("Tram") in the amount of \$560.00 and a second high bid from Michael Taylor ("Taylor") in the amount of \$200.00; and

WHEREAS, Tram has withdrawn his bid with the consent of the Mayor and Council; and

WHEREAS, the Borough would like to proceed forward with the sale of the Property to Taylor; and

WHEREAS, this sale is authorized by N.J.S.A. 40A:12-13(b)(2).

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Property shall be sold to Tram for \$200.00 and that the Mayor is authorized to execute the contract of sale, deed and any other document necessary for the sale of the Property.

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

Mayor John A. Washington, Sr., requested a motion to adopt Resolution 2019-3-51, motion was made by Councilman Oliver, and was second by Councilman Pasquale. All in favor, none appose, motion carried by Mayor Washington, Sr.

2019-3-52 – RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK 111, LOT 23

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 111, Lot 23 (1 Church Street) (the "Property")

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

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

WHEREAS, the Borough received a high bid in response to the advertisement from Huyah Tram ("Tram") in the amount of \$300.00 and a second high bid from Clyde Siriram ("Siriram") in the amount of \$101.00; and

WHEREAS, Tram has withdrawn his bid with the consent of the Mayor and Council; and

WHEREAS, the Borough would like to proceed forward with the sale of the Property to Siriram; and

WHEREAS, this sale is authorized by N.J.S.A. 40A:12-13(b)(2).

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns Grove that the Property shall be sold to Siriram for \$101.00 and that the Mayor is authorized to execute the contract of sale, deed and any other document necessary for the sale of the Property.

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

Mayor John A. Washington, Sr., requested a motion to adopt Resolution 2019-3-52, motion was made by Councilman Oliver, and was second by Councilman Pasquale. All in favor, none appose, motion carried by Mayor Washington, Sr.

2019-3-53 – RESOLUTION AUTHORIZING THE SALE OF PENNS GROVE BLOCK LOT

A RESOLUTION AUTHORIZING THE SALE OF VARIOUS PENNS GROVE PROPERTIES

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:

2. Block 50, Lot 16 (71 New Street)
3. Block 51, Lot 20 (142 Denny Ave)
4. Block 67, Lot 33 (34, 36, 38 Cumberland Ave)
5. Block 67, Lot 38 (34 Westminster Ave)
6. Block 67, Lot 43 (32 Westminster Ave)
7. Block 67, Lot 51 (Mitchell Ave)
8. Block 67, Lot 52 (13 Mitchell Ave)
9. Block 69, Lot 4 (119-21 S. Broad St)
10. Block 69, Lot 5 (113 S. Broad St)
11. Block 70, Lot 10 (32 Walnut St.)
12. Block 72, Lot 3 (57 Cumberland Ave)
13. Block 72, Lot 5 (S. Cumberland Ave)
14. Block 72, Lot 5.01 (S. Cumberland Ave)
15. Block 72, Lot 8 (64-7 Walnut St)
16. Block 73, Lot 1 (55-57 Walnut St)
17. Block 73, Lot 2 (59 Cumberland Ave)
18. Block 73, Lot 4 (Lincoln Ave & Cumberland Ave)
19. Block 73, Lot 5 (Lincoln Ave)
20. Block 73, Lot 18 (69 Walnut St.)
21. Block 73, Lot 19 (61 Walnut St.)
22. Block 73, Lot 20 (59 Walnut St)
23. Block 74, Lot 1 (Cumberland Ave)
24. Block 75, Lot 6 (49 S. Smith Ave)
25. Block 75, Lot 18 (71 Willis Ave)
26. Block 87, Lot 13 (Park Ave)
27. Block 87, Lot 17 (Park Ave)
28. Block 87, Lot 21 (Park Ave)
29. Block 99, Lot 4 (Park Ave)
30. Block 100, Lot 5 (74 Willis St)
31. Block 100, Lot 6 (76 Willis St)
32. Block 100, Lot 6.01 (78 Willis St)
33. Block 100, Lot 17 (145 S. Smith Ave)
34. Block 101, Lot 10 (153 Cumberland Ave)
35. Block 111, Lot 13 (2 Beach Ave)
36. Block 115, Lot 3 (2 Beach Ave)
37. Bock 128, Lot 16 (186 S. Broad St.)

(collectively referred to as the "Properties")

WHEREAS, the Properties are not needed for public use; and

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

WHEREAS, the Borough received the following high bids in response to the advertisement:

1. Block 28, Lot 26 (6 E. Main Street)- \$300.00 from Rolando Salgada
2. Block 50, Lot 16 (71 New Street)- \$5,250.00 from Russel Dodge
3. Block 51, Lot 20 (142 Denny Ave)- \$250.00 from Khadijah Caulk
4. Block 67, Lot 33 (34, 36, 38 Cumberland Ave)- \$600.00 from Huyah Tram
5. Block 67, Lot 38 (34 Westminster Ave)- \$120.00 from Huyah Tram
6. Block 67, Lot 43 (32 Westminster Ave)- \$190.00 from Huyah Tram
7. Block 67, Lot 51 (Mitchell Ave)- \$2,000 from Jamie Jaramello
8. Block 67, Lot 52 (13 Mitchell Ave)- \$2,000.00 from Jamie Jaramello
9. Block 69, Lot 4 (119-21 S. Broad St)-\$1,800.00 from Jamie Jaramello
10. Block 69, Lot 5 (113 S. Broad St)- \$300.00 from Huyah Tram
11. Block 70, Lot 10 (32 Walnut St.)- \$150.00 from Huyah Tram
12. Block 72, Lot 3 (57 Cumberland Ave)- \$180.00 from Huyah Tram
13. Block 72, Lot 5 (S. Cumberland Ave)- \$180.00 from Huyah Tram
14. Block 72, Lot 5.01 (S. Cumberland Ave)- No bid
15. Block 72, Lot 8 (64-7 Walnut St)- \$3,000.00 from Huyah Tram
16. Block 73, Lot 1 (55-57 Walnut St)- \$150.00 from Huyah Tram
17. Block 73, Lot 2 (59 Cumberland Ave)- \$600.00 from Huyah Tram
18. Block 73, Lot 4 (Lincoln Ave & Cumberland Ave)- \$190.00 from Huyah Tram
19. Block 73, Lot 5 (Lincoln Ave)- \$100.00 from Huyah Tram
20. Block 73, Lot 18 (69 Walnut St.)- \$1,500.00 from Huyah Tram
21. Block 73, Lot 19 (61 Walnut St.)- \$500.00 from Antonio Ramirez
22. Block 73, Lot 20 (59 Walnut St)- \$148.00 from Huyah Tram
23. Block 74, Lot 1 (Cumberland Ave)- \$752.00 from Edward Ramsay
24. Block 75, Lot 6 (49 S. Smith Ave)- \$3,700.00 from Jamie Jaramello
25. Block 75, Lot 18 (71 Willis Ave)- \$2,000.00 from Jamie Jaramello
26. Block 87, Lot 13 (Park Ave)- \$130.00 from Huyah Tram
27. Block 87, Lot 17 (Park Ave)- \$600.00 from Huyah Tram
28. Block 87, Lot 21 (Park Ave)- \$320.00 from Huyah Tram
29. Block 99, Lot 4 (Park Ave)- \$3,100.00 from Russel Dodge
30. Block 100, Lot 5 (74 Willis St)- \$1,800.00 from Jamie Jaramello
31. Block 100, Lot 6 (76 Willis St)- \$700.00 from Jamie Jaramello
32. Block 100, Lot 6.01 (78 Willis St)- No Bid
33. Block 100, Lot 17 (145 S. Smith Ave)- No Bid
34. Block 101, Lot 10 (153 Cumberland Ave)- \$1,700.00 from Wilson Jimenez
35. Block 111, Lot 13 (2 Beach Ave)- \$6,132.00 from John Ross
36. Block 115, Lot 3 (110 Sack Ave)- \$7,100.00 from Wilson Jimenez
37. Block 128, Lot 16 (186 S. Broad St.)- \$2,800.00 from John Ross

WHEREAS, the Mayor and Council would like to award the Properties to the high bidders set forth above; and

WHEREAS, this sale is authorized by N.J.S.A. 40A:12-13(b)(2).

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

1. The Properties are hereby awarded to the high bidders set forth above.
2. The Mayor is authorized to execute the contract of sale, deed and any other document necessary for the sale of the Properties.

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

Mayor John A. Washington, Sr., requested a motion to adopt Resolution 2019-3-53, motion was made by Councilman Oliver, and was second by Councilman Washington, Jr. All in favor, none appose, motion carried by Mayor Washington, Sr.

Mayor John A Washington Sr., thanked everyone who placed bids on Borough owned properties. He mentioned that there was only one property, which no one was interested in and would like to award the adjacent property owner at the following meeting.

Edward Ramsay from the public interrupted the governing body to mention that he withdrew his bid for Block 74, Lot 1 (Cumberland Ave) with reason to prevent future conflict.

Adam Telsey stated that he will make corrections and revise the Resolution the following morning March 6, 2019 and Mayor John A. Washington, Sr. will sign the adopted resolution upon completion.

ORDINANCE(S):

2019-2 – BOND ORDINANCE AUTHORIZING THE ACQUISITION OF AN AERIAL LADDER TRUCK IN THE BOROUGH OF PENNS GROVE, COUNTY OF SALEM, NEW JERSEY; APPROPRIATING THE SUM OF \$984,600 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF PENNS GROVE,

COUNTY OF SALEM, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$534,600; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

(TITLE ONLY)

BE IT ORDAINED by the Borough Council of the Borough of Penns Grove, County of Salem, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Penns Grove, County of Salem, New Jersey ("Borough").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$984,600; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$534,600.

Section 3. The sum of \$534,600, to be raised by the issuance of bonds or bond anticipation notes, together with two (2) grants from the New Jersey Small Cities/Community Development Block Grant Program and the United States Department of Agriculture in the aggregate amount of \$450,000, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Borough in an amount not to exceed \$534,600 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$534,600 is hereby authorized.

Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the

purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$190,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>		<u>Estimated Total Cost</u>	<u>Grant</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Provide Funding for the Acquisition of an Aerial Ladder Truck, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	\$984,600	\$450,000	\$0	\$534,600	10 years

Section 8. Grants or other monies received from any governmental entity, in addition those specifically referenced above, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 9. The supplemental debt statement provided for in Section 11 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$534,600 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 13. The Borough hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Mayor John A. Washington, Sr., requested a motion to adopt Ordinance 2019-2, motion was made by Councilman Oliver, and was second by Councilwoman Scott. All in favor, none oppose, motion carried by Mayor Washington, Sr.

Roll-call:

Councilman Mark Oliver – yes, Councilman Lou Pasquale - yes, Council-President Clifford Poindexter - yes, Councilwoman Deborah Scott - yes, Councilman Carl Washington, Jr. - yes
Councilman Leone absent.

There being five (5) ayes and no nays, Ordinance No. 2019-2 was approved.

2019-3 – AN ORDINANCE ESTABLISHING FEE FOR OFF DUTY POLICE FORCE (TITLE ONLY)

WHEREAS, there is a need to provide Borough of Penns Grove ("Borough") Police Officers for off duty services to private entities for assignments such as road closure security, etc.; and

WHEREAS, the Borough would like to establish a fee for these off duty services.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Penns Grove that the following fee shall be established for all off duty assignment of Borough Police Officers:

1. The fee shall be 1.5 times the normal hourly rate of the officer assigned plus an additional 20% administrative fee.
2. The entity requesting the off duty police officer service shall not have the right to choose which officer will be used for a particular assignment. Such decision will be left to the discretion of the Chief of Police.

Mayor John A. Washington, Sr., requested a motion to adopt Ordinance 2019-3, motion was made by Councilman Oliver, and was second by Councilwoman Washington, Jr. All in favor, none oppose, motion carried by Mayor Washington, Sr.

Roll-call:

Councilman Mark Oliver – yes, Councilman Lou Pasquale – yes, Council-President Clifford Poindexter – yes, Councilwoman Deborah Scott – yes, Councilman Carl Washington, Jr. – yes
Councilman Leone absent.

There being five (5) ayes and no nays, Ordinance No. 2019-3 was approved.

2019-4 – AN ORDINANCE REGULATING TEMPORARY STORAGE CONTAINERS (TITLE ONLY)

WHEREAS, on August 21, 2018, the Borough of Penns Grove adopted an ordinance adding Article III to Chapter 73 of the Code of the Borough of Penns Grove entitled "Temporary Storage Containers" ; and

WHEREAS, the Borough of Penns Grove would like to further amend Article III of Chapter 73 to "grandfather" all storage containers existing within the Borough of Penns Grove as of the date of the adoption of the ordinance on August 21, 2018.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Penns Grove that Section 73-14 of Article III of Chapter 73 of the Code of the Borough of Penns Grove shall be amended as follows:

§73-14. Temporary Storage Containers. No temporary storage container shall be placed within a yard of any residence for more than seven consecutive calendar days without first obtaining a permit from the Borough's Zoning Official for an extended period of use, not to exceed 30 consecutive calendar days, or as may be renewed for one additional period of up to 30 days. In no event shall a temporary storage container remain for more than 60 consecutive or cumulative days in consecutive years or in a calendar year. This Article III shall not apply to any temporary storage container in existence within the Borough of Penns Grove as of August 21, 2018.

Ordinance 2019-4 did not pass due to lack of Motion

OLD/NEW BUSINESS:

Medical Contribution – Statutory employees request to decrease contributions, to Tier 3. Effective January 2018. Mayor John A. Washington, Sr., made a requested to reduce contribution from statutory employees; from tier 4 to tier 3 as the PTPA Contract.

It was moved by Councilman Washington, Jr., and it was second by Councilman Pasquale, to reduce contribution from statutory employees. All in favor, motion carried by Mayor Washington, Sr.

CONTRACTS/REQUESTS:

May 2019 Dental Renewal - No increase.

Mayor John A. Washington, Sr., made a requested to approve contract.

It was moved by Councilman Washington, Jr., and it was second by Councilman Oliver, to approve contract. All in favor, motion carried by Mayor Washington, Sr.

PAYMENT OF BILLS:

Motion to pay bills was approved by Council-President Poindexter and seconded by Councilman Oliver. All in favor, motion carried by Mayor Washington, Sr.

PUBLIC SESSION:

Mayor Washington, Sr., opened the floor for public comments, it was moved by Councilwoman Scott and seconded by Councilman Pasquale, All in favor MOTION carried by Mayor Washington, Sr.

No one came forward.

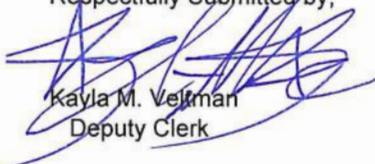
Mayor Washington, Sr., Closed the floor for public comments, it was moved by Councilwoman Scott and seconded by Councilman Pasquale, All in favor MOTION carried by Mayor Washington, Sr.

ADJORNMENT

Motion to adjourn the meeting at 8:21 p.m. was moved by Council – President Poindexter, and seconded by Councilwoman Scott, All in favor. Motion carried by Mayor Washington, Sr.

Mayor Washington, Sr., thanked everyone who attended, for coming out this evening.

Respectfully Submitted by,



Kayla M. Veltman
Deputy Clerk