



August 12, 2022

John Paff

RE: REQUEST FOR PUBLIC RECORDS AND THE COMMON LAW RIGHT OF ACCESS

Dear Mr. Paff

I am in receipt of your request for public records received on August 4, 2022 and hereby offer the following:

RECORDS REQUESTED:

1. The minutes of the Borough Council's closed (executive) meeting(s) at which the confidential settlement was discussed. – See exhibit A.
2. To the extent that it is not duplicative of No. 1, the minutes of all the Borough Council's closed sessions held between January 18, 2022, and May 17, 2022. - The May 3, 2022 executive session minutes are in draft form, and will be forwarded to you as soon as completed and approved.
3. The minutes of the Borough Council public meeting at which the confidential settlement was approved or ratified. – These minutes have not yet been adopted by the governing. However, I anticipate they will be adopted during the August 16th meeting and will be forwarded to you no later than August 31, 2022.
4. The resolution that approved or ratified the confidential settlement agreement. – See Exhibit B.
5. All resolutions passed during 2022 that made "emergency temporary appropriations" in accordance with N.J.S.A. 40A:4-20. – See Exhibit C.
6. Copy of both sides of the \$70,000 check that was issued to Mr. Brown in satisfaction of the settlement agreement.- The insurer will be contacted to receive copy, therefore an extension to August 31, 2022 is needed..

1 STATE STREET
PENNS GROVE, NEW JERSEY 08069
(856) 299-0098, EXT. 103

Respectfully,



Sharon R. Williams, RMC
Municipal Clerk

C: File

VIA EMAIL: opra+request-34392-669e2c4b@requests.opramachine.com

Exhibit A

BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL
EXECUTIVE SESSION
May 17, 2022
MINUTES

Present: Carter, Martin, Rambo, Worley, and Robert J. Tarver, Jr., Solicitor

Matters Relating to Litigation and Attorney-Client Privilege Pursuant to N.J.S.A. 10:4-12b(7) – Discussion regarding the settlement agreement between the Borough of Penns Grove and Sean Brown.

Tarver advised of receipt of notice of intention to bring suit to the Borough and discussed the causes of action. Tarver advised of the allegations made against three members of council, by Mr. Brown.

Tarver discussed an internal investigation conducted by outside counsel and advised as to the terms of potential settlement. Settlement was approved by Borough's insurance carrier.

Respectfully,

Sharon R. Williams, RMC
Municipal Clerk

BOROUGH OF PENNS GROVE
COUNTY OF SALEM, STATE OF NEW JERSEY
MAYOR AND COUNCIL
EXECUTIVE SESSION - 6:30 P.M.
COURTROOM/ VIA VIDEO TELECONFERENCES (VTC)
March 15, 2022
MINUTES

Present: Carter-Present, Martin-Present, Rambo-Present, Scarpaci-Present, Robert J. Tarver, Jr.,
Solicitor

Matters Relating to Litigation and Attorney-Client Privilege pursuant to N.J.S.A. 10:4-12b(7)
regarding Hudson vs. Borough of Penns Grove:

Tarver reported settlement reached by parties.

Matters Relating to Litigation and Attorney-Client Privilege pursuant to N.J.S.A. 10:4-12b(7)
regarding Scott vs. Borough of Penns Grove:

Tarver claim dismissed by mutual agreement.

Matters Relating to Litigation and Attorney-Client Privilege pursuant to N.J.S.A. 10:4-12b(7)
regarding Riley vs. Borough of Penns Grove:

Tarver advised all the nature of the complaint.

Respectfully,

Sharon R. Williams, RMC
Municipal Clerk

Borough Attorney /s/Robert L. Tarver, Jr.

BOROUGH OF PENNS GROVE
SALEM COUNTY, NEW JERSEY

RESOLUTION NO. 2022-5-94

RESOLUTION AUTHORIZING SETTLEMENT AFTER EXECUTIVE SESSION

Councilperson Martin sponsors the following Resolution

WHEREAS, Council has reviewed a potential litigation matter for settlement purposes in Executive Session; and

WHEREAS, Council agrees that it is necessary to resolve the matter discussed in Executive Session.

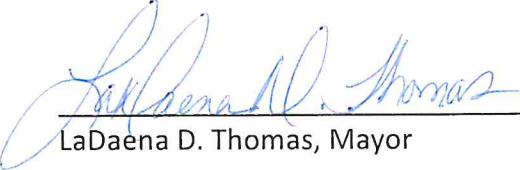
NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Penns Grove that the Borough Solicitor is authorized to settle the following case pursuant to the authority extended in Executive Session.

I/M/O Sean M. Brown

BE IT FURTHER RESOLVED by the Council of the Borough of Penns Grove that the Mayor is hereby authorized to execute the legal documents necessary to effectuate such settlements.

ATTEST:

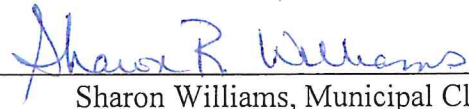

Sharon R. Williams, Municipal Clerk


LaDaena D. Thomas, Mayor

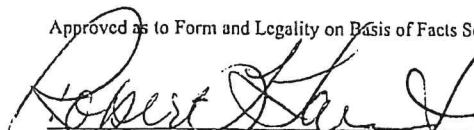
Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter	X		X			
Martin		X	X			
Mincey					X	
Rambo			X			
Scarpaci					X	
Worley					X	

CERTIFICATION

I, Sharon Williams, Municipal Clerk of the Borough of Penns Grove, County of Salem, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Committee at the regular meeting held on the 17th day of May, 2022, via in person and Zoom Video Communications.



Sharon Williams, Municipal Clerk

Approved as to Form and Legality on Basis of Facts Set Forth

Borough Attorney /s/Robert L. Tarver, Jr.

BOROUGH OF PENNS GROVE
COUNTY OF SALEM

RESOLUTION NO. 2022-2-33

EMERGENCY TEMPORARY RESOLUTION N.J.S.A. 40A:4-20

WHEREAS, an emergency condition has arisen with respect to the need to provide budgetary funds for 2022 and

WHEREAS, the cause of the emergency is due to the fact that the Borough is unable to adopt the 2022 Annual Budget without proper revenue figures and state approval, and

WHEREAS, it is considered necessary for the health and welfare of the community to continue to provide necessary services,

WHEREAS, the total emergency temporary resolution adopted in the year 2022 pursuant to the provisions of Chapter 96 P.L.1951 (N.J.S. 40A:4-20) including this resolution totals \$ 67,800.00 for the Current Fund.

1. Emergency temporary appropriations are made and the same are hereby made for:

Legal Settlement	15,000.00
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GRANTS

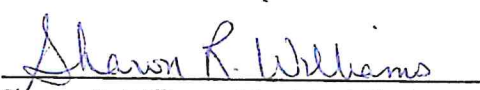
USDA Grant Air Cylinders and Body Worn Camera	52,800.00
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Total	67,800.00
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NOW THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20;

2. That said Emergency Temporary Appropriation will be provided for in full in the 2022 budget under the titles as listed above.
3. That three certified copies of this resolution be filed with the Director of Local Government Services.

ATTEST:


Sharon R. Williams, Municipal Clerk


LaDana D. Thomas, Mayor

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter			X			
Martin		X	X			
Mincey			X			
Rambo			X			
Scarpaci			X			
Worley	X		X			

CLERK’S CERTIFICATION

I, Sharon Williams, Municipal Clerk of the Borough of Penns Grove, County of Salem, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Borough Council of the Borough of Penns Grove at a meeting of said Council held on February 1, 2022 and said resolution was adopted by not less than a two-thirds vote of the members of the Borough Council.


Sharon R. Williams, Municipal Clerk

**BOROUGH OF PENNS GROVE
COUNTY OF SALEM**

RESOLUTION NO. 2022-3-52

EMERGENCY TEMPORARY BUDGET RESOLUTION N.J.S.A. 40A:4-20

WHEREAS, an emergency condition has arisen with respect to the need to provide budgetary funds for 2022 and

WHEREAS, the cause of the emergency is due to the fact that the Borough is unable to adopt the 2022 Annual Budget without proper revenue figures and state approval, and

WHEREAS, it is considered necessary for the health and welfare of the community to continue to provide necessary services,

WHEREAS, the total emergency temporary resolution adopted in the year 2022 pursuant to the provisions of Chapter 96 P.L.1951 (N.J.S. 40A:4-20) including this resolution totals **\$ 2,051,050.00** for the Current Fund.

1. Emergency temporary appropriations are made and the same are hereby made for:

GENERAL GOVERNMENT		
Mayor & Council		
Salaries & Wages		7400.00
Other Expenses		1000.00
General Administration		
Salaries & Wages		20000.00
Other Expenses		0.00
Municipal Clerk		
Salaries & Wages		25000.00
Other Expenses		5000.00
Financial Administration		
Salaries & Wages		30000.00
Other Expenses		12000.00
Audit Services		11100.00
Tax Assessment Administration		
Salaries & Wages		4100.00
Other Expenses		50.00
Revenue Administration		
Other Expenses		1000.00

Liquidation TTL/Foreclosure	
Other Expenses	10000.00
Legal Services & Costs	
Other Expenses	25000.00
Legal Settlement	
Economic Development Agencies	
Other Expenses	6000.00
Engineering Services & Cost	
Other Expenses	8000.00
Municipal Land Use Law(N.J.S.40:55D-1)	
Planning Board	
Salaries & Wages	0.00
Other Expenses	20000.00
Insurance	
Other Insurance Plans	112961.00
Group Insurance Plans	200000.00
Health Insurance Waiver	5000.00
Unemployment Compensation Insurance	1000.00
Accumulated Leave Compensation	
Fire Hydrant Services	
Other Expenses	12000.00
Fire Department	
Other Expenses	8000.00
Police Department	
Salaries & Wages	300000.00
Other Expenses	20000.00
Aid to Ambulance	
Other Expenses	6000.00
Emergency Management Services	
Salary & Wages	2000.00
Other Expenses	100.00
Municipal Prosecutor	
Salaries & Wages	3500.00
MUNICIPAL COURT	
Salaries & Wages	29000.00
Other Expenses	1000.00
PUBLIC DEFENDER	
Other Expenses	2400.00
PUBLIC WORKS FUNCTIONS	
Public Buildings & Grounds	
Salaries & Wages	2200.00

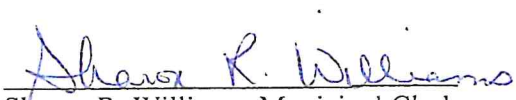
Other Expenses	25000.00
Shade Tree	
Other Expenses	1000.00
Demolition	
Other Expenses	0.00
Vehicle Maintenance	12000.00
HEALTH & HUMAN SERVICES	
Board of Health	
Other Expenses	1000.00
Safety Coordinator	
Salaries & Wages	1000.00
Other Expenses	300.00
Animal Control	
Other Expenses	10000.00
Senior Citizen Transportation	
Other Expenses	0.00
RECREATION AND EDUCATION	
Board of Recreation Commissioners	
Other Expenses	3500.00
UTILITY EXPENSES AND BULK PURCHASES	
Electricity and Natural Gas	45000.00
Telecommunications	14000.00
Water	1000.00
Petroleum Products	6000.00
Sewage Processing & Disposal	300.00
LANDFILL/SOLID WASTE DISPOSAL COSTS	
Other Expenses-Penns Grove Garden	
Apartments	7500.00
UNIFORM CONSTRUCTION CODE	
(N.J.S.A. 52:25d-120 et. Seq.)	
OTHER CODE ENFORCEMENT FUNCTIONS	
Salaries & Wages	15000.00
Other Expenses	2000.00
STATUTORY EXPENDITURES	
Social Security System	20000.00
Public Employees Retirement System	53405.00
Police and Fire Retirement System of	
N.J.	346244.00
Defined Contribution Retirement System	2000.00
Tax Appeal Judgement	0.00
Business Personal Property Tax (Bd. Of Ed.)	
Losap	0.00

INTERLOCAL MUNICIPAL SERVICE AGREE.	
Revenue Administration(Tax Collection)	
Other Expenses	20000.00
Public Work Functions: Other Costs	
Other Expenses	165000.00
County of Salem Dispatching Services	
Other Expenses	18750.00
GRANTS	
Transportation Assistant Act.	0.00
Clean Communities	0.00
Body Armor Replacement Program	0.00
Recycling Tonnage Grant	0.00
Alcohol Education and Rehabilitation	0.00
Borough Matching Share	0.00
Small Cities Delaware Ave and Mill St.	0.00
Body Worn Cameras	0.00
Supplemental T/A:Barber park, Demo	0.00
Local Fiscal Recovery Funds	0.00
USDA Boday Worn Cameras	0.00
Green Trust Loan Program	
Loan Repay. For Princ. & Int.	15580.00
CAPITAL	
Capital Improvement Fund	10000.00
DEBT SERVICE	
Principal	212860.00
Interest	16000.00
SPECIAL EMERGENCY	
AUTHORIZATIONS	
Revaluation	<u>68000.00</u>
TOTAL	1,983,250.00

- NOW THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20,
2. That said Emergency Temporary Appropriation will be provided for in full in the 2022 budget under the titles as listed above.
 3. That three certified copies of this resolution be filed with the Director of Local Government Services.

ATTEST:

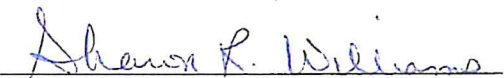

LaDaena D. Thomas, Mayor


Sharon R. Williams, Municipal Clerk

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter	X		X			
Martin			X			
Mincey		X	X			
Rambo			X			
Scarpaci			X			
Worley			X			

CLERK’S CERTIFICATION

I, Sharon Williams, Clerk of the Borough of Penns Grove, County of Salem, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Borough Council of the Borough of Penns Grove at a meeting of said Council held on March 2, 2022 and said resolution was adopted by not less than a two-thirds vote of the members of the Borough Council.


Sharon R. Williams, Municipal Clerk

**BOROUGH OF PENNS GROVE
COUNTY OF SALEM**

RESOLUTION NO. 2022-6-102

EMERGENCY TEMPORARY RESOLUTION N.J.S.A. 40A:4-20

WHEREAS, an emergency condition has arisen with respect to the need to provide budgetary funds for 2022 and

WHEREAS, the cause of the emergency is due to the fact that the Borough is unable to adopt the 2022 Annual Budget without proper revenue figures and state approval, and

WHEREAS, it is considered necessary for the health and welfare of the community to continue to provide necessary services,

WHEREAS, the total emergency temporary resolution adopted in the year 2022 pursuant to the provisions of Chapter 96 P.L.1951 (N.J.S. 40A:4-20) including this resolution totals \$ 2,081,050.00 for the Current Fund.

1. Emergency temporary appropriations are made and the same are hereby made for:

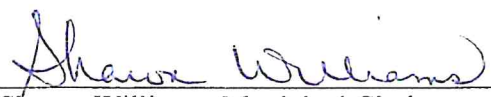
GENERAL GOVERNMENT

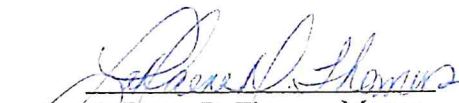
Legal Settlement	\$ 30,000.00
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NOW THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20,

2. That said Emergency Temporary Appropriation will be provided for in full in the 2022 budget under the titles as listed above.
3. That three certified copies of this resolution be filed with the Director of Local Government Services.

ATTEST:

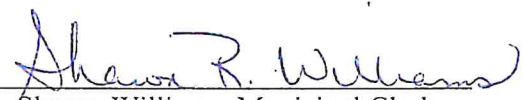

Sharon Williams, Municipal Clerk


LaDaena D. Thomas, Mayor

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter			X			
Martin	X		X			
Mincey						X
Rambo			X			
Scarpaci						X
Worley		X	X			

CLERK’S CERTIFICATION

I, Sharon Williams, Clerk of the Borough of Penns Grove, County of Salem, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Borough Council of the Borough of Penns Grove at a meeting of said Council held on June 9, 2022 and said resolution was adopted by not less than a two-thirds vote of the members of the Borough Council.


Sharon Williams, Municipal Clerk

BOROUGH OF PENNS GROVE

COUNTY OF SALEM

EMERGENCY TEMPORARY RESOLUTION N.J.S.A. 40A:4-20

RESOLUTION NO. 2022-6-104

WHEREAS, an emergency condition has arisen with respect to the need to provide budgetary funds for 2022 and

WHEREAS, the cause of the emergency is due to the fact that the Borough is unable to adopt the 2022 Annual Budget without proper revenue figures and state approval, and

WHEREAS, it is considered necessary for the health and welfare of the community to continue to provide necessary services,

WHEREAS, the total emergency temporary resolution adopted in the year 2022 pursuant to the provisions of Chapter 96 P.L.1951 (N.J.S. 40A:4-20) including this resolution totals \$ **3,728,323.23** for the Current Fund.

1. Emergency temporary appropriations are made and the same are hereby made for:

GENERAL GOVERNMENT

GENERAL GOVERNMENT

Mayor & Council

Salaries & Wages	7400.00
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Other Expenses	1000.00
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General Administration

Salaries & Wages	34000.00
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Other Expenses	0.00
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Municipal Clerk

Salaries & Wages	25000.00
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Other Expenses	10000.00
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Financial Administration

Salaries & Wages	30000.00
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Other Expenses	2000.00
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Audit Services

0.00

Tax Assessment Administration

Salaries & Wages	4100.00
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Other Expenses	50.00
Revenue Administration	
Other Expenses	1375.00
Liquidation TTL/Foreclosure	
Other Expenses	10000.00
Legal Services & Costs	
Other Expenses	47000.00
Legal Settlement	
Economic Development Agencies	
Other Expenses	9000.00
Engineering Services & Cost	
Other Expenses	7000.00
Municipal Land Use Law(N.J.S.40:55D-1)	
Planning Board	
Salaries & Wages	0.00
Other Expenses	2000.00
Insurance	
Other Insurance Plans	13317.00
Group Insurance Plans	200000.00
Health Insurance Waiver	0.00
Unemployment Compensation Insurance	1000.00
Accumulated Leave Compensation	
Fire Hydrant Services	
Other Expenses	10000.00
Fire Department	
Other Expenses	8000.00
Police Department	
Salaries & Wages	350000.00
Other Expenses	20000.00
Aid to Ambulance	
Other Expenses	8000.00
Emergency Management Services	
Salary & Wages	2000.00
Other Expenses	100.00
Municipal Prosecutor	
Salaries & Wages	3500.00
MUNICIPAL COURT	
Salaries & Wages	23000.00
Other Expenses	3000.00
PUBLIC DEFENDER	
Other Expenses	2400.00

PUBLIC WORKS FUNCTIONS	
Public Buildings & Grounds	
Salaries & Wages	0.00
Other Expenses	20000.00
Shade Tree	
Other Expenses	500.00
Demolition	
Other Expenses	0.00
Vehicle Maintenance	13000.00
HEALTH & HUMAN SERVICES	
Board of Health	
Other Expenses	2000.00
Safety Coordinator	
Salaries & Wages	600.00
Other Expenses	200.00
Animal Control	
Other Expenses	8000.00
Senior Citizen Transportation	
Other Expenses	0.00
RECREATION AND EDUCATION	
Board of Recreation Commissioners	
Other Expenses	1000.00
UTILITY EXPENSES AND BULK PURCHASES	
Electricity and Natural Gas	46000.00
Telecommunications	14000.00
Water	1000.00
Petroleum Products	15000.00
Sewage Processing & Disposal	0.00
LANDFILL/SOLID WASTE DISPOSAL COSTS	
Other Expenses-Penns Grove Garden Apartments	0.00
UNIFORM CONSTRUCTION CODE	
(N.J.S.A. 52:25d-120 et. Seq.)	
OTHER CODE ENFORCEMENT FUNCTIONS	
Salaries & Wages	19000.00
Other Expenses	200.00
Accumulated Leave Compensation	10000.00
Contingent	10000.00
STATUTORY EXPENDITURES	
Social Security System	3000.00
Public Employees Retirement System	0.00
Police and Fire Retirement System of N.J.	0.00

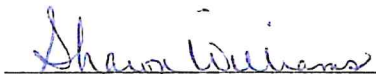
Defined Contribution Retirement System	0.00
Tax Appeal Judgement	0.00
Business Personal Property Tax (Bd. Of Ed.)	
Losap	0.00
INTERLOCAL MUNICIPAL SERVICE AGREE.	
Revenue Administration(Tax Collection)	
Other Expenses	8000.00
Public Work Functions: Other Costs	
Other Expenses	165000.00
County of Salem Dispatching Services	
Other Expenses	18750.00
GRANTS	
Transportation Assistant Act.	0.00
Clean Communities	9781.23
Body Armor Replacement Program	0.00
Recycling Tonnage Grant	0.00
Alcohol Education and Rehabilitation	0.00
Borough Matching Share	0.00
Small Cities Storm Water Infrastructure E.	
Pitman	400000.00
Body Worn Cameras	0.00
Supplemental T/A:Barber park, Demo	0.00
Local Fiscal Recovery Funds	0.00
USDA Body Worn Cameras	0.00
Green Trust Loan Program	
Loan Repay. For Princ. & Int.	0.00
CAPITAL	
Capital Improvement Fund	40000.00
DEBT SERVICE	
Principal	0.00
Interest	0.00
SPECIAL EMERGENCY AUTHORIZATIONS	
Revaluation	<u>0.00</u>
TOTAL	1,639,273.23

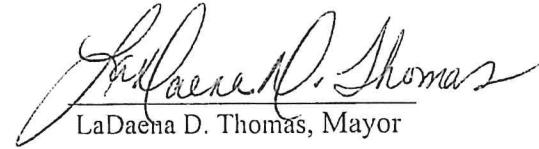
NOW THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20,

2. That said Emergency Temporary Appropriation will be provided for in full in the 2022 budget under the titles as listed above.

3. That three certified copies of this resolution be filed with the Director of Local Government Services.

ATTEST:

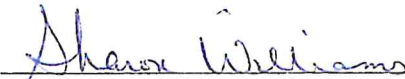

Sharon Williams, Municipal Clerk


LaDaena D. Thomas, Mayor

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter			X			
Martin	X		X			
Mincey		X	X			
Rambo			X			
Scarpaci			X			
Worley						X

CLERK’S CERTIFICATION

I, Sharon Williams, Clerk of the Borough of Penns Grove, County of Salem, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Borough Council of the Borough of Penns Grove at a meeting of said Council held on June 21, 2022 and said resolution was adopted by not less than a two-thirds vote of the members of the Borough Council.


Sharon Williams, Municipal Clerk