

Borough of Elmer Minutes**June 14, 2017**

CALL TO ORDER: A Regular Meeting of the Borough Council convened in the Borough Hall at 7:30 p.m. with Mayor Stemberger presiding.

FLAG SALUTE AND INVOCATION: Invocation was given by Mayor Stemberger, followed by the pledge of allegiance. Mayor Stemberger noted that adequate notice of the meeting was provided pursuant to the Open Public Meetings Act.

ROLL CALL: Council Members Schalick, Schneider, Zee, and Mayor Stemberger answered to the roll call. Absent and excused by the Mayor were Council Members Davis, Nolan, and Richards. Also present were Solicitor Duffield and Chief Financial Officer Strang.

APPROVAL OF MINUTES: Motion Zee second Schalick to approve the minutes from the Council Meeting held on May 10, 2017, and to dispense with the reading of the minutes.

Roll Call: Ayes: Schalick, Zee, Stemberger; Nays: None. Abstain: Schneider. Motion carried.

PUBLIC SESSION: Motion Schalick second Zee to open the public portion of the meeting. All were in favor and the motion carried. There being no public comment, motion Zee second Schneider to close the public portion of the meeting. All were in favor and motion carried.

UNFINISHED BUSINESS:

1. Council President Schneider updated Members on status of the Tax Assessor position. Interviews with four candidates were conducted on June 14. No action was taken.

2. The Clerk updated the status of the elevator repairs and Council Members discussed the need for the boiler room roof repair. President Schneider recommended that Davis solicit quotes for the construction of a roof. No action was taken.

NEW BUSINESS:

1. Freeholder Laury provided a short presentation and answered questions about recent activities towards implementing a County Construction Code Office.

Motion Schneider second Zee to sign a non-binding agreement confirming the intent of the governing body to enter into a joint services agreement with the County of Salem to establish and participate in a mutually beneficial Construction Code Office. All were in favor and motion carried.

2. Christine Nolan from the South Jersey Land and Water Trust provided an update on the National Fish and Wildlife Grant submitted on behalf of the Borough, and discussed other funding opportunities.

3. The following Resolutions were read by title:

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION AUTHORIZING THE TAX COLLECTOR TO DISALLOW THE FOLLOWING SENIOR
CITIZEN OR DISABLED OR SURVIVING SPOUSE DEDUCTIONS FOR THE YEAR 2016/2017
Number 60-17**

WHEREAS, the following Senior Citizens or Disabled or Surviving Spouse persons did not file an annual Post Tax Year Statement (PD-5) or,

WHEREAS, the Post Tax Year Statement was filed declaring income that exceeded the \$10,000 income limit or,

WHEREAS, the applicants entitled to this deduction have moved from the property that they resided at the time of application,

WHEREAS, two separate notices were mailed to these people in an attempt to have the proper forms returned in a timely manner,

WHEREAS, all of these Senior Citizen, Disable, or Surviving Spouse persons were mailed a Notice of Disallowance Form (PD-5) as required by N.J.S.A. 54:4-8.44a,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Elmer disallow the deduction indicated for the Tax Year 2016/2017 as indicated.

BLOCK	LOT	NAME	DEDUCTION	2016	REASON
22	18	Comperatore, John & Lattimer L.	DISABLED	\$250	No Form
29	31	Voeckler, Walter Jr. & Marcia	SENIOR CITIZEN	\$250	No Form
30	18	Moylan, Kelly M. & Moore, Christopher	DISABLED	\$250	No Form

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION FOR PLANNING BOARD ESCROW FUND (Dollar General)**

Number 61-17

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by applicant Dollar General for Site Plan Review in the amount of \$5,176.00 be distributed and paid as follows:

Amount: \$5,176.00

To: Fralinger Engineering PA

For: Site Plan Review

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM
APPOINTING JOSEPH M. COVELESKI EMERGENCY MANAGEMENT COORDINATOR**

Number 62-17

WHEREAS, Michael M. Miller resigned from the position of Emergency Management Coordinator effective 6/7/2017 due to moving out of the Borough; and

WHEREAS, N.J.S.A. App.A:9-40.11 provides that every municipality in the State of New Jersey shall appoint a Municipal Emergency Management Coordinator from among the residents of the municipality subject to certain conditions for a term of three (3) years; and

WHEREAS, it is the interest of the residents of the Borough of Elmer that an Emergency Management Coordinator be forthwith appointed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, Salem County, New Jersey, that Joseph M. Coveleski is appointed Emergency Management Coordinator for the Borough of Elmer for a three (3)-year term effective June 14, 2017 through June 14, 2020. Said appointment shall be subject to all terms and conditions imposed by N.J.S.A. App A:9-40.1 and all other conditions and requirements imposed by law.

**BOROUGH OF ELMER COUNTY OF SALEM RESOLUTION
APPOINTING SARAH D. WALKER MUNICIPAL CLERK, MUNICIPAL WATER DEPARTMENT
CLERK, AND REGISTRAR OF VITAL STATISTICS**

Number 63-17

WHEREAS, there exists a need for the appointment of a Municipal Clerk in the Borough or Elmer, County of Salem, State of New Jersey; and

WHEREAS, N.J.S.A. 40A:9-133 states that the term of office of the Municipal Clerk shall be three years and that the term shall be deemed to have begun as of the actual date upon which a person serving as municipal clerk is appointed; and

WHEREAS, Acting Clerk Sarah D. Walker has successfully completed the required five courses offered through Rutgers, The State University, and passed the required State examination administered by the Division of Local Government Services, Department of Community Affairs and has been certified as a Registered Municipal Clerk in accordance with the requirements of Chapter 174 Law of 1985.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Elmer that Sarah D. Walker be appointed Municipal Clerk for a term of three (3) years in accordance with N.J.S.A. 40A:9-133 effective June 14, 2017 and ending June 14, 2019;

BE IT FURTHER RESOLVED that Sarah D. Walker be re-appointed Registrar of Vital Statistics and Water Department Clerk for a term concurrent with the Municipal Clerk term, beginning June 14, 2017 and ending on June 14, 2019.

**BOROUGH OF ELMER, COUNTY OF SALEM RESOLUTION
REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:4-87)**

Number 64-17

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount:

SECTION I

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Elmer, in the County of Salem, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$4,000.00, which item is now available as a revenue from the State of New Jersey, Solid Waste Administration FY2017 Clean Communities Grant pursuant to the provisions of statute, and

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$4,000.00 is hereby appropriated under the caption of "Public and Private Programs Offset by Revenues", State of New Jersey, Solid Waste FY2017 Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$4,000.00 from the State of New Jersey, Solid Waste Administration FY2017 Clean Communities Grant.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION AUTHORIZING REFUND OF
PROPERTY REGISTRATION FEE RECEIVED IN ERROR**

Number 65-17

WHEREAS, on May 22, 2017 the Borough of Elmer deposited check #7032533700 in the amount of \$500 for a Property Registration fee from Wells Fargo for a property located at 16 Broad St.; and

WHEREAS, 16 Broad St. was determined to be located in Pennsville, NJ and not the Borough of Elmer and, therefore, the fee should not have been paid to the Borough of Elmer; and

WHEREAS, the Borough Chief Financial Officer is in receipt of requests from both the Borough Housing and Property Maintenance Officer and a representative from Wells Fargo to return the payment to Wells Fargo Bank, NA;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, assembled in public session this 14th (fourteenth) day of June 2017, that the Chief Financial Officer of the Borough of Elmer be and she is hereby authorized and directed to refund \$500 to:

Wells Fargo Bank, N.A.
1 Home Campus MAC F2303-04J
Des Moines, IA 50328.

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, COUNTY OF SALEM, STATE OF NEW JERSEY AWARDING CONTRACT TO BRAVE INDUSTRIAL PAINT, LLC FOR REPAINTING AND REPAIR OF THE ELMER BOROUGH WATER STORAGE TOWER
Number 66-17

WHEREAS, Mayor and Council of the Borough of Elmer determined that repairs and repainting were necessary to the Borough's Water Storage Tower; and

WHEREAS, consistent with the New Jersey Public Contracts Law, N.J.S.A. 40A:11-23, the Borough Acting Clerk caused an advertisement for solicitation of bids to be published on April 16, 2017 for repainting and repair of the Borough's Water Storage Tower; and

WHEREAS, on May 24, 2017, the Mayor and Council received and opened bids in accordance with the advertised date for acceptance of said bids for the project; and

WHEREAS, five (5) bids were received and opened on May 24, 2017 for the Elmer Borough repainting and repair of the Elmer Borough Water Storage Tower project; and

WHEREAS, the five (5) bids received ranged from \$769,000.00 to \$437,807.00; and

WHEREAS, the low bid was less than the Engineer's pre-bid estimate in the sum of \$510,000.00; and

WHEREAS, the Borough Council has reviewed the recommendations made by the Borough's Engineer on said bids; and

WHEREAS, Brave Industrial Paint, LLC submitted the lowest responsive monetary lump sum bid (Items 1-16) in the sum of \$437,807.00; and

WHEREAS, the Borough's Engineer and Solicitor have determined that the bid is in conformance with the Bid Specifications and Local Public Contracts Law; and recommends the award of the Contract to Brave Industrial Paint, LLC; and

WHEREAS, the Borough's Chief Financial Officer has certified that sufficient funds are available to award the Contract; and

WHEREAS, the proposed award of contract to Brave Industrial Paint, LLC is contingent upon NJDEP and/or NJEIT prior written authorization.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council, Borough of Elmer, that the Contract for the repainting and repair of the Elmer Borough Water Storage Tower be and the same is hereby awarded to Brave Industrial Paint, LLC on its lump sum bid of \$437,807.00 (Items 1-16).

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Borough of Elmer are hereby authorized

and directed to execute the Contract for same upon prior written authorization by NJDEP and/or NJEIT.

BE IT FURTHER RESOLVED that the certified checks or bid bonds of the successful bidder and next lowest bidder are to be returned upon the receipt of a fully executed Contract and other required documents by the lowest bidder, Brave Industrial Paint, LLC

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
ELMER AUTHORIZING AND RATIFYING CONTRACT WITH
ERIC M. KRISE, ELECTRICAL CONTRACTOR, TO REMOVE
AND REPLACE THE ELECTRIC PUMP FOR THE BOROUGH’S WATER WELL**

Number 67-17

WHEREAS, it came to the attention of the Borough of Elmer’s Assistant Water Department Superintendent that the Borough’s potable water well pump motor failed; and

WHEREAS, an emergent condition existed with the failure of the Borough’s well pump motor which necessitated immediate replacement and related services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-6 (“Emergency Contracts”), allows the award of contracts without public advertising for bids and bidding when an emergency affecting public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the provisions of the Pay to Play laws, N.J.S.A. 19:44A-20.4 et seq., are waived when an emergency exists affecting the public health, safety or welfare which the requires the immediate delivery of goods or performance of services; and

WHEREAS, the Assistant Water Department Superintendent obtained a proposal to remove the failed well pump and replace same with a new 75hp 3 Phase well pump motor; and

WHEREAS, the Assistant Water Department Superintendent determined that Eric M. Krise, Electrical Contractor, could immediately perform the requested services; and

WHEREAS, Eric M. Krise, Electrical Contractor, provided a proposal dated 6/12/2017 in the sum of \$6,697.00 for the requested services, a copy of the proposal from Eric M. Krise, Electrical Contractor dated 6/12/2017 is attached hereto; and

WHEREAS, it was in the best interests of the residents of the Borough of Elmer to authorize Eric M. Krise, Electrical Contractor, to remove the failed well pump motor and replace same with a new 75hp 3 Phase well pump motor.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Elmer, County of Salem and State of New Jersey that:

1. The authorization and award of an emergency contract for the removal and replacement of the Borough’s well pump motor to Eric M. Krise, Electrical Contractor, in the sum \$6,697.00 is hereby ratified, authorized and approved; and
2. In accordance with N.J.S.A. 19:44A-20.12, the Municipal Clerk shall file with the Division of Local Government Services an Emergency Procurement Report within thirty (30) days of the date the emergency contract was issued.

Motion Schalick seconded by Zee to adopt Resolutions 60-17 through 67-17.

Roll Call: Ayes: Schneider, Schalick, Zee, Stemberger; Nays: None. Motion carried.

DISCUSSIONS/MOTIONS: The following items were discussed by Council Members:

1. Council Members discussed the NJ Department of Transportation grant for Hitchner and Union St. and the two engineering proposals submitted for the project. Councilman Zee noted that the June 2 proposal for \$17,500 was recommended by the Committee Chairman Richards, and members present agreed. No action was taken.
2. Mayor Stemberger updated Council Members on the recent animal licensing court action. Solicitor Duffield provided the citations in the Borough Code for the fees and penalties that support the animal licensing penalties; Chief Bryan will be given a copy to take to the Court.
3. Solicitor Duffield and Assessor Duffield provided an explanation of the COAH fees that the State is requiring municipalities to collect for non-residential development. The Tax Assessor will work with the Construction Office to collect the fees as required.

REPORTS/BILL LIST:

Motion Zee second Schalick to receive and file the Tax/Water Collector report; all were in favor and motion carried.

Motion Schneider, second Schalick to receive, file and spread full upon the minutes the Treasurer's Report for the month of February (**Page 60a**). All were in favor and motion carried.

Motion Zee, second Schalick, that the bills be paid and charged to their respective accounts (see **Page 60b**).
Roll Call: Ayes: Schneider, Schalick, Zee, Stemberger; Nays: None. Motion carried.

Motion Zee second Schalick that the Clerk and Mayor's mail correspondence be received and filed. All were in favor and motion carried.

COMMITTEE REPORTS:

Finance/Celebration Public Events: No report.

Public Safety: Schneider presented the police and fire monthly reports.

Streets/Sidewalks/IT: No report.

Borough Hall/Public Property: No report.

Water/Street Lights: Zee provided update on the emergency well motor replacement and discussed refurbishment of the old motor.

Trash/Recycling/Parks & Playgrounds: Mayor Stemberger discussed the Salem Health and Wellness Foundation grant program for parks & recreation funds. He also requested Council input on the Certificate of Occupancy checklists provided at last month's meeting.

ADJOURNMENT: Motion Zee, second Schalick that the meeting be adjourned. Motion carried.

June 14, 2017

Sarah D. Walker, RMC

Approved: July 12, 2017