

Borough of Elmer Minutes**November 11, 2020**

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

INVOCATION AND FLAG SALUTE: Invocation was given by Mayor Stemberger followed by the pledge of allegiance. Mayor Stemberger noted that adequate notice of the meeting was provided on January 9, 2020 pursuant to the Open Public Meetings Act.

ROLL CALL: Council President Lewis Schneider, Council Members Lynda Davis, Bruce Foster, Cynthia Nolan, Steven Schalick, James Zee, and Mayor Joseph Stemberger answered to the roll call. Also present were Solicitor Brian Duffield, Chief Financial Officer Cynthia Strang, and Clerk Sarah Walker.

APPROVAL OF MINUTES: Motion Davis second Nolan to approve the minutes from the Regular Council Meetings held on October 14, 2020 and to dispense with the reading of the minutes.

Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

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

UNFINISHED BUSINESS:

1. Water Department Positions & Licensed Operator RFP: Council Member Zee summarized the two proposals received for the Licensed Operator position and members discussed concerns with both proposals, particularly concerning the minimum insurance requirements. The following resolution was read by title:

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER AUTHORIZING
REJECTION OF BIDS, REVISED SPECIFICATIONS AND ADVERTISEMENT OF BIDS FOR A
LICENSED OPERATOR FOR THE BOROUGH'S WATER DISTRIBUTION AND TREATMENT SYSTEM
Number 82-20**

WHEREAS, the Mayor and Council authorized advertising and receipt of request for proposals (RFP) for the Water Department Licensed Operator for the Borough of Elmer; and

WHEREAS, on November 5, 2020, bids were received and opened publicly; and

WHEREAS, the following two (2) contractors submitted bids:

| <u>Contractor</u> | <u>Bid Amount</u> |
|---|-------------------|
| Consulting Engineer Services (CES) 645 Berlin-Cross Keys Rd, Suite 1 Sicklerville, NJ 08081 | \$32,570 |
| Water Resource Management (WRM) 232 Kings Highway East Haddonfield, NJ 08033 | \$66,362 |

WHEREAS, the Mayor and Council have determined to reject to the bids for the following reasons:

1. Neither proposal met the minimum requirements for insurance; and
2. The Mayor and Council have determined to revise the bid specifications.

WHEREAS, the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-13.2, authorizes a municipality to reject all bids for the above-stated reasons.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Elmer, County of Salem and State of New Jersey that the Borough Clerk shall reject all bids and that the bid specifications for the Water Department Licensed Operator shall be revised and the project be advertised for rebidding.

BE IT FURTHER RESOLVED that the advertisement for bids shall conform to the requirements of N.J.S.A. 40A:11-23, and such notice shall be published in the official newspaper of the Borough of Elmer.

BE IT FURTHER RESOLVED that the bids will be submitted to the Borough Clerk and in accordance with the terms, conditions and specifications of the Notice to Bidders and Proposal form.

Motion Zee second Davis to adopt Resolutions 82-20.

Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

NEW BUSINESS:

1. Resolutions: the following resolutions were read by title:

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM
AUTHORIZING LAND USE BOARD ESCROW FUND PAYMENT (Foote)**

Number 80-20

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by applicant Allison Foote for a Site Plan Review for 47 Broad Street (Block 18 Lots 7 & 8) in the amount of \$105.00 be distributed and paid as follows:

Amount: \$105.00 To: Consulting Engineering Services LLC For: Construction Inspection

**RESOLUTION OF THE BOROUGH OF ELMER COUNTY OF SALEM
TO PLACE MUNICIPAL CHARGES ON TAX PROPERTIES WHERE SERVICE WORK, FINES OR
LEGAL FEES WERE ORDERED AND WORK WAS PERFORMED AS OUTLINED**

Number 81-20

WHEREAS, there exists a need to perform work on certain properties and/or certain charges need to be applied to these properties as stated in the attached schedule; and,

WHEREAS, said work must be ordered by the Council of the Borough of Elmer and performed on these properties also stated in the attached schedule and noted with work order numbers; and,

WHEREAS, performing this required work will result in a municipal charge against the stated property to be due in 30 days, otherwise 18% per annum interest will be charged, following the 30 day due date; and,

WHEREAS, other charges such as fines or legal fees are required due to certain actions that require the collection of municipal charges may also be included on the attached schedule.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Elmer, County of Salem, and State of New Jersey that a municipal charge be placed on said properties for the work which must be performed and/or other charges need to be recorded.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chief Financial Officer and the Borough Tax Collector as their authorization and that their records be noted accordingly.

Motion Davis second Foster to adopt Resolutions 80-20 and 81-20.

Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

DISCUSSIONS/MOTIONS:

1. Tax Sale and Executive Order 190: CFO Strang outlined issues with the tax sale with regard to the EO 190, which does not permit the assessment or collection of delinquent charges for water department fees. The CFO recommended staying on track with an early tax sale for the benefit of the budget and collection rate and Council members agreed. The following resolutions were read by title:

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION TO AUTHORIZE THE TAX COLLECTOR
TO CONDUCT AN ELECTRONIC TAX SALE**

Number 83-20

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales in the State of New Jersey along with participating Counties and Municipalities, and

WHEREAS RealAuction.com has supplied and negotiated a contract to provide electronic tax sales services to the Borough of Elmer, which contract is attached hereto and made a part hereof by reference, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Borough of Elmer wishes to conduct an electronic tax sale and to award a contract for such services to RealAuction.com as a vendor which has been determined to have complied with the statutory provisions necessary to supply such services;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, County of Salem and State of New Jersey that the Tax Collector is hereby authorized to conduct an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

1. The Mayor is hereby authorized to sign the attached contract for services with RealAuction.com, which has offices located at 861 SW 78th Avenue, Plantation, FL 33224.

2. The Mayor and other officers and employees of the Borough are hereby authorized to perform whatever task may be necessary to effectuate the purposes of this Resolution.

3. This Resolution is subject to the availability of funds.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION TO ALLOW A CHARGE OF \$25.00 PER NOTICE
OF TAX SALE ON DELINQUENT ACCOUNTS**

Number 84-20

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of Elmer wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, County of Salem and State of New Jersey that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2021 electronic tax sale.

Motion Zee second Foster to adopt Resolutions 83-20 and 84-20.

Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

REPORTS/BILL LIST:

Motion Foster second Zee to receive and file the Tax/Water Collector’s report and to receive, file and spread full upon the minutes the Treasurer’s report (**see Page 75a**); all were in favor and motion carried.

Motion Davis second Nolan to pay all duly authorized bills and charge them to their respective accounts (**see Page 75b**).

Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

The Clerk noted that a letter was emailed from the Mayor to the DEP concerning the lake and that the Local Government dinners were postponed for the rest of the year.

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

COMMITTEE REPORTS:

Finance/Celebration Public Events: Schalick discussed upcoming celebrations and Covid issues, and noted that the budget meeting will be scheduled for 5:30 prior to the December 9 regular Council meeting.

Public Safety: Schneider discussed Court revenue losses due to Covid, and problems with the getting quotes for the Veterans Monument project.

Streets/Sidewalks: Foster mentioned recent street cleanings and questions about the overgrowth on the corner of Center and Hitchner. Schalick recommended contacting Upper Pittsgrove. The 2019 and 2020 NJDOT awards for the 2nd, 3rd, Oak St project will be combined into one project that will begin in 2021.

Borough Hall/Public Property: Davis discussed a quote for window washing and power washing for the Borough Hall.

Water/Street Lights/IT: Zee is working on getting a sample LED light for one of the parking lot decorative streetlights.

Trash/Recycling/Parks & Playgrounds: Nolan noted that there were no trash complaints and leaf pickup is scheduled for December 8. Bags will be available at the library. Members recommended soliciting volunteers for installing the holiday lights since community service workers are not available. Nolan also noted that 11 groups came out for the Clean Communities Cleanup day.

ADJOURNMENT: At 8:19 pm motion Zee second Foster that the meeting be adjourned. All were in favor and motion carried.

November 11, 2020

Sarah D. Walker, Borough Clerk

Approved: December 9, 2020