

March 11, 2015

**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 PURSUANT TO THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING, AS REQUIRED BY SAID ACT, HAS BEEN PROVIDED BY CONTACTING EACH COUNCIL MEMBER, POSTING SCHEDULED MEETING ON THE MUNICIPAL BUILDING BULLETIN BOARD, EMAILED TO the *ELMER TIMES* and *SOUTH JERSEY TIMES* AND FILED WITH THE BOROUGH CLERK ON JANUARY 1, 2015.

**ROLL CALL:**

Councilpersons Nolan, Richards, Schalick, Zee and Mayor Joseph P. Stemberger answered to the roll call. Absent – President Schneider and Councilwoman Davis.

**APPROVAL OF MINUTES:**

Motion Zee, seconded Nolan to approve minutes from Elmer Borough Council Meeting on February 11, 2015 and that the reading of the minutes be dispensed with. Motion carried.

Roll Call: Ayes: Nolan, Richards, Schalick and Zee, Nays – None. Motion carried.

**OPEN TO THE PUBLIC:**

.Motion Zee, seconded Nolan to open the public portion of the meeting. Motion carried.

Steve Compo, NJ Territory Manager and associate Joel, from Always Safe Sidewalks spoke regarding their technique for leveling Borough sidewalks.

**CLOSED TO THE PUBLIC:**

Motion Zee, seconded Nolan to close the public portion of the meeting. Motion carried

**OLD BUSINESS:**

**ORDINANCE NO. 2015-6**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 3 ENTITLED “POLICE REGULATIONS” OF THE CODE OF THE BOROUGH OF ELMER**

**ORDINANCE NO. 2015 – (Public Hearing)**

Motion to open to public was made by Zee, seconded by Nolan. “All in Favor”. Motion carried.

Motion to close the public was made by Zee, seconded Nolan. “All in Favor”. Motion carried.

Motion to adopt was made by Nolan, seconded by Zee.

**ROLL CALL:**

Ayes –Councilpersons Nolan, Schalick and Zee. Nays – Richards Motion carried.

**ORDINANCE NO. 2015-7**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 10  
ENTITLED "PROPERTY MAINTENANCE" OF THE CODE OF THE BOROUGH OF ELMER**

**ORDINANCE NO. 2015-7 – (Public Hearing)**

Motion to open to public was made by Nolan, seconded by Zee. "All in Favor". Motion carried.

Motion to close the public was made by Zee, seconded Nolan. "All in Favor". Motion carried.

Motion to adopt was made by Nolan, seconded by Zee.

**ROLL CALL:**

Ayes – President Schneider, Councilpersons Davis, Nolan, Schalick and. Nays – None.  
Abstained – Richards. Motion carried.

**ORDINANCE NO. 2015-8**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 25  
ENTITLED "LAND DEVELOPMENT REGULATION" OF THE CODE OF  
THE BOROUGH OF ELMER**

**ORDINANCE NO. 2015-8– (Public Hearing)**

Motion to open to public was made by Zee, seconded by Nolan. "All in Favor". Motion carried.

Motion to close the public was made by Richards, seconded Schalick. "All in Favor". Motion carried.

Motion to adopt was made by Davis, seconded by Zee.

**ROLL CALL:**

Ayes –, Councilpersons Nolan, Richards, Schalick and Zee. Nays – None. Motion carried.

**ORDINANCE NO. 2015-9**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 4  
ENTITLED "GENERAL LICENSING AND BUSINESS REGULATIONS" OF  
THE CODE OF THE BOROUGH OF ELMER**

**ORDINANCE NO. 2015-9 – (Public Hearing)**

Motion to open to public was made by Nolan, seconded by Zee. "All in Favor". Motion carried.

Motion to close the public was made by Nolan, seconded Zee. "All in Favor". Motion carried.

Motion to adopt was made by Nolan, seconded by Richards.

**ROLL CALL:**

Ayes –Councilpersons Nolan, Richards. Schalick and Zee. Nays – None. Motion carried.

**ORDINANCE NO. 2015-10**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 11  
ENTITLED "BUILDING AND HOUSING" OF THE CODE OF THE BOROUGH OF ELMER**

**ORDINANCE NO. 2015-10 – (Public Hearing)**

Motion to open to public was made by Zee, seconded by Nolan. "All in Favor". Motion carried.

Motion to close the public was made by Zee, seconded Nolan. "All in Favor". Motion carried.

Motion to adopt was made by Nolan, seconded by Zee.

**ROLL CALL:**

Ayes –Councilpersons Nolan, Richards. Schalick and Zee. Nays – None. Motion carried.

**NEW BUSINESS:**

The following resolutions were presented by the Clerk by title only:

**RESOLUTION**

**Number 27-15**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
COUNTY OF SALEM, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION  
OF THE AMENDED 2015 MEMORANDUM OF UNDERSTANDING FOR THE  
MID SALEM COUNTY MUNICIPAL COURT**

**WHEREAS**, the Mid Salem County Municipal Court is a Joint Municipal Court between the Borough of Elmer, the Borough of Woodstown, the Township of Mannington, the Township of Quinton and the Township of Oldmans in Salem County; and

**WHEREAS**, the Borough of Elmer has been a part of the Mid Salem County Municipal Court since April 1, 2011 and

**WHEREAS**, the Borough of Elmer desires to continue its participation in the Mid Salem County Municipal Court; and

**WHEREAS**, it is in the best interests of the residents of the Borough of Elmer for the Borough to enter into the amended 2015 Memorandum of Understanding attached hereto pursuant to the terms and conditions set forth therein.

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

1. The Mayor and Clerk are hereby authorized and directed to execute the Amended 2015 Memorandum of Understanding attached hereto.

2. The Borough, through its appropriate staff and officials, is hereby further authorized and directed to undertake any and all such acts and execute any and all such other documents as may be necessary and appropriate to effectuate the terms hereof.

**ADOPTED** at a regular meeting of the Mayor and Council of the Borough of Elmer, County of Salem, State of New Jersey held on March 11, 2015.

**RESOLUTION**

**Number 28-15**

**PLANNING BOARD ESCROW FUND**

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by Doctor Salah (Applicant) for Site Plan Application (Purpose of Deposit e.g. Site Plan Application) in the amount of \$808.50 be distributed and paid as follows:

\$808.50 To: Fralinger Engineering

**BOROUGH OF ELMER  
COUNTY OF SALEM**

**RESOLUTION #30-15**

WHEREAS, emergent conditions have arisen with respect to the need to appropriate monies to fund the operations of the Borough of Elmer as the 2015 budget has not yet been adopted and provisions made in the 2015 temporary appropriation resolution adopted January 14, 2015 are not sufficient for the aforesaid purpose and N.J.S. 40A:4-20 provides for the creation of emergency temporary appropriations for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions in the year 2015 pursuant to the provisions of Chapter 96, P. L. 1951 (N.J.S. 40A:4-20) including this resolution total \$6,000.00;

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

1. Emergency temporary appropriations be and the same are hereby made for the following appropriations in the respective amounts listed, totaling \$6,000.00

**EMERGENCY TEMPORARY APPROPRIATIONS - 2015**

	<b>OTHER EXPENSES</b>	<b>TOTAL</b>
<b><u>GENERAL GOVERNMENT</u></b>		
Mayor and Council	\$ 3,000.00	\$ 3,000.00
<b><u>Unclassified</u></b>		
Heating/Natural Gas	3,000.00	<u>3,000.00</u>
<b>TOTAL GENERAL APPROPRIATIONS</b>		<b><u>\$ 6,000.00</u></b>

2. Said emergency temporary appropriations will be provided for in the 2015 budget under the respective appropriation titles listed above.
3. One certified copy of this resolution be filed with the Director of Local Government Services.

**RESOLUTION**

**Number 30-15**

**Salem County Improvement Authority Contract**

**BE IT RESLVED** by the Mayor and Borough Council of the Borough of Elmer that the Mayor and Clerk be authorized to enter into an agreement for solid waste disposal with the Salem County Improvement Authority for one year beginning January 1, 2015 and ending December 31, 2015.

**BE IT FURTHER RESOLVED** that payment for the above mentioned service be charged to Trash and Garbage: Other Expenses in the 2015 Municipal Budget.

Motion Zee, seconded Nolan to adopt resolutions 27-15 through 30-15. Motion carried.

Roll Call: Ayes: Nolan, Richards, Schalick and Zee, Nays – None. Motion carried.

**RESOLUTION**

**Number 31-15**

**2015 BUDGET INTRODUCTION**

**(See page 20 a)**

Motion Schalick, seconded Richards to adopt resolution 31-15,

Roll Call: Ayes: Nolan, Richards, Schalick and Zee, Nays – None. Motion carried.

Tax Collector report was presented for February 2015. Motion Zee, seconded Nolan that the report and all others be received and filed. Motion carried.

Treasurer’s Reports for the month of February 2015 were presented and read.

Motion Richards, seconded Nolan that the reports be received, filed and spread full upon the minutes. Motion carried.

(Treasurer’s Reports – See Pages 20 a in Minute Book)

The following bills were presented and read: (See pages 20 b in Minute Book)

Moved Richards, seconded Zee that the bills be paid and charged to their respective accounts. Ayes –Nolan, Richards, Schalick and Zee. Nays – None. Motion carried.

Clerk and Mayor’s mail for the month of March 2015, were presented and read.

Motion Richards, seconded Nolan that the correspondence be received and filed. Motion carried.

**DISCUSSIONS/MOTIONS:**

The following items were discussed by Mayor and Council:

1. Elmer Library Bingo & Raffle License. Motion Zee, seconded Nolan to approve. All in Favor. Motion carried
2. Joanne Eddy Surety Bobnd # B10109804 Water Department for \$40,000.00 4/1/15 – 4/1/16. Motion Nolan, seconded Zee to Receive and Filed. Motion carried.
3. Elmer Fire Department Golf Tournament Sponsorship. Motion Zee, Seconded Nolan to approve \$150.00. Richards – Abstained. Motion carried.

**COMMITTEE REPORTS:**

Committee reports were made at this time: Finance, Streets, Water/Street Lights and Trash/Recycling/Parks & Playgrounds.

**ADJOURNMENT:**

There being no further business, motion Zee, seconded Schalick that the meeting be adjourned. Motion carried.

March 11, 2015

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Beverly S. Richards, Borough Clerk