

August 12, 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 Davis, Nolan, Richards, Schalick, Zee and Mayor Joseph P. Stemberger answered to the roll call. Absent –Schneider.

**APPROVAL OF MINUTES:**

Motion Davis, seconded Zee to approve minutes from Elmer Borough Council Meeting on July 8, 2015 and that the reading of the minutes be dispensed with. Motion carried.

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

**NEW BUSINESS:**

Mayor Stemberger presented the Clerk with a corsage and invited former Mayor Theodore Ridgway to stand and present the following resolution:

**RESOLUTION****Number 57-15**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
COUNTY OF SALEM, STATE OF NEW JERSEY, RECOGNIZING  
THE BOROUGH'S MUNICIPAL CLERK, BEVERLY S. RICHARDS**

**WHEREAS**, the Mayor, Council and residents of the Borough of Elmer appreciate and hereby recognize Beverly S. Richards' distinguished 29-year career with the Borough of Elmer; and

**WHEREAS**, Beverly S. Richards began her career in the Borough of Elmer in August 1986; and

**WHEREAS**, Beverly S. Richards was appointed to the position of Borough Clerk on January 1, 1987; and

**WHEREAS**, Beverly S. Richards received her Registered Municipal Clerk Certification on June 27, 1989; and

**WHEREAS**, Beverly S. Richards earned her Municipal Registrar Certification in June, 1999, and was appointed as Borough Registrar in January, 2004; and

**WHEREAS**, Beverly S. Richards is a member of the Salem County Clerks and Treasurers Association, and the International Institute of Municipal Clerks; and

**WHEREAS**, Beverly S. Richards has always worked diligently to provide outstanding and meritorious service to the Borough Council and residents of the Borough of Elmer.

**NOW, THEREFORE, BE IT RESOLVED**, that we, the members of the governing body of the Borough of Elmer, County of Salem, State of New Jersey, take this opportunity to express our sincere and grateful appreciation, and hereby extend to Beverly S. Richards our congratulations on her well-earned retirement, and best wishes to her for continued success, happiness and good health in the years to come.

Motion Zee, seconded Nolan to approve the resolution.

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

After the reading of the resolution Mayor Stemberger read a letter from former Borough Attorneys Masten and Ray and then invited members of the public to speak on behalf of the Clerk’s retirement. Former Borough Attorney Charles Girard, Tax Assessor Roy Duffield, Tax Collector Joanne Eddy, Former Mayor Theodore Ridgeway, Former Clerk Curtis S. Stratton’s daughter Nancy Pedersen, and Clerk’s daughter Elena (Katie) Wentz made heartwarming comments.

Freeholder Benjamin H. Laury presented a Certificate of Recognition from the Salem County Board of Chosen Freeholders regarding the Clerk’s retirement.

Mayor Stemberger recognized “Suzie’s” dedication to the Borough and asked her to introduce Sarah D. Walker as the new Clerk effective September 1, 2015.

Retiring Borough Clerk Beverly S. Richards presented the Mayor and Borough Council a new Bible for the Council Chambers.

Mayor Stemberger invited all members of the public and Borough Council to break for refreshments in honor of retiring Clerk Beverly S. Richards.

**OPEN TO THE PUBLIC:**

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

Angelina “Lena” Carney, 401 North Main St., discussed her problem with neighbor regarding parking on the street in front of her business. She requested a sign limited parking to 1 hour so that handicapped and elderly salon clients could safely access her business. The council approved a letter to the county for the sign.

**CLOSED TO THE PUBLIC:**

Motion Davis, seconded Richards to close the public portion of the meeting. Motion carried.

**OLD BUSINESS:**

**ORDINANCE 2015-13**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, SALEM COUNTY, STATE OF NEW JERSEY, AMENDING SALARY ORDINANCE 2015-1 AMENDMENT NUMBER 1**

**ORDINANCE NO. 2015-13- Public Hearing**

Motion to open to public was made by Schalick, seconded by Davis. Motion carried.

Motion to close the public was made by Richards, seconded Nolan. Motion carried.

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

Role Call: Ayes –Councilpersons Davis, Nolan, Richards, Schalick and Zee. Nays – None. Motion carried.

**NEW BUSINESS:**

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

**RESOLUTION CANCELING THE \$600.00 SALEM COUNTY SAFE ROADWAYS GRANT RECEIVABLE**

**Number 47-15**

WHEREAS, a receivable balance of \$600.00 for the Salem County Safe Roadways program remains on the Federal and State Grant Fund balance sheet and on the Schedule of State Grants Receivable as of December 31, 2014; and

WHEREAS, this receivable represents grant monies remaining from the 2014 grant period; and

WHEREAS, the 2014 grant year is closed and the County has reimbursed the Borough for the grant portion of the project; and

WHEREAS, it is necessary to cancel the \$600.00 receivable balance;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem, State of New Jersey, assembled in public session this 12<sup>th</sup> (twelfth) day of August 2015, that the \$600.00 Salem County Safe Roadways grant receivable be canceled from the record.

**RESOLUTION CANCELING THE \$600.00 APPROPRIATED RESERVE FOR THE SALEM COUNTY SAFE ROADWAYS PROGRAM**

**Number 48-15**

WHEREAS, an appropriated reserve balance of \$600.00 for the Salem County Safe Roadways program remains on the Federal and State Grant Fund balance sheet and on the Schedule of Appropriated Reserves for Federal and State Grants as of December 31, 2014; and

WHEREAS, this reserve represent the balance of grant monies remaining from the 2014 grant period; and

WHEREAS, the contracts have been completed and no encumbrances are outstanding for the 2014 grant period; and

WHEREAS, it is necessary to cancel the appropriated reserve balance in the amount of \$600.00;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem, State of New Jersey, assembled in public session this 12<sup>th</sup> (twelfth) day of August 2015, that the \$600.00 appropriated reserve for the Salem County Safe Roadways program be canceled from the record.

**RESOLUTION**

**Number 49-15**

**BOROUGH OF ELMER CAPITAL BUDGET AMENDMENT**  
(See page 42 a)

**RESOLUTION**

**Number 50-15**

**APPOINT SARAH D. WALKER ACTING BOROUGH CLERK, ACTING WATER CLERK and REGISTRAR OF VITAL STATISTICS**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that Sarah D. Walker be appointed as Acting Borough Clerk and Acting Water Clerk for a one year term beginning September 1, 2015 and ending August 31, 2016.

BE IT FURTHER RESOLVED that Sarah D. Walker be appointed Registrar of Vital Statistics for a term beginning September 1, 2015 and ending September 30, 2016.

**STATEWIDE INSURANCE FUND**

**Number 51-15**

**RESOLUTION TO JOIN (RENEW) THE FUND**

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Borough of Elmer ("LOCAL UNIT") has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the statutes and regulations governing the creation and operation of Joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from January 1, 2015 terminating on January 1, 2018 at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Elmer does hereby agree to join the Statewide Insurance Fund subject only to the right of approval of the LOCAL UNIT's initial assessment when the same is received from the FUND following processing of the applications; and

BE IT FURTHER RESOLVED that the LOCAL UNIT is applying to the FUND for the following types of coverage:

	<u>YES</u>	<u>NO</u>
Worker's Compensation & Employer's Liability	—	—

Liability, Property, Crime-Faithful Performance and Fidelity,  
Island Marine, Boiler and Machinery, Comprehensive General  
Liability, Auto Liability, Auto Physical Damages and

Professional Liability	_____	_____
Pollution Liability	_____	_____
Umbrella	_____	_____

BE IT FURTHER RESOLVED that Joseph P. Stemberger is hereby appointed as the LOCAL UNIT’s Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT’s Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND’s Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT’s admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

**RESOLUTION**

**Number 52-15**

**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**

**WHEREAS**, the Borough of Elmer (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq*; and

**WHEREAS**, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the Fund; and

**WHEREAS**, the Fund has requested its members to appoint individuals or entities to that position; and

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Elmer in the County of Salem and State of New Jersey as follows:

1. The Borough of Elmer hereby appoints E. H. Sloan, Inc. as its local Risk Management Consultant.
2. The Mayor and Clerk are hereby authorized to execute the Risk Management agreement for the year 2015 in the form attached hereto.

**STATEWIDE INSURANCE FUND**

**RESOLUTION APPOINTING FUND COMMISSIONER**

**Number 53-15**

**WHEREAS**, the Borough of Elmer (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

**NOW, THEREFORE, BE IT RESOLVED** by the governing Body of the Borough of Elmer that Joseph P. Stemberger is hereby appointed as the Fund Commissioner for the Local Unit; and

**BE IT FURTHER RESOLVED** that John Gasparon is hereby appointed as the Alternate Fund Commissioner for the Local Unit; and

**BE IT FURTHER RESOLVED** that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

**RESOLUTION**

**Number 54 - 15**

**RESOLUTION TO REFUND PAYMENT OF  
TAXES PAID ON  
BLOCK 9999 LOT 1 – Verizon Property Tax Dept.**

**WHEREAS**, the 2015 assessment for Block 9999 Lot 1 has been reduced to zero, and

**WHEREAS**, the owner paid the preliminary tax bill for first and second quarter in the amount of \$12,852.01, and

**WHEREAS**, the final 2015 tax billing of zero assessment caused an over pay on the account of \$12,852.01.

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector and Chief Financial Officer, is hereby authorized to refund the over-payment of \$12,852.01 to the owner:

Verizon Property Tax Department  
c/o Duff & Phelps  
PO Box 2749  
Addison, TX 75001

**RESOLUTION**

**Number 55-15**

**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.

**RESOLUTION**

**Number 56 - 15**

**RESOLUTION TO CHANGE CUSTODIAN OF PETTY CASH FUND**

**WHEREAS**, Beverly S. Richards was custodian of the General Petty Cash Fund, and

**WHEREAS**, in accordance with N.J.S.A. 40:5-21, the Mayor & Council of the Borough of Elmer is changing custodians to Sarah D. Walker as of Sept. 1, 2015, and

**WHEREAS**, Sarah D. Walker will be bonded in the amount of \$18,500 by virtue of a surety bond effective Sept. 1, 2015,

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Elmer, County of Salem, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

**RESOLUTION**

**Number 58-15**

**RESOLUTION TO APPLY OVERPAYMENT OF TAXES  
ON BLOCK 22 LOT 17 COMMONLY KNOWN AS 204 HITCHNER AVE**

**WHEREAS**, a the assessed value on block 22 lot 17 commonly known as 204 Hitchner Ave was changed in 2013 from 279,400 to 259,900 by order of the Salem County Tax Board, and credit was given in that year, and

**WHEREAS**, the assessed value in 2014 and 2015 remained at 279,400 on the account in error causing an overpayment of taxes in the amount of \$539.37 for 2014 and 545.42 for 2015, and

**WHEREAS**, the Tax Office would like to refund the 2014 over-payment of \$539.327 to the current owner, Dolores Hall, PO Box 683, Elmer, NJ 08318, and

**WHEREAS**, the Tax Office would like to pro-rate the 2015 over-payment of 545.42 between Ms. Hall (seller) and the pending buyer at the close of the sale.

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector is hereby authorized and directed to the following:

1. Refund the 2014 over-payment of \$539.37 to Dolores Hall, PO Box 683, Elmer, NJ
2. Pro-rate the 2015 over-payment of \$545.42 to Dolores Hall (as a refund) and to the pending byers (as a credit to the account for the 2015 year) once the pending sale is finalized.

**RESOLUTION REQUESTING APPROVAL OF ITEMS  
OF REVENUE AND APPROPRIATION  
(NJSA 40A:4-87)**

**Number 59-15**

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 1**

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 2015 in the sum of \$8,000.00, which item is now available as a revenue from the Comcast Franchise Renewal PEG Tech Grant, and

**SECTION II**

BE IT FURTHER RESOLVED, that a like sum of \$8,000.00 is hereby appropriated under the caption of "Public and Private Programs Offset by Revenues", Comcast Franchise Renewal PEG Tech Grant; and

BE IT FURTHER RESOLVED that the above is a result of a grant of \$8,000.00 from the Comcast Franchise Renewal PEG Tech Grant.

Motion Davis, seconded Nolan to approve Resolutions 47-15 to 56-15, and 58-15 to 59-15. Richards abstained from Resolutions 54-15 and 56-15.

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

The following ordinance was introduced by title only:

**ORDINANCE 2015-14**

**BOND ORDINANCE FOR STATE STREET RECONSTRUCTION**

Motion Richards, seconded Davis to introduce the above ordinance by title only.

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

**DISCUSSIONS/MOTIONS:**

The following items were discussed by Mayor and Council:

1. VOIP Phone System – Councilman Richards presented information about changing the Borough Hall phone system.
2. The Parks and Recreation Committee Minutes were received and filed. The construction of a parking lot in the new park was discussed and at this time no plans were made.
3. Green Acres Park – New Softball field. Motion Zee second Davis authorizing the construction of a girls' Softball Field on the Green Acres Park by the Elmer Little League. Motion carried.



The Tax/Water Collector report and Affidavit of Tax Bill Mailing was presented for July 2015. Motion Zee, seconded Nolan that the report be received and filed. Motion carried.

The Treasurer's Report for the month of July 2015 were presented and read. Motion Richards, seconded Davis that the reports be received, filed and spread full upon the minutes. Motion carried.

(Treasurer's Report – See Pages 47 a in Minute Book)

The following bills were presented and read: (See pages 47 b in Minute Book)

Motion Davis, seconded Zee that the bills be paid and charged to their respective accounts.

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

Clerk and Mayor's mail for the month of July 2015, were presented and read.

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

**COMMITTEE REPORTS:**

Committee reports were made at this time: Streets (Councilman Richards discussed Safe Sidewalks Walkways Maintenance proposal), Public Safety, Borough Hall/Public Property (discussed status of elevator and need for handrails needed for the step inside building).

**ADJOURNMENT:**

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

August 12, 2015

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Beverly S. Richards, Borough Clerk