

**Borough of Elmer Minutes****September 9, 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:**

President Schneider, Councilpersons Davis, Nolan, Richards, Schalick, and Mayor Stemberger answered to the roll call. Absent: Councilman Zee.

**APPROVAL OF MINUTES:**

Motion Davis, seconded Nolan to approve minutes from Elmer Borough Council Meeting held on August 12, 2015 and that the reading of the minutes be dispensed with. Motion carried.

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

**OPEN TO THE PUBLIC:**

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

Mr. Lew Reed, Land Use Board Chairman, presented an issue with the Land Use Ordinance regarding fences on corner lots. Solicitor Brian Duffield recommended that the issue be taken back to the Land Use Board for resolution.

Mr. Mark Foster and Mr. Robert Widdifield of the Greater Elmer Area Historical Society presented the idea to replace this year's canceled Harvest Day Festival with a 'History Day in the Park' to be held on October 10<sup>th</sup>.

Councilman Schalick made a motion, seconded by Councilwoman Nolan, to approve funds not to exceed \$2,500 for the Greater Elmer Area Historical Society to use for History Day in the Park expenses. These funds are to be expended out of the Harvest Day Festival budget.

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

Mr. Stephan Slavoff, Elmer School Board member, described the history and current status of the Elmer Board of Education budget shortfall, and provided the Borough Council with a copy of the November 2015 ballot question for voters to approve a tax levy of an additional \$645,897.

Robert Richards, Water Department Assistant Superintendent, outlined the need to move forward on the Water Tower project. Cindy Strang, CFO, will contact the solicitor to prepare a Bond Ordinance for the project.

**CLOSED TO THE PUBLIC:**

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

**OLD BUSINESS:****ORDINANCE 2015-14 BOND ORDINANCE FOR STATE STREET RECONSTRUCTION****Public Hearing**

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

Motion to close the public was made by Davis, seconded Richards. Motion carried.  
 Motion to adopt Ordinance 2015-14 was made by Richards, seconded by Davis.  
 Roll Call: Ayes: Davis, Nolan, Richards, Schalick, and Schneider. Nays: None. Motion carried.

**NEW BUSINESS:**

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

**RESOLUTION  
 BOROUGH OF ELMER, COUNTY OF SALEM  
 MID-SALEM COURT UNCLAIMED MONIES**

**Number 60-15**

WHEREAS, the Mid-Salem County Court, located in and operated through the Borough of Woodstown has issued check(s) on behalf of the Borough of Elmer which have not been negotiated; and

WHEREAS, the checks issued by the Mid-Salem County Municipal Court, more particularly identified in this Resolution, have been issued in connection with summons issued in the Borough of Elmer, and are stale and should be cancelled and voided; and

WHEREAS, this resolution is a result of a written request by the Mid-Salem County Court Administrator dated August 13, 2015 and this action was approved and read into the court record by the Honorable Judge John Casarow Jr., on August 13, 2015;

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

1. The checks hereinafter listed and which were previously issued by the Mid-Salem County Municipal Court (regular account), on behalf of the Borough of Elmer are hereby cancelled and made void an of no effect:

<u>Check No.</u>	<u>Summons #</u>	<u>Date Issue</u>	<u>Payee</u>	<u>Amount</u>
5071	MSC 028581	04/26/2013	Raymond Abbott	\$ 4.00
5238	MSC 029515	02/28/2014	Francis Cardone	\$ 10.00
4091 (bail)	MSC 027539	01/23/2013	Joseph Hinson	\$ 4.00
4184 (bail)	MSC 029834	12/03/2013	Kiera Sheet	\$ 6.00
4229 (bail)	MSC 016201	03/27/2014	Juan Garcia-Lopez	\$ 31.00

2. A true copy of this Resolution shall be forwarded to the Chief Financial Officer of the Borough of Elmer and the Mid-Salem County Municipal Court, on behalf of The Borough of Elmer for their direction and guidance.

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

**Number 61 – 15**

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.

**BOROUGH OF ELMER, COUNTY OF SALEM  
RESOLUTION  
PLANNING BOARD ESCROW FUND**

**Number 62-15**

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by Dr. Hassan Salah (Applicant) for Site Plan Application (Purpose of Deposit e.g. Site Plan Application and Variances) in the amount of \$475.00 be distributed and paid as follows:

\$475.00

To: The Law Office of Katie B. Coleman, LLC

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

**Number 63-15**

**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 Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investor/RealAuction.com to conduct pilot programs, and

**WHEREAS**, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, 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 participate in the pilot program for an electronic tax sale.

**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 complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER  
AUTHORIZING PREPARATION OF BID SPECIFICATIONS, ADVERTISING AND  
ACCEPTANCE OF SEALED BIDS FOR MUNICIPAL BUILDING ELEVATOR REPAIR**

**Number 64-15**

**WHEREAS**, Borough Council has been advised that the municipal elevator is need of repair or total replacement; and

**WHEREAS**, in accordance with the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., the advertisement and acceptance of bids is required; and

**WHEREAS**, it is in the best interests of the residents of the Borough of Elmer to authorize the preparation of bid specifications for the repair or replacement of the municipal building elevator;

**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 preparation, advertisement and acceptance of bids for the repair or replacement of the municipal building elevator is hereby authorized.

**BE IT FURTHER RESOLVED** that the bids will be returnable before the Borough Acting Clerk or in accordance with the terms, conditions and specifications of the Notice to Bidders and standard Proposal form.

**ADOPTED** at a regular meeting of the Mayor and Council of the Borough of Elmer, County of Salem, State of New Jersey held on September 9, 2015.

A motion was made by Davis to adopt resolutions 60-15 through 64-15 and seconded by Nolan.  
Roll Call: Ayes: Davis, Nolan, Richards, Schalick, and Schneider. Nays: None. Motion carried.

**DISCUSSIONS/MOTIONS:**

None.

**REPORTS/BILL LIST:**

The Tax/Water Collector report was presented for August 2015. Motion Davis, seconded Nolan that the report be received and filed. Motion carried.

The Treasurer's Report for the month of August 2015 was presented. Motion Richards, seconded Davis that the reports be received, filed and spread full upon the minutes. Motion carried.  
(Treasurer's Report: See Pages 52a in Minute Book)

The following bills were presented: (See pages 52b in Minute Book)  
Motion Davis, seconded Richards that the bills be paid and charged to their respective accounts.  
Roll Call: Ayes: Davis, Nolan, Richards, Schalick, and Schneider. Nays: None. Motion carried.

Clerk and Mayor's mail for the month of August were presented and read. Motion Schalick, seconded Richards that the correspondence be received and filed. Motion carried.

**COMMITTEE REPORTS:**

The Mayor presented the new format of the agenda to include the 'Ongoing Projects' list. Committee reports were made at this time:

**Streets/IT:** Discussed Safe Sidewalks proposal and liability, status of the Comcast grant computer purchases and phone system upgrades, and issues regarding public works billing;

**Public Safety:** discussed police report for damage to the ballpark;

**Borough Hall/Public Property:** discussed parking lot resurfacing (Schalick will get quotes), dehumidifiers for the Borough Hall (Davis will purchase), and status of the records room;

**Trash/Parks and Playgrounds:** discussed various property maintenance issues and maintenance options for the new Green Acres Park (the Mayor will consult with the Solicitor regarding legalities).

**ADJOURNMENT:**

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

September 9, 2015

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Sarah D. Walker, Acting Borough Clerk