

Borough of Elmer Minutes**December 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 adequate notice of the meeting was provided pursuant to the Open Public Meetings Act.

ROLL CALL:

President Schneider, Councilwomen Davis, Nolan, Councilmen Richards, Schalick, Zee, and Mayor Stemberger answered to the roll call. Also present were Solicitor Duffield, Chief Financial Officer Strang, and Police Chief Bryan.

APPROVAL OF MINUTES:

Motion Nolan, seconded Davis to approve minutes from Elmer Borough Council Meeting held on November 11, 2015 and the special Budget Workshop Meeting held on November 12, 2015, and that the reading of the minutes be dispensed with. Motion carried.

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

OPEN TO THE PUBLIC:

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

Lisa Coulter, 99 Broad St., presented the issue of youth/teenagers needed a space to ride bikes and skateboards off the streets without getting into trouble. Council and the Police Chief discussed options and suggested the use of the ballpark recreation areas when games were not in session.

CLOSED TO THE PUBLIC:

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

OLD BUSINESS: None.

NEW BUSINESS:**1. Ordinances:**

ORDINANCE 2015-16 (PUBLIC HEARING): AN ORDINANCE AMENDING CHAPTER 25 ENTITLED "LAND DEVELOPMENT REGULATIONS" OF THE CODE OF THE BOROUGH OF ELMER

Motion Davis, seconded Zee to open to the public; there being no comment motion Richards, second Zee to close the public portion. Motion by Davis, seconded Richards, to adopt Ordinance 2015-16.

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

2. Resolutions:

**BOROUGH OF ELMER
COUNTY OF SALEM**

Resolution 81-15

BUDGET APPROPRIATION TRANSFER RESOLUTION

WHEREAS, it has become necessary to expend for certain purposes specified in the 2015 budget amounts in excess of the respective sums originally appropriated therefore; and

WHEREAS, there is an excess in one of more appropriations over and above the amount deemed necessary to fulfill the purposes of such appropriations; and

WHEREAS, transfers between appropriations are permitted pursuant to N.J.S.A. 40A:4-58 when adopted by not less than two-thirds vote of the full membership; and

WHEREAS, the following transfers are in accordance with N.J.S.A. 40A:4-45.38;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem and State of New Jersey, that the following transfers are hereby approved:

	Transfer Amounts	
	To	From
Mayor and Council:		
Other Expenses	400.00	
Social Security System (OASI)		400.00
Housing Inspections:		
Other Expenses	200.00	
Insurance:		
Liability		200.00
Garbage and Trash Removal:		
Other Expenses	4,000.00	
Parks and Playgrounds:		
Other Expenses		1,000.00
Public Buildings and Grounds:		
Salaries and Wages		200.00
Public Buildings and Grounds:		
Other Expenses		800.00
Board of Health:		
Other Expenses		500.00
Gasoline		1,500.00
Electricity	400.00	
Street Lighting		400.00
Streets and Roads:		
Other Expenses	3,000.00	
Assessment of Taxes:		
Other Expenses		600.00
Legal Services:		
Other Expenses		2,000.00
Land Use Board:		
Other Expenses		400.00

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	Transfer Amounts	
	To	From
Telephone	400.00	
Board of Health:		
Salaries and Wages		200.00
Social Security System (OASI)		200.00

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM,
RECOMMENDING THE APPOINTMENT OF MARTIN W. WHITCRAFT AS
MUNICIPAL JUDGE OF THE MID SALEM COUNTY MUNICIPAL COURT**

Resolution 82-15

WHEREAS, John A. Casarow will be retiring from his position as Municipal Judge for the Mid Salem County Municipal Court on December 31, 2015, and

WHEREAS, the Mid Salem County Municipal Court Committee has recommended that each participating municipality endorse the appointment of Martin W. Whitcraft to the position of Municipal Judge for the court, and

WHEREAS, it is the desire of the Borough Council of the Borough of Elmer, County of Salem, to recommend the appointment of Martin W. Whitcraft to serve as Municipal Judge for the Mid Salem County Municipal Court.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Elmer, that its representative to the Mid Salem County Municipal Court Committee is hereby authorized to:

Take all necessary and appropriate action with other members of the Mid Salem County Municipal Court Committee to convey this recommendation for the appointment of Martin W. Whitcraft as Municipal Judge to the Mid Salem County Municipal Court to Judge Georgia M. Curio, Assignment Judge, through the Vicinage Municipal Division Acting Manager, Saul Hernandez.

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM,
HONORING THE HONORABLE JUDGE JOHN A. CASAROW, JR.**

Resolution 83-15

WHEREAS, the HONORABLE JOHN A. CASAROW, JR. has completed nine plus years of service as both Acting and Permanent Judge to the Mid-Salem County Municipal Court formed by the Borough of Woodstown, Borough of Elmer, Township of Mannington, Township of Oldmans and the Township of Quinton; and

WHEREAS, the HONORABLE JOHN A. CASAROW, JR. has served as a Municipal Court Judge in various Courts since January 1, 1971; and

WHEREAS, on May 12, 2011, the HONORABLE JOHN A. CASAROW, JR. was appointed by Governor Chris Christie to serve as Municipal Court Judge to the Mid-Salem County Municipal Court and in this capacity has always met or exceeded the public's expectation of being treated with courtesy, dignity and respect by providing quality service and equal access to a fair and effective system of justice to all; and

WHEREAS, the HONORABLE JUDGE JOHN A. CASAROW, JR. has elected to retire from this judgeship on or about December 31, 2015.

NOW, THEREFORE BE IT RESOLVED by the Borough of Elmer and the Mid-Salem County Municipal Court employees and representatives that it express its deep appreciation to the HONORABLE JOHN A. CASAROW, JR. for his years of service to the Court in the giving of his time, expertise and abilities to perform a job well done: and

BE IT FURTHER RESOLVED that this resolution be adopted as a means to honor and thank JOHN A. CASAROW, JR., ESQ. for his years of service to the communities of this Joint Municipal Court; and

BE IT FURTHER RESOLVED that this resolution be entered into the minutes of the Borough of Woodstown, the Borough of Elmer, the Township of Mannington, the Township of Oldmans, and the Township of Quinton, and that a certified copy of this resolution be delivered to the HONORABLE JUDGE JOHN A. CASAROW, JR.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION AUTHORIZING CLOSING OF
PRIVATE CONTRACTORS ESCROW BANK ACCOUNT**

Number 84-15

WHEREAS, the Borough of Elmer maintains a “Private Contractor Escrow” bank account which currently has a \$100.00 balance; and

WHEREAS, this bank account serves no necessary purpose as transactions related to “private contractor escrow” are ultimately processed through the current and/or payroll bank accounts; and

WHEREAS, the Borough auditor has suggested the closing of the “Private Contractor Escrow” bank account;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, assembled in public session this 9th (ninth) day of December 2015, that the Chief Financial Officer of the Borough of Elmer be and she is hereby authorized and directed to close the “Private Contractors Escrow” bank account and the \$100.00 funds represented thereby are to be credited to the Current Fund; and

BE IT FURTHER RESOLVED that the First National Bank of Elmer which administers the bank account be provided a certified copy of this resolution by the Chief Financial Officer.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION AUTHORIZING INTER-LOCAL SERVICE AGREEMENT
WITH UPPER PITTS GROVE TOWNSHIP FOR PUBLIC WORKS SERVICES**

Number 85-15

WHEREAS, the Borough of Elmer desires to enter into an Inter-Local Service Agreement with Upper Pittsgrove Township whereby the township shall provide certain public works services described in the attached agreement and

WHEREAS, it is in the best interest of the Borough and the Township to enter into said agreement;

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that the Mayor and Clerk be authorized to enter into an Inter-Local Service Agreement with Upper Pittsgrove Township to provide to the Borough of Elmer certain public works services described in the attached agreement for the year 2016. These services shall be charged to Streets and Roads – OE, Public Buildings and Grounds – OE, Parks and Playgrounds – OE, and Water - OE in the 2016 Budget.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION CANCELING WATER CAPITAL OUTLAY**

Number 86-15

WHEREAS, the following appropriation included in the 2015 Municipal Water Utility Budget will not be expended:

Water Capital Outlay: \$15,000

WHEREAS, it is necessary to cancel said item of appropriation;

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Elmer, County of Salem, that the above listed item be canceled from the 2015 Municipal Water Utility Budget.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION FOR SNOW TRUST TRANSFER**

Number 87-15

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey that the following transfer be made in the appropriations for the year 2015.

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Streets & Roads: OE	Snow Removal Trust Fund	\$2,000.00

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM
AUTHORIZING GARRISON ENTERPRISES, INC. FOR THE REPAIRS AND MAINTENANCE
OF THE BOROUGH OF ELMER WATER DISTRIBUTION SYSTEM**

Number 88-15

WHEREAS, the Chief Financial Officer of the Borough of Elmer, has furnished the Certificate of Availability of Adequate Funds for the repairs and maintenance of the Borough of Elmer Water Distribution System and the refurbishment of the roadways;

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

1. The bid of Garrison Enterprise, Inc. for the Hourly Personnel Rates and Hourly Equipment Rates for the year 2016 be accepted.
2. The Mayor and Borough Clerk of the Borough of Elmer be authorized to enter into an agreement with Garrison Enterprise, Inc., Vineland, New Jersey, for the hourly rates as stated above.
3. Payment for repairs and maintenance and hourly rates shall be charged to: Water Utility - Operating: OE in the 2016 Budget.
4. The contract is contingent to contractor providing Certificate of Employee Information Report or proper certification.

A motion to adopt Resolutions 81-15 to 88-15 was made by Davis and seconded by Zee.
Roll Call: Ayes: Schneider, Davis, Nolan, Richards, Schalick, Zee; Nays: None. Motion carried.

DISCUSSIONS/MOTIONS:

The following items were discussed by Mayor and Council:

1. The Meeting Room request of Rebecca A. Lein, 164 S. Main St., was discussed. The Council requested that Ms. Lein come to the January Council meeting to clarify the use; no action was taken.
2. The Solicitor reviewed and answered Council questions about Chapters 10 and 11 in the Borough Code involving Housing Code enforcement and vacant and abandoned property registration.
3. Council discussed various other issues for guidance from the Solicitor including the Water Tower engineering fees, recent Borough property damage, and questions about Qualified Purchasing Agent.

REPORTS/BILL LIST:

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

The Treasurer's Report for the month of November 2015 was presented. Motion Zee, seconded Nolan that the reports be received, filed and spread full upon the minutes. Motion carried.
(Treasurer's Report: See **Pages 71a** in Minute Book)

The following bills were presented: (See **Pages 71b** in Minute Book)

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

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

Clerk and Mayor's mail for the month of November was presented and read. Upcoming yearly contracts reviewed; Council requested not to renew the Verdi Clock maintenance contract for 2016 due to the 26% increase. Motion Zee, seconded Nolan that the correspondence be received and filed. Motion carried.

COMMITTEE REPORTS:

Committee reports were made at this time:

Finance/Celebration Public Events: Santa visit had 78 kids; Streets/Sidewalks/IT: new phone system installed in Borough Hall; Public Safety: Mid Salem County Court Judge retirement and decrease by \$1,400 of the Borough's court share for 2016; Borough Hall/Public Property: working on replacing signs and marquee with Boy Scouts; Water/Street Lights; and Trash/Recycling/Parks & Playgrounds: the recycling calendar will be going to printer this month.

ADJOURNMENT:

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

December 9, 2015

Sarah D. Walker, Acting Borough Clerk