

**Borough of Elmer Minutes****February 10, 2016**

**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, Council Members Davis, Richards, Schalick, Zee, and Mayor Stemberger answered to the roll call. Absent: Council Member Nolan. Also present were Solicitor Duffield and Chief Financial Officer Strang.

**APPROVAL OF MINUTES:** Motion Davis, second Zee to approve minutes from Elmer Borough Council Meeting held on January 13, 2016, and that the reading of the minutes be dispensed with.

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

**OPEN TO THE PUBLIC:** Motion Richards, second Zee to open the public portion of the meeting. Motion carried.

David Colligan from Archer Exteriors presented information on details and costs for replacing the Borough Hall roof.

**CLOSED TO THE PUBLIC:** Motion Zee, second Richards to close the public portion of the meeting. Motion carried.

**UNFINISHED BUSINESS:****ORDINANCE 2016-1** (Public Hearing): 2016 SALARY ORDINANCE

Motion Richards, second Davis to open the public hearing; there being no comment, motion Davis second Richards to close the public hearing. Motion Zee second Davis to adopt Ordinance 2016-1.

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

**ORDINANCE 2016-2** (1 Public Hearing): 2016 WATER SERVICE RATE ORDINANCE

Motion Zee, second Davis to open the public hearing; there being no comment, motion Davis second Richards to close the public hearing. Motion Zee second Davis to adopt Ordinance 2016-2.

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

**ORDINANCE 2016-3** (Public Hearing): 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Motion Richards, second Zee to open the public hearing; there being no comment, motion Davis second Richards to close the public hearing. Motion Richards second Davis to adopt Ordinance 2016-3.

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

**ORDINANCE 2016-4** (Public Hearing): ORDINANCE AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF THE BOROUGH OF ELMER

Motion Zee, second Richards to open the public hearing; there being no comment, motion Davis second Richards to close the public hearing. Motion Richards second Davis to adopt Ordinance 2016-4.

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

**NEW BUSINESS:**

**1. Ordinances:** None.

**2. Resolutions:** The following Resolutions were presented by the Clerk by title only:

**TAX IDENTIFICATION STATEMENT****Number 24-16**

**WHEREAS,** The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

**WHEREAS,** Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

**NOW THEREFORE, BE IT RESOLVED** by the Borough of Elmer that the Borough of Elmer hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2015 in the amount of \$1,923.84. Documentation supporting this submission is available at 120 South Main Street, Elmer, NJ and shall be maintained for no less than five years from this date.

**BOROUGH OF ELMER, COUNTY OF SALEM  
TONNAGE GRANT APPLICATION RESOLUTION**

**Number 25-16**

**WHEREAS,** The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs;

**WHEREAS,** The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS,** The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS,** A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS,** Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Elmer that the Borough of Elmer hereby endorses the submission of the 2015 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Cynthia L. Nolan to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the 2015 recycling tonnage grant be deposited in a dedicated Recycling Trust Fund to be used solely for the purposes of recycling.

**BOROUGH OF ELMER, COUNTY OF SALEM  
RESOLUTION TO ENTER INTO AN AGREEMENT FOR THE  
2015 WATER CONSUMER CONFIDENCE REPORT**

**Number 26-16**

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 agreement with Water Resource Management for the preparation of the 2015 Water Consumer Confidence Report for an amount not to exceed \$1,200.00 which shall be charged to Water Operating: OE in the 2016 Budget.

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
COUNTY OF SALEM, STATE OF NEW JERSEY AWARDED CONTRACT TO FRALINGER  
ENGINEERING FOR ENGINEERING AND INSPECTION SERVICES RELATING TO THE  
ELMER WATER STORAGE TANK REPAIR AND REPAINTING PROJECT**

**Number 27-16**

**WHEREAS**, there exists a need of an Engineer on behalf of the Borough of Elmer for engineering and inspection services relating to the repair and repainting of the Borough's water storage tank; and

**WHEREAS**, funds will be made available for this purpose in the 2016 budget; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) in effect provides that Contracts for Professional Services and Contracts for Services of an Extraordinary Unspecifiable Nature may be negotiated by the governing body of a municipality without public advertising and bidding, but requires a brief notice of the fact and details of each such contract to be publicly advertised and that the contract and authorizing resolution be filed in the Municipal Clerk's Office.

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

That **FRALINGER ENGINEERING, PA**, having a mailing address of 629 Shiloh Pike, Bridgeton, New Jersey 08302, be and is hereby authorized to perform such duties and services as may be required of such Engineer; and the Mayor and Clerk are hereby authorized and directed to execute an agreement and any subsequent addendum with said **FRALINGER ENGINEERING, PA** for the described services and for such consideration and charges as are just and proper in accordance with the fees set forth in the Proposal dated November 30, 2015, attached hereto, in the sum not to exceed \$63,500.00.

**BE IT FURTHER RESOLVED**, that this contract is awarded without competitive bidding as exceptions in the Local Public Contracts Law (N.J.S.A. 40A:11-2(6) and N.J.S.A. 40A:11-5(1)(a)(i)) either because said party contracted with is authorized by law to practice a recognized profession in the State of New Jersey or the services to be performed are extraordinary unspecifiable services which cannot be bid competitively because it is impossible to prepare specifications for same in accordance with the above mentioned statutes.

**BE IT FURTHER RESOLVED**, that a copy of said notice as required by N.J.S. 40A:11-5 shall be published in the Borough's official newspaper within ten (10) days after passage of this Resolution.

**ADOPTED** at a regular meeting of the Mayor and Council of the Borough of Elmer, County of Salem, State of New Jersey held on February 10, 2016.

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM  
PROVIDING FOR THE DESIGNATION OF AUTHORIZED SIGNATORIES  
ON BOROUGH BANK ACCOUNTS**

**Number 28-16**

**WHEREAS**, it is necessary to designate and authorize persons to sign the checks of the Borough's animal license account;

**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 all checks drawn upon the Borough’s animal license account shall be signed by one authorized signature as follows: Animal Registrar.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer shall sign in the absence or disability of the Animal Registrar.

**BOROUGH OF ELMER COUNTY OF SALEM  
RESOLUTION AUTHORIZING 2016 EDMUNDS & ASSOCIATES SOFTWARE AGREEMENT  
Number 29-16**

BE IT RESOLVED by the Mayor and Borough Council that the CFO be authorized to enter into an agreement with Edmunds & Associates for Software Support for the year 2016 in the amount of \$3,308.00. This shall be charged to Finance: OE in the amount of \$2,308.00 and Water: OE in the amount of \$1,000.00 in the 2016 Budget.

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER  
AUTHORIZING PREPARATION AND ADVERTISEMENT OF BID SPECIFICATIONS  
FOR MUNICIPAL BUILDING ROOF REPLACEMENT**

**Number 30-16**

**WHEREAS**, the Borough of Elmer has determined a need exists for the replacement of the Municipal Building roof; 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 replacement of the Municipal Building roof,

**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 replacement of the Municipal Building roof is hereby authorized.

**BE IT FURTHER RESOLVED** that the bids will be returnable before the Acting Borough Clerk 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 February 10, 2016.

A motion to adopt Resolutions 24-16 to 30-16 was made by Zee and seconded by Davis.

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

**DISCUSSIONS/MOTIONS:**

The following items were discussed by Mayor and Council:

1. One Bingo and two Raffle applications for the Elmer Library, April 2, 2016, at the Fire Hall.
2. Approval for the 2016 Calendar/Directory changes and printing.
3. Approval for Theodore P. Melancon, 331 Salem St., for NJ State Firemen’s Association Membership.
4. Approval for the Clerk to make the request to the Elmer Fire Department to move the Election Polling location from the Borough Hall to the Fire Hall due to County Board of Elections restrictions to not use elevators for ADA compliance.
5. Ordinance needed for next month to authorize debt for the roof project.

Motion Davis, second Zee to approve the discussion items. All were in favor; motion carried.

**REPORTS/BILL LIST:**

The Tax/Water Collector report was presented for January 2016. Motion Davis second Zee that the report be received and filed; motion carried.

The Treasurer's Report for the month of January 2016 was presented (**Page 24a** in Minute Book). Motion Richards, second Davis that the reports be received, filed and spread full upon the minutes. Motion carried.

The January 2016 bill list was presented and discussed (see **Page 24b** in Minute Book). Motion Davis, second Zee, that the bills be paid and charged to their respective accounts. Roll Call: Ayes: Schneider, Davis, Richards, Schalick, Zee; Nays: None. Motion carried.

Clerk and Mayor's mail for the month of January was presented and read. Motion Zee second Richards that the correspondence be received and filed. Motion carried.

**COMMITTEE REPORTS:**

Committee reports were made at this time:

**Finance/Celebration Public Events:** Schalick reported that the ball field construction will be starting.

**Streets/Sidewalks/IT:** Richards presented and discussed proposed changes to the Borough Code Chapter 20-5 regarding construction and repair of sidewalks. The County will be installing 26 ADA curb ramps in Elmer. The NJ DEP Storm water permit for Tier B is up for public comment. Phone lines and bills should be resolved this month.

**Public Safety:** Schneider reported on the new Judge and fire and police activity. Discussed current process for solicitation permits in the Borough, and Council recommended no change in procedure.

**Borough Hall/Public Property:** Davis reported on the electrical issues in the tax office.

**Water/Street Lights:** Zee discussed status of remediation project and grant funding, and suggested retesting the site.

**Trash/Recycling/Parks & Playgrounds:** No report.

**ADJOURNMENT:**

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

February 10, 2016

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Sarah D. Walker, Acting Borough Clerk