

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

**CALL TO ORDER:** A Regular Meeting of the Borough Council convened in the Borough Hall at 7:32 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:** Council Members Davis, Nolan, Richards, Schalick, Zee, and Mayor Stemberger answered to the roll call. Absent: President Schneider. Also present were Solicitor Duffield, Chief Financial Officer Strang, and Police Chief Bryan.

**APPROVAL OF MINUTES:** Motion Davis, second Nolan to approve the minutes from the Elmer Borough Council Meeting held on July 13, 2016, and to dispense with the reading of the minutes.

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

Motion Davis, second Zee to approve the minutes from the Executive Closed Session Meeting of March 13, 2013 and to dispense with the reading of the minutes.

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

**EXECUTIVE SESSION:**

**BOROUGH OF ELMER, COUNTY OF SALEM  
RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**Number 58-16**

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Governing Body of the Borough of Elmer has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Elmer will go into closed session for the following reason(s) as outlined in J.J.S.A. 10:4-12:

- X   Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining or any specific prospective public officer or employee or current public officer or employee employed or appointed by he public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting (Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing, 124 N.J. 478, the employee(s) and nature of discussion is Terms and Conditions of Employment);

BE IT FURTHER RESOLVED that the Borough Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Borough Attorney advises the Borough Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion. Estimated date: upon the occurrence of said matters being resolved;

BE IT FURTHER RESOLVED that the Borough Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Borough Clerk to take the appropriate action to effectuate the terms of this resolution.

Motion Davis, second Richards to approve Resolution 58-16 Authorizing Executive Session for Personnel Matters. Roll Call: Ayes: Davis, Nolan, Richards, Schalick, and Zee; Nays: None. Motion carried. The Mayor and Council Members entered closed session at 7:37 pm.

At 8:05 pm Zee made a motion, second Davis, to adjourn the Executive Session and re-open the Regular Meeting. Roll Call: Ayes: Davis, Nolan, Richards, Schalick, and Zee; Nays: None. Motion carried.

At the request of Mayor Stemberger, Police Chief Bryan and Lieutenant Felice updated Council and responded to Council’s questions about recent police activities in the Borough, and crime concerns in relation to rentals and police scheduling. Mayor Stemberger stated that the Borough Council needs to spend more money to enforce the Ordinances that exist for Housing and Property Maintenance. Bryan and Felice recommended hiring another officer for evening and weekend shifts.

**OPEN TO THE PUBLIC:** Motion Davis, second Nolan to open the public portion of the meeting. Motion carried. Donna Stemberger, 20 Fourth St., stated that she thinks the Borough needs to enforce the rules to maintain our community.

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

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

- 1. **Ordinances:** None
- 2. **Resolutions:** The following Resolutions were read by the Clerk by title only:

**BOROUGH OF ELMER COUNTY OF SALEM  
RESOLUTION AUTHORIZING REFUND OF  
CONTINUED CERTIFICATE OF OCCUPANCY FEE RECEIVED IN ERROR**

**Number 59-16**

WHEREAS, in July 2016 the Borough of Elmer received a \$50 Continued Certificate of Occupancy fee from Fox and Roach LP for the property located at 484 Route 40; and

WHEREAS, 484 Route 40 is located in the Township of Upper Pittsgrove and not the Borough of Elmer and, therefore, the fee should not have been paid to the Borough of Elmer; and

WHEREAS, the Borough Chief Financial Officer is in receipt of requests from both the Borough Housing and Property Maintenance Officer and a representative from Fox and Roach to return the payment to Fox and Roach LP;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, assembled in public session this 10<sup>th</sup> (tenth) day of August 2016, that the Chief Financial Officer of the Borough of Elmer be and she is hereby authorized and directed to refund \$50 to Fox and Roach LP, Conveyancing Account, 431 W. Lancaster Avenue (Third Floor), Devon, Pennsylvania 19333.

**BOROUGH OF ELMER COUNTY OF SALEM RESOLUTION  
RE-APPOINTING SARAH D. WALKER ACTING MUNICIPAL CLERK, MUNICIPAL WATER  
DEPARTMENT CLERK, AND REGISTRAR OF VITAL STATISTICS**

**Number 60-16**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that Sarah D. Walker be re-appointed as Acting Municipal Clerk for a second one year term beginning September 1, 2016, and ending August 31, 2017, contingent upon approval from the Director of the Division of Local Government Services pursuant to the provisions of N.J.S.A.40A:9-133c; and

BE IT FURTHER RESOLVED that Sarah D. Walker be re-appointed as Water Department Municipal Clerk for the term beginning September 1, 2016 and ending on August 31, 2017; and

BE IT FURTHER RESOLVED that Sarah D. Walker be re-appointed Registrar of Vital Statistics for a term beginning September 1, 2016 and ending August 31, 2017.

**BOROUGH OF ELMER COUNTY OF SALEM  
RESOLUTION AUTHORIZING EXTENSION  
OF GRACE PERIOD FOR TAXES DUE AUGUST 1, 2016**

**Number 61-16**

**WHEREAS**, the Borough of Elmer did not mail out the 2016/2017 Tax Bills until July 15, 2016; and

**WHEREAS**, the Borough of Elmer desires to extend the grace period on taxes due August 1 to August 23, 2016,

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector is hereby authorized and directed to extend the grace period on taxes due August 1, 2016 to August 23, 2016.

**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 62-16**

**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.

Motion by Zee to adopt Resolutions 59-16 through 62-16, second by Richards.

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

**DISCUSSIONS/MOTIONS:**

1. Motion Davis second Richards to authorize the Clerk to advertise and solicit bids for Solid Waste and Recycling Collection and Disposal. All were in favor and the motion carried.

**REPORTS/BILL LIST:**

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

The Treasurer's Report for the month of July 2016 was presented (**Page 50a** in Minute Book). Motion Richards, second Davis that the report be received, filed and spread full upon the minutes. Motion carried.

The July 2016 bill list was presented (see **Page 50b** in Minute Book). Motion Davis, second Richards, that the bills be paid and charged to their respective accounts.

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

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

**COMMITTEE REPORTS:** Committee reports were made at this time:

**Finance/Celebration Public Events:** Schalick provided an update on the Muddy Run project.

**Public Safety:** No report.

**Streets/Sidewalks/IT:** Richards reported on Storm Water program activities.

**Borough Hall/Public Property:** Davis reported on the new air conditioner for Council room and discussed Records Room.

**Water/Street Lights:** Zee and Mayor Stemberger discussed the Water Tower project and the meeting on 8/18 about financing through the New Jersey Environmental Infrastructure Trust nano loan.

**Trash/Recycling/Parks & Playgrounds:** Nolan discussed recycling at the Ballpark.

**ADJOURNMENT:** Motion Zee, second Davis that the meeting be adjourned. Motion carried.

August 10, 2016

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Sarah D. Walker, Acting Borough Clerk