

Borough of Elmer Minutes**February 8, 2017**

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

PRESENTATIONS: Gabrielle Heyel, Chairperson, and Joellen Collins-Cardona, Committee Member, of the Pittsgrove Township Municipal Alliance Program (MAPSA) presented information and answered questions about Pittsgrove's MAPSA program and their ideas for the use of Elmer MAPSA funds to benefit the Elmer community.

Christine Nolan, Executive Director of the South Jersey Land and Water Trust, presented information and answered questions about her organization and the possibility of various grant funds for land and water protection programs to benefit the Borough. She is interested in collaborating with the Borough on a National Fish and Wildlife grant for a project to be determined after reviewing the assessment of needs that is currently underway by Rutgers University.

APPROVAL OF MINUTES: Motion Zee second Davis to approve the minutes from the Elmer Borough Reorganization Meeting and the Regular Council Meeting held on January 4, 2017, and to dispense with the reading of the minutes.

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

PUBLIC SESSION: Motion Davis second Nolan to open the public portion of the meeting. All were in favor and the motion carried. There being no public comments, motion Richards second Nolan to close the public portion of the meeting. All were in favor and motion carried.

UNFINISHED BUSINESS:

1. Ordinances: The following Ordinances were read by title for a second reading and public hearing:

ORDINANCE 2017-1**BOROUGH OF ELMER WATER SERVICE RATES**

Motion Richards, second Davis to open the public hearing for Ordinance 2017-1. There being no comment, motion Zee second Nolan to close the public hearing. Motion Richards second Davis to adopt Ordinance 2017-1.

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

ORDINANCE 2017-2**2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

Motion Davis, second Zee to open the public hearing for Ordinance 2017-2. There being no comment, motion Nolan second Richards to close the public hearing. Motion Richards second Zee to adopt Ordinance 2017-2.

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

ORDINANCE 2017-3**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 10 ENTITLED "PROPERTY MAINTENANCE" OF THE CODE OF THE BOROUGH OF ELMER**

Motion Davis, second Nolan to open the public hearing for Ordinance 2017-3. There being no comment, motion Zee second Richards to close the public hearing. Motion Richards second Davis to adopt Ordinance 2017-3.

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

ORDINANCE 2017-4**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 11 ENTITLED "BUILDING AND HOUSING" OF THE CODE OF THE BOROUGH OF ELMER**

The Clerk stated that Ordinance 2017-4 was modified since introduction. Motion Richards, second Davis to introduce and approve Ordinance 2017-4 as amended and set the public hearing for March 8, 2017.

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

ORDINANCE 2017-5**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 25 ENTITLED "LAND DEVELOPMENT REGULATION" OF THE CODE OF THE BOROUGH OF ELMER**

Motion Davis, second Nolan to open the public hearing for Ordinance 2017-5. There being no comment, motion Zee second Richards to close the public hearing. Motion Richards second Zee to adopt Ordinance 2017-5.

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

NEW BUSINESS:

1. Ordinances: The following Ordinances were introduced for first reading and read by title only:

ORDINANCE 2017-6**2017 SALARY ORDINANCE**

Motion Richards, second Davis to approve the introduction of Ordinance 2017-6.

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

ORDINANCE 2017-7**BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2015-15 (WHICH PROVIDES FOR WATER TOWER IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ELMER, IN THE COUNTY OF SALEM, STATE OF NEW JERSEY, ON NOVEMBER 11, 2015, AS AMENDED AND SUPPLEMENTED, TO AMEND THE DESCRIPTION, TO INCREASE THE APPROPRIATION BY \$255,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES BY \$255,000**

The Clerk stated that the Supplemental Debt Statement was received from the CFO as required. Motion Schneider second Zee to approve the introduction of Ordinance 2017-7.

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

2. Resolutions:

The Clerk stated that the Tax Collector no longer needed Resolution 34-17 to be approved. Motion Zee second Davis to remove and delete Resolution 34-17.

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

The following Resolutions were read by title:

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

Number 28-17

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 2016 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 2016 recycling tonnage grant be deposited in a dedicated Recycling Trust Fund to be used solely for the purposes of recycling.

TAX IDENTIFICATION STATEMENT

Number 29-17

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 2016 in the amount of \$1,912.59. 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.

**RESOLUTION TO ENTER INTO AN AGREEMENT FOR THE
2016 WATER CONSUMER CONFIDENCE REPORT**

Number 30-17

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 2016 Water Consumer Confidence Report for an amount not to exceed \$1,200.00 which shall be charged to Water Operating: OE in the 2017 Budget.

**Resolution of the Borough of Elmer, County of Salem
Authorizing Municipal Alliance Grant Form 1B for Fiscal Year 2018
Number 31-17**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Council of the Borough of Elmer, County of Salem, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Council of the Borough of Elmer further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Council of the Borough of Elmer has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Salem and seeks to participate jointly with the Township of Pittsgrove;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Elmer, County of Salem, State of New Jersey hereby recognizes the following:

1. The Council of the Borough of Elmer does hereby authorize submission of a strategic plan for the Pittsgrove/Elmer Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	\$10,464
Cash Match	\$2,617
In-Kind	\$7,847

2. The Council of the Borough of Elmer acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Council of the Borough of Elmer does hereby authorize submission of an application for Pittsgrove/Elmer Municipal Alliance grant for fiscal year 2018 in the amount of \$10,464.00 (Pittsgrove \$6,286.00 and Elmer \$4,178.00). This application requires a 25% cash match amount of \$2,617 and a 75% in-kind amount of \$7,847.
4. The Council of the Borough of Elmer acknowledges that the grant will be administered by Pittsgrove Township.
5. The shared cash match funding will be based upon the individual award amounts with Pittsgrove Township providing \$1,572.00 and Elmer Borough providing \$1,045.00 payable to Pittsgrove Township.

**Mitigation Plan for Four New Jersey Counties
Adoption Resolution – Borough of Elmer, Salem County, New Jersey**

Number 32-17

A Resolution of the Council of the Borough of Elmer adopting the
Mitigation Plan for Four New Jersey Counties

WHEREAS the Borough Council recognizes the threat that natural hazards pose to people and property within the Borough of Elmer; and

WHEREAS the Borough of Elmer has participated in the preparation of the Mitigation Plan for Four New Jersey Counties, a multi-jurisdictional, multi-hazard mitigation plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the Mitigation Plan for Four New Jersey Counties includes:

- The *Regional Hazard Mitigation Plan and Annexes* that include summary information common to all participating jurisdictions in the four county region, and
- The Elmer Borough Appendix that identifies mitigation goals, strategies, and measures specifically for the Borough of Elmer to reduce or eliminate long-term risk to people and property from the impacts of future hazard events and disasters; and

WHEREAS adoption by the Borough Council demonstrates commitment to hazard mitigation and achieving the goals outlined in the Mitigation Plan for Four New Jersey Counties.

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

The Borough Council adopts the Mitigation Plan for Four New Jersey Counties and the Elmer Borough Appendix including authorizing the formation and duties of the Borough of Elmer Hazard Mitigation Working Group (Working Group) as follows:

1. The Working Group shall be convened by the Borough of Elmer Emergency Management Coordinator and will include representatives of the following departments, agencies, and organizations and other interested parties:
 - a. Chief, Elmer Fire Department
 - b. First Lieutenant, Elmer Ambulance Corp.
2. The Working Group shall convene to conduct plan implementation and maintenance activities as identified in the Regional Hazard Mitigation Plan and Elmer Borough Appendix including monitoring, evaluation, and updating the Elmer Borough Appendix and providing annual reports to the Council of the Borough of Elmer and the Salem County Office of Emergency Management.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION AUTHORIZING ASSIGNMENT OF TAX CERTIFICATE #2017-024**

Number 33-17

WHEREAS, N.J.S.A. 54:5-113 authorizes assignment by a municipality of tax sale certificate for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and

WHEREAS, **Patrick Bryan** has presented an offer to purchase, by assignment, Certificate Sale #2017-024 which was issued to the Borough of Elmer at a tax sale held **January 4, 2017**, on Block **29**

Lot **33**, known as **116 Park Ave**, Elmer, New Jersey, and assessed to **Andrea Cook Simpson**, in the amount of **\$1,120.89**, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Elmer hereby authorizes the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION TO APPOINT SANDRA L. FERGUSON DEPUTY TAX COLLECTOR**

Number 35-17

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that Sandra L. Ferguson be appointed as Deputy Tax Collector for a term beginning February 8, 2017 and ending April 30, 2017.

**BOROUGH OF ELMER
TEMPORARY CAPITAL BUDGET**

Number 36-17

WHEREAS, the Borough of Elmer has not adopted a capital budget for 2017, and

WHEREAS, the Borough of Elmer desires to establish the 2017 Temporary Capital Budget of said municipality by inserting therein the following project,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem, that the following temporary capital budget project for 2017 be approved:

RECORDED VOTE	(	Davis	(	ABSTAIN	(
(insert last name)	(	Nolan	(	ABSTAIN	(
	(	Richard	(	ABSTAIN	(
	(	Schalick	(	ABSTAIN	(
	(	Schneider	(	ABSTAIN	(
	(	Zee	(	ABSTAIN	(

**CAPITAL BUDGET (Current Year Action)
2017**

Project Title	Project Number	Estimated Total Cost	Amounts Reserved in Prior Years	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2017					To Be Funded in Future Years
				5a 2017 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Water Tower Improvements (Amending and supplementing Ord. 2015-15 *)	1	\$ 255,000.00						\$ 255,000.00	
TOTAL - ALL PROJECTS		\$ 255,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 255,000.00	\$ -

* Ordinance 2015-15: \$500,000 = \$175,000 water capital improvement fund, \$325,000 debt authorized. Revised estimated total project cost = \$755,000.

**THREE-YEAR CAPITAL PROGRAM - 2017 - 2019
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS**

Project Title	Project Number	Estimated Total Cost	Estimated Completion Time	FUNDING AMOUNTS PER BUDGET YEAR					
				5a 2017	5b 2018	5c 2019	5d 2020	5e 2021	5f 2022
Water Tower Improvements (Amending and supplementing Ord. 2015-15 *)	1	\$ 255,000.00	2017						
TOTAL - ALL PROJECTS		\$ 255,000.00		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

* Ordinance 2015-15: \$500,000 = \$175,000 water capital improvement fund, \$325,000 debt authorized. Revised estimated total project cost = \$755,000.

**THREE-YEAR CAPITAL PROGRAM - 2017 - 2019
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

1 Project Title	2 Estimated Total Cost	BUDGET APPROPRIATIONS		4 Capital Improve- ment Fund	5 Capital Surplus	6 Grants-in- Aid and Other Funds	BONDS AND NOTES				
		3a Current Year 2017	3b Future Years				7a General	7b Self Liquidating	7c Assessment	7d School	
Water Tower Improvements (Amending and supplementing Ord. 2015-15)	\$ 255,000.00							\$ 255,000.00			
TOTAL - ALL PROJECTS	\$ 255,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 255,000.00	\$ -	\$ -	\$ -

* Ordinance 2015-15: \$500,000 = \$175,000 water capital improvement fund, \$325,000 debt authorized. Revised estimated total project cost = \$755,000.

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized to file a certified copy of this resolution be filed with the Division of Local Government Services, within three days after the adoption of this project for the 2017 Temporary Capital Budget, to be included in the 2017 Permanent Capital Budget.

It is hereby certified that this is a true copy of a resolution creating the temporary capital budget adopted by the governing body on the 8th day of February, 2017.

Certified by me

DATE

Sarah D. Walker
ACTING MUNICIPAL CLERK

TRENTON, NEW JERSEY

APPROVED:

DIRECTOR OF LOCAL GOVERNMENT SERVICES

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY AUTHORIZING AWARD OF
QUOTE TO CIVIL SOLUTIONS TO UPDATE BOROUGH TAX MAPS**

Number 37-17

WHEREAS, it is necessary for the Borough's Tax Maps to be updated and maintained; and

WHEREAS, by correspondence dated January 27, 2017, Civil Solutions, a division of Adams, Rehmann & Heggan Associates, Inc., has submitted a quote in the sum of \$900.00 to provide the requested Tax Map updates and maintenance for calendar year 2017; and

WHEREAS, it is in the best interests of the residents of the Borough of Elmer to award the quote to Civil Solutions.

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 Mayor and Acting Clerk are hereby authorized to award the quote and execute the proposal with Civil Solutions for sum not to exceed \$900.00.

Motion Zee seconded by Davis to adopt Resolutions 28-17 through 33-17 and 35-17 through 37-17.

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

DISCUSSIONS/MOTIONS: The following items were discussed by Council Members:

1. Verizon Consent Ordinance: The Solicitor explained and answered questions about the expiration and renewal of the consent ordinance with Verizon.
2. The One Stop Community Work Experience Program (CWEP) was discussed; motion Zee second Nolan to approve submitting an application to CWEP for the work program. All were in favor and motion carried.
3. Motion Davis second Nolan to approve the Elmer Library Bingo & Raffle application for April 1, 2017. All were in favor and motion carried.
4. Motion Davis second Richards to authorize printing of the 2017 Calendar/Directory; all were in favor and motion carried.
5. President Schneider updated Council on the quotes for the Borough Hall roof. The following resolution was proposed by title:

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION TO APPROVE ARCHER EXTERIORS QUOTE FOR BOROUGH HALL ROOF**

Number 38-17

WHEREAS, the Borough of Elmer has determined a need exists for the repair 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 solicitation of two quotes were solicited;

THEREFORE, BE IT RESOLVED that the quote to fix the Borough Hall Roof from Archer Exteriors is approved for an amount not to exceed \$17,500.

Motion Davis second Richards to approve Resolution 38-17.

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

6. President Schneider updated Council on the status of the Statement of Values for insurance.

7. The Solicitor summarized recent activities of pending and current litigation and provided the CFO with an estimate for the 2017 Budget.

REPORTS/BILL LIST:

Motion Zee second Davis to receive and file the January Tax/Water Collector report; all were in favor and motion carried.

Motion Richards, second Davis to receive, file and spread full upon the minutes the Treasurer's Report for the month of January (**Page 37a** in Minute Book). All were in favor and motion carried.

Motion Davis, second Nolan, that the bills be paid and charged to their respective accounts (see **Page 37b** in Minute Book). Roll Call: Ayes: Davis, Nolan, Richards, Schalick, Schneider, Zee; Nays: None. Motion carried.

Motion Zee second Davis that the Clerk and Mayor's mail correspondence be received and filed. All were in favor and motion carried.

The CFO discussed and confirmed the target rate goal for the 2017 Budget.

COMMITTEE REPORTS: The following Committee reports were made:

Finance/Celebration Public Events: Schalick stated that 2017 Harvest Day is scheduled for the first Saturday in October (October 7). Mayor Stemberger reported that the Parks and Recreation Committee is working on ideas for the Green Acres park including a walking path bridge and a pavilion and landscape design.

Public Safety: No report.

Streets/Sidewalks/IT: No report.

Borough Hall/Public Property: Davis stated that a couch from the Election Room was donated to the Ambulance Hall and that she is working on getting new chairs for that room. Council Members discussed problems with the ramp door and the wall next to it in the basement; Richards will contact Fralingers for an assessment.

Water/Street Lights: Zee reported on the damage to the light pole at the Borough Hall and the damage to the Water Building resulting in a new electrical service. Zee also discussed the remediation project and options.

Trash/Recycling/Parks & Playgrounds: Nolan stated she is working on the recycling report; Winzingers and Giordano's were mentioned for getting information on the Mill.

Other: Richards updated Council on the status of discussions on a countywide department for construction code officials.

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

February 8, 2017

Sarah D. Walker, Acting Borough Clerk

Approved: March 8, 2017