

Borough of Elmer Minutes**April 12, 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 Members Davis, Nolan, Richards, Schalick, Zee, and Mayor Stemberger answered to the roll call. Council President Schneider was absent. Also present were Solicitor Duffield and Chief Financial Officer Strang.

PRESENTATION: Mayor Stemberger called up Tax Collector Joanne Marone Eddy, and introduced retired Clerk Beverly Richards, who read the following resolution:

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY, RECOGNIZING THE BOROUGH'S TAX AND
WATER COLLECTOR JOANNE MARONE EDDY**

Number 47-17

WHEREAS, Joanne Marone Eddy began her Tax Collector career with the Borough of Elmer on September 13, 2000 and became Water Collector on March 14, 2001 and Animal Registrar on January 1, 2006; and

WHEREAS, Joanne Marone Eddy has requested retirement effective May 1, 2017; and

WHEREAS, Joanne Marone Eddy has always worked diligently to provide outstanding service to the Borough Council and residents of the Borough of Elmer; and

WHEREAS, the Mayor and Borough Council of the Borough of Elmer, by this resolution, wishes to express its great appreciation to Joanne Marone Eddy for her meritorious service, loyalty, and dedication to the Borough of Elmer and its citizens; whose love and respect she has earned as one of our own; and

WHEREAS, the Mayor, Council, and residents of the Borough of Elmer appreciate and hereby recognize Joanne Marone Eddy's distinguished 17-year career with the Borough of Elmer.

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the governing body of the Borough of Elmer, County of Salem, State of New Jersey, take this opportunity to express our sincere thanks and appreciation, and hereby extend to Joanne Marone Eddy our congratulations on her well-earned retirement, and best wishes to her for continued success, happiness, and good health in the years to come.

Mayor Stemberger and Council Members Davis, Zee, Nolan, Richards, and Schalick, CFO Strang, and Clerk Walker individually commended Joanne Eddy on her career with the Borough. Members of the audience including Tax Assessor Roy Duffield also offered their congratulations and thanks for her years of excellent service to the community. The meeting was recessed for refreshments. At 8:00 pm the meeting was called back to order by Mayor Stemberger.

APPROVAL OF MINUTES: Motion Zee second Nolan to approve the minutes from the Council Meeting held on March 8, 2017, and to dispense with the reading of the minutes.

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

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

UNFINISHED BUSINESS:

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

ORDINANCE NO. 2017-8

REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS AS TO THE NON-EXCLUSIVE USE OF THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF ELMER, SALEM COUNTY, NEW JERSEY

Motion Zee, second Davis to open the public hearing for Ordinance 2017-8. All were in favor and motion carried. Mark Bocchieri, Director, External Affairs for Verizon summarized the need for the Ordinance, discussed his concerns about the period of effectiveness in the Ordinance, and the answered Council questions about his recommendation to change the effectiveness period from 1 year to 20 years. Motion Richards, second Zee to close the public hearing. All were in favor and motion carried.

Motion Davis second Zee to adopt Ordinance 2017-8.

Roll Call: Ayes: Davis, Zee; Nays: Nolan, Richards, Schalick; Absent: Schneider. Motion fails.

The following Ordinance was introduced with an effectiveness period changed from 1 year to 20 years:

ORDINANCE NO. 2017-9

REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS AS TO THE NON-EXCLUSIVE USE OF THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF ELMER, SALEM COUNTY, NEW JERSEY

Motion Schalick, second Richards to approve the introduction of Ordinance 2017-9.

Roll Call: Ayes: Nolan, Richards, Schalick; Nays: Davis, Zee; Absent: Schneider. Motion carried.

NEW BUSINESS:

1. Resolutions: The following Resolutions were read by title:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER AUTHORIZING PREPARATION OF BID SPECIFICATIONS, ADVERTISING, AND ACCEPTANCE OF SEALED BIDS FOR THE WATER TOWER REHABILITATION PROJECT

Number 48-17

WHEREAS, the Mayor and Council of the Borough of Elmer have determined that the Borough's water tower is in need of repair and rehabilitation; 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 Borough's Engineers, Fralinger Engineering, to prepare bid specifications for the Borough's water tower rehabilitation project.

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 rehabilitation of the Borough's water tower is hereby authorized.

BE IT FURTHER RESOLVED that the advertisement for bids shall conform to the requirements of N.J.S.A. 40A:11-23, and such notice shall be published in the official newspaper of the Borough of Elmer.

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

**RESOLUTION OF THE BOROUGH OF ELMER TO REFUND PAYMENT OF
TAX SALE CERTIFICATE 2017-009 SOLD IN ERROR
145 STATE STREET, BLOCK 14 LOT 7**

Number 49-17

WHEREAS, Block 14 Lot 7, known as **145 State Street**, Elmer, NJ, was sold in error at the 01/04/2017 online tax sale, and;

WHEREAS, the owner paid the tax delinquency on 01/03/2017 including the tax sale charges but the payment was posted to the current account and not the delinquent account, and;

WHEREAS, this error was not discovered until the lienholder paid a subsequent payment in water on 03/14/2017, and;

WHEREAS, Certificate 2017-009 has now been voided and the lien holder payments have been removed from the record in both taxes and water.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector and Chief Financial Officer, is hereby authorized to refund the payment of **\$259.86** to the lien holder:

US Bank Cust for PC6, LLC Sterling
50 South 16th Street, Suite 2050
Philadelphia, PA 19102

01/04/2017: Cert # 2017-009 (tax \$54.55, interest \$0.76, cost of sale \$90.00, recording fee \$40.00)

03/14/2017: Subsequent Water Payment (\$71.00, \$3.55 penalty)

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION APPOINTING SANDRA FERGUSON TAX COLLECTOR, WATER DEPARTMENT
COLLECTOR, AND TAX SEARCH OFFICER FOR THE BOROUGH OF ELMER**

Number 50-17

WHEREAS due to the impending retirement of Joanne Eddy on April 30, 2017, the Borough of Elmer will need to appoint a licensed Tax Collector pursuant to N.J.S.A. 40A:9-141, a Water Department Collector, and a Tax Search Officer;

WHEREAS the Borough of Elmer hired Sandra Ferguson, Certified Tax Collector, as Deputy Tax Collector on February 8, 2017;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Elmer hereby appoints Sandra Ferguson as the Borough of Elmer Tax Collector effective May 1, 2017 and for the term ending on December 31, 2021 pursuant to N.J.S.A. 40A:9-142;

BE IT FURTHER RESOLVED that Sandra Ferguson will be appointed Tax Collector and will serve as Tax Search Officer for a salary of \$10,500, and that this be charged to Revenue Administration (Tax Collection): Salary & Wages in the 2017 Budget;

BE IT FURTHER RESOLVED that Sandra Ferguson will be appointed Collector for the Water Department for a salary of \$6,500 to be charged to the Water Utility Operating: Salaries and Wages in the 2017 Budget.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION FOR BUDGET TO BE READ BY TITLE ONLY**

Number 52-17

WHEREAS, NJSA40A:4-8 provides that the budget be read by title only at the time of the public hearing if

a resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION FOR THE SELF-EXAMINATION OF BUDGET**

Number 53-17

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Elmer has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Elmer that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division

of Local Government Services upon adoption.

Motion Davis seconded by Zee to adopt Resolutions 48-17 through 50-17, 52-17, and 53-17.

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

The following resolution was read in full by the Clerk:

**BOROUGH OF ELMER COUNTY OF SALEM RESOLUTION
APPOINTING FUND COMMISSIONER FOR THE STATEWIDE INSURANCE FUND**

Number 51-17

WHEREAS, the Borough of Elmer (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Elmer that Joseph P. Stemberger, Mayor, is hereby appointed as the Fund Commissioner for the Local Unit for the year 2017; and

BE IT FURTHER RESOLVED that Steven Schalick is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2017; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Motion Richards seconded by Nolan to adopt Resolutions 51-17.

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

The following resolution was read in full by the Clerk:

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER
AMENDING AND DESIGNATING AUTHORIZED SIGNATORIES FOR
VARIOUS BOROUGH BANK ACCOUNTS**

Number 55-17

WHEREAS, the Borough of Elmer maintains several banking accounts; and

WHEREAS, the Council of the Borough of Elmer has determined that certain amendments are necessary to the designated signatories for the Borough bank accounts; and

WHEREAS, the Borough of Elmer seeks to amend and designate those individuals authorized as signatories for the Borough bank accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Elmer, County of Salem, State of New Jersey, that effective May 1, 2017, the following individuals are hereby designated as authorized signatories for the Borough accounts more specifically identified below:

<u>Account</u>	<u>Account No.</u>	<u>Authorized Signatories</u>
Current - Tax Collector Account	56-3025806	Sandra Ferguson, Cynthia Strang
Tax Title Lien Redemption Account	56-3025798	Sandra Ferguson, Cynthia Strang
Tax Premium Account	56-3028115	Sandra Ferguson, Cynthia Strang
Water Collector Account	56-3000486	Sandra Ferguson, Cynthia Strang

BE IT FURTHER RESOLVED, that any individual previously authorized, but not specifically identified in this Resolution, shall be deleted as an authorized signatory on said account.

Motion Davis seconded by Richards to adopt Resolutions 55-17.

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

**RESOLUTION OF THE BOROUGH OF ELMER
ADOPTION OF THE 2017 BUDGET (Public Hearing)**

Number 54-17

(See page 50c in the Minute Book)

Motion Zee, second Richards to open the public hearing. All were in favor and motion carried. After a short discussion regarding state aid, motion Davis second Nolan to close the public hearing. All were in favor and motion carried. Motion Richards second Davis to adopt the 2017 Budget.

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

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

1. Richards updated Council members on the status of the basement wall and discussed the review letter sent from Watson & Henry Associates. No action was taken.
2. The Mayor and Clerk outlined and discussed with Council members two grant opportunities: the Salem Health & Wellness Foundation grant for handicap accessible parking and walking trail at the new park and promoting nutrition at the concession stands, and the DCA Small Cities grant for either remedying accessibility around the Borough Hall and playground, or for replacing sidewalks for income qualified streets. No action was taken.
3. The Mayor discussed recommendation by the Housing Officer to change the checklist for the Certificate of Occupancy; no action was taken. The Solicitor confirmed that a new form can be approved by Council.
4. Motion Davis, second Nolan to approve \$150 for the Elmer Fire Department Golf Tournament sponsorship.
Roll Call: Ayes: Davis, Nolan, Schalick, Zee; Nays: None; Abstain: Richards. Absent: Schneider. Motion carried.

REPORTS/BILL LIST:

Motion Davis second Zee to receive and file the 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 February (**Page 50a**). All were in favor and motion carried.

Motion Davis, second Zee, that the bills be paid and charged to their respective accounts (see **Page 50b**).

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

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

Council members discussed the letter from Tax Assessor Duffield announcing retirement effective July 31, 2017.

Motion Davis second Richards to accept the retirement letter and authorize advertisement of the Tax Assessor position. All were in favor and motion carried.

COMMITTEE REPORTS:

Finance/Celebration Public Events: Schalick reported that the Memorial Day Parade will be held May 29 at 10:00 am with the ceremony at Chestnut Grove Cemetery at 11:30 am. Mayor Stemberger announced the Italian Festival for Joseph Barca's 100th birthday at Centennial Park on May 26, 10:00 am – 6:00 pm sponsored by the Barca family.

Public Safety: Richards outlined recent Fire Department calls.

Streets/Sidewalks/IT: Richards and Mayor Stemberger discussed the need to repair sidewalks around the Borough Hall and in front of the Water Works building.

Borough Hall/Public Property: Davis noted that the roof project will start soon and updated Council on recent repairs in the building.

Water/Street Lights: No report.

Trash/Recycling/Parks & Playgrounds: Nolan mentioned that branch pickup is this month and will get mulch prior to the parade.

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

April 12, 2017

Sarah D. Walker, Acting Borough Clerk

Approved: May 10, 2017