

Borough of Elmer Minutes**September 13, 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 Lewis Schneider, Council Members Lynda Davis, R. Matthew Richards, Steven Schalick, James Zee, and Mayor Joseph Stemberger answered to the roll call. Council Member Cynthia Nolan was absent. Also present were Solicitor Brian Duffield, Chief Financial Officer Cynthia Strang, and Clerk Sarah Walker.

APPROVAL OF MINUTES: Motion Davis second Schalick to approve the minutes from the Special Meeting held on August 2, 2017 and the Executive Closed Session held on August 2, 2017 and to dispense with the reading of the minutes.

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

Motion Davis second Schalick to approve the minutes from the Regular Council Meeting held on August 9, 2017.

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

PRESENTATION: Julie Acton, Executive Director of the Salem County Improvement Authority and member of the Economic Development Council, and Cordy Taylor, Vice Chairman of the Economic Development Council, provided an update on the activities of the Salem County Economic Development Council and explained the promotion effort and brochure 'LOVE Salem County'.

PUBLIC SESSION: Motion Zee second Davis to open the public portion of the meeting. All were in favor and the motion carried.

Robert Richards, as Chairman of the Elmer Ambulance Corp, announced that the Ambulance Corp hired 5 part time employees and began full time 24/7 activities on October 1st.

Robert Richards, as Assistant Water Superintendent, updated Council on the water tower repainting and repair project; he was impressed with the contractor's workmanship and was happy that there were no disruptions in the water supply and no fires while the tower was out. He mentioned that Council will need to budget for the new unfunded state requirements for the Water Department for inspections of fire hydrants and other monitoring to be implemented within the next 4 years. He will get a quote from Water Resource Management for the additional costs. He noted that here is a 10K generator that will no longer be needed for the Water Department; President Schneider recommended utilizing it for the Borough Hall.

Mayor Stemberger commended Richards for the outstanding job that he did for the Repainting and Repair of the Water Tower project. He noted that he did not receive any complaints while the water tower was out of service and that the job could not have been done without Bob's dedication.

Christine Nolan, South Jersey Land and Water Trust, and Chris Perez, Rutgers University, updated Council Members on the green infrastructure partnership with Rutgers for the installation of a rain garden near the Ambulance building and Borough parking lot and handed out copies of the design. She also noted that the National Wildlife Fund grant was also approved and that over the next 2 year 6 more rain gardens and other activities will commence for the grant.

The following resolution was introduced by title:

other entity with respect to said discussion. That time is currently estimated as the time of said matter. (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 Richards, second Zee to approve Resolution 100-17.

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

The Mayor and Council Members entered closed session at 8:30 pm. At 8:55 pm Davis made a motion, second Richards, to adjourn the Executive Session and re-open the Regular Meeting. All were in favor and motion carried.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

1. Ordinances: The Clerk noted that Chief Bryan recommended that fees for police accident reports be added to the Borough Code. Solicitor Duffield recommended a review of all the fees prior to introduction.

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

BOROUGH OF ELMER COUNTY OF SALEM RESOLUTION AUTHORIZING BOROUGH ENGINEER SERVICES FOR NJDOT FY 2017 MUNICIPAL AID PROGRAM FOR THE RECONSTRUCTION OF HITCHNER AVENUE AND UNION STREET

Number 91-17

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that Fralinger Engineering, Borough Engineer, be authorized for engineering services for the New Jersey Department of Transportation (NJDOT) Fiscal Year 2017 Municipal Aid Program for the Reconstruction of Hitchner Avenue and Union Street at a cost not to exceed \$17,500.00. This shall be charged to Ordinance 2017-11.

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER AUTHORIZING ENGINEER FOR PREPARATION AND ADVERTISEMENT OF BID SPECIFICATIONS FOR NJDOT MUNICIPAL AID PROGRAM FOR THE RECONSTRUCTION OF HITCHNER AVENUE AND UNION STREET

Number 92-17

WHEREAS, the Borough of Elmer has determined a need exists for the reconstruction of Hitchner Avenue and Union Street; and

WHEREAS, there are funds approved from the New Jersey Department of Transportation (NJDOT) Municipal Aid Program for the Reconstruction of Hitchner Avenue and Union Street; 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 the reconstruction of Hitchner Avenue and Union Street;

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 Borough Engineer be authorized to prepare, advertise, and accept bids for the NJDOT Municipal Aid Program Project for the Reconstruction of Hitchner Avenue and Union Street.

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

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION FOR THE APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A
GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
RESURFACING OF STATE STREET III**

Number 93-17

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Resurfacing of State Street Section III

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Elmer formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018- Resurfacing of State Street Section III-00110 to the New Jersey Department of Transportation on behalf of the Borough of Elmer.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Elmer and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION AUTHORIZING REFUND OF WATER PAYMENT
FOR 200 SALEM STREET, BLOCK 32 LOT 13**

Number 94-17

WHEREAS, 200 Salem Street had a water leak at the meter that resulted in excess water to be billed to the property owner; and

WHEREAS, the water leak was determined to be the responsibility of the Water Department; and

WHEREAS, the Assistant Water Department Superintendent determined that the amount of water billed in excess of the normal usage was 6,000 gallons at a cost of \$18;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, assembled in public session this 13th (thirteenth) day of September 2017, that the Chief Financial Officer of the Borough of Elmer be and she is hereby authorized and directed to refund \$18 to:

Thomas Garrison
200 Salem Street
Elmer, NJ 08318

**BOROUGH OF ELMER, COUNTY OF SALEM RESOLUTION AUTHORIZING MEMBERSHIP
IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS**

Number 95-17

WHEREAS, mutual aid and assistance agreements between municipalities, counties, Office of Emergency Management, law enforcement agencies, Emergency Medical Services, fire departments/fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1 and

WHEREAS, the President in Homeland Security Directive (HSPD) – 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more

effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. seq. provides for the health, safety and welfare of the people of the State of New Jersey during any emergency of centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the “Fire Service Resource Emergency Deployment Act,” N.J.A.C. 52:14&11 et. seq. commonly referred to as the “Fire Service Resource Emergency Deployment Regulations “N.J.A.C. 5:75A et. seq. and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality and/or fire district to enter into a mutual aid and assistance agreement with the County of Salem and other municipalities including (but not limited to) municipal Office of Emergency Management, police, Emergency Medical Service or fire departments, volunteer fire companies or EMS organizations and/or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

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

- A. That the Mayor is hereby authorized and directed to enter into the Salem County Emergency Management Mutual Aid and Assistance Agreement between Participating Units, a copy of which: is attached hereto and made part hereof, on the terms and conditions herein.
- B. That the Mayor and Borough Clerk of the Borough of Elmer are hereby authorized and directed to execute said Mutual Aid and Assistance on behalf of the Borough of Elmer.
- C. That the Borough Clerk is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the Agreement with the Salem County Department of Emergency Services, Office of Emergency Management. Said Office shall serve as the central repository and shall maintain a master listing of all Participating Units to the Mutual Aid and Assistance Agreement.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION FOR PLANNING BOARD ESCROW FUND (Dollar General)**

Number 96-17

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by applicant Dollar General for Site Plan Review for the property at 100 Front St. in the amount of \$356.52 be distributed and paid as follows:

<u>Amount:</u>	<u>To:</u>	<u>For:</u>
\$356.52	Law Office of Brian J. Duffield	Site Plan Review

**BOROUGH OF ELMER - COUNTY OF SALEM
RESOLUTION CANCELLING
UNEXPENDED BALANCE OF IMPROVEMENT AUTHORIZATION**

Number 97-17

WHEREAS, the Borough of Elmer did adopt the following ordinance on the date listed:

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Date</u>
2012-9	Purchase of Anthony Property	9/12/12

WHEREAS, all purchases and agreements have been completed and there remains an unexpended balance as follows:

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Unexpended Balance</u>
2012-9	Purchase of Anthony Property	\$5,923.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, assembled in public session this 13th (thirteenth) day of September 2017, that the unexpended balance be cancelled as follows:

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Cancelled to</u>
2012-9	Purchase of Anthony Property	General Capital Fund Fund Balance

Motion Davis seconded by Zee to adopt Resolutions 91-17 through 97-17.

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

The following resolution was introduced by title:

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM
2017 BEST PRACTICES REVIEW AND AUTHORIZATION**

**Number 98-17
Municipal Code 1702**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that the Mayor and Borough Council have reviewed the Best Practices Worksheet CY 2017/SFY2018 at the September 13, 2017 Regular Borough Council Public Meeting.

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, and Chief Financial Officer be authorized to complete and certify the Best Practices Public Meeting Certification Form for CY2017.

After a brief discussion of the Best Practices worksheet, motion Zee second Richards to approve resolution 98-17.

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

DISCUSSIONS/MOTIONS: None.

REPORTS/BILL LIST:

Motion Zee second Richards 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 (**Page 97a**). All were in favor and motion carried.

Motion Davis, second Schalick, that the bills be paid and charged to their respective accounts (see **Page 97b**).

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

COMMITTEE REPORTS:

Finance/Celebration Public Events: Chairman Schalick initiated a discussion with CFO Strang and Council Members about the school consolidation and the remaining \$366,000 that was determined to be owed to Pittsgrove. Strang reported that the Division of Local Government Services confirmed that the County School Board did not have the authority to change the tax rate and that we do not have to reissue new tax bills, so the increase will be

deferred until next year. Council Members discussed their concerns with raising this amount next year.

Public Safety: Chairman Schneider summarized the monthly police report.

Streets/Sidewalks/IT: No report.

Borough Hall/Public Property: No report.

Water/Street Lights: Chairman Zee reported that Ben Hitzelberger, Water Dept. Laborer, will be retiring October 1 and that Bob Richards and Donn Nelson will be taking over his duties so no replacement will be needed. Zee also noted that the two small buildings will be painted the same color as the tower, and that a separate quote will be obtained for the Water Works building.

Trash/Recycling/Parks & Playgrounds: No report.

Mayor Stemberger reviewed the list of ongoing projects:

Green Acres – the letter of intent for the \$20,000 Health & Wellness grant was submitted; a conceptual drawing will be needed;

Sidewalks – the Mayor will be taking on this project with letters going out in February;

Roof – the Boiler Room roof needs to be done next;

Flag Pole Painting – Richards suggested installing bollards on the pole to help with painting;

Records Room – Schneider recommended using the 2nd floor Community Room as the new Records Room rather than the basement; the transition will happen after January 1;

Water Works Remediation – no changes so can take off the list.

The Mayor also reported on the activities of the Housing and Property Maintenance Office, the Habitat for Humanity Handyman Revitalization Program, and the State Fire Marshal issues with the Fred Harz Tire property. Richards mentioned that an ordinance for cost recovery for the fire department is needed. The Mayor noted that the Park Avenue property needs to be mowed by the Borough, and that he will call the County about the overgrown weeds at the end of S. Main St. next to the lake.

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

September 13, 2017

Sarah D. Walker, Borough Clerk

Approved: October 11, 2017