

Borough of Elmer Minutes**January 4, 2017**

CALL TO ORDER: A Regular Meeting of the Borough Council convened in the Borough Hall at 7:35 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 was Chief Financial Officer Strang.

APPROVAL OF MINUTES: Motion Zee, second Nolan to approve the minutes from the Elmer Borough Council Meeting held on December 14, 2016, and to dispense with the reading of the minutes.

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

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

Joanne Eddy, Tax Collector, provided 2016 Tax Collector Report and answered questions.

William Flanagan, Project Manager for Tilson Technologies, provided information and answered questions about Resolution 25-17:

**BOROUGH OF ELMER, COUNTY OF SALEM RESOLUTION AUTHORIZING
VERIZON WIRELESS TO USE POLES IN THE PUBLIC RIGHT-OF-WAY**

Number 25-17

WHEREAS, Cellco Partnership d/b/a Verizon Wireless, (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Borough of Elmer; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality;

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

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Borough of Elmer, subject to the following:
 - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
 - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of Elmer.
 - C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of Elmer, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use

and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Borough of Elmer.

- D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of Elmer as an additional insured.
- E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- F. Notwithstanding any provision contained herein, neither the Borough of Elmer nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
- G. This instrument shall be adopted on behalf of the Borough of Elmer by the Borough Council of the Borough of Elmer and attested to by Borough of Elmer Clerk who shall affix the Borough of Elmer Seal thereto.
- H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

STATEMENT

This resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the Borough of Elmer by parties that have the lawful right to maintain such poles.

Motion by Schalick, second Davis, to approve Resolution 25-17. Roll Call: Ayes: Davis, Nolan, Richards, Schalick, Schneider, Zee; Nays: None. Motion carried.

Motion Richards, second Nolan to close the public portion of the meeting. All were in favor and motion carried.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

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

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

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, having found the need to set forth water service rates for the Borough of Elmer for 2017 as follows:

- A. Connection fee shall be as follows:
 - 1. 3/4" or 1" water service: \$3,100.00
 - 2. 1 1/4" water service: \$3,150.00
 - 3. 1 1/2" water service: \$3,545.00
 - 4. 2" and above: the applicant is required to assume all costs associated with the new water connection.

B. Subsequent to the adoption of this Ordinance, all water meters shall be installed in the interior of the premises to be serviced unless there is a lack of interior space as determined by the Water Department Superintendent or his designated representative, or unless the owner shall otherwise request in writing. If the water meter is to be installed outside of the premises to be serviced, it shall be located adjacent to or near the curb line. The expense of the installation of a new water meter shall be borne by the applicant in accordance with the following fee schedule:

1. 3/4" meter pit: \$2,098.95 each
2. 1" or 1 1/4" meter pit: \$2,572.50 each
3. 1 1/2" meter pit: \$2,572.50 each

4. 2" meter pit and above: the applicant is required to assume all costs associated with the new meter pit.

C. If any section or provision of this Ordinance shall be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

D. All Ordinances or parts of Ordinances, heretofore adopted that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

E. This Ordinance shall be effective upon its final passage, adoption, and publication in the manner prescribed by law.

Motion Zee, second Davis to approve the introduction of 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)

WHEREAS, the Local Government CAP Law, **N.J.S.A. 40A:4-45.1 et seq.**, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, **N.J.S.A. 40A:4-45.15a** provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Elmer in the County of Salem finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$23,031.72 in excess of the increase in final appropriations otherwise permitted by the Local Government CAP Law, is advisable and necessary; and

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Elmer in the County of Salem, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2017 budget year, the final appropriations of the Borough of Elmer shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$26,870.34 and that the CY 2017 municipal budget for the Borough of Elmer be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion Richards, second Davis to approve the introduction of Ordinance 2017-2.

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

ORDINANCE NO. 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**

WHEREAS, the Mayor and Council of the Borough of Elmer have determined that certain amendments to Chapter 10 entitled "Property Maintenance" are necessary; and

WHEREAS, in all other respects Chapter 10 entitled "Property Maintenance" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Elmer, County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

Chapter 10-1.3 entitled "Fees" shall be amended to read as follows:

a. The Borough of Elmer shall be entitled to receive a fifty (\$50.00) dollars fee for the initial inspection and the first reinspection. Any failed reinspection shall be a twenty-five (\$25.00) dollar fee for each reinspection.

b. An administrative fee in the sum of thirty (\$30.00) dollars shall be assessed against the owner of the premises each time the Borough Council authorizes the repair and/or remediation of a violation of this Chapter. The administrative fee shall be imposed in compliance with §10-3.7(d) herein.

Section 2.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

Section 3.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Motion Davis, second Richards to approve the introduction of Ordinance 2017-3.

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

ORDINANCE NO. 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**

WHEREAS, the Mayor and Council of the Borough of Elmer have determined that certain amendments to Chapter 11 entitled "Building and Housing" are necessary; and

WHEREAS, in all other respects Chapter 11 entitled "Building and Housing" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Elmer, County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

Chapter 11-2.6 entitled "Frequency of Inspections" shall be amended to read as follows:

An inspection, in accordance with the provisions of this section, shall be made at the following times:

- a. *New construction – prior to occupancy.*
- b. Change of title – prior to buyer occupying premises
- c. Change of Use or change or addition of occupancy - prior to any person occupying the premises upon change of use or persons who did not previously occupy the premises when the existing Certificate of Occupancy was issued.
- d. Rental properties – upon each change or addition of tenant/tenants or ~~at least once every two (2) years~~ annually, whichever event occurs first.

Section 2.

Chapter 11-5.5 entitled "Requirements for Registration", subsection 11-5.5(f) entitled "Registration Fee" shall be amended to read as follows:

- f. *Registration Fee.* Fee of ~~twenty (\$20.00)~~ thirty (\$30.00) dollars biannually (~~every two (2) years~~).

Section 3.**Repealer.**

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

Section 4.**Severability.**

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 5.**When effective.**

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Motion Richards, second Davis to approve the introduction of Ordinance 2017-4.

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

ORDINANCE NO. 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**

WHEREAS, the Mayor and Council of the Borough of Elmer have determined that certain amendments to Chapter 25 entitled "Land Development Regulation" are necessary; and

WHEREAS, in all other respects Chapter 25 entitled "Land Development Regulation" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Elmer, County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

Chapter 25-21 entitled "Administration and Enforcement", subsection 25-7.8 entitled "Fee Schedule" shall be amended to read as follows:

25-7.8 Fee Schedule.

a. *Minor Subdivision.*

1. Application fee-~~\$250.00~~ \$300.00.
2. Review fee deposit-~~\$500.00~~ per lot with a minimum deposit of ~~\$2,000.00~~ \$3,000.00 for legal and engineering review, including map revisions required by the subdivisions.

b. *Major Subdivision.*

1. Application fee-\$500.00.
2. Escrow-\$2,000.00.

c. *Major Subdivision Preliminary Review.*

1. Application fee-\$500.00.
2. Review fee deposit-~~\$500.00~~ per lot, with a minimum deposit of ~~\$2,000.00~~ \$4,000.00 for legal and engineering review.

d. *Major Subdivision Final Review.*

1. Application fee-~~\$350.00~~ \$500.00.
2. Review fee deposit-~~\$500.00~~ per lot, with a minimum deposit of ~~\$2,000.00~~ \$4,000.00 for legal and engineering review.

e. *Conditional Use.*

1. Application fee-~~\$250.00~~ \$300.00.
2. Review fee deposit-\$2.00 per gross square foot of building floor area included in the proposed development, plus \$200.00 per area pro-rated for fractions of land included in the lots involved, but not less than \$1,000.00.

f. *Site Plan, Preliminary Review.*

1. Application fee-~~\$350.00~~ \$500.00.
2. Review fee deposit-~~\$2,000.00~~ \$3,000.00 per lot or fraction thereof submitted for review, with a minimum of ~~\$2,000.00~~ \$3,000.00 for legal and engineering review.

g. *Site Plan, Final Review.*

1. Application fee-~~\$350.00~~ \$500.00.
2. Review fee deposit-\$250.00 per lot or fraction thereof submitted for review, with a minimum of ~~\$1,000.00~~ \$2,000.00 for legal and engineering review.

Reduced fee for certain residential applicants.

When the subject matter of an application consists of an addition, whether attached or detached, to an existing single-family residential house, or alterations thereof, site plan approval, subdivision approval or variance fees shall be as follows:

- (a) Application fee-\$175.00.
- (b) Review Fee Deposit-\$1,000.00.

The determination of the appropriate application fee shall be at the discretion of the Land Use Board and said determination shall be binding on the applicant.

h. *Use Variance.*

1. Application fee-~~\$150.00~~ \$200.00.
2. Review fee deposit-\$2.00 per gross square foot of building floor area included in the proposed development, plus \$500.00 per area pro-rated for fractions of land included in the lots involved, but not less than \$1,000.00. All other types of variances-\$25.00 (for example sign variances).

i. *Site Plan Waiver.*

1. Application fee - \$200.00 plus escrow fees of \$1,000.00.

j. *Amendment of Minor Subdivision Approval.*

1. Application fee - \$200.00 plus escrow fees of \$1,000.00.

k. *Informal Review.*

1. \$100 to be credited toward fee for review of the application for development for which the concept plan was presented. Escrow \$500.00.

l. *Amendment of Preliminary Major Subdivision Approval.*

1. Application fee - \$300.00 plus escrow fees of \$1,000.00.

m. *Bulk Variance.*

1. Application fee - ~~\$150.00~~ \$200.00 plus escrow fees of \$1,000.00.

Section 2.

Chapter 25-21 entitled "Administration and Enforcement", subsection 25-21.1(d)(3)(a) entitled "Fee Schedule" shall be amended to read as follows:

25-21.1 Enforcement; Permits; Fees.

d. Zoning Permit for Conforming or Nonconforming Use. It shall be unlawful to use or occupy or to permit the use or occupancy of any building or premises or both, or part thereof, hereinafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure, or to continue the use of a building, structure or premises as a legal nonconforming use, until a Zoning Permit shall have been issued therefor by the Zoning Officer, stating that the proposed use of the building or land conforms to the requirements of this and other Borough ordinances.

3. Fee Schedule.

(a) Zoning Permits - ~~\$10.00~~ \$25.00

Section 3.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

Section 4.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 5.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Motion Davis, second Nolan to approve the introduction of Ordinance 2017-5.

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

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

**BOROUGH OF ELMER
COUNTY OF SALEM**

RESOLUTION ADOPTING THE 2017 TEMPORARY BUDGET

Number 17-17

WHEREAS, **N.J.S.A.** 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2017 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of the beginning of the fiscal year, the beginning of the fiscal year being January 1, 2017; and

WHEREAS, the total appropriations in the 2016 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of

Current Fund:	\$941,439.00
Water Utility Fund:	\$244,100.00

and

WHEREAS, 26.25 percent of the total appropriations in the 2016 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2016 budget, is the sum of

Current Fund:	\$247,127.74
Water Utility Fund:	\$ 64,076.25

and

WHEREAS, **N.J.S.A.** 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements providing such resolution is not made earlier than December 20 of the year preceding the beginning of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

2017 TEMPORARY BUDGET

CURRENT FUND

	SALARIES AND WAGES	OTHER EXPENSES	TOTAL
GENERAL GOVERNMENT			
Mayor and Council	\$ 5,000.00	\$ 2,000.00	\$ 7,000.00
Municipal Clerk	3,300.00	3,000.00	6,300.00
Financial Administration	4,500.00	3,500.00	8,000.00
Audit Services		6,000.00	6,000.00
Revenue Administration (Taxes)	3,800.00	3,700.00	7,500.00
Assessment of Taxes	3,200.00	2,800.00	6,000.00
Legal Services		4,000.00	4,000.00
Engineering Services and Costs		1,500.00	1,500.00
Technology		1,200.00	1,200.00
Buildings and Grounds	2,500.00	4,000.00	6,500.00
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	SALARIES AND WAGES	OTHER EXPENSES	TOTAL
LAND USE ADMINISTRATION			
Land Use Board	\$ 2,000.00	\$ 800.00	\$ 2,800.00
HOUSING INSPECTION			
Housing Officer	3,000.00	800.00	3,800.00
INSURANCE			
Liability Insurance		22,000.00	22,000.00
Workers' Compensation		12,500.00	12,500.00
Unemployment and Disability		800.00	800.00
PUBLIC SAFETY			
Police Department	42,000.00	7,300.00	49,300.00
Office of Emergency Management	700.00	300.00	1,000.00
Fire Department		9,500.00	9,500.00
Fire Code Inspector	1,900.00	700.00	2,600.00
First Aid Organization		4,927.00	4,927.00
MUNICIPAL COURT			
Municipal Court		13,000.00	13,000.00
PUBLIC WORKS			

Streets and Road Maintenance		6,500.00	6,500.00
Garbage and Trash Removal		22,000.00	22,000.00
Recycling		7,500.00	7,500.00
Recycling Tax		500.00	500.00

HEALTH AND HUMAN SERVICES

Board of Health	2,000.00	1,000.00	3,000.00
Animal Control Services	200.00	1,400.00	1,600.00

PARK AND RECREATION

Parks and Playgrounds		2,500.00	2,500.00
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OTHER COMMON OPERATING FUNCTIONS

Celebration of Public Events		1,000.00	1,000.00
Aid to Public Library		1,000.00	1,000.00

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	SALARIES AND WAGES	OTHER EXPENSES	TOTAL
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UTILITY EXPENSES AND BULK PURCHASING

Natural Gas	\$	\$ 4,000.00	\$ 4,000.00
Electricity		6,000.00	6,000.00
Telephone		4,000.00	4,000.00
Street Lighting		4,000.00	4,000.00
Gasoline		2,000.00	2,000.00

**DEFERRED CHARGES AND
STATUTORY EXPENDITURES**

DCRP		300.00	300.00
Social Security System		5,000.00	5,000.00

GRAND TOTAL - CURRENT FUND

\$ 247,127.00

WATER UTILITY FUND

OPERATING

Salaries and Wages		\$ 14,700.00
Other Expenses		34,000.00
Liability Insurance		4,000.00
Contribution to Social Security System		1,300.00
Unemployment Compensation Insurance		200.00
Capital Outlay		9,876.00

GRAND TOTAL - WATER UTILITY FUND

\$ 64,076.00

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM,
AUTHORIZING SOLID WASTE DISPOSAL AGREEMENT WITH THE
SALEM COUNTY IMPROVEMENT AUTHORITY**

Number 18-17

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 for solid waste disposal with the Salem County Improvement Authority for one year beginning January 1, 2017 and ending December 31, 2017.

BE IT FURTHER RESOLVED that payment for the above mentioned service be charged to Trash and Garbage: Other Expenses in the 2017 Municipal Budget.

**BOROUGH OF ELMER, COUNTY OF SALEM
2017 ELEVATOR CONTRACT**

Number 19-17

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem and State of New Jersey that the Mayor be authorized to continue the agreement with South Jersey Elevator, 652 West Ave., Ocean City, NJ 08226 for Elevator Services for the year 2017 at a cost of \$120.00 per month.

BE IT FURTHER RESOLVED that this should be charged to Public Buildings and Grounds: OE in the 2017 Budget.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**

Number 20-17

WHEREAS, The Borough of Elmer (hereinafter “Local Unit”) has joined 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 Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Salem and State of New Jersey, as follows:

1. The Borough of Elmer hereby appoints the Sloan Insurance Agency as its Risk Management Consultant.
2. The Mayor and Clerk and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2017 in the form attached hereto.

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

Number 21-17

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 the John Gasparon 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.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION AUTHORIZING DISCHARGE OF A MORTGAGE**

Number 22-17

WHEREAS, the Borough of Elmer, through its Small Cities Grant program, gave a loan in the amount of \$1,175.00 to be used to rehabilitate the property situated on Block 29, Lot 29, in the Borough of Elmer, more commonly known as 34 Park Avenue; and

WHEREAS, said loan was secured by a mortgage dated August 26, 2004 and given to the Borough of Elmer for the property located at Block 29, Lot 29, in the Borough of Elmer; and

WHEREAS, the mortgage was to be discharged at the expiration of ten (10) years, provided that the property owner satisfied certain conditions; and

WHEREAS, the ten (10) year time period has expired and the owner is selling the property;

NOW, THEREFORE, BE RESOLVED by the Council of the Borough of Elmer that the Mayor is authorized to execute a discharge of mortgage relative to the above referenced property.

**BOROUGH OF ELMER COUNTY OF SALEM RESOLUTION AUTHORIZING STATE CONTRACT
FOR MORPHOTRAK PRINT LIVE SCAN SYSTEM FOR THE POLICE DEPARTMENT**

Number 23-17

WHEREAS, the Borough of Elmer is required to use the MorphoTrak LLC 10 Print Live Scan System for fingerprinting, mug photo capture, and duplex printer equipment;

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, **N.J.S.A. 40A:11-12**; and

WHEREAS, MorphoTrak LLC has been awarded New Jersey Contract No. 81520 for the Print Live Scan System;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer as follows:

1. MorphoTrak is hereby awarded a contract in an amount not to exceed \$2,633.36 (quote attached).
2. A Certification of Funds has been received for said contract assuring that there is a sufficient appropriation to award this contract.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION AUTHORIZING 2017 MUNICIPAL SOFTWARE CONTRACT**

Number 24-17

BE IT RESOLVED by the Mayor and Borough Council that the Clerk be authorized to enter into an agreement with Municipal Software Inc. for annual support for the year 2017 in the amount of \$6,810.00. This shall be charged to Tax Collection: OE, Animals: OE, Technology: OE, and Water Operating: OE in the 2017 Budget.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION AUTHORIZING MUNIDEX, INC. CONTRACT**

Number 26-17

BE IT RESOLVED by the Mayor and Borough Council that the Clerk be authorized to enter into an agreement with Muidex, Inc. for Software Support for the year 2017 in the amount of \$608. This shall be charged to Board of Health: OE in the 2017 Budget.

**BOROUGH OF ELMER COUNTY OF SALEM
APPROPRIATION RESERVE TRANSFER RESOLUTION**

Number 27-17

WHEREAS, the Borough of Elmer, County of Salem, finds it necessary to make transfers among various accounts between the 2016 appropriation reserves; and

WHEREAS, such funds are available in the various accounts; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem and State of New Jersey, that the following transfers are hereby approved:

	<u>Transfer Amounts</u>	
	<u>To</u>	<u>From</u>
Police:		
Salaries and Wages	\$1,000	
Gasoline		\$1,000
Public Buildings and Grounds:		
Other Expenses	1,300	
Celebration of Public Events:		
Other Expenses		300
Board of Health:		
Salaries and Wages		500
Technology:		
Other Expenses		500

Motion Zee, second Nolan to adopt Resolutions 17-17 through 24-17 and 26-17 through 27-17.

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

DISCUSSIONS/MOTIONS: The following items were discussed by Council Members; no formal action was taken:

1. Status and future of the Elmer Borough Municipal Alliance Program for FY18;
2. Local Government Dinner hosted by Elmer in March;
3. Box for American flag disposal.

REPORTS/BILL LIST:

Motion Zee second Davis to receive and file the December 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 December (**Page 27a** 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 27b** in Minute Book). Roll Call: Ayes: Davis, Nolan, Richards, Schalick, Schneider, Zee; Nays: None. Motion carried.

Motion Richards second Davis that the Clerk and Mayor's mail correspondence be received and filed. All were in favor and motion carried. Councilman Zee left the meeting at this time.

COMMITTEE REPORTS: The following Committee reports were made:

Finance/Celebration Public Events: No report.

Public Safety: No report.

Streets/Sidewalks/IT: No report.

Borough Hall/Public Property: Council Members discussed status of Borough Hall roof and door in basement.

Water/Street Lights: No report.

Trash/Recycling/Parks & Playgrounds: Mayor Stemberger noted that the Parks and Recreation Committee has been re-established.

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

January 4, 2017

Sarah D. Walker, Acting Borough Clerk

Approved: February 8, 2017