

Borough of Elmer Minutes**February 12, 2020**

CALL TO ORDER: A Regular Meeting of the Borough Council convened in the Borough Hall at 7:35 p.m. with Mayor Joseph 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 on January 9, 2020 pursuant to the Open Public Meetings Act.

ROLL CALL: Council President Lewis Schneider, Council Members Lynda Davis, Bruce Foster, Cynthia Nolan, Steven Schalick, James Zee, and Mayor Joseph Stemberger answered to the roll call. Also present were Solicitor Brian Duffield, Chief Financial Officer Cynthia Strang, and Clerk Sarah Walker in addition to 8 members of the public.

APPROVAL OF MINUTES: Motion Zee second Davis to approve the minutes from the Reorganization, Regular, and Executive Session Council Meetings held on January 7, 2020 and to dispense with the reading of the minutes. Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

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

Scott Hitchner, 319 Center Street, spoke on behalf of the 8 other members of the public concerning the lawful gun owner resolution that is circulating around Salem County. Mr. Hitchner noted that there is a statewide movement to send a message to Trenton regarding the unconstitutional infringement on gun owner's rights and that several other towns and Salem County Freeholders have approved the resolution. Solicitor Duffield recommended getting a copy of the resolution approved by Salem County for consideration at the next meeting.

Motion Zee second Davis to close the public portion of the meeting. All were in favor and motion carried.

UNFINISHED BUSINESS:**ORDINANCE 2020-1 2020 WATER SERVICE RATE ORDINANCE**

Motion Zee second Davis to open the public hearing for Ordinance 2020-1. All were in favor and motion carried.

There being no comment, motion Zee second Nolan to close the public hearing. All were in favor and motion carried. Motion Zee second Davis to adopt Ordinance 2020-1.

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

ORDINANCE 2020-2 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Motion Schneider second Davis to open the public hearing for Ordinance 2020-2. All were in favor and motion carried. There being no comment, motion Davis second Zee to close the public hearing. All were in favor and motion carried. Motion Nolan second Davis to adopt Ordinance 2020-2.

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

ORD. 2020-3 AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF THE BOROUGH OF ELMER

Motion Davis second Nolan to open the public hearing for Ordinance 2020-3. All were in favor and motion carried.

There being no comment, motion Zee second Nolan to close the public hearing. All were in favor and motion carried. Motion Davis second Nolan to adopt Ordinance 2020-3.

Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. 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 THE EXECUTION OF CONTRACT FOR SALE FOR THE SALE OF BLOCK 18, LOT 12 (28 STATE STREET) NO LONGER NEEDED FOR MUNICIPAL OR PUBLIC PURPOSES WITH BURROUGHS TIMBERMAN

Number 30-20

WHEREAS, the Elmer Borough Council determined that municipally owned real property identified as Block 18, Lot 12 (28 State Street), was surplus and no longer needed for municipal or public purposes; and

WHEREAS, via Ordinance No. 2019-8, adopted on December 11, 2019, the Mayor and Council of the Borough of Elmer authorized the sale of Block 18, Lot 12 to any owner of real property contiguous to Block 18, Lot 12; and

WHEREAS, one (1) contiguous landowner submitted sealed bids as follows:

1. Burroughs Timberman, 7 Island Road, Monroeville, New Jersey \$7,000.00

WHEREAS, the high bidder executed a Purchase Offer Agreement on January 6, 2020, and submitted the required ten percent (10%) deposit in the sum of \$700.00, attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Elmer, County of Salem, State of New Jersey, that the Mayor and Clerk of the Borough of Elmer are hereby authorized to execute the Contract for Sale and conveyance documents between the Borough of Elmer and Burroughs Timberman, attached hereto, for the sale of Block 18, Lot 12 (28 State Street), no longer needed for municipal or public purposes.

BOROUGH OF ELMER, COUNTY OF SALEM RESOLUTION TO ENTER INTO AN AGREEMENT WITH VOORHEES ANIMAL ORPHANAGE FOR ANIMAL SHELTER SERVICES

Number 31-20

BE IT RESOLVED by the Mayor and Borough Council that the Mayor and Clerk be authorized to enter into an agreement with Voorhees Animal Orphanage for Animal Shelter Services for one year commencing March 1, 2020 and ending March 1, 2021 to be charged to Board of Health: OE and/or Animal Trust Fund in the 2020 Budget.

BOROUGH OF ELMER COUNTY OF SALEM TAX IDENTIFICATION STATEMENT

Number 32-20

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 2019 in the amount of \$1,965.90. 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.

BOROUGH OF ELMER, COUNTY OF SALEM TONNAGE GRANT APPLICATION RESOLUTION

Number 33-20

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 2019 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 2019 recycling tonnage grant be deposited in a dedicated Recycling Trust Fund to be used solely for the purposes of recycling.

**BOROUGH OF ELMER COUNTY OF SALEM RESOLUTION
AMENDING RESOLUTION 1-20 CONFIRMING BOROUGH APPOINTMENTS 2020**

Number 34-20

WHEREAS, Resolution 1-20 incorrectly listed the appointment of Jared Fox as Police Officer instead of Class II Police Officer; and

WHEREAS, Jared Fox will continue to be a Class II Officer until he completes his certifications for Police Officer on January 31, 2020;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Elmer that Jared Fox be appointed Class II Police Officer effective January 1, 2020 and ending January 31, 2020; and

BE IT FURTHER RESOLVED that Jared Fox be appointed Police Officer effective February 1, 2020 through December 31, 2020.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION TO APPOINT JENNIFER LLOYD CLEAN COMMUNITIES COORDINATOR FOR 2020**

Number 35-20

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that Jennifer Lloyd be appointed Clean Communities Coordinator for the Borough of Elmer effective February 13, 2020 through December 31, 2020.

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, COUNTY OF SALEM, STATE OF NEW JERSEY, ADOPTING A DOMESTIC VIOLENCE POLICY

Number 36-20

WHEREAS, on or about October 15, 2019, the New Jersey Civil Service Commission issued a Statewide Domestic Violence Policy (DVP) for Public Employers, which is attached hereto; and

WHEREAS, pursuant to N.J.S.A. 11A:2-6a(b)(1), "The Civil Service Commission has developed a uniform domestic violence policy, which all public employers shall adopt and distribute to their employees, regardless of whether a public employer is subject to the provisions of Title 11A, Civil Service, of the New Jersey Statutes;" and

WHEREAS, the Borough of Elmer seeks to update its Personnel Policies and Procedures Manual to comply with N.J.S.A. 11A:2-6a(b)(1).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Elmer, County of Salem, State of New Jersey, that the Borough of Elmer Policies and Procedures Manual is updated as follows:

1. The Statewide DVP (which is attached hereto) shall be referenced and adopted in the Borough of Elmer Personnel Policies and Procedures Manual.
2. The Borough of Elmer Personnel Policies and Procedures Manual shall designate the Borough Clerk as the Human Resources Officer (HRO) for purposes of the DVP.
3. The Table of Contents of the Borough's Personnel Policies shall be updated to reflect the inclusion of the Borough's adoption of the Statewide DVP.

Motion Davis second Zee to adopt Resolutions 30-20 through 36-20.

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

DISCUSSIONS/MOTIONS:

1. Motion Schneider second Nolan to authorize the bond renewals for CFO Cynthia Strang (Bond#1195856 for \$74,000) and CTC James V. Davis (Bond #B11195820 for \$225,000 effective 1/1/20-1/1/21). All were in favor and motion carried.
2. Motion Davis second Nolan to authorize the printing of the 2020 Calendar/Directory; all were in favor and motion carried.
3. Motion Schalick second Davis to approve the Elmer Library Bingo & Raffle Approval for Saturday March 28, 2020, 5-8 pm at the Elmer Fire Hall. All were in favor and motion carried.

REPORTS/BILL LIST:

Motion Foster second Davis to receive and file the Tax/Water Collector and to receive, file and spread full upon the minutes the Treasurer's report (**see Page 28a**); all were in favor and motion carried.

Motion Davis second Zee to pay all duly authorized bills and charge them to their respective accounts (**see Page 28b**).

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

The Mayor and Clerk discussed the status of the Borough computer upgrades, street sweeping which Councilman Foster will coordinate for March, the plastic bag ban letter from ANJEC, the February Local Government dinner, and the County school consolidation study.

Motion Zee second Nolan 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: Councilman Schalick led a discussion of the 2020 Salary Ordinance. The following Ordinance was read by title:

ORD. 2020-4 2020 SALARY ORDINANCE

Motion Nolan second by Schalick to approve the introduction of Ordinance 2020-4 and to set the public hearing for March 11, 2020. All were in favor and motion carried.

CFO Strang discussed the funding options for the ADA project. Council Member Schalick recommended getting quotes for mowing the Green Acres park.

Public Safety: Council President Schneider provided an update on the police department.

Streets/Sidewalks/IT: Council Member Foster noted that he fixed the Front and State Street pothole.

Borough Hall/Public Property: Council Member Davis discussed the Borough Hall roof, baby changing table for the restroom, and the basement aluminum doors.

Water/Street Lights: Council Member Zee is looking into replacing the plastic globes on the decorative light poles that are discolored and can't be cleaned. He also provided an update on the remediation project.

Trash/Recycling/Parks & Playgrounds: Council Member Nolan reported that the playground was vandalized and that the insurance company should be contacted. She also discussed trash pickup questions.

ONGOING PROJECTS:

Veteran's Monument: The Mayor provided the plan that the Borough engineer designed and discussed implementation of the project for Memorial Day completion.

Green Acres Park: The Mayor discussed the status of the park plans and implementation.

ADJOURNMENT: At 9:55 pm motion Zee second Foster that the meeting be adjourned. All were in favor and motion carried.

February 12, 2020

Approved: March 11, 2020

Sarah D. Walker, Borough Clerk