

**January 9, 2013**

A Regular Meeting of the Borough Council convened in the Borough Hall at 7:30 p.m. with President Schneider presiding.

Councilman-elect Andrew M. Williams was sworn into office by Beverly S. Richards, Borough Clerk.

Invocation was given by Mayor Joseph P. Stemberger, followed by the pledge of allegiance.

Mayor Stemberger noted that the requirements of the Open Public Meetings Act have been met by the filing and posting of the Annual Notice.

Councilpersons Schneider, Davis, Nolan, Schalick, Williams and Zee answered to the roll call. Absent – None.

Motion Zee, seconded Nolan that the last regular meeting and all subsequent meetings be approved and that the reading of the minutes be dispensed with. Motion carried.

Councilwoman Nolan left the meeting due to illness.

Committee reports were made at this time: Borough Hall/Public Property, Public Safety, Streets, and Water/St. Lighting.

Council President Schneider called up for second reading an Ordinance entitled:

**ORDINANCE NO. 2013-1**

**BOROUGH OF ELMER WATER SERVICE ORDINANCE**

Clerk presented affidavit of publication, motion Zee, seconded Davis that the affidavit be received and filed. Motion carried.

Motion Schneider, seconded Davis that the Clerk read the Ordinance by title only and that the public hearing be held thereon. Motion carried.

Clerk read following ordinance by title only:

**ORDINANCE 2012-2**

**BOROUGH OF ELMER WATER SERVICE ORDINANCE**

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 2012 as follows:

- I. Connection fee shall be as follows:
 

(1) 3/4" or 1" water service	\$2,800.00
(2) 1 1/4" water service	\$2,990.00
(3) 1 1/2" water service	\$3,310.00

(4) 2" and above the applicant is required to assume all costs associated with the new water connection.

(5) 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:

- (a) 3/4" meter pit \$1,999.00 each
- (b) 1" or 1 1/4" meter pit \$2,450.00 each
- (c) 1 1/2" meter pit \$2,450.00 each
- (d) 2" meter pit and above the applicant is required to assume all costs associated with the new meter

pit

II. 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.

III. 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.

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

Mayor Stemberger announced that the public hearing on the above Ordinance to be open.

Opportunity having been given to those who wished to speak for or against the Ordinance, it was moved by Davis, seconded Zee that the public hearing be closed. Motion carried.

Clerk presented the following resolution.

#### **FINAL RESOLUTION**

WHEREAS, an Ordinance entitled **BOROUGH OF ELMER WATER SERVICE RATE ORDINANCE**; and

WHEREAS, public hearing has been held thereon,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, that an Ordinance entitled **BOROUGH OF ELMER WATER SERVICE RATE ORDINANCE** be finally adopted and that notice of its adoption by title only be published in the Elmer Times in accordance with law.

Motion Schalick, seconded Williams that the resolution be adopted as read: Ayes – Schneider, Davis, ,Schalick, Williams and Zee. Nays – None. Motion carried.

The following resolution was presented:

**RESOLUTION  
2013 TEMPORARY BUDGET  
GENERAL FUND**

**Number 17-13**

(See Page 11 a in Minute Book)

Motion Zee, seconded Davis that the resolution be adopted as read: Ayes – Schneider, Davis, Schalick, Williams and Zee. Nays–None. Motion carried.

The following resolution was presented:

**RESOLUTION  
2013 TEMPORARY BUDGET  
WATER**

**Number 18-13**

(See Page 11 b in Minute Book)

Motion Zee, seconded Davis that the resolution be adopted as read: Ayes – Schneider, Davis, Schalick, Williams and Zee. Nays–None. Motion carried The following resolution was presented:

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**RESOLUTION  
PLANNING BOARD ESCROW FUND**

**Number 16-13**

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by Ingrid P. Warmuth, MD. (Applicant) Stormwater Maintenance (Purpose of Deposit e.g. Site Plan Application) in the amount of \$457.50 be distributed and paid as follows:

\$ 457.50 To: Fralinger Engineering

Motion Davis, seconded Williams that the resolution be adopted as read: Ayes – Schneider, Davis, Schalick, Williams and Zee. Nays - None. Motion carried

The following resolution was presented:

**RESOLUTION**

**Number 15-13**

**RESOLUTION TO REFUND OVER PAYMENT OF  
WATER ACCOUNT TO TAX ACCOUNT  
80 SALEM STREET, BLOCK 32 LOT 19**

**WHEREAS**, Block 32 Lot 19 received an over payment of \$48.48 on 11/27/2012 and;

**WHEREAS**, this payment was intended for the cost of sale for the tax account and needs to be applied there.

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector, is hereby authorized to refund the payment of \$48.48 as follows:

Removed \$48.48 from the water rents account and make a  
Check payable to the Borough of Elmer Tax Office  
\$48.48 for cost of sale.

Motion Zee, seconded Davis that the resolution be adopted as read: Ayes – Schneider, Davis, Schalick, Williams and Zee. Nays – None. Motion carried

The following resolution was presented:

**RESOLUTION**

**Number 19-13**

WHEREAS, the Borough of Elmer desires to enter into an Inter-Local Service Agreement with Upper Pittsgrove Township whereby the township shall provide certain public works services described in the attached agreement and

WHEREAS, it is in the best interest of the Borough and the Township to enter into said agreement;

NOW THEREFORE 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 Inter-Local Service Agreement with Upper Pittsgrove Township to provide to the Borough of Elmer certain public works services described in the attached agreement for the year 2013. These services shall be charged to Streets and Road – OE, Public Buildings and Grounds – OE, Parks and Playgrounds – OE and Water - OE in the 2013 Budget.

Motion Davis, seconded Zee that the resolution be adopted as read: Ayes – Schneider, Davis, Schalick, Williams and Zee. Nays – None. Motion carried.

Clerk presented Surety Bond No. B 1015959 for Darla J. Timberman, Chief Financial Officer/Water Dept, in the amount of Twenty Four Thousand Dollars and Bond No. B 1015963 for Darla J. Timberman, Chief Financial Officer, in the amount of Fifty Thousand Dollars, both effective January 1, 2013 through January 1, 2014, along with the Blanket Bond for all other employees..

Motion Zee, seconded Davis to receive and file all bonds. Motion carried.

The following ordinance was introduced by title only:

**FIRST RESOLUTION**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, that an Ordinance entitled **CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)** be adopted on first reading, final hearing thereof be held at its regular meeting on February 13, 2013, at 7:30 p.m., Borough Hall, Elmer, New Jersey, and that said Ordinance, together with Notice of Final Hearing, be published in the Elmer Times in accordance with law.

Motion Williams, seconded Davis that the resolution be adopted as read: Ayes – Schneider, Davis, Schalick, Williams and Zee. Nays – None. Motion carried

Report from Tax/Water Collector, Joanne Marone for the month of December 2012 was presented.

Motion Zee, seconded Davis that the report be received and filed. Motion carried.

Clerk and Mayor’s mail for the month of January, 2013, was presented and read.

Motion Davis, seconded Zee that the correspondence be received and filed. Motion carried.

Treasurer’s Reports for the month of December 2012, were presented and read.

Motion Williams, seconded Davis that the reports be received, filed and spread full upon the minutes. I state this Andrew M. Williams. Motion carried.

(Treasurer’s Reports – See Pages 13 a in Minute Book )

The following bills were presented and read: (See pages 13 b in Minute Book )

Moved Davis, seconded Zee that the bills be paid and charged to their respective accounts. Ayes – Schneider, Davis, Schalick, Williams and Zee. Nays - None. Motion carried.

Mayor Stemberger reviewed committees that had previously been formed.

Motion Zee, seconded Davis to keep the 911 Committee, Park Beautification Committee and Census Liaison Committee and all the rest to be disbanded which include Salem County Cultural & Heritage Commission, Beautification Advisory Committee, Lake Committee, Railroad Property Disposition Committee, Rental Property & Maintenance Committee, 2000 Census Committee, Bell Tower Restoration Committee, Building Inspector Committee, Y2K Committee. Motion carried.

Clerk presented letter of resignation from Borough Solicitor, Charles Girard effective as soon as the Mayor and Council can find a replacement.

Motion Zee, seconded Williams that the resignation be accepted with deepest regrets. Motion carried.

Application of Nicholas Cupani for a police officer position was presented.

The following resolution was presented:

**RESOLUTION**

**Number 21-13**

BE IT SOLVED by the Mayor and Borough Council of the Borough of Elmer that Nicholas Cupani be hired as a Police Officer for Elmer Police Department.

Motion Zee, seconded Davis that the resolution be adopted. Ayes-Davis, Nays-Schneider, Schalick, Williams and Zee. Motion **NOT** carried.

Application for Bingo and Raffle Licenses for the Elmer Library Association were presented.

Motion Zee, seconded Davis that upon receipt of the necessary funds, the application be approved. Motion carried.

Application for Special Permit For Social Affair was presented by Elmer Fire Department on March 23, 2013.

The following resolution was presented:

**RESOLUTION**

**Number 22-13**

BE IT SOLVED by the Mayor and Borough Council of the Borough of Elmer that Elmer Fire Departments application for Social Affair (NJSA 33:74-1 and NJAC 13:3-5.1 be approved.

Motion Williams, seconded Schneider that the resolution be adopted. Ayes--Schneider, Schalick and Williams, Nays.-Zee and Davis. Motion carried.

There being no further business, it was moved by Zee, seconded by Davis that the meeting be adjourned. Motion carried.

January 9, 2013

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Beverly S. Richards, RMC  
Borough Clerk

