



**January 1, 2013**

Councilmen-elect Lewis M. Schneider and James W. Zee III were administered the oath of office by Borough Clerk, Beverly S. Richards.. (Councilman-elect Andrew M. Williams was ill and will be given the oath of office at the January 9, 2013 regular meeting)

The reorganization meeting of the Elmer Borough Council convened in the Borough Hall, at 12:00 noon with Mayor Stemberger presiding.

Mayor Stemberger announced that the 48-hour notice, as required by the Open Public Meetings Act, had been sent to two newspapers and posted as required.

Invocation was given by Pastor David Repenning, Elmer United Methodist Church, Elmer, NJ, followed by the flag salute.

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

Mayor Stemberger declared that the nominations were now open for President of the 2013 Borough Council.

Councilman Lewis M. Schneider was nominated by, Councilman Zee. seconded by Councilwoman Davis.

There being only one candidate nominated for President, Mayor Stemberger directed the Borough Clerk to cast the deciding vote. Clerk cast the vote in favor of Lewis M. Schneider. Mayor Stemberger declared Lewis M. Schneider duly elected as President of the 2013 Borough Council.

The following resolutions were read by the Clerk:

**BOROUGH OF ELMER  
SALEM COUNTY, NEW JERSEY**

**RESOLUTION**

**Number 1-2013**

**BE IT RESOLVED:**

That Joanne Marone be appointed Tax Search Officer for the year 2013.

That Beverly S. Richards be appointed Municipal Search Officer for the year 2013.

That Joanne Marone be appointed Collector for the Borough of Elmer Water Department for the year 2013.

That Robert M. Richards be appointed Assistant Superintendent of the Borough of Elmer Water Department for the year 2013.

That Donn Nelson be appointed Water Meter Reader for the Borough of Elmer Water Department for the year 2013.

That Barry Davis be appointed Clean Communities Coordinator for the year 2013.

That Jack Justice, Jr. be appointed Fire Safety Code Official for the year 2013.

That Michael B. Hitchner be appointed Fire Code Inspector for the year 2013.

That Joanne Marone be appointed Animal Registrar for the year 2013.

That Karen Foster be appointed Custodian of the Elmer Borough Hall for the year 2013.

That Robert M. Richards be appointed a Class II member of the Elmer Land Use Board for a one-year term ending December 31, 2013.

That Lynda Davis be appointed a Class III member of the Elmer Land Use Board for a three-year unexpired term ending December 31, 2013.

That Leigh Bostwick be appointed a Class IV member of the Elmer Land Use Board for a four-year term ending December 31, 2016.

That Scott Mc Donald be appointed Class IV member of the Elmer Land Use Board for a four-year unexpired term ending December 31, 2014.

That Linda Herrmann be appointed Class IV Alternate No. 1 of the Elmer Land Use Board for a two-year term ending December 31, 2014.

That Lew Reed be appointed Class IV Alternate No. 2 of the Elmer Land Use Board for a two-year unexpired term ending December 31, 2013.

That John Hagan be appointed Class IV Alternate No. 3 of the Elmer Land Use Board for a two-year unexpired term ending December 31, 2013.

That Tammy Collins be appointed Class IV Alternate No. 4 of the Elmer Land Use Board for a two-year term ending December 31, 2014

That Bonnie Kanady be appointed Board of Health member for a three-year term ending December 31, 2015.

That Mary Ellen Volkmar be appointed Board of Health member for a three-year term ending December 31, 2015.

That Michael Kulig, Sr., be appointed Housing Officer for the year 2013.

That Tom Krawecz be appointed Land Use Board Zoning Official for the year 2013.

That Countywide Animal Care and Control, LLC be appointed Animal Control Officer for the year 2013.

That Cumberland County SPCA be appointed Animal Shelter for the year 2013.

That Cynthia L. Nolan be appointed the Borough of Elmer's representative to Salem County Advisory Solid Waste Council for the year 2013.

That Roy Duffield be appointed Sub-Registrar for a three-year term beginning May 12, 2013 ending May 11, 2015.

That Roy Duffield, be appointed Tax Assessor for a term beginning July 1, 2013 and ending June 30, 2017.

That Marita McCarthy-Carll be appointed Administrator of the Mid-Salem County Court for the year 2013.

That Barbara Conto be appointed Deputy Administrator of the Mid-Salem County Court for the year 2013.

That John Casarow, Jr. be appointed Municipal Judge of the Mid-Salem County Court for the year 2013.

That John G. Hoffman be appointed Municipal Prosecutor for the Mid-Salem County Court for the year 2013.

That Emily McDonahue be appointed Public Defender for the Mid-Salem County Court for the year 2013.

That Gamaliel Cruz be appointed a Class II Police Officer for a one-year term ending December 31, 2013.

That the Salem County Department of Emergency Services will provide radio dispatching services to the Elmer Borough Police Department on a 24-hour basis during the year 2013 at a cost not to exceed \$10,500.00.

That Joseph P. Stemberger be appointed the Borough of Elmer Representative for the Conscientious Employee Protection Act for the year 2013.

**BOROUGH OF ELMER  
SALEM COUNTY, NEW JERSEY**

**RESOLUTION**

**Number 2-2013**

BE IT RESOLVED: That this governing body does hereby confirm the following Officers of the Elmer Fire Department for the year 2013.

President	Stephen A. Richards
Vice President	Frederick C. Lesti
Recording Secretary	Jay L. DuBois
Treasurer	Michael L. Fisher
Chief	Jack D. Justice, Jr
First Asst. Chief	.R. Matthew Richards
Second Asst. Chief	Andrew B. Williams
Captain 1	Michael A. Miller
Captain 2	Michael W. Coles

**RESOLUTION**

**Number 3-2013**

BE IT RESOLVED: That the rules of the Elmer Borough Council for the year 2013 be the same as those adopted for the year 2012.

**RESOLUTION**

**Number 4-2013**

BE IT RESOLVED: By the Borough Council of the Borough of Elmer, that the Borough Clerk, Beverly S. Richards, be authorized as the person to sign all vouchers as to the receipt of goods, materials or as to services rendered for the year 2013.

**RESOLUTION**

**Number 5-2013**

**RESOLUTION FOR THE OFFICE OF THE TAX AND WATER COLLECTOR  
FOR THE YEAR 2013**

**WHEREAS**, the Borough of Elmer is able to set policies and procedures for the office of the Tax and Water Collector that allows for the best fiscal interest of the municipality,

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector, is hereby authorized and directed to the following:

TAXES

1. Interest on taxes shall be 8% on the first \$1,500 of the delinquency and 18% on all subsequent delinquency until the account is paid in full. All accounts have a 10 day grace period during each quarter when taxes are due.
2. A year end penalty of 6% for taxpayers with a delinquency in excess of \$10,000 who fail to pay the delinquency before the end of the year.
3. A tax sale of all delinquent accounts for the 2012 Municipal Taxes will be held no later than January 31, 2013.
4. A tax sale of all delinquent accounts for the 2013 Municipal Taxes will be held no later than January 31, 2014.
5. Delinquent tax accounts in the amount of +/- \$5.00 may, at the discretion of the tax collector be canceled prior to the tax sale.
6. Charges for Certificates of Redemption shall be \$25.00 per certificate.
7. Charges for Replacements of Loss Tax Sale Certificates shall be \$100.00
8. All Tax Sale Liens shall be redeemed through certified funds only (cash, money order, or certified check).
9. All payments made to clear accounts for tax sale must be made through certified funds only (cash, money order, or certified check).
10. Borough Charges for property clean-up, trash removal, and other similar charges shall be charged an interest rate of 18%, 30 days after the billing date.

#### WATER

1. A late fee penalty on water shall be 5% on the 11<sup>th</sup> day following the due date on the bill. All accounts have a 10-day grace period during each quarter when the bills are due.
2. A tax sale of all delinquent accounts for the 2012 Municipal Taxes will be held no later than January 31, 2013.
3. A tax sale of all delinquent accounts for the 2013 Municipal Taxes will be held no later than January 31, 2014.
4. All payments made to clear accounts for tax sale must be made through certified funds only (cash, money order, or certified check).
5. Delinquent water accounts in the amount of +/- \$5.00 may, at the discretion of the tax collector be canceled prior to the tax sale.
6. Final water reads shall be given a charge of \$20.00 per read.
- 7.

### **RESOLUTION**

**Number 6-2013**

#### **CASH MANAGEMENT PLAN**

WHEREAS, it is the desire of the Borough Council of the Borough of Elmer to adopt a cash management plan in accordance with NJSA 40A:5-14; and

WHEREAS, the Borough is authorized to invest idle funds in accordance with NJSA 40A:5-15.1 as well as the following Governmental Unit Depository Protection Act (GUDPA) approved banks:

First National Bank of Elmer  
Fulton Bank

WHEREAS, the Chief Financial Officer will provide the governing body with a monthly report that summarizes:

1. All investments made or redeemed over the past month.
2. Each organization holding local unit funds.
3. The amount of securities purchased or sold, class or type of securities purchased, book value, earned income, fees incurred, and market value of all investments as of the report date and;
4. Other information that the governing body may request.

WHEREAS, provided that local unit funds are deposited or invested as designated or authorized by this cash management plan, the Chief Financial Officer is relieved of any liability

for any loss of such moneys due to the insolvency or closing of any depository designated by, or for the decrease in value of any investment authorized by, the cash management plan.

NOW, THEREFORE BE IT RESOLVED, that the above cash management plan be adopted by the Borough Council of the Borough of Elmer, County of Salem and State of New Jersey, effective for the 2013 calendar year.

BE IT FURTHER RESOLVED that all disbursements shall be made by check and signed by the Mayor, Borough Clerk and Chief Financial Officer. In the event that the Mayor, Borough Clerk or Chief Financial Officer is absent or incapacitated, the President of Council shall be authorized to sign in their place.

**RESOLUTION**

**Number 7-2013**

BE IT RESOLVED: By the Mayor and Borough Council of the Borough of Elmer, Salem County, New Jersey that Trick or Treating will be Thursday, October 31, 2013 between 5:00 p.m. and 8:00 p.m. and the curfew for Wednesday, October 30, 2013 and Thursday, October 31, 2013 will be enforced with all persons under the age of 17 being off the streets by 8:00 p.m., unless accompanied by a parent or guardian.

**BOROUGH OF ELMER  
SALEM COUNTY, NEW JERSEY**

**RESOLUTION**

**Number 8-2013**

**WHEREAS**, there exists in the Borough of Elmer, County of Salem, State of New Jersey, a need for certain legal and engineering services; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-15) requires that the Resolution Authorizing the Award of Contract for "Professional Services" without competitive bidding must be publicly advertised.

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

1. Charles J. Girard, Esquire, an Attorney at Law of the State of New Jersey, be and is hereby appointed Borough Solicitor for the Borough of Elmer to render such legal services as may be required for the year 2013.
2. The Mayor and Borough Clerk are hereby authorized and directed to enter into an agreement with the aforesaid individuals for "Professional Services" under the provisions of the Local Public Contracts Law.

**BOROUGH OF ELMER  
SALEM COUNTY, NEW JERSEY**

**Number 9-2013**

***RESOLUTION APPOINTING AN AUDITOR FOR THE YEAR 2013***

**WHEREAS**, N.J.S.A. 40A:5-4 provides that the Governing Body of every local unit shall cause an annual audit of its books, accounts and financial transactions to be made after the close of the fiscal year and for that purpose shall employ a Registered Municipal Accountant of the State of New Jersey; and

**WHEREAS**, the Borough of Elmer has procured the audit as a NON-FAIR AND OPEN contract pursuant to the provisions of NJSA 10:44A-20.4 (or 20.5 as appropriate); and

**WHEREAS**, the Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and,

**WHEREAS**, the anticipated term of this contract is one year and may be extended as approved by the Governing Body; and

**WHEREAS**, Ford, Scott an Associates., LLC has submitted a proposal dated December 17, 2012 indicating they will provide the audit for a fee of \$25,000; and

**WHEREAS**, Ford, Scott an Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Ford, Scott and Associates, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Elmer in the previous one year, and that the contract will prohibit Ford, Scott an Associates., LLC from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services", must be publicly advertised;

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

1. The Borough Council authorizes the Mayor to enter into a contract with Ford, Scott and Associates, LLC as described herein; and,
2. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
3. That a copy of this Resolution be published in the Elmer Times, as required by

law, within ten (10) days of its passage.

4. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein in verbatim.

5. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**BOROUGH OF ELMER  
SALEM COUNTY, NEW JERSEY**

**Number 10-2013**

***RESOLUTION APPOINTING AN ENGINEER FOR THE YEAR 2013***

**WHEREAS**, N.J.S.A. 40A:11-15 provides that the Governing Body of every local unit the need for certain engineering services; and

**WHEREAS**, the Borough of Elmer has procured the engineering as a NON-FAIR AND OPEN contract pursuant to the provisions of NJSA 10:44A-20.4 (or 20.5 as appropriate); and

**WHEREAS**, the Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and,

**WHEREAS**, the anticipated term of this contract is three years and may be extended as approved by the Governing Body; and

**WHEREAS**, Fralinger Engineering, PA. has submitted a proposal dated January 1, 2013 indicating he will provide the engineering per hourly rates as established in contract; and

**WHEREAS**, Fralinger Engineering, PA has completed and submitted a Business Entity Disclosure Certification which certifies that Fralinger Engineering, PA has not made any reportable contributions to a political or candidate committee in the Borough of Elmer in the previous one year, and that the contract will prohibit Fralinger Engineering, PA from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that the Resolution authorizing the award of contracts for "Professional Services", must be publicly advertised;

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

1. The Borough Council authorizes the Mayor to enter into a contract with Fralinger Engineering, PA as described herein; and,
2. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
3. That a copy of this Resolution be published in the Elmer Times, as required by law, within ten (10) days of its passage.
4. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein in verbatim.
5. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**BOROUGH OF ELMER  
SALEM COUNTY, NEW JERSEY**

**RESOLUTION**

**Number 11-2013**

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

1. Regular Borough Council Meetings shall be held on the second Wednesday of each month at 7:30 p.m., prevailing time at the Borough Hall, Elmer, NJ, at which time Borough Council shall discuss and formally act upon all business matters.
2. The Official newspaper is hereby designated as the Elmer Times.
3. The newspapers for publication of notices are hereby designated as the Elmer Times and/or South Jersey Times.
4. Regular Meetings of the Borough Council shall be held on the following dates:

January 9, 2013	July 10, 2013
February 13, 2013	*August 13, 2013 (Tuesday)
March 13, 2013	September 11, 2013
April 10, 2013	October 9, 2013
May 8, 2013	November 13, 2013
June 12, 2013	December 11, 2013

5. The Borough Clerk shall mail copies of all notices, including 48-Hour notices, to any person or persons requesting the same upon a prepayment of the sum of \$25.00 per year.
6. A copy of this resolution shall be forthwith published in the Elmer Times.

**RESOLUTION**

**Number 12-2013**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Elmer, that Beverly S. Richards is hereby appointed the Elmer Borough Public Agency Compliance Officer for the year 2013 in compliance with N.J.A.C. 17:27-3.5.

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized to forward this Resolution to the Division of Contract Compliance and EEO in Public Contracts forthwith.

**RESOLUTION**

**Number 13-2013**

**Re: A resolution authorizing the Borough of Elmer Tax Assessor to file appeals with the Salem County Board of Taxation as may be necessary**

**Whereas**, statutory provision is made for review and correction of errors prior to certification of an assessment list; and

**Whereas**, provision is also allowed for the discovery and correction of errors after establishment of the tax rate; and

**Whereas**, changes in property ownership at times necessitates adjustments in the veteran's and/or senior citizen's deduction allowed on the assessment list; and

**Whereas**, responsibility for the maintenance and correction of the assessment list rests with the Borough Tax Assessor subject to laws and regulations; and

**Whereas**, the Mayor and Borough Council, again for the aforementioned reasons, hereby authorize and direct the Borough Solicitor or special tax counsel to the Borough, as the case may be, to authorize the filing of Counterclaims seeking an increase in the assessment in the event true value is determined to be higher than anticipated.

**Now, therefore, be it resolved** by the Mayor and Borough Council of the Borough of Elmer as follows:

1. The Mayor and Borough Council, for the aforementioned reasons, hereby authorize the Borough Tax Assessor to file such appeals as may be necessary with the Salem County Board of Taxation to maintain the accuracy and equality in the assessment list of the Borough of Elmer, subject to the advice of the Borough Solicitor and the prior approval of the Mayor and Borough Council.

2. The Mayor and Borough Council, for the aforementioned reasons, hereby authorize the Borough Tax Assessor to execute Stipulations of Settlement on behalf of the Borough of Elmer, subject to the advice of the Borough Solicitor and the prior approval of the Mayor and Borough Council.
3. The Borough Council, for the aforementioned reasons, hereby authorizes and directs the Borough Solicitor or special tax counsel to prepare and file the appropriate Counterclaims seeking an increase in the assessment to correspond with the true value to be established by the Court or the Board of Taxation, whichever the case may be.
4. The Mayor and Borough Council hereby direct the Borough Clerk to forward a certified copy of this Resolution to the Salem County Board of Taxation and to the Borough Assessor.

**RESOLUTION**

**Number 14-13**

**INTERLOCAL AGREEMENT WITH PITTSBORO TOWNSHIP  
FOR CONSTRUCTION OFFICE SERVICES**

**BE IT RESOLVED** that the Mayor and Borough Council of the Borough of Elmer approves the Inter-Local Agreement with Pittsgrove Township, subject to the Township’s approval for Construction Office Services effective January 1, 2013 through December 31, 2017.

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

The following Committees were presented:

**BOROUGH OF ELMER  
SALEM COUNTY, NEW JERSEY**

**COMMITTEES OF COUNCIL  
2013**

FINANCE/ CELEBRATION OF PUBLIC EVENTS	Schalick* Schneider Williams
STREETS	Williams* Schalick Schneider
PUBLIC SAFETY	Schneider* Zee Williams

BOROUGH HALL/PUBLIC PROPERTY

Davis\*  
Schalick  
Nolan

WATER/STREET LIGHTS

Zee\*  
Davis  
Nolan

TRASH/PARKS AND PLAYGROUNDS

Nolan\*  
Davis  
Zee

Joseph P. Stemberger  
Mayor

\* Chairperson

After remarks from Borough Council Members, Chief Financial Officer, Borough Clerk, and the Public, Mayor Stemberger read the following address.

**MAYOR'S ADDRESS**

**(See page 8 a in Minute Book)**

There being no further business, it was motioned by Zee and seconded by Davis to adjourn the meeting. Motion carried.

January 1, 2013

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Beverly S. Richards,