

September 11, 2013

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

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

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

Committee reports were made at this time: Streets, Recycling/Solid Waste/Parks, Water/St. Lights and Public Safety.

Committee Notes: Harvest Day – October 5, 2013; Harvest Website: www.elmerharvestday.com.

Mr. Roger Anderson, Assistant Scout Master and Robert Skipper, Committee Chairman, spoke to Mayor and Council regarding a request to close State Street on October 26, 2013 from South Main Street to Schalick Mills' driveway for a Fund Raiser to host a Motorcycle & Classic Car Run to be followed by a family picnic for Boy Scout Troop 58 between the hours of 9:00 a.m. and 6:00 p.m. to allow for setup, the picnic and cleanup.

Motion Williams, seconded Nolan approving the request to close State Street on October 26, 2013 from South Main Street to Schalick Mills' driveway for a Fund Raiser to host a Motorcycle & Classic Car Run to be followed by a family picnic for Boy Scout Troop 58 between the hours of 9:00 a.m. and 6:00 p.m. to allow for setup, the picnic and cleanup. Motion carried.

Councilman Williams commended Councilwoman Nolan for getting the Borough Curbs and Gutters cleaned by the Salem County Department of Corrections.

Councilman Schalick called up for second reading an Ordinance entitled:

ORDINANCE 2013-7

**AN ORDINANCE OF THE BOROUGH OF ELMER, COUNTY OF SALEM AND STATE OF NEW JERSEY
REGULATING THE USE OF WATER WITHIN THE BOROUGH OF ELMER AND AMENDING
ORDINANCE 96-3**

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

Motion Zee, 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 2013-7**AN ORDINANCE OF THE BOROUGH OF ELMER, COUNTY OF SALEM AND STATE OF NEW JERSEY REGULATING THE USE OF WATER WITHIN THE BOROUGH OF ELMER AND AMENDING ORDINANCE 96-3**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey that the Borough of Elmer has determined that it would be appropriate to adopt an ordinance entitled **AN ORDINANCE OF THE BOROUGH OF ELMER, COUNTY OF SALEM AND STATE OF NEW JERSEY REGULATING THE USE OF WATER WITHIN THE BOROUGH OF ELMER AND AMENDING ORDINANCE 96-3**, to change Schedule D – Water Emergency – Penalty and Enforcement fees as follows: (See attached Schedule D)

1. If any section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision will not effect the validity of this Ordinance as a whole or any part thereof.
2. All ordinances, or parts of Ordinances, heretofore adopted and that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
3. This Ordinance shall be effective upon its final passage, adoption, and publication in the manner prescribed by law.

SCHEDULE D**WATER EMERGENCY****PENALTY AND ENFORCEMENT**

In the event that a water emergency is declared, the Borough of Elmer may require the use of its police force or deputize people to enforce the following penalties:

1. Any person or persons in violation of Phase I of this Ordinance shall be fined \$100.00.
2. Any person found guilty of violating Phase II or Phase III of this Ordinance shall be fined \$300.00

President Schneider 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 Williams that the public hearing be closed. Motion carried.

Clerk presented the following resolution:

FINAL RESOLUTION

WHEREAS, an Ordinance entitled: **AN ORDINANCE OF THE BOROUGH OF ELMER, COUNTY OF SALEM AND STATE OF NEW JERSEY REGULATING THE USE OF WATER WITHIN THE BOROUGH OF ELMER AND AMENDING ORDINANCE 96-3** was introduced and passed first reading on August 13, 2013, 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: **AN ORDINANCE OF THE BOROUGH OF ELMER, COUNTY OF SALEM AND STATE OF NEW JERSEY REGULATING THE USE OF WATER WITHIN THE BOROUGH OF ELMER AND AMENDING ORDINANCE 96-3** be finally adopted and that notice of its adoption be published in the Elmer Times in accordance with law.

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

The Tax/Water Collector report for August 2013 was presented:

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

Treasurer’s Reports for the month of August 2013 were presented and read.

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

(Treasurer’s Reports – See Minute Book Pages 12 a)

The following bills were presented and read: (See Minute Book Pages 12 b)

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

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

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

The following resolution was presented:

RESOLUTION

Number 85-13

2012 BEST PRACTICES REVIEW

Municipal Code 1702

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that the Mayor and Borough Council has reviewed the 2012 Best Practices Inventory Questionnaire at the September 11, 2013 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 2013.

Motion Davis, seconded Zee that the resolution be approved. Ayes – Schneider, Davis, Nolan, Schalick, Williams and Zee. Nays – None. Motion carried.

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

September 11, 2013

Beverly S. Richards, RMC
Borough Clerk

