

September 10, 2014

CALL TO ORDER:

A Regular Meeting of the Borough Council convened in the Borough Hall at 7:30 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 PURSUANT TO THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING, AS REQUIRED BY SAID ACT, HAS BEEN PROVIDED BY CONTACTING EACH COUNCIL MEMBER, POSTING SCHEDULED MEETING ON THE MUNICIPAL BUILDING BULLETIN BOARD, EMAILED TO the *ELMER TIMES* and *TODAY'S SUNBEAM* AND FILED WITH THE BOROUGH CLERK ON JANUARY 1, 2014.

ROLL CALL:

President Schneider, Councilpersons Davis, Nolan, Schalick, Williams, Zee and Mayor Joseph P. Stemberger answered to the roll call. Absent – None.

APPROVAL OF MINUTES:

Motion Zee, seconded Davis to approve minutes from Council Meeting of August 13, 2014 and that the reading of the minutes be dispensed with. Motion carried.

Tax Assessor, Roy Duffield spoke to Council regarding Verizon not paying Business Personal Property Tax because they have less than 51% of Telephone Services in the Borough.

COMMITTEE REPORTS:

Committee reports were made at this time: Finance/Celebration of Public Events, Water/Street Lights and Trash/Recycling/Parks & Playgrounds..

Councilman Schalick reminded Council that Harvest Day would be October 4, 2014.

OPEN TO THE PUBLIC:

Motion Davis, seconded Zee to open the public portion of the meeting. Motion carried.

No comment was made by the public.

CLOSED TO THE PUBLIC:

Motion Zee, seconded Davis to close the public portion of the meeting. Motion carried

OLD BUSINESS:

None.

NEW BUSINESS:

The following resolutions were presented by the Clerk by title only:

EMERGENCY APPROPRIATION RESOLUTION
(N.J.S.A. 40A:4-48)

Number 78-14

WHEREAS, an emergency has arisen with respect to the need to provide for matching funds for the fiscal year 2014 – 2015 **Municipal Alliance on Alcoholism and Drug Abuse** grant and no adequate provision was made in the 2014 budget for the aforesaid purpose, and

WHEREAS, **N.J.S.A.** 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$1,044.39 and three percent of the total operations in the budget for the 2014 year is \$24,633.67;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with **N.J.S.A.** 40A:4-48 that:

1. An emergency appropriation be and the same is hereby made in the amount of \$1,044.39.
2. That said emergency shall be provided in full in the 2015 budget.
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. That two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

RESOLUTION REQUESTING APPROVAL OF ITEMS OF
REVENUE AND APPROPRIATION
(**N.J.S.A. 40A:4-87**)

Number 79-14

WHEREAS, **N.J.S.A.** 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

SECTION 1

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Elmer, in the County of Salem, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$4,177.54, which item is now available as a revenue from the State of New Jersey, Governor's Council on Alcoholism and Drug Abuse, as **Municipal Alliance on Alcoholism and Drug Abuse**, pursuant to the provision of the statute, and

SECTION 2

BE IT FURTHER RESOLVED that the like sum of \$4,177.54 is hereby appropriated under the caption of:

Municipal Alliance on Alcoholism and Drug Abuse
and

SECTION 3

BE IT FURTHER RESOLVED that the sum of \$1,044.39 representing the amount required for the municipality's share of the aforementioned undertaking or improvement appears in the budget of the year 2014 under the caption **Municipal Alliance on Alcoholism and Drug Abuse**, and

SECTION 3a

BE IT FURTHER RESOLVED that the sum of \$1,044.39 be anticipated from the proceeds of an emergency resolution theretofore adopted providing for the municipality's share of said project or undertaking and the appropriation of the last named sum, be added to and be supplementary to the appropriation provided in Section 2 above.

BE IT FURTHER RESOLVED that the above is the result of a state grant of \$4,177.54 from the Governor's Council on Alcoholism and Drug Abuse, State of New Jersey.

**RESOLUTION CANCELING \$7,448.00 OF THE
MUNICIPAL ALLIANCE ON ALCOHOLISM AND DRUG ABUSE PROGRAM
STATE GRANT RECEIVABLE**

Number 80-14

WHEREAS, a receivable balance of \$8,196.00 for the Municipal Alliance on Alcoholism and Drug Abuse Program remains on the Federal and State Grant Fund balance sheet and on the Schedule of State Grants Receivable as of December 31, 2013; and

WHEREAS, \$7,448.00 of the \$8,196.00 receivable represents grant monies remaining from years 2012 and prior; and

WHEREAS, the 2012 and prior grant years are closed and the County has reimbursed the Borough for the grant portion of the project; and

WHEREAS, it is necessary to cancel \$7,448.00 of the \$8,196.00 receivable balance;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem, State of New Jersey, assembled in public session this 10th (tenth) day of September 2014, that \$7,448.00 of the \$8,196.00 Municipal Alliance on Alcoholism and Drug Abuse Program grant receivable be canceled from the record.

**RESOLUTION CANCELING \$8,095.69 OF THE APPROPRIATED RESERVE FOR THE
MUNICIPAL ALLIANCE ON ALCOHOLISM AND DRUG ABUSE PROGRAM**

Number 81-14

WHEREAS, an appropriated reserve balance of \$9,134.00 for the Municipal Alliance on Alcoholism and Drug Abuse Program remains on the Federal and State Grant Fund balance sheet and on the Schedule of Appropriated Reserves for Federal and State Grants as of December 31, 2013; and

WHEREAS, \$8,095.69 of this \$9,134.00 reserve represent the balance of grant monies remaining from years 2012 and prior; and

WHEREAS, the contracts have been completed and no encumbrances are outstanding for the 2012 and prior grant periods; and

WHEREAS, it is necessary to cancel the appropriated reserve balance in the amount of \$8,095.69;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem, State of New Jersey, assembled in public session this 10th (tenth) day of September 2014, that \$8,095.69 of the \$9,134.00 appropriated reserve for the Municipal Alliance on Alcoholism and Drug Abuse Program be canceled from the record.

**RESOLUTION CANCELING
MUNICIPAL COURT ALCOHOL EDUCATION AND REHABILITATION FUND
STATE GRANT RECEIVABLE**

Number 82-14

WHEREAS, a receivable balance of \$50.00 entitled Municipal Court Alcohol Education and Rehabilitation Fund remains on the Federal and State Grant Fund balance sheet and on the Schedule of State Grants Receivable as of December 31, 2013; and

WHEREAS, this receivable represents grant monies remaining from calendar year 2011; and

WHEREAS, it is necessary to cancel the receivable balance;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem, State of New Jersey, assembled in public session this 10th (tenth) day of September 2014, that the \$50.00 grant receivable for the Municipal Court Alcohol Education and Rehabilitation Fund be canceled from the record.

**RESOLUTION CANCELING APPROPRIATED RESERVE FOR
MUNICIPAL COURT ALCOHOL EDUCATION AND REHABILITATION FUND**

Number 83-14

WHEREAS, an appropriated reserve balance of \$50.00 for the Municipal Court Alcohol Education and Rehabilitation Fund remains on the Federal and State Grant Fund balance sheet and on the Schedule of Appropriated Reserves for Federal and State Grants as of December 31, 2013; and

WHEREAS, all of this reserve represents the balance of grant monies remaining from 2011; and

WHEREAS, no encumbrances are outstanding for the 2011 grant period; and

WHEREAS, it is necessary to cancel the appropriated reserve balance in the amount of \$50.00 from the record;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem, State of New Jersey, assembled in public session this 10th (tenth) day of September 2014, that the \$50.00 appropriated reserve for the Municipal Court Alcohol Education and Rehabilitation Fund be canceled from the record.

**RESOLUTION CANCELING RESERVE FOR PRELIMINARY EXPENSE -
ELMER TRAIN STATION RELOCATION PROJECT**

Number 84-14

WHEREAS, there exists on the General Capital Fund balance sheet as of December 31, 2013 a Reserve for Preliminary Expense for the Elmer Train Station Relocation Project in the amount of \$850.00; and

WHEREAS, this project is considered to be complete; and

WHEREAS, no encumbrances are outstanding for the Elmer Train Station Relocation Project; and

WHEREAS, it is necessary to cancel the reserve balance in the amount of \$850.00 from the General Capital Fund balance sheet;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem, State of New Jersey, assembled in public session this 10th (tenth) day of September 2014, that the \$850.00 Reserve for Preliminary Expense for the Elmer Train Station Relocation Project be canceled from the record and the funds thereby canceled be credited to the General Capital Fund Capital Improvement Fund.

**RESOLUTION CANCELING
UNEXPENDED BALANCES OF IMPROVEMENT AUTHORIZATIONS**

Number 85-14

WHEREAS, the Borough of Elmer did adopt the following ordinances on the dates listed:

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Date</u>
11-08	Purchase of Four-Wheel Drive Vehicle for Police Department	5/11/11

WHEREAS, all purchases and agreements have been completed and there remain unexpended balances as follows:

Unexpended

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Balance</u>
11-08	Purchase of Four-Wheel Drive Vehicle for Police Department	3,092.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, assembled in public session this 10th (tenth) day of September 2014, that the unexpended balances be canceled as follows:

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Canceled to</u>
11-08	Purchase of Four-Wheel Drive Vehicle for Police Department	Deferred Charges to Future Taxation - Unfunded

RESOLUTION

**Resolution Rescinding Resolution No. 74-14 Chapter 159 Requesting Approval of
Items of Revenue and Appropriation (N.S.S.A.40A:4-87)**

Number 86-14

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem and State of New Jersey that Resolution No. 74-14 - Chapter 159 – Fiscal Year 2014-2015 Municipal Alliance be rescinded as per directive of the State of New Jersey Division of Local Government Services.

**RESOLUTION CANCELING
UNEXPENDED BALANCES OF IMPROVEMENT AUTHORIZATIONS**

Number 87-14

WHEREAS, the Borough of Elmer did adopt the following ordinances on the dates listed:

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Date</u>
07-6	Reconstruction of Penn Street	2/14/07
09-13	Improving Pedestrian Routes to Elmer Elementary School	9/9/09

WHEREAS, all purchases and agreements have been completed and there remain unexpended balances as follows:

Unexpended

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Balance</u>
07-6 \$80,496.00	Reconstruction of Penn Street	
09-13	Improving Pedestrian Routes to Elmer Elementary School	450.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, assembled in public session this 10th (tenth) day of September 2014, that the unexpended balances be canceled as follows:

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Canceled to</u>
07-6	Reconstruction of Penn Street	Deferred Charges to Future Taxation - Unfunded
09-13	Improving Pedestrian Routes to	Deferred Charges to Elmer Elementary School Future Taxation– Unfunded

Motion Davis, seconded Nolan to adopt Resolutions 78-14 through 87-14:

Roll Call: Ayes: Schneider, Davis, Nolan, Schalick, Williams and Zee. Nays – None. Motion carried.

Tax Collector report was presented for August 2014. Motion Davis, seconded Zee that the report

be received and filed. Motion carried.

Treasurer's Report for the month of August 2014 was presented.

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 29 a in Minute Book)

The following bills were presented and read: (See pages 29 b in Minute Book)

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 and Mayor's mail for the month of September 2014, was presented and read.

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

DISCUSSIONS/MOTIONS:

The following items were discussed by Mayor and Council:

1. Discussion - Borough Hall Parking Lot.
2. Sidewalk/Curb Repair

ADJOURNMENT:

There being no further business, motion Zee, seconded Nolan that the meeting be adjourned. Motion carried.

September 10, 2014

Beverly S. Richards, Borough Clerk