

October 8, 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 Davis, seconded Zee to approve minutes from Council Meeting of September 10, 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, Streets, Public Safety, Borough Hall/Public Property, Water/Street Lights and Trash/Recycling/Parks & Playgrounds..

A thank to Councilman Schalick for a successful Harvest Day and a thank you to Councilwoman Nolan for getting the Salem County Prisoners to clean up Borough streets.

OPEN TO THE PUBLIC:

Motion Zee, seconded Nolan 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:

**RESOLUTION
PLANNING BOARD ESCROW FUND**

Number 88-14

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by Southwick Properties. (Applicant) Variance (Purpose of Deposit e.g. Site Plan Application) in the amount of \$109.17 be distributed and paid as follows:

\$109.17 To: Fralinger Engineering

RESOLUTION

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY, AUTHORIZING RELEASE OF THE
PERFORMANCE CASH BOND AND ESCROW FUNDS TO SOUTHWICK PROPERTIES LLC
AFFECTING A PARCEL KNOWN AS BLOCK 12, LOTS 2.05, 2.06, 2.07, 7, 8 AND 9 ON THE
OFFICIAL TAX MAP OF THE BOROUGH OF ELMER, COUNTY OF SALEM, STATE OF NEW
JERSEY, RELATING TO LAND USE BOARD RESOLUTION NO. 13-1**

Number 89-14

WHEREAS, the Applicant, Southwick Properties, LLC, has caused certain work to be performed relating to improvements affecting a parcel known as Block 12, Lots 2.05, 2.06, 2.07, 7, 8 and 9 on the Official Tax Map of the Borough of Elmer, County of Salem, State of New Jersey; and

WHEREAS, the Applicant had previously received authorization approving the form and amount of a Performance Guarantee (Cash Bond) pursuant to Resolution No. 69-14 adopted by Mayor and Council on June 11, 2014; and

WHEREAS, as required by Resolution 69-14, the Performance Guarantee (Cash Bond #52079426-8) dated June 23, 2014 issued by TD Bank in the sum of \$105,188.06 was received by the Borough Clerk and remains in effect; and

WHEREAS, the Elmer Borough Engineer has inspected all improvements secured by said Performance Surety Bond and Cash Bond, and has filed a written report with the Borough Clerk dated September 2, 2014 (consisting of 1 page), attached hereto as Schedule "A", recommending the release of the Performance Guarantee originally established pursuant to Resolution No. 69-14; and

WHEREAS, the Elmer Borough Engineer further recommends that the posting and issuance of a Maintenance Guarantee is not required.

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

1. The improvements performed by the Applicant for Block 12, Lots 2.05, 2.06, 2.07, 7, 8 and 9 are hereby accepted, and the Applicant is hereby released from all liability under the existing Performance Guarantee (Cash Bond #52079426-8) dated June 23, 2014 issued by TD Bank in the current sum of \$105,188.06, however, subject to the conditions set forth below.

2. The Applicant is not required to post a Maintenance Guarantee in the manner set forth in N.J.A.C. 5:36-4.4 and/or N.J.A.C. 5:36-4.2.

3. That no above-mentioned Performance Guarantee shall be released until payment by the Applicant of any outstanding fees or costs from inspections, escrows and/or items more particularly set forth in the Application and Resolution of the Borough Planning Board approving the project.

4. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Applicant, the Elmer Borough Engineer and the Elmer Borough Treasurer.

RESOLUTION
RESOLUTION AUTHORIZING MAYOR AND BOROUGH CLERK TO SIGN CONTRACT FOR MUNICIPAL ALLIANCE GRANT FOR JULY 1, 2014 THROUGH JUNE 30, 2015 (FY 2015)
Number 90-14

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem and State of New Jersey that the Mayor and Borough Clerk be authorized to sign the contract for Municipal Alliance Program through the Salem County Department of Health and Human Services for July 1, 2014 through June 30, 2015 (FY 2015).

RESOLUTION
2014 BEST PRACTICES REVIEW
Municipal Code 1702
Number 91-14

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that the Mayor and Borough Council has reviewed the 2014 Best Practices Inventory Questionnaire at October 8, 2014 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 2014.

Motion Zee, seconded Davis to adopt Resolutions 88-14 through 91-14:

RESOLUTION
AUTHORIZATION FOR LOW INTEREST LOAN APPLICATION FOR SFY2016 PROJECTS H2o PROJECTS THROUGH NJEIT FOR WATER TOWER SITE REMEDIATION
Number 91-14

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem and State of New Jersey that authorization be given to Triad Associates to send a letter of interest to apply for a low interest loan for SFY2016 Projects H2o loans through NJEIT for Water Tower site remediation at a cost not to exceed \$2,000.00

Motion Zee, seconded Nolan to adopt Resolution 92-14:

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

Tax Collector report was presented for September 2014 and Affidavit of Tax Bill Mailing. Motion Davis, seconded Zee that the report be received and filed. Motion carried.

Treasurer’s Report for the month of September 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 32 a in Minute Book)

The following bills were presented and read: (See pages 32 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 October 2014, was presented and read.

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

DISCUSSIONS/MOTIONS:

The following items were discussed by Mayor and Council:

1. Elmer Library 50/50 Off-Premise Draw Raffle for February 4, 2015. Motion Davis, second Nolan to approve application. All in Favor-Ayes/Nays. Motion carried.
2. Joanne M. Eddy Surety Bond B10145 for Tax Collector \$110,000.00 and Surety Bond B1019804 for Water Collector Name Change. Motion Davis, second Zee to receive and file. All in Favor-Ayes/Nays. Motion carried.
3. Discussion – Wine Sales – Dodge’s Market
4. William Haluska’s bequest to the Borough of Elmer of \$100,000.00

ADJOURNMENT:

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

October 8, 2014

Beverly S. Richards, Borough Clerk