

Borough of Elmer Minutes**December 9, 2020**

CALL TO ORDER: A Regular Meeting of the Borough Council convened in the Borough Hall and by conference call at 7:30 p.m. with Mayor Joseph Stemberger presiding.

FLAG SALUTE AND INVOCATION: Invocation was given by Mayor Stemberger followed by the pledge of allegiance. Mayor Stemberger noted that adequate notice of the meeting was provided on December 3, 2020 pursuant to the Open Public Meetings Act.

ROLL CALL: Council President Lewis Schneider, Council Members Lynda Davis, Bruce Foster, Cynthia Nolan, Steven Schalick, James Zee, and Mayor Joseph Stemberger answered to the roll call. Also present were Solicitor Brian Duffield, Chief Financial Officer Cynthia Strang, and Clerk Sarah Walker.

APPROVAL OF MINUTES: Motion Davis second Nolan to approve the minutes from the Regular Council Meetings held on November 11, 2020 and to dispense with the reading of the minutes.

Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

PUBLIC SESSION: Motion Zee second Nolan to open the public portion of the meeting. All were in favor and the motion carried. There being no comment from the public, motion Foster second Zee to close the public portion of the meeting. All were in favor and motion carried.

UNFINISHED BUSINESS:

1. Water Department Positions & Licensed Operator RFP: The Clerk noted that 2 proposals for the Licensed Operator for the Water Department were received on 12/3/2020.

Motion Zee second Davis to receive and file the proposals. All were in favor and motion carried.

The following resolution was read by title:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, COUNTY OF SALEM, STATE OF NEW JERSEY, AWARING CONTRACT TO CONSULTING ENGINEER SERVICES, INC. TO PROVIDE A LICENSED OPERATOR TO THE ELMER BOROUGH WATER DEPARTMENT

Number 85-20

WHEREAS, the Borough Council authorized advertisement and solicitation of Requests for Proposals ("Proposals") for the provision of a Licensed Operator to inspect, operate and manage the Borough's Water Department for the year 2021; and

WHEREAS, Proposals were received and opened on December 3, 2020, at 1:00 p.m.; and

WHEREAS, two (2) proposals were received from the following entities:

1. Consulting Engineer Services, Inc., 645 Berlin-Cross Keys Road, Sicklerville, New Jersey 08081
2. Water Resource Management, LLC, 232 Kings Highway East, Haddonfield, New Jersey 08033

WHEREAS, the summary of the Proposals and the rates/fees are more specifically set forth in the "RFP Summary – 2nd Bid" attached hereto; and

WHEREAS, the Borough Council has determined that Consulting Engineer Services, Inc. has submitted the lowest responsive Proposal.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Elmer that the Contract for the provision of licensed operator services for the Borough’s Water Department, effective January 1, 2021, be awarded to Consulting Engineer Services, Inc.

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Borough of Elmer are hereby authorized and directed to execute the Contract and any other documents consistent with the terms of this Resolution.

BE IT FURTHER RESOLVED that the Borough’s Chief Financial Officer must certify that sufficient funds are available as a condition to award the Contract referenced herein.

Motion Zee second Davis to adopt Resolution 85-20. Members discussed the proposals.
Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

NEW BUSINESS:

1. Resolutions: the following resolutions were read by title:

**BOROUGH OF ELMER, COUNTY OF SALEM
BUDGET APPROPRIATION TRANSFER RESOLUTION**

Number 86-20

WHEREAS, it has become necessary to expend for certain purposes specified in the 2020 budget amounts in excess of the respective sums originally appropriated therefore; and

WHEREAS, there is an excess in one of more appropriations over and above the amount deemed necessary to fulfill the purposes of such appropriations; and

WHEREAS, transfers between appropriations are permitted pursuant to **N.J.S.A.** 40A:4-58 when adopted by not less than two-thirds vote of the full membership; and

WHEREAS, the following transfers are in accordance with **N.J.S.A.** 40A:4-45.38;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem and State of New Jersey, that the following transfers are hereby approved:

	Transfer Amounts	
	To	From
Police Department:		
Salaries and Wages	\$ 6,500.00	\$
First Aid Organization Contribution		2,100.00
Garbage and Trash Removal:		
Other Expenses		2,900.00
Celebration of Public Events:		
Other Expenses		1,500.00
Revenue Administration (Tax Collection):		
Other Expenses	900.00	
Revenue Administration (Tax Collection):		
Salaries and Wages		900.00

Street Lighting	2,000.00	
Telephone		500.00
Gasoline		1,500.00
Technology:		
Other Expenses	14,000.00	
Legal Services:		
Other Expenses		6,000.00
Veterans Memorial:		
Other Expenses		8,000.00
Municipal Clerk:		
Other Expenses	3,900.00	
Municipal Clerk:		
Salaries and Wages		3,900.00

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		Transfer Amounts	
		To	From
Streets and Roads Maintenance:			
Other Expenses	\$	3,000.00	\$
Celebration of Public Events:			
Other Expenses			1,000.00
Insurance:			
Workers Compensation Insurance			2,000.00

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION CANCELLING UNEXPENDED BALANCE OF
IMPROVEMENT AUTHORIZATION**

Number 87-20

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

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Date</u>
2015-14	Reconstruction of State Street	9/9/2015

WHEREAS, all purchases and agreements have been completed and there remains an unexpended balance as follows:

<u>Ordinance Number</u>	<u>Unexpended Purpose</u>	<u>Balance</u>
2015-14	Reconstruction of State Street	\$6,435.73

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, assembled in public session this 9th (ninth) day of December 2020, that the unexpended balance be cancelled as follows:

<u>Ordinance Number</u>	<u>Purpose</u>	<u>Cancelled to</u>
2015-14	Reconstruction of State Street	Deferred Charges to Future Taxation – Unfunded: \$6,435.73

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION CANCELING OUTSTANDING CHECKS**

Number 88-20

WHEREAS, the Borough of Elmer has issued the following checks to the parties and in the amounts listed:

CURRENT FUND:

<u>DATE</u>	<u>NUMBER</u>	<u>NAME</u>	<u>AMOUNT</u>
5/13/2020	17085	American Legion Ambulance Association	\$1,012.50

PAYROLL FUND:

<u>DATE</u>	<u>NUMBER</u>	<u>NAME</u>	<u>AMOUNT</u>
10/5/18	6502	Gamaliel Cruz	\$106.62
3/8/19	6553	Todd Batten	575.55
4/5/19	6571	Todd Batten	91.26
5/31/19	6585	Todd Batten	193.70
11/15/19	6636	Karen Foster	442.11

WHEREAS, these checks have either been lost or not been presented for payment by the parties to whom they were issued;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, assembled in public session this 9th (ninth) day of December 2020, that the Chief Financial Officer of the Borough of Elmer be and she is hereby authorized and directed to cancel the aforementioned checks and the funds represented thereby are to be credited to the respective funds and the checks reissued if deemed appropriate.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION CANCELING WASTEWATER MANAGEMENT GRANT RECEIVABLE**

Number 89-20

WHEREAS, a receivable balance of \$5,000.00 for a Wastewater Management grant remains on the Federal and State Grant Fund balance sheet and on the Schedule of State Grants Receivable as of December 31, 2019; and

WHEREAS, the \$5,000.00 receivable represents grant monies from the 2010 calendar year; and

WHEREAS, there has been no activity associated with this grant between January 1, 2011 and December 9, 2020; 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 9th (ninth) day of December 2020, that the \$5,000.00 Wastewater Management grant receivable be canceled from the record.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION CANCELING \$5,000.00 APPROPRIATED RESERVE FOR THE WASTEWATER
MANAGEMENT GRANT**

Number 90-20

WHEREAS, an appropriated reserve balance of \$5,000.00 for a Wastewater Management grant 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, 2019; and

WHEREAS, the \$5,000.00 reserve represents the balance of grant monies remaining from the 2010 grant year; and

WHEREAS, there has been no activity associated with this grant between January 1, 2011 and December 9, 2020; and

WHEREAS, it is necessary to cancel the appropriated reserve balance in the amount of \$5,000.00;

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 9th (ninth) day of December 2020, that the \$5,000.00 appropriated reserve for the Wastewater Management grant be canceled from the record.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION CANCELING WATER CAPITAL OUTLAY**

Number 91-20

WHEREAS, the following appropriation included in the 2020 Municipal Water Utility Budget will not be expended:

Water Capital Outlay: \$15,500

WHEREAS, it is necessary to cancel said item of appropriation;

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Elmer, County of Salem, that the above listed item be canceled from the 2020 Municipal Water Utility Budget.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION FOR STORM RECOVERY FUND TRANSFER**

Number 92-20

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey that the following transfer be made in the appropriations for the year 2020.

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Streets & Roads: OE	Storm Recovery Fund	\$7,500.00

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM
AUTHORIZING LAND USE BOARD ESCROW FUND PAYMENT (Anderson)**

Number 93-20

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by applicant Roger Anderson for Site Plan Review for 415 Chestnut St (Block 3 Lots 31 & 32) in the amount of \$980.00 be distributed and paid as follows:

Amount: \$980.00	To: Jefferis Engineering	For: Site Plan Review
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**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER AUTHORIZING THE
PURCHASE OF ONE (1) IDEMIA LIVESCAN IDENTIFICATION SYSTEM AND PRINTER UNDER
STATE CONTRACT #T3083 FOR THE ELMER BOROUGH POLICE DEPARTMENT**

Number 94-20

WHEREAS, the Chief of Police of the Borough of Elmer has determined there exists a need for the purchase of one (1) software and hardware identification system; and

WHEREAS, the Chief of Police of the Borough of Elmer has recommended the software and hardware identification system manufactured by IDEMIA; and

WHEREAS, the purchase of such goods and/or services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) under a State Contract; and

WHEREAS, the State Contract Bid alleviates the need for competitive price bidding by the Borough of Elmer and, thereby, complies with all Bid Specification and Bid Requirement; and

WHEREAS, a State Contract has been awarded to IDEMIA, 5515 East LaPalma Avenue, Suite 100, Anaheim, California 92807, under State Contract #T3083 for a LiveScan System Desktop (Item #3 204-96-083961) for the sum of \$10,745.00 and the Duplex Black & White Fingerprint Card Printer (Item #38 204-96-083970) for a sum of \$1,421.00; and

WHEREAS, funds in the amount of \$12,166.00 had been certified to be available by the Borough's Chief Financial Officer.

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

1. The Mayor, or his designee, is hereby authorized to execute a Contract/Purchase Order, and any other necessary documents, for the purchase of one (1) IDEMIA LiveScan System Desktop Identification System in an amount not to exceed \$10,745.00, and one (1) Duplex Black & White Fingerprint Card Printer, in an amount not to exceed \$1,421.00, via State Contract #T3083.

2. A Certification of Funds has been received for the said Contract assuring that there is a sufficient appropriation to award this Contract and the availability of a sufficient appropriation to fund the purchase authorized in this Resolution is an express and mandatory condition of the award of this Contract.

3. This Contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law.

Motion Davis second Nolan to adopt Resolutions 86-20 to 94-20.

Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

DISCUSSIONS/MOTIONS:

1. **Fire Department letter:** Council Members discussed the Elmer Fire Department request for a new fire truck to replace an existing truck that is 19 years old. Since the cost is the major concern, the Mayor suggested forming a group of Council Members and Fire Department representatives to reach out to legislators for funding help. Council members were in favor of moving forward with this suggestion.

2. **Receive and File RFPs for Professional Services:** The clerk noted that a summary of RFPs for Professional Services received on December 3, 2020 was provided to Council Members.

Motion Zee second Nolan to receive and file the proposals for professional services. All were in favor and motion carried.

3. **Receive and File Bids for Water Dept Services:** The Clerk noted that 2 bids were received for Water Services for the Water Department.

Motion Foster second Davis to receive and file the bids for the Water Services. All were in favor and motion carried.

REPORTS/BILL LIST:

Motion Foster second Zee to receive and file the Tax/Water Collector's report and to receive, file and spread full upon the minutes the Treasurer's report (**see Page 83a**); all were in favor and motion carried.

Motion Davis second Foster to pay all duly authorized bills and charge them to their respective accounts (**see Page 83b**).

Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried.

The Clerk read a thank you note from the Stemberger family.

Motion Foster second Nolan that the Clerk and Mayor's correspondence be received and filed. All were in favor and motion carried.

COMMITTEE REPORTS:

Finance/Celebration Public Events: Members discussed options for Santa visits and recommended contacting the Fire Department to arrange for Santa to ride around town.

Public Safety: Schneider discussed Court revenue losses due to the pandemic and noted that costs are going up due to employee health care needs. The Mid Salem County Court is still working on the 2021 Memorandum of Understanding.

Streets/Sidewalks: Foster mentioned and the engineer walked 2nd, 3rd, and Oak Streets to review the plan for the upcoming paving project and noted the concerns raised by the engineer for some properties for aprons with no driveways and a sidewalk with no handicap ramp. Foster will contact the residents affected.

Borough Hall/Public Property: Davis noted that the heat was out in the Council Room and a heater blower fan was replaced to fix the heater.

Water/Street Lights/IT: Zee is expecting the water remediation project to conclude after the results of the next test, 12/13, are determined. Members discussed street light and issues with getting lights repaired. Members discussed the sample LED light in the parking lot decorative streetlights and decided to keep with the current lights. Zee also discussed the status of the computer upgrade project.

Trash/Recycling/Parks & Playgrounds: Nolan noted that the leaf pickup was last Tuesday. She discussed concerns from other towns about fines for plastic bags being used for recycling. CFO Strang has not seen any extra charges from Waste Management for recycling violations.

The Mayor updated Council on his plans for the holiday lighting contest. He also recommended going back to all virtual meetings and switching to a Zoom format due to the rise in Covid cases.

Ongoing Projects: No report.

ADJOURNMENT: At 8:25 pm motion Foster second Nolan that the meeting be adjourned. All were in favor and motion carried.

December 9, 2020

Approved: January 6, 2021

Sarah D. Walker, Borough Clerk