

May 14, 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:

Councilpersons Schneider, 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 April 9, 2014 and that the reading of the minutes be dispensed with. Motion carried.

Brenda Lore representing Salem County Women's Services spoke to Council regarding Victim/Domestic Violence and Superstorm Sandy.

COMMITTEE REPORTS:

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

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 Williams, seconded Nolan 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

Number 54-14

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 Chief Financial Officer be authorized to execute a Bond Anticipation Note, which Note shall be designated as Bond Anticipation Note No. 37 and that the monies be borrowed thereon from First National Bank of Elmer, in the sum of One Hundred

Seventy Five Thousand Dollars (\$175,000.00) and shall bear interest at the rate of .98 per cent per annum, which money shall be used to pay for the refurbishment of the exterior of the Elmer Borough Hall. The said Note would be made payable within a period of one (1) year.

RESOLUTION

Number 55-14

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 Chief Financial Officer be authorized to execute a Bond Anticipation Note, which Note shall be designated as Bond Anticipation Note No. 34 and that the monies be borrowed thereon from the First National Bank of Elmer, Elmer, NJ, in the sum of Thirty thousand dollars (\$30,000.00) and shall bear interest at the rate of .98 per cent per annum, which money shall be used to pay for the heating and air conditioning system for the Borough of Elmer Borough Hall. The said Note would be made payable within a period of one (1) year.

RESOLUTION

Number 56-14

2013 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Borough of Elmer, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of the resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION

Number 57-14

**RESOLUTION FOR TO ADJUST WATER BILL FOR
ID # 1460 BLOCK 17 LOT 18, 23 CHURCH STREET**

WHEREAS, the 2014 second quarter billing was processed on 23 Church Street a minimum billing of \$50.00, and

WHEREAS, the account was turned off during the first quarter of 2014, and

WHEREAS, the account should have been tagged as inactive and therefore, no bill would have been charged.

NOW, THEREFORE, BE IT RESOLVED, that the Water Collector, is hereby authorized and directed to credit 23 Church Street \$50.00 for the incorrect billing of the minimum billing of \$50.00.

RESOLUTION

TRIAD ASSOCIATES CONTRACT

Number 58-14

WHEREAS, the Chief financial officer of the Borough of Elmer, has furnished Certificate of Availability of Adequate Funds for Contract for Professional Services-Borough of Elmer-Grant Consultant Services for the remainder of 2014.

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

1. That quote of Triad Associates, 1301 W. Forrest Grove Rd, Vineland, New Jersey 08360 for a monthly fee of \$200.00 be accepted.
2. That the Mayor and Borough Clerk of the Borough of Elmer, be authorized to enter into an agreement with Triad Associates., Vineland, New Jersey, for the monthly rates as stated above.
3. Payment for repairs and maintenance hourly rates shall be charge to Administrative and Executive: OE, Grantsman: OE and Water: OE in the 2014 Budget.

RESOLUTION

PLANNING BOARD ESCROW FUND

Number 59-14

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 \$1,108.25 be distributed and paid as follows:

\$1,108.25 To: Fralinger Engineering

RESOLUTION**Number 60-14****E. C. P. BUSINESS MACHINES CONTRACT**

BE IT RESOLVED by the Mayor and Borough Council that the Clerk be authorized to enter into an agreement with E.C.P. BUSINESS MACHINES for the Borough Hall Copier Kyocera FS-3140+ for one year starting June 15, 2014 and ending June 14, 2015 in the amount of \$249.00. This shall be charged to: Technology: OE in the 2014 Budget.

RESOLUTION of the BOROUGH OF ELMER**Number 61-14**

**RESOLUTION TO AUTHORIZE
THE MAILING OF 2014 THIRD QUARTER ESTIMATED TAX BILLS**

WHEREAS, all the annual budgets needed for **2014** total tax rate for the Borough of Elmer have not been finally set; and

WHEREAS, the governing body of the Borough of Elmer has therefore determined that the Tax Collector will be unable to complete the mailing and delivery of municipal tax bills by **June 30, 2014**; and

WHEREAS, N.J.S.A. 54:4-66.3 provides the authority and procedures by which an estimated and reconciled tax bill can be set and mailed by a municipality in such case made, by June 30th of the said year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Elmer as follows:

1. The Tax Collector in consultation with the Chief Finance Officer (CFO) of the Borough of Elmer shall compute an estimated annual tax levy range for the County and each taxing district whose tax levy has not yet been certified by the County Board of Taxation, which as of this date; such levies have not been so certified.
2. The range may be within the lower and upper amounts calculated by multiplying the levy of the County and each such taxing district for the previous calendar year by 0.95 and 1.05.
3. The City CFO has prepared, delivered, and recommends to the governing body a Certification of the previous calendar fiscal year's annual tax levy with a multiplier of 1.05 to determine an estimated annual tax levy for the County and each such taxing district for the current year.
4. The governing body hereby authorizes the CFO, working in conjunction with the Tax Collector, by **June 30, 2014** to prepare and deliver estimated annual tax levy bills for the County and each such taxing district computed by utilizing the multiplier of 1.05 of the previous calendar fiscal year annual tax levy, and thereafter, to be administered in accordance with the procedures and standards as established by N.J.S.A 54: 4-66.3.

Motion Davis, seconded Nolan to adopt Resolution 54-14 through 61-14 be adopted.

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

The following ordinance was introduced by title only:

ORDINANCE NO. 2014- 16

**AN ORDINANCE CREATING A NEW CHAPTER OF THE CODE OF THE
BOROUGH OF ELMER, ENTITLED "ALARM SYSTEMS"**

Motion Davis, seconded Zee to approve.

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

The following ordinance was introduced by title only:

ORDINANCE NO. 2014- 17

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, SALEM
COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 25
ENTITLED "LAND DEVELOPMENT REGULATIONS"
OF THE CODE OF THE BOROUGH OF ELMER**

Motion Davis, seconded Williams to approve.

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

The following ordinance was introduced by title only:

ORDINANCE NO. 2013-18

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY REGULATING INSTALLATION OF
SIDEWALKS AND HANDICAP ACCESS RAMPS UPON APPLICATION FOR
CERTIFICATE OF OCCUPANCY WITHIN THE BOROUGH OF ELMER**

Motion Schneider, seconded Schalick to approve.

Roll Call: Ayes: Schneider, and Schalick, Nays – Davis, Nolan, Williams and Zee. None. Motion not carried.

The following ordinance was introduced by title only:

ORDINANCE NO. 2013-19

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY REGULATING REPAIR AND
MAINTENANCE OF EXISTING SIDEWALKS, DRIVEWAY APRONS AND
HANDICAP ACCESS RAMPS WITHIN THE BOROUGH OF ELMER**

Motion Schneider, seconded Schalick to approve.

Roll Call: Ayes: Schneider, and Schalick, Nays – Davis, Nolan, Williams and Zee. None. Motion not carried.

Tax Collector report was presented for April 2014. Motion Zee, seconded Davis that the report be received and filed. Motion carried.

Treasurer's Reports for the month of April 2014 were presented and read.

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 6 a in Minute Book)

The following bills were presented and read: (See pages 6 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 May 2014, was presented and read.

Motion Schneider, seconded Schalick that the correspondence be received and filed. Motion carried.

DISCUSSIONS/MOTIONS:

The following items were discussed by Mayor and Council:

1. Elmer Fire Department Membership – Nathaniel Boleslawski, 101 Penn Street, Elmer, NJ 08318

Motion Davis, seconded Zee to approve Nathaniel Boleslawski, 101 Penn Street, Elmer, NJ 08318 membership application to Elmer Fire Department. Motion carried.

2. Joanne Eddy, Water Collector Bond # B1019804 effective April 1, 2014 through April 1, 2015.

Motion Zee, seconded Davis to receive and file Joanne Water Collector Bond # B1019804 effective April 1, 2014 through April 1, 2015. Motion carried.

3. Elmer Fire Department Golf Sponsorship

Motion Schneider, seconded Davis to approve EFD Golf Sponsorship in the amount of \$150.00 to be charged to Administrative and Executive: OE in the 2014 Budget. Motion carried.

The following resolution was presented:

**RESOLUTION REQUESTING APPROVAL OF ITEMS
OF REVENUE AND APPROPRIATION**

(NJS A 40A:4-87)

Number 62-14

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 an equal amount:

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, that 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 \$3,000.00, which item is now available as a revenue from the State of New Jersey, Division of Highway Traffic Safety Grant, awarded through the Salem County Safe Roadways Project pursuant to the provisions of statute, and

SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$3,000.00 is hereby appropriated under the caption of "Public and Private Programs Offset by Revenues", State of New Jersey, Division of Highway Traffic Safety Grant, awarded through the Salem County Safe Roadways Project; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$3,000.00 from the State of New Jersey, Division of Highway Traffic Safety Grant, awarded through the Salem County Safe Roadways Project.

Motion Davis, seconded Nolan to adopt Resolution 62-14.

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

The following resolution was presented:

RESOLUTION

Number 63-14

BOROUGH FULL-TIME EMPLOYEE MEDICAL EXPENSE REIMBURSEMENT

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem and State of New Jersey that medical expenses allowed by IRS Code and supplemental disability insurance be reimbursed to full-time Borough employees.

Motion Schneider, seconded Zee to adopt Resolution 63-14.

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

ADJOURNMENT:

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

May 14, 2014

Beverly S. Richards, Borough Clerk

