

Borough of Elmer Minutes**March 14, 2018**

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 adequate notice of the meeting was provided on January 8, 2018 pursuant to the Open Public Meetings Act.

ROLL CALL: Council President Lewis Schneider, Council Members Lynda Davis, Cynthia Nolan, R. Matthew Richards, 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 Zee to approve the minutes from the Regular Council Meeting and Executive Closed Session held on February 14, 2018, and to dispense with the reading of the minutes. Roll Call: Ayes: Schneider, Davis, Nolan, Richards, Schalick, Zee; Nays: None. Motion carried.

Motion Zee seconded by Nolan to approve the minutes from the Special Council Meeting held February 26, 2018 and to dispense with the reading of the minutes. Roll Call: Ayes: Nolan, Richards, Zee, Stemberger; Nays: None. Abstain: Schneider, Davis, Schalick. Motion carried.

PRESENTATION: The Greater Elmer Area Historical Society presentation was postponed until next month.

PUBLIC SESSION: Motion Richards second Davis to open the public portion of the meeting. All were in favor and the motion carried. Mayor Stemberger provided the history of the sidewalk law, safety issues, and plans for enforcement. Burroughs Timberman, owner of 20 N. Main St, 105 Front St, and 12 N. Main St., questioned Council on grants for repairing and replacing sidewalks, strategies for enforcement and compliance, and concerns about affordability. The Mayor said that state and federal grants have only been available for new sidewalks but once installed owners are responsible by law for the condition of their sidewalks; grants to individuals from Borough funds are not permitted. Solicitor Duffield explained the enforcement process and options for ensuring compliance. Council members commented that the Code Officer will work with property owners to resolve issues. Aaron Younger, 219 Union St., asked if owners with no sidewalks would be required to put in new sidewalks and the Mayor and Council said no. Dave Newkirk, 126 S. Main St., asked about sidewalk materials and dimensions. The Mayor noted that a town meeting will be held once the violations are issued to address. Motion Richards second Nolan to close the public portion of the meeting. All were in favor and motion carried.

UNFINISHED BUSINESS:

1. Ordinances: The following Ordinances were read by title for a second reading and public hearing:

ORDINANCE 2018-3 2018 SALARY ORDINANCE

Motion Zee seconded by Richards to open the public hearing for Ordinance 2018-1. There being no public comment, motion Richards seconded by Nolan to close the public hearing. Motion Davis seconded by Nolan to adopt Ordinance 2018-3.

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

ORDINANCE 2018-4 EMERGENCY SERVICES COST RECOVERY ORDINANCE

Motion Davis seconded by Richards to open the public hearing for Ordinance 2018-4. There being no comment, motion Richards seconded by Nolan to close the public hearing. Motion Richards seconded by Davis to adopt Ordinance 2018-4.

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

NEW BUSINESS:

1. Ordinances: Council Members discussed ordinances to change fees for police reports and for street openings. The Clerk will provide samples for discussion next month. No action was taken.

2. Resolutions: The following Resolutions were read by title:

**BOROUGH OF ELMER COUNTY OF SALEM
APPROPRIATION RESERVE TRANSFER RESOLUTION**

Number 42-18

WHEREAS, the Borough of Elmer, County of Salem, finds it necessary to make transfers among various accounts between the 2017 appropriation reserves; and

WHEREAS, such funds are available in the various accounts; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances;

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:

	<u>Transfer Amounts</u>	
	<u>To</u>	<u>From</u>
Police:		
Other Expenses	\$900	
Police:		
Salaries and Wages		\$900

**BOROUGH OF ELMER, COUNTY OF SALEM
EMERGENCY TEMPORARY BUDGET APPROPRIATION RESOLUTION**

Number 43-18

WHEREAS, emergent conditions have arisen with respect to the need to appropriate monies to fund the operations of the Borough of Elmer as the 2018 budget has not yet been adopted and provisions made in the 2018 temporary appropriation resolution adopted January 4, 2018 are not sufficient for the aforesaid purpose and N.J.S. 40A:4-20 provides for the creation of emergency temporary appropriations for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions in the year 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A-20) including this resolution total \$6,700,000;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for the following appropriations in the respective amounts listed, totaling \$6,700.00:

EMERGENCY TEMPORARY APPROPRIATIONS – 2018

<u>GENERAL GOVERNMENT</u>	<u>OTHER EXPENSES</u>	<u>TOTAL</u>
Revenue Administration (Tax Collection)	\$ 2,500.00	\$ 2,500.00
Tax Assessment Administration	1,000.00	1,000.00
<u>HEALTH AND WELFARE FUNCTION</u>		
Board of Health	200.00	200.00
<u>UNCLASSIFIED</u>		
Heating/Natural Gas	3,000.00	<u>3,000.00</u>
TOTAL GENERAL APPROPRIATIONS		<u>\$ 6,700.00</u>

2. Said emergency temporary appropriations will be provided for in the 2018 budget under the respective appropriation titles listed above.

3. One certified copy of this resolution be filed with the Director of Local Government Services.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION FOR PLANNING BOARD ESCROW FUND (Ajdari/Monter)**

Number 44-18

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by applicants Rodmehr Ajdari and Michael Monter for Site Plan review for 500 Front Street (Block 13 Lot 3) in the amount of \$717.38 be distributed and paid as follows:

Amount: \$717.38 To: Fralinger Engineering, PA For: Site Plan Review

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY AUTHORIZING THE ONE-YEAR EXTENSION OF
FARM LEASE TO WARD BISHOP FOR BOROUGH-OWNED PROPERTY IDENTIFIED AS
BLOCK 2, LOTS 49 AND 56 IN THE BOROUGH OF ELMER**

Number 45-18

WHEREAS, via Resolution 46-16, the Borough Council awarded a Farm Lease to Ward Bishop for Borough-owned property identified as Block 2, Lots 49 and 56 on the Municipal Tax Map of the Borough of Elmer consisting of approximately 15± acres; and

WHEREAS, the Farm Lease permits a one-year extension in the event the tenant requests same; and

WHEREAS, the Borough Council deems it in the best interests of the residents of the Borough of Elmer to extend the Farm Lease for an additional one-year term.

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

1. The Farm Lease with Ward Bishop for Borough-owned property identified as Block 2, Lots 49 and 56 on the Municipal Tax Map of the Borough of Elmer is hereby extended for a one-year term.

Motion Zee second by Nolan to adopt Resolutions 42-18 through 45-18.

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

Motion Richards second by Davis to table Resolution 46-18 Approving the Disposal of Old Equipment until the April meeting; all were in favor and motion carried.

3. 2018 Budget: CFO Strang updated Council on the status of the 2018 Budget.

Motion Richards second Zee to table Resolution 47-18 Introduction of the 2018 Budget until April; all were in favor and motion carried.

DISCUSSIONS/MOTIONS:

1. The estimated fair market value of Borough owned property (Block 15 Lot 5) was discussed. The Solicitor and Council recommended that the Clerk get quotes for an independent appraisal.

2. The Water Quality Accountability Act request for proposals was discussed; no action was taken.

3. The proposal for lead and copper sampling from the Licensed Operator was discussed and the following resolution was read by title:

**BOROUGH OF ELMER, COUNTY OF SALEM RESOLUTION
TO AUTHORIZE AGREEMENT WITH WATER RESOURCE MANAGEMENT FOR THE LEAD AND
COPPER SAMPLING PLAN**

Number 48-18

WHEREAS the New Jersey Department of Environmental Protection issued a letter on January 22, 2018 regarding the “Lead and Copper Rule Update – Materials Evaluation & Sampling Pool”, and

WHEREAS Water Resource Management, Inc. (WRM) submitted a proposal for services to meet the requirements and submit a response for the Lead and Copper Rule (LCR), 40 CFR 141.80-91;

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that the Mayor and Clerk be authorized to enter into an agreement with Water Resource Management for the Lead and Copper Sampling Plan for an amount not to exceed \$2,600.00 which shall be charged to Water Operating: OE in the 2018 Budget.

Motion Zee second by Nolan to adopt Resolutions 48-18.

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

REPORTS/BILL LIST:

Motion Zee seconded by Davis to receive and file the Tax/Water Collector reports; all were in favor and motion carried.

Motion Richards seconded by Davis to receive, file and spread full upon the minutes the Treasurer’s Report (**see Page 38a**). All were in favor and motion carried.

Motion Davis seconded by Zee, that the bills be paid and charged to their respective accounts (**see Page 38b**).
Roll Call: Ayes: Davis, Nolan, Richards, Schalick, Schneider, Zee; Nays: None. Motion carried.

Mayor Stemberger discussed the 2017 Tax Report and the Statewide Insurance Fund grant for risk control items. Motion Davis second Zee to approve the sponsorship of \$150 for the Elmer Fire Department Golf Tournament. All were in favor and motion carried. Motion Davis seconded by Zee that the Clerk and Mayor’s mail correspondence be received and filed. All were in favor and motion carried.

COMMITTEE REPORTS:

Finance/Celebration Public Events: Schalick reported that the Opening Day Little League Parade will be April 7.

Public Safety: Richards provided the Elmer Fire Department report; Schneider discussed the Borough Hall roof.

Streets/Sidewalks/IT: Discussed funding for the NJDOT grant for State Street 3; CFO Strang will prepare a Bond Ordinance for next month. The Mayor discussed office space and a laptop for the Emergency Management Coordinator; Richards will coordinate laptop purchase.

Borough Hall/Public Property: The Clerk will get prices on shelving for the Records Room for next meeting.

Water/Street Lights: Zee reported on the two electric bills that need to be reimbursed from the accident in front of the church.

Trash/Recycling/Parks & Playgrounds: Nolan updated Council on recent trash complaints and changes for the recycling report and information needed for the Recycle Coach program.

ADJOURNMENT: At 10:10 pm, motion Richards second by Zee that the meeting be adjourned. All were in favor and motion carried.

March 14, 2018

Sarah D. Walker, Borough Clerk

Approved: April 11, 2018