

Borough of Elmer Minutes**September 12, 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 L. Nolan, R. Matthew Richards, Steven Schalick, and Mayor Joseph Stemberger answered to the roll call. Absent was Council Member James Zee. Also present were Chief Financial Officer Cynthia Strang, Police Chief Patrick Bryan, and Clerk Sarah Walker.

APPROVAL OF MINUTES: Motion Davis second Richards to approve the minutes from the Regular Council Meeting held on August 8, 2018, and to dispense with the reading of the minutes.

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

PRESENTATION: Mayor Stemberger called up Police Officer David Gregorio and read the following resolution:

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY,
RECOGNIZING ELMER BOROUGH POLICE OFFICER DAVID GREGORIO**

Number 95-18

WHEREAS, David Gregorio began his career as a part time Police Officer with the Borough of Elmer on April 12, 1989; and

WHEREAS, David Gregorio rose to the rank of Sergeant and also served as Deputy Emergency Management Coordinator, and due to his exemplary career was promoted to Lieutenant effective upon his retirement on July 31, 2018; and

WHEREAS, David Gregorio in October of 2016 was recognized by the Veterans of Foreign Wars for Excellent Standards in Community Policing; and

WHEREAS, David Gregorio has always worked diligently to provide outstanding service to the Borough Council and residents of the Borough of Elmer; and

WHEREAS, the Mayor and Borough Council of the Borough of Elmer, by this resolution, wishes to express its great appreciation to David Gregorio for his service, loyalty, and dedication to the Borough of Elmer and its citizens; and

WHEREAS, the Mayor, Council, and residents of the Borough of Elmer appreciate and hereby recognize David Gregorio's distinguished career with the Borough of Elmer.

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the governing body of the Borough of Elmer, County of Salem, State of New Jersey, take this opportunity to express our sincere thanks and appreciation, and hereby extend to David Gregorio our congratulations on his well-earned retirement, and best wishes to him for continued success, happiness, and good health in the years to come.

Mayor Stemberger congratulated Gregorio on his retirement and also presented a personal gift of homemade cookies. Chief Bryan also made a presentation to Officer Gregorio of the Lieutenant badge and his service revolver in honor of his almost 30 year exemplary career with the Borough of Elmer.

PUBLIC SESSION: Motion Davis second Nolan to open the public portion of the meeting. All were in favor and the motion carried.

Christine Nolan of the South Jersey Land and Water Trust provided an update on the green infrastructure projects in

Elmer. The Borough Hall Rain Garden Implementation Project was discussed; the rain gardens will be symmetrical and located away from the building due to electrical and drainage issues. The pipes will be run under the existing concrete sidewalks. She noted that two extra free downspout planter boxes were available that could be placed where water is draining from a roof pipe. Council members were in favor of the planter box installation in addition to the rain gardens.

Nolan described the second green infrastructure project, the Elmer Stream Buffer Restoration, to take place next to the water tower between State and Broad Streets. The goal is to increase habitat diversity along the stream. Various types of bushes and plants will be planted along the stream edge to the top of the embankment with boulders to mark mowing boundary. Council members discussed various concerns of the location. The consensus was to implement the project starting on Harvest Day.

Motion Davis second Nolan to close the public portion of the meeting. All were in favor and motion carried.

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Ordinances: None.

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

BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION FOR PLANNING BOARD ESCROW FUND (Adjari Monter & Justice)
Number 96-18

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 \$600.00 be distributed and paid as follows:

Amount: \$600.00 To: The Law Office of Katie B. Coleman For: Site Plan Review & Variance

BE IT FURTHER RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by applicant Jack Justice Jr. for a Bulk Variance for 420 Salem Street (Block 32 Lot 9) in the amount of \$137.50 be distributed and paid as follows:

Amount: \$137.50 To: The Law Office of Katie B. Coleman For: Bulk Variance

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER AUTHORIZING AND RATIFYING CONTRACT WITH RED OAK DISPOSAL SERVICE, INC. TO DEMOLISH AND REMOVE UNSAFE STRUCTURE LOCATED AT 419 BROAD STREET, BLOCK 21, LOTS 49 AND 50.02
Number 97-18

WHEREAS, on June 29, 2018, and July 2, 2018, the Borough of Elmer Construction Code Official inspected the property owned by the Robert C. Lang located at 419 Broad Street (Block 21, Lots 49 and 50.02), and determined that the building was in an unsafe condition and detrimental to the surrounding persons and property; and

WHEREAS, the Borough of Elmer Construction Code Official issued a Notice of Unsafe Structure, and ordered the owner to demolish the above-referenced structure no later than July 17, 2018; and

WHEREAS, the owner failed and refused to demolish the unsafe structure; and

WHEREAS, via Verified Complaint bearing Docket No. C-14-18, the matter was referred to the Superior Court of New Jersey on July 26, 2018; and

WHEREAS, on August 30, 2018, the Honorable Anne McDonnell, P.J.Ch., authorized and ordered the demolition and removal of the unsafe structure located at 419 Broad Street (Block 21, Lots

49 and 50.02), and said costs of such removal to be assessed as a lien against the real property pursuant and consistent with N.J.S.A. 52:27D-131.1; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-6 (“Emergency Contracts”), allows the award of contracts without public advertising for bids and bidding when an emergency affecting public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the provisions of the Pay to Play laws, N.J.S.A. 19:44A-20.4 et seq., are waived when an emergency exists affecting the public health, safety or welfare which the requires the immediate delivery of goods or performance of services; and

WHEREAS, the Borough Clerk obtained proposals to demolish and remove the unsafe structure located at 419 Broad Street (Block 21, Lots 49 and 50.02); and

WHEREAS, the Borough Clerk determined that Red Oak Disposal Service, Inc. could immediately perform the requested demolition and removal services; and

WHEREAS, Red Oak Disposal Service, Inc. provided a proposal dated September 4, 2018, in the sum of \$13,000.00 for the requested demolition and removal services, a copy of the proposal from Red Oak Disposal Service, Inc. dated September 4, 2018, is attached hereto; and

WHEREAS, it was in the best interests of the residents of the Borough of Elmer to authorize Red Oak Disposal Service, Inc. to demolish and remove the unsafe structure located at 419 Broad Street (Block 21, Lots 49 and 50.02).

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

1. The authorization and award of an emergency contract for demolition and removal of the unsafe structure located at 419 Broad Street (Block 21, Lots 49 and 50.02) to Red Oak Disposal Service, Inc. in the sum \$13,000.00 is hereby ratified, authorized and approved; and

2. In accordance with N.J.S.A. 19:44A-20.12, the Municipal Clerk shall file with the Division of Local Government Services an Emergency Procurement Report within thirty (30) days of the date the emergency contract was issued.

Motion by Richards second Davis to approve Resolutions 96-18 and 97-18.

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

DISCUSSIONS/MOTIONS

1. The Clerk reported that no bids were received today at the public sale of Block 15 Lot 5 (106 Front St) that took place at 11:00am. Motion Richards second Davis to advertise and conduct the public sale of Block 15 Lot 5 (106 Front St) for a second time as required by law.

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

2. Council discussed the Emergency Management Coordinator’s Harvest Day event for a prescription drug drop off. Motion Richards second Davis to approve the event; all were in favor and motion carried.

3. Councilman Richards reviewed the list of Borough roads for repairs and resurfacing. Motion Davis second Nolan to authorize the Borough Engineer to submit NJDOT FY 2019 Municipal Aid Grant for Second, Third, and Oak Streets. All were in favor and motion carried.

4. CFO Strang reported that Pittsgrove School District would like a written proposal/plan for the payment of the deferred school tax levy. Council members discussed various options. The Mayor will contact the Third District again. No action was taken.

5. The Clerk reported that the Direct Install Lighting Project through the NJ Clean Energy program has to be resubmitted due to a change in state contract. Richards recommended doing an Energy Savings Improvement Plan (ESIP) soon to determine if a solar project is feasible for energy savings. Motion Richards second Davis to approve the Direct Install application submission for the Borough Hall. All were in favor and motion carried.

6. A recent Tort Claim involving a trip and fall on sidewalks in the Borough was discussed. Police Chief Bryan is investigating.

7. The status of the Borough Hall roof was discussed. Motion Richards second Davis to approve the quote by Archers Exteriors of \$15,760 to replace the shingle roof.

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

REPORTS/BILL LIST:

Motion Richards second Davis to receive and file the Tax/Water Collector and to receive, file and spread full upon the minutes the Treasurer's report (**see Page 78a**); all were in favor and motion carried.

Motion Davis second Nolan, that the bills be paid and charged to their respective accounts (**see Page 78b**).

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

Mayor Stemberger updated Council Members on the status of the Elmer Ambulance Corps. The Mayor discussed the two week notice of resignation received on Friday September 7th from William Ackley, Housing, Zoning, and Property Maintenance Officer. Motion Davis second Nolan 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: Councilman Schalick reported that he is working with Barry Foote at Upper Pittsgrove Township on the walking trail for the Green Acres Park.

Public Safety: Council President Schneider discussed the police department reports and discussed the reduction in inmates for the community work program due to bail reform.

Streets/Sidewalks/IT: Councilman Richards requested Community Service workers for repainting the yellow curbs around the firehouse. Street sweeping and storm drain cleaning on County Roads was also discussed.

Borough Hall/Public Property: Davis reported that the Scout Room has been cleaned. The Mayor reported on the flag pole painting and an old Video Return box that is being renovated as a depository for old flags by Chief Bryan.

Water/Street Lights: No report.

Trash/Recycling/Parks & Playgrounds: Nolan reported on plantings and mulch in the park and the weight limits for trash pickup. She will write an article for the Elmer Times.

ADJOURNMENT: At 10:00 pm, motion Richards second Davis that the meeting be adjourned. All were in favor and motion carried.

September 12, 2018

Sarah D. Walker, Borough Clerk

Approved: October 10, 2018