

**Borough of Elmer Minutes****September 11, 2019**

**CALL TO ORDER:** A Regular Meeting of the Borough Council convened in the Borough Hall 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 January 7, 2019 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 was Solicitor Brian Duffield, Chief Financial Officer Cynthia Strang, Police Chief Bryan, and Clerk Sarah Walker.

**APPROVAL OF MINUTES:** Motion Davis second Nolan to approve the minutes from the Regular Council Meetings held on August 14, 2019 and the Special Meeting held on August 26, 2019, 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 Davis to open the public portion of the meeting. All were in favor and the motion carried.

Robert Dickinson, Salem County Health Department, introduced himself as the new Health Officer for the Borough of Elmer. He discussed and answered questions about recent local health issues including the hazardous algae bloom that has shut down the Elmer Lake. The Mayor updated Council on repairs to the bypass area near the bridge and dam that should raise the level of the lake back to normal. Mr. Dickinson noted that the County Health Department will be monitoring the lake weekly and will notify the Borough and NJ Fish and Game (who has jurisdiction of the lake) when it becomes safe to use again.

There being no other public comment, motion Zee second Foster to close the public portion of the meeting. All were in favor and motion carried.

**UNFINISHED BUSINESS**

**1. Ordinances:** The following Ordinance was read by title for second reading and adoption:

**ORDINANCE 2019-6 AMENDING CHAPTER 11 (Building and Housing)**

Motion Zee second Davis to open the public hearing for Ordinance 2019-6. All were in favor and motion carried.

There being no comment, motion Zee second Nolan to close the public hearing; all were in favor and motion carried.

Motion Zee second Davis to adopt Ordinance 2019-6.

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

**2. Remediation Project:** Councilman Zee reviewed and discussed the proposal from Calmar for Monitored Natural Attenuation. No action was taken.

**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 (Dollar General)**

**Number 75-19**

**BE IT RESOLVED** that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by applicant Dollar General for Site Plan Review for the property at 100 Front St. in the amount of \$247.50 be distributed and paid as follows:

Amount: \$247.50

To: Fralinger Engineering

For: Site Plan Review

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER AUTHORIZING  
RELEASE OF THE MAINTENANCE GUARANTEE POSTED BY MILLER GROUP HOLDINGS, LP**

**AFFECTING A PARCEL KNOWN AS BLOCK 15, LOT 6 ON THE OFFICIAL TAX MAP OF THE  
BOROUGH OF ELMER, SALEM COUNTY, NEW JERSEY**

**Number 76-19**

**WHEREAS**, the Applicant, Miller Group Holdings, LP, has caused certain work to be performed relating to improvements affecting a parcel known as Block 15, Lot 6 on the official Tax Map of the Borough of Elmer; and

**WHEREAS**, pursuant to Resolution 101-17, the Mayor and Council of the Borough of Elmer authorized the release of the Applicant's Performance Guarantee for the satisfactory completion of the improvements, and required posting of a Maintenance Guarantee; and

**WHEREAS**, after adoption of Resolution 102-17, the required Maintenance Guarantee (Maintenance Bond No. 019054406 dated September 7, 2017, issued by Liberty Mutual Surety in the amount of \$10,652.55) was received by the Borough Clerk and remains in effect; and

**WHEREAS**, the aforementioned Maintenance Guarantee expired on September 7, 2019; and

**WHEREAS**, the Maintenance Guarantee presently held by the Borough Clerk in the amount of \$10,652.55 shall be returned to the Applicant.

**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 Maintenance Guarantee (Maintenance Bond No. 019054406 dated September 7, 2017, issued by Liberty Mutual Surety in the amount of \$10,652.55); and any remaining escrow funds shall be released and returned to the Applicant.
2. That no above-mentioned Maintenance Guarantee shall be released until payment by the Applicant of any outstanding fees or costs from inspections or escrows.
3. The Borough Clerk is hereby directed to forward Certified Copies of this Resolution to the Applicant, the Borough of Elmer Planning Board Engineer and the Borough of Elmer Treasurer.

**BOROUGH OF ELMER COUNTY OF SALEM  
RESOLUTION CANCELLING CURRENT FUND OUTSTANDING CHECKS**

**Number 77-19**

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

<u>DATE</u>	<u>NUMBER</u>	<u>NAME</u>	<u>AMOUNT</u>
10/10/18	16297	Rusa Girls under 13 Soccer	\$300.00
12/12/18	16419	FC COPA South 06	\$300.00

**WHEREAS**, these checks have not been presented for payment by the party 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 11<sup>th</sup> (eleventh) day of September 2019, 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 Current Fund and the checks reissued if deemed appropriate.

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
COUNTY OF SALEM, STATE OF NEW JERSEY, AUTHORIZING A SHARED SERVICES  
AGREEMENT WITH THE SALEM COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES  
FOR THE PROVISION OF PUBLIC HEALTH SERVICES**

**Number 78-19**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., permits local units of this state to enter into a contract with any other governmental unit for shared services; and

**WHEREAS**, the County of Salem agrees to provide public health services of a technical and professional nature to the Borough of Elmer pursuant to the terms and conditions set forth in the Shared Service Agreement attached hereto; and

**WHEREAS**, the term of the proposed Agreement shall be for five (5) years commencing September 1, 2019 through August 31, 2024; and

**WHEREAS**, the Borough Council and the Borough of Elmer, County of Salem, and State of New Jersey shall be and are authorized to execute the Shared Service Agreement on behalf of said Council and a copy of the Agreement shall be filed with the Commissioner of the Department of Community Affairs.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Elmer, County of Salem and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Shared Service Agreement attached hereto with the County of Salem.

**BOROUGH OF ELMER, COUNTY OF SALEM  
RESOLUTION TO APPOINT ROBERT DICKINSON HEALTH OFFICER  
FOR THE BOROUGH OF ELMER**

**Number 79-19**

**WHEREAS** the Borough of Elmer is required to have a Health Officer; and

**WHEREAS** the Borough of Elmer has a Shared Service Agreement with the County of Salem for Board of Health Services;

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Elmer that Robert Dickinson be appointed Health Officer for the Borough of Elmer effective April 22, 2019 through December 31, 2019.

Motion Davis second Zee to adopt Resolutions 75-19 through 79-19.

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

**DISCUSSIONS/MOTIONS:**

**1. Salem County Motor Fuel Agreement:** Council members discussed the logistics and need for this agreement and recommended considering a resolution for next month.

**2. Street Sweeping:** Council members discussed the draft agreement for street sweeping services through the Borough of Woodstown and 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, AUTHORIZING THE EXECUTION OF SHARED SERVICES AGREEMENT WITH THE BOROUGH OF WOODSTOWN FOR STREET SWEEPING SERVICES**

**Number 80-19**

**WHEREAS**, the Borough of Elmer is in need of street sweeping services on an as-needed basis; and

**WHEREAS**, the Borough of Woodstown owns street sweeping vehicles, and provides such services to other municipalities; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., permits local units of this state to enter into a contract with any other governmental unit for shared services; and

**WHEREAS**, the Borough of Woodstown has agreed to provide street sweeping services to the Borough of Elmer pursuant to the terms and conditions set forth in the Shared Service Agreement attached hereto.

**WHEREAS**, the term of the proposed Agreement shall be for five (5) years commencing October 1, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Elmer, County of Salem and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the Shared Service Agreement attached hereto with the Borough of Woodstown.

Motion Davis second Nolan to approve Resolutions 80-19.

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

**3. Phone System Agreement:** The Clerk reviewed recent requests for changes to the phone system; Council recommended that the company rep come to a Council meeting. No action taken.

**4. Green Acres Concept Plan and Funding:** Mayor Stemberger reviewed the concept plan for the Green Acres park and the funding needed to complete the plan. Development should be started at the end of the farm lease (1/1/20) and maintenance of the park will be a budget consideration for 2020.

Motion Zee second Foster to approve the concept plan for the Green Acres Park. All were in favor and motion carried.

**5. Auxiliary Spillway at Elmer Lake:** The Mayor contacted Ray Owens, Salem County Road Department, about fixing the spillway this week.

**6. MAPSA Update:** Councilman Zee met with the Elmer/Pittsgrove Municipal Alliance for the Prevention of Substance Abuse Committee and is working with them to find support for the activities at the Hangar.

**7. Solar Ordinance:** The Mayor noted that the solar restrictions were discussed at the Land Use Board meeting and that Solicitor Coleman will be providing the ordinance information to Council.

#### **REPORTS/BILL LIST:**

Motion Foster second Zee to receive and file the Tax/Water Collector and to receive, file and spread full upon the minutes the Treasurer's report (**see Page 67a**); all were in favor and motion carried.

Motion Davis second Zee to pay all duly authorized bills and charge them to their respective accounts (**see Page 67b**). Roll Call: Ayes: Schneider, Davis, Foster, Nolan, Schalick, Zee; Nays: None. Motion carried. Motion carried.

Motion Zee 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:** Council members discussed Harvest Day, scheduled October 5<sup>th</sup>.

**Public Safety:** Council President Schneider provided the police report.

**Streets/Sidewalks/IT:** Council Member Foster reviewed Oak St. and 229 N Main St. issues and noted that the stop signs can be removed on Pfeffers Lane.

**Borough Hall/Public Property:** Council Member Davis discussed new floor for the first floor, roof problems, and Clean Communities clean up days (9/21 and rain date 9/28).

**Water/Street Lights:** No report.

**Trash/Recycling/Parks & Playgrounds:** Council Member Nolan discussed recycling problems, rain garden sign, and plans for Harvest Day.

**ONGOING PROJECTS:**

**Veteran's Monument:** Chief Bryan said that the landscaper is waiting for EP Henry Heroscaping grant results for the materials to work on the monument.

**ADJOURNMENT:** Motion Foster second Zee that the meeting be adjourned. All were in favor and motion carried.

September 11, 2019

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Sarah D. Walker, Borough Clerk

Approved: October 9, 2019