

Borough of Elmer Minutes**January 6, 2021**

CALL TO ORDER: A Regular Meeting of the Council of the Borough of Elmer convened by videoconference at 7:30 p.m. with Mayor Joseph Stemberger presiding.

Mayor Stemberger dispensed with the invocation and flag salute, and noted that adequate notice of the meeting was provided on December 28, 2020 pursuant to the Open Public Meetings Act.

ROLL CALL: Council Members Lewis Schneider, 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 Zee second Nolan to approve the minutes from the Regular Council held on December 9, 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 Foster second Zee to open the public portion of the meeting. All were in favor and the motion carried. There being no comment other than that Bonny Beth Elwell, Elmer Times, was present, motion Foster second Zee to close the public portion of the meeting. All were in favor and motion carried.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

1. Ordinances – the following Ordinances were read by title:

ORDINANCE 2021-1 2021 WATER SERVICE RATE ORDINANCE

Motion Zee second by Davis to approve the introduction of Ordinance 2021-1 and to set the public hearing for February 10, 2021.

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

ORDINANCE 2021-2 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Motion Schneider second by Nolan to approve the introduction of Ordinance 2021-2 and to set the public hearing for February 10, 2021. All were in favor and motion carried.

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

2. Resolutions – the following Resolutions were read by title:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, COUNTY OF SALEM, STATE OF NEW JERSEY, AWARDED CONTRACT TO GARRISON ENTERPRISES, INC. FOR EMERGENCY ROAD REPAIR AND RELATED SERVICES

Number 18-21

WHEREAS, Mayor and Council of the Borough of Elmer have solicited bids for emergency road repair and related services due to roadway excavation for the Elmer Borough Water Department; and

WHEREAS, bids were received and opened on December 3, 2020 for the project; and

WHEREAS, two (2) bids were received the following entities: Garrison Enterprises, Inc., of 211 West Elmer Road, Vineland, NJ, 08360, and Neri's Construction & Rentals, Inc., 849 Clayton Road, Williamstown, NJ, 08094; and

WHEREAS, the Borough's Solicitor has determined that the bid is in conformance with the Bid Specifications and Local Public Contracts Law, and recommends the award of the Contract to Garrison Enterprises, Inc. pursuant to the schedule of time and material fees/expenses attached to said bid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that the Contract for emergency road repair and related services due to roadway excavation for the Elmer Borough Water Department be and the same is hereby awarded to Garrison Enterprises, Inc. pursuant to the schedule of time and material fees/expenses subject to the conditions set forth below.

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Borough of Elmer are hereby authorized and directed to execute the Contract for same.

BE IT FURTHER RESOLVED that the certified checks or bid bonds of the successful bidder are to be returned upon the receipt of fully executed Contract and other required documents from Garrison Enterprises, Inc.

BE IT FURTHER RESOLVED that the Borough's Chief Financial Officer must certify that sufficient funds are available to award the Contract.

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF THE
2021 MEMORANDUM OF UNDERSTANDING FOR THE MID SALEM COUNTY MUNICIPAL COURT
Number 19-21**

WHEREAS, the Mid Salem County Municipal Court is a Joint Municipal Court between the Borough of Elmer, the Borough of Woodstown, the Township of Mannington, the Township of Quinton, and the Township of Oldmans in Salem County; and

WHEREAS, the Borough of Elmer has been a part of the Mid Salem County Municipal Court since April 1, 2011; and

WHEREAS, the Borough of Elmer desires to continue its participation in the Mid Salem County Municipal Court; and

WHEREAS, it is in the best interests of the residents of the Borough of Elmer for the Borough to enter into the 2021 Memorandum of Understanding attached hereto pursuant to the terms and conditions set forth therein.

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

1. The Mayor and Clerk are hereby authorized and directed to execute the 2021 Memorandum of Understanding attached hereto.
2. The Borough, through its appropriate staff and officials, is hereby further authorized and directed to undertake any and all such acts and execute any and all such other documents as may be necessary and appropriate to effectuate the terms hereof.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION AUTHORIZING THE 2021 INTER-LOCAL SERVICE AGREEMENT
WITH UPPER PITTSBORO TOWNSHIP FOR PUBLIC WORKS SERVICES**

Number 20-21

WHEREAS, the Borough of Elmer desires to enter into an Inter-Local Service Agreement with Upper Pittsgrove Township whereby the Township shall provide certain public works services described in the attached agreement; and

WHEREAS, it is in the best interest of the Borough and the Township to enter into said agreement;

NOW THEREFORE 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 Inter-Local Service Agreement with Upper Pittsgrove Township to provide to the Borough of Elmer certain public works services described in the attached agreement for the year 2021.

BE IT FURTHER RESOLVED that these services shall be charged to Streets and Roads: OE, Public Buildings and Grounds: OE, Parks and Playgrounds: OE, and Water: OE in the 2021 Budget.

**BOROUGH OF ELMER COUNTY OF SALEM RESOLUTION
APPOINTING FUND COMMISSIONER FOR THE STATEWIDE INSURANCE FUND**

Number 21-21

WHEREAS, the Borough of Elmer (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Elmer that Joseph P. Stemberger, Mayor, is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that Steven Schalick is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

**BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**

Number 22-21

WHEREAS, The Borough of Elmer (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Salem and State of New Jersey, as follows:

1. The Borough of Elmer hereby appoints the Sloan Insurance Agency as its Risk Management Consultant.
2. The Mayor and Clerk and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2021 in the form attached hereto.

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM
TO JOIN (RENEW) THE STATEWIDE INSURANCE FUND**

Number 23-21

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, the Borough of Elmer ("LOCAL UNIT") has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2021** terminating on **January 1, 2024** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s):

Workers' Compensation & Employer's Liability	_____
Comprehensive General Liability (Umbrella/Excess)	_____ X _____
Automobile Liability and Physical Damages	_____
Public Officials and Employment Practices Liability	_____
Property	_____
Inland Marine, Boiler and Machinery	_____
Crime-Faithful Performance and Fidelity	_____
Pollution Liability	_____
Cyber Liability	_____
Non Owned Aircraft	_____

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION AUTHORIZING 2021 EDMUNDS & ASSOCIATES SOFTWARE AGREEMENT
Number 24-21

BE IT RESOLVED by the Mayor and Borough Council that the CFO be authorized to enter into an agreement with Edmunds & Associates for Software Support for the year 2021 in the amount of \$3,410.00. This shall be charged to Finance: OE in the amount of \$2,410.00 and Water: OE in the amount of \$1,000.00 in the 2021 Budget.

BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION AUTHORIZING 2021 MUNICIPAL SOFTWARE CONTRACT
Number 25-21

BE IT RESOLVED by the Mayor and Borough Council that the Clerk be authorized to enter into an agreement with Municipal Software Inc. for annual support for the year 2021 in the amount of \$6,481.00. This shall be charged to Tax Collection: OE, Animals: OE, Technology: OE, and Water Operating: OE in the 2021 Budget.

BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION AUTHORIZING MUNIDEX, INC. CONTRACT
Number 26-21

BE IT RESOLVED by the Mayor and Borough Council that the Clerk be authorized to enter into an agreement with Munidex, Inc. for Software Support for the Vital Statistics Registrar for the year 2021 in the amount of \$658. This shall be charged to Board of Health: OE in the 2021 Budget.

BOROUGH OF ELMER COUNTY OF SALEM
RESOLUTION TO APPLY OVERPAYMENT OF LANDLORD REGISTRATION FEE
Number 27-21

WHEREAS, the property owners listed below have been found to have overpaid their 2020 landlord registration fee by the amounts shown; and

WHEREAS, these overpayments are due to the property owners being billed erroneously a second 2020 landlord registration because of a change on tenancy at the property location listed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmer, County of Salem and State of New Jersey, that the Housing and Zoning Office shall apply the overpayment of the 2020 landlord registration fee to the amount due from the property owners listed below for their respective 2021 landlord registration fee.

<u>Property Owner</u>	<u>Street Address</u>	<u>Block</u>	<u>Lot</u>	<u>Overpayment Amount</u>
Lance & Alysia Thomson	433 South Main Street	34	4	\$30.00
Warren Collins Property Rentals	75 Broad Street	18	33	\$30.00
Charlene DeAngelis & Leslie Smith	221 South Main Street	27	42	\$30.00
Richard Woody	217 South Main Street	27	40	\$30.00

Motion Davis second Zee to adopt Resolutions 18-21 to 27-21.

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

DISCUSSIONS/MOTIONS:

1. Schedule Budget Meeting: CFO Strang discussed budget guidance needed. Members recommended that the Budget Workshop postponed in December be held prior to the February 10, 2021 meeting at 6:00 pm via videoconference.

2. Green Acres Park: Members discussed cost estimates and budgeting options for the walking trail at the Green Acres park, as well as ways to reduce costs such as working with Upper Pittsgrove Public Works for the trail base. The Solicitor recommended getting bid and alternate bid numbers for budgeting. Members recommended working with the engineer and Upper Pittsgrove to determine specifications and a plan to move forward with a base bid and alternate bid.

3. Water Department: The CFO asked for guidance on paying for extra hours in December due for training purposes; all members were in favor of payment.

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 20a**); all were in favor and motion carried.

Motion Davis second Nolan to pay all duly authorized bills and charge them to their respective accounts (**see Page 20b**). The CFO noted that January bills are not yet ready to be processed. No action taken.

The Clerk noted that in the mail packets members received letters that the NJDOT application for Center Street repairs was denied and that AC Electric will be in town doing tree work. Motion Schalick second Davis that the Clerk and Mayor's correspondence be received and filed. All were in favor and motion carried.

COMMITTEE REPORTS:

Finance/Celebration Public Events: Schneider noted that the tax collection rate in the tax report of 98% was commendable considering the tax increase and economic hardship due to the pandemic.

Public Safety: Nolan noted that she has had residents ask for more patrols Main Street for speeding.

Streets/Sidewalks: Foster updated Council members on 2nd, 3rd, and Oak St progress and members discussed fixing the basketball court at the ballpark. Schneider will look into replacing backboard and net.

Borough Hall/Public Property: Davis discussed when to take down Christmas decorations; members recommended the afternoon of January 17th.

Water/Street Lights/IT: Zee updated Council on the status of the transition to contract services in the Water Department. Street lights on Mill St have been repaired. The last sample for the remediation project was taken today. Zee also updated the status of the computer replacements.

Trash/Recycling/Parks & Playgrounds: Council Member Nolan discussed the need for new bows for the wreaths. Christmas tree recycling was discussed and one pickup day recommended rather than two. The recycling calendars were delayed due to printer issues and will be in the mail this week and Nolan reminded members that Recycle Coach is available for the latest updates. Nolan and members also discussed Centennial park and delineating the property line by the apartment complex.

ONGOING PROJECTS: See committee reports and discussion.

ADJOURNMENT: At 8:50 pm motion Zee second Nolan that the meeting be adjourned. All were in favor and motion carried.

January 7, 2021

Sarah D. Walker, Borough Clerk

Approved: February 10, 2021