

Borough of Elmer Minutes**March 10, 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.

FLAG SALUTE AND INVOCATION: The pledge of allegiance was given by Mayor Stemberger followed by the invocation. Mayor Stemberger noted that adequate notice of the meeting was provided on March 1, 2021 pursuant to the Open Public Meetings Act.

ROLL CALL: Council Members Lynda Davis, Bruce Foster, Cynthia Nolan, Steven Schalick, James Zee, and Mayor Joseph Stemberger answered to the roll call. Absent was Council President Lewis Schneider. Also present were Solicitor Brian Duffield, Chief Financial Officer Cynthia Strang, and Clerk Sarah Walker.

APPROVAL OF MINUTES: Motion Foster second Nolan to approve the minutes from the Special Budget Workshop and Regular Council Meetings held on February 10, 2021, and to dispense with the reading of the minutes.

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

PUBLIC SESSION: Motion Davis second Foster to open the public portion of the meeting. All were in favor and the motion carried. There being no comment from the public, motion Zee second Foster to close the public portion of the meeting. All were in favor and motion carried.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

1. Ordinances – the following Ordinance was read by title:

ORDINANCE 2021-3 2021 SALARY ORDINANCE

Motion Davis second Nolan to approve Ordinance 2021-3. Discussion.

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

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

**RESOLUTION OF THE BOROUGH OF ELMER, COUNTY OF SALEM
AUTHORIZING LAND USE BOARD ESCROW FUND PAYMENTS (Jarve, Cambre)**

Number 33-21

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by applicant Christian and Maura Jarve for Minor Subdivision – Lot Line Adjustment review for 22 Center St (Block 33 Lots 9 & 30) in the amount of \$1,087.00 be distributed and paid as follows:

Amount: \$412.50	To: Jefferis Engineering	For: Minor Subdivision Review
Amount: \$674.50	To: Holston MacDonald Uzdavinis & Myles	For: Minor Subdivision Review

BE IT FURTHER RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by applicant Cambre Investments LLC for Minor Subdivision – Lot Line Adjustment review for 111 & 115 S. Main St (Block 27 Lots 1, 2, 3) in the amount of \$161.50 be distributed and paid as follows:

Amount: \$161.50	To: Holston MacDonald Uzdavinis & Myles	For: Minor Subdivision Review
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**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF THE
REVISED 2021 MEMORANDUM OF UNDERSTANDING FOR THE MID SALEM COUNTY
MUNICIPAL COURT**

Number 34-21

WHEREAS, the Borough of Elmer has adopted Ordinance No. 2011-6, dated March 31, 2011, to establish a joint municipal court with Woodstown Borough, Mannington Township, Quinton Township, and Oldmans Township pursuant to N.J.S.A. 2B:12-1, et seq. (referred to as the “Mid Salem County Municipal Court”); and

WHEREAS, the above-named municipalities have adopted similar ordinances for such purpose; and

WHEREAS, pursuant to the above cited Ordinance and statute the Borough of Elmer has entered into an agreement on April 1, 2011 with the other named municipalities entitled “Agreement Between the Borough of Woodstown, the Township of Mannington, the Borough of Elmer, the Township of Quinton, and the Township of Oldmans to Establish the Mid Salem County Municipal Court”; and

WHEREAS, pursuant to the above cited Ordinance and Agreement the Borough of Elmer has each year entered into a Memorandum of Understanding (“MOU”) with the other named municipalities, the first of which was entitled “2011 Memorandum of Understanding – Mid Salem County Municipal Court – Woodstown – Mannington – Elmer – Quinton – Oldmans”, in order to confirm matters pertaining to administration of the Mid Salem County Municipal Court for each year from 2011 through 2020, including but not limited to the following:

- Percentage responsibilities for shared expenses;
- Salaries and wages;
- Hours of operation;
- Court schedule;
- Administrative fee apportionment;
- Billing;
- Budget; and
- Vacation policy; and

WHEREAS, pursuant to the above cited Ordinance and Agreement, the Council of the Borough of Elmer has entered into an MOU with the other named municipalities for the year 2021 entitled “2021 Memorandum of Understanding – Mid Salem County Municipal Court – Woodstown – Mannington – Elmer – Quinton – Oldmans” in order to confirm matters pertaining to administration of the Mid Salem County Municipal Court for the year 2021; and

WHEREAS, pursuant to the above cited Ordinance and Agreement, the Borough of Elmer has reviewed and is prepared to enter into a revised MOU with the other named municipalities for the year 2021 entitled “Revised 2021 Memorandum of Understanding – Mid Salem County Municipal Court – Woodstown – Mannington – Elmer – Quinton – Oldmans” in order to confirm matters pertaining to administration of the Mid Salem County Municipal Court for the year 2021;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Elmer approves and hereby adopts the “Revised 2021 Memorandum of Understanding – Mid Salem County Municipal Court – Woodstown – Mannington – Elmer – Quinton – Oldmans” as the terms and conditions upon which the administrative matters addressed therein shall be governed for the year 2021.

**BOROUGH OF ELMER, COUNTY OF SALEM RESOLUTION TO ENTER INTO AN AGREEMENT
WITH VOORHEES ANIMAL ORPHANAGE FOR ANIMAL SHELTER SERVICES**

Number 35-21

BE IT RESOLVED by the Mayor and Borough Council that the Mayor and Clerk be authorized to enter into an agreement with Voorhees Animal Orphanage for Animal Shelter Services for one year commencing March 1, 2021 and ending March 1, 2022 to be charged to Board of Health: OE and/or Animal Trust Fund in the 2021 Budget.

**BOROUGH OF ELMER, COUNTY OF SALEM
RESOLUTION TO ENTER INTO AN AGREEMENT FOR THE
2021 DRINKING WATER CONSUMER CONFIDENCE REPORT**

Number 36-21

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 Consulting Engineer Services LLC for the preparation of the 2021 Water Consumer Confidence Report for an amount not to exceed \$1,000.00 which shall be charged to Water Operating: OE in the 2021 Budget.

**BOROUGH OF ELMER, COUNTY OF SALEM RESOLUTION
AWARDING CONTRACT FOR PROPERTY MAINTENANCE SERVICES TO EASE DESIGN &
LANDSCAPING, INC.**

Number 37-21

WHEREAS, the Borough of Elmer is in need of a contractor to provide property maintenance services for vacant and abandoned properties; and

WHEREAS, the Clerk solicited quotes from eight (8) companies performing such services and received one (1) response:

1. Eaise Design & Landscaping, Inc. @ \$48 per hour for various services; and

WHEREAS, the quotes were reviewed by Council and a recommendation made that the quote be awarded to Eaise Design & Landscaping, Inc.; and

WHEREAS, the rates for the requested property maintenance services are set forth on the quote dated February 25, 2021, and shall not exceed the Local Public Contracts Law quote threshold in the aggregate sum of \$2,625.00 as set forth in N.J.S.A. 40A:11-3.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Borough of Elmer, County of Salem and State of New Jersey, that the quote dated February 25, 2021 submitted by Eaise Design & Landscaping Inc., is hereby authorized and approved; and

BE IT FURTHER RESOLVED that the award of the contract referenced in this Resolution is subject to the vendor providing the following:

- 1) New Jersey Business Registration Certificate; and
- 2) Certificate of Insurance naming the Borough of Elmer, Salem County, New Jersey as "Additional Insured" with minimum general liability insurance limits of \$250,000.00 each occurrence.

Motion Davis second Zee to adopt Resolutions 33-21 to 37-21.

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

DISCUSSIONS/MOTIONS:

1. Fire Truck Update: Mayor Stemberger updated Council members on the meeting with Congressman Van Drew, who recommended applying for the Assistance to Firefighters Grants for a new fire truck. Council members were in favor of having the grantsman come to the next meeting to discuss options.

2. Cannabis Legislation – Sample NJLM Ordinance: Solicitor Duffield explained the new law and options for local control of up to six licenses for cannabis businesses. The following ordinance was read by title:

ORDINANCE 2021-4 AN ORDINANCE BY THE BOROUGH OF ELMER, SALEM COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 25 ENTITLED “LAND DEVELOPMENT REGULATIONS” OF THE CODE OF THE BOROUGH OF ELMER

Motion Davis second Foster to approve Ordinance 2021-4.

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

3. Hospital Community Tax: Solicitor Duffield updated Council and members discussed the recent state law to assess a Community Service Contribution fee in lieu of property taxes for tax exempt hospitals. No action was taken.

4. Deferred School Tax: CFO Strang noted the request by the Pittsgrove Board of Education for the amount of this year's payment for the deferred school tax, and members discussed the school tax impact and options. Motion Zee second Nolan to make a 5% payment on the deferred school tax amount for 2021. All were in favor and motion carried.

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 30a**); all were in favor and motion carried.

Motion Davis second Foster to pay all duly authorized bills and charge them to their respective accounts (**see Page 30b**).

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

Motion Zee second Foster that the Clerk and Mayor's correspondence be received and filed. All were in favor and motion carried.

COMMITTEE REPORTS:

Finance/Celebration Public Events: Schalick discussed the Memorial Day parade and various budget items.

Public Safety: No report.

Streets/Sidewalks: Foster updated Council on the 2nd, 3rd, and Oak project and inquired about the history of parking ordinances for businesses.

Borough Hall/Public Property: Davis noted that the roof will be replaced in April. The Clerk updated Council on the ADA project. Members discussed opening the Borough Hall to the public.

Water/Street Lights/IT: Zee discussed the recommendations of the water operator to change propane provider to save fuel costs and to upgrade piping for safety at the #8 well.

Trash/Recycling/Parks & Playgrounds: Council Member Nolan noted that the trash contract is up for bid this year and that the bid packet that will need to be reviewed.

ONGOING PROJECTS: See committee reports and discussion.

ADJOURNMENT: At 9:03 pm, motion Foster second Zee that the meeting be adjourned. All were in favor and motion carried.

March 10, 2021

Sarah D. Walker, Borough Clerk

Approved: April 14, 2021