

January 8, 2014

A Regular Meeting of the Borough Council convened in the Borough Hall at 7:30 p.m. with President Schneider presiding.

Invocation was given by Mayor Joseph P. Stemberger, followed by the pledge of allegiance.

Mayor Stemberger noted that the requirements of the Open Public Meetings Act have been met by the filing and posting of the Annual Notice.

Councilpersons Schneider, Davis, Nolan, Schalick, Williams and Zee answered to the roll call. Absent – None.

Motion Davis, seconded Nolan that the last regular meeting and all subsequent meetings (January 1, 2014) be approved and that the reading of the minutes be dispensed with. Motion carried.

Committee reports were made at this time: Public Safety, Streets, Parks and Playgrounds/Recycling/Solid Waste and Water/St. Lighting.

Council President Schneider called up for second reading an Ordinance entitled:

ORDINANCE NO. 2014-1

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY CREATING A NEW CHAPTER
OF THE CODE OF THE BOROUGH OF ELMER ENTITLED
“RECOVERY COSTS FOR HAZARDOUS SUBSTANCES INCIDENTS”**

Clerk presented affidavit of publication, motion Davis, seconded Nolan that the affidavit be received and filed. Motion carried.

Motion Zee, seconded Davis that the Clerk read the Ordinance by title only and that the public hearing be held thereon. Motion carried.

Clerk read following ordinance by title only:

ORDINANCE NO. 2014-1

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY CREATING A NEW CHAPTER
OF THE CODE OF THE BOROUGH OF ELMER ENTITLED
“RECOVERY COSTS FOR HAZARDOUS SUBSTANCES INCIDENTS”**

WHEREAS, the Mayor and Council of the Borough of Elmer deem it in the best interest of the Borough to create a new Chapter of the Code of the Borough of Elmer to establish recovery costs for hazardous substances incidents; and

WHEREAS, it is in the best interest of the residents of the Borough of Elmer for Borough Council to adopt such an Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Elmer, in the County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

A new Chapter §___ entitled “Recovery Costs for Hazardous Substances Incidents” shall be added to read as follows:

RECOVERY COSTS FOR HAZARDOUS SUBSTANCES INCIDENTS

§XX-1. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

CLEANUP AND REMOVAL COSTS

All costs associated with a discharge within the boundaries of the Borough of Elmer, which shall include labor and material for the removal of hazardous substances or taking of reasonable measures to prevent or mitigate damages to the public health, safety or welfare of the residents of the Borough of Elmer, including the lands, private and public, therein.

DISCHARGE

Any intentional or unintentional action, omission or accident resulting in the release, spill, leak, emission, dump or disposal of hazardous substances into the waters or upon lands within the Borough of Elmer or outside the Borough which may result in or causes damages to the waters or lands within the Borough.

HAZARDOUS SUBSTANCE

All elements and compounds, including petroleum products as set forth within N.J.S.A. 58:10-23.11b, as amended, except that sewage and sewage sludge shall be considered “hazardous substances” for the purpose of this Chapter.

PERSON

Any individual, public or private corporation, companies, association, societies, firms, partnerships or joint-stock companies.

§XX-2. Assignment of liability.

Any person who shall discharge hazardous substances within the Borough of Elmer shall be strictly liable for all cleanup and removal costs incurred by the Borough of Elmer or agencies and employees thereon.

§XX-3. Hearing upon reasonableness of assessment.

Upon assessment of cleanup and removal costs, the person assessed may, within 10 days of receipt of such assessment, make a written request for a hearing before the Borough Council exclusively upon the reasonableness of the amount assessed.

§XX-4. Costs.

The person responsible for the discharge shall be liable for all reasonable attorney's fees and costs incurred in the collection of cleanup and removal costs.

Section 2.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

Section 3.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Mayor Stemberger announced that the public hearing on the above Ordinance to be open.

Opportunity having been given to those who wished to speak for or against the Ordinance, it was moved by Zee, seconded Davis that the public hearing be closed. Motion carried.

Clerk presented the following resolution.

FINAL RESOLUTION

WHEREAS, an Ordinance entitled **BOROUGH OF ELMER COST RECOVERY ORDINANCE** was introduced and passed first reading on December 11, 2013; and

WHEREAS, public hearing has been held thereon,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, that an Ordinance **entitled BOROUGH OF ELMER COST RECOVERY ORDINANCE** be finally adopted and that notice of its adoption by title only be published in the Elmer Times in accordance with law.

Motion Davis, seconded Nolan that the resolution be adopted as read: Ayes – Schneider, Davis, ,Schalick, Williams and Zee. Nays – None. Motion carried.

Council President Schneider called up for second reading an Ordinance entitled:

**ORDINANCE 2014-2
BOROUGH OF ELMER WATER SERVICE RATE ORDINANCE**

Clerk presented affidavit of publication, motion Davis, seconded Zee that the affidavit be received and filed. Motion carried.

Motion Davis, seconded Zee that the Clerk read the Ordinance by title only and that the public hearing be held thereon. Motion carried.

Clerk read following ordinance by title only:

**ORDINANCE 2014-2
BOROUGH OF ELMER WATER SERVICE RATE ORDINANCE**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, having found the need to set forth water service rates for the Borough of Elmer for 2014 as follows:

I. Connection fee shall be as follows:

- | | |
|------------------------------|------------|
| (1) 3/4" or 1" water service | \$3,100.00 |
| (2) 1 1/4" water service | \$3,150.00 |
| (3) 1 1/2" water service | \$3,545.00 |

(4) 2" and above the applicant is required to assume all costs associated with the new water connection.

(5) Subsequent to the adoption of this Ordinance, all water meters shall be installed in the interior of the premises to be serviced unless there is a lack of interior space as determined by the Water Department Superintendent or his designated representative, or unless the owner shall otherwise request in writing. If the water meter is to be installed outside of the premises to be serviced, it shall be located adjacent to or near the curb line.

The expense of the installation of a new water meter shall be borne by the applicant in accordance with the following fee schedule:

(a) 3/4" meter pit \$2,098.95 each

(b) 1" or 1 1/4" meter pit \$2,572.50 each

(c) 1 1/2" meter pit \$2,572.50 each

(d) 2" meter pit and above the applicant is required to assume all costs associated with the new meter pit.

II. If any section or provision of this Ordinance shall be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

III. All Ordinances, or parts of Ordinances, heretofore adopted that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

IV. This Ordinance shall be effective upon its final passage, adoption and publication in the manner prescribed by law.

Mayor Stemberger announced that the public hearing on the above Ordinance to be open.

Opportunity having been given to those who wished to speak for or against the Ordinance, it was moved by Davis, seconded Zee that the public hearing be closed. Motion carried.

Clerk presented the following resolution.

FINAL RESOLUTION

WHEREAS, an Ordinance entitled **BOROUGH OF ELMER WATER SERVICE RATE ORDINANCE** was introduced and passed first reading on December 11, 2013; and

WHEREAS, public hearing has been held thereon,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, that an Ordinance **entitled BOROUGH OF ELMER WATER SERVICE RATE ORDINANCE** be finally adopted and that notice of its adoption by title only be published in the Elmer Times in accordance with law.

Motion Davis, seconded Zee that the resolution be adopted as read: Ayes – Schneider, Davis, ,Schalick, Williams and Zee. Nays – None. Motion carried.

Council President Schneider called up for second reading an Ordinance entitled:

ORDINANCE NO. 2014-3

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, COUNTY OF SALEM, STATE OF NEW JERSEY CREATING A NEW CHAPTER OF THE CODE OF THE BOROUGH OF ELMER ENTITLED "FIRE PREVENTION"

Clerk presented affidavit of publication, motion Davis, seconded Zee that the affidavit be received and filed. Motion carried.

Motion Davis, seconded Nolan that the Clerk read the Ordinance by title only and that the public hearing be held thereon. Motion carried.

Clerk read following ordinance by title only:

ORDINANCE NO. 2014-3

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, COUNTY OF SALEM, STATE OF NEW JERSEY CREATING A NEW CHAPTER OF THE CODE OF THE BOROUGH OF ELMER ENTITLED "FIRE PREVENTION"

WHEREAS, the Mayor and Council of the Borough of Elmer have determined that it is in the best interest of the Borough to establish a new Chapter of the Code of the Borough of Elmer entitled "Fire Prevention"; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Elmer, in the County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

A new Chapter §____ entitled "Fire Prevention" shall be added to read as follows:

FIRE PREVENTION

§xx-1. Scope.

Persons and organizations wishing to conduct recreational, cooking or ceremonial fires within the Borough of Elmer.

§xx-2. Purpose.

To provide uniform direction and application of Ordinances, codes and law governing open burning activities.

§xx-3. General.

A person shall not cause or allow burning unless approved in accordance with this Chapter.

§xx-4.

A. Bonfires:

Permit required: A Type I Permit shall be obtained from the Bureau of Fire Prevention for a bonfire. An inspection for such bonfire must occur prior to the event.

Bonfire Permit Conditions:

- i) Bonfires shall be no larger than three feet (3') by three feet (3') and three feet (3') in height, and consist of dry seasoned firewood ignited by kindling only.
- ii) Burning of trash, rubbish, leaves and construction debris shall be prohibited.
- iii) Flammable liquids or accelerants **SHALL NOT BE USED** to ignite said fires.
- iv) Such fires shall be constantly attended by someone over the age of eighteen with the readily available means of extinguishment (fire extinguisher, garden hose).
- v) The fire shall be extinguished completely before left unattended.
- vi) No fire shall be burned or ignited when winds are in excess of 15 miles per hour (per National Weather Service) or otherwise prohibited by degree from the New Jersey Division of Forestry.
- vii) Bonfires shall not be located closer than twenty feet (20') from any building or structure and not within twenty feet (20') of a property line.
- viii) The smoke from the bonfire shall not create a nuisance.

B. Chimineas, Outdoor Fireplaces, Fire Pits and Fire Rings:

By definition, these devices are not considered open burning. Permits are not required to use these devices. The same rules that regulate bonfires shall apply, and shall not exceed three feet (3') in length or circumference.

These devices should **NOT** be used:

- (i) On a combustible deck or patio.
- (ii) On balcony or breezeways of apartments of multi-family dwellings.
- (iii) Shall have an enclosure, heavy screen or spark arrestor to control and contain embers and sparks.
- (iv) Shall be used on a stable level surface
- (v) If the fireplace is a propane unit, only propane shall be used.
- (vi) Closer than fifteen feet (15') to any building or structure, and not within fifteen feet (15') of a property line.
- (vii) Manufactured outdoor fireplaces and pits and rings shall operated in accordance with the manufacturers assembly, safety and operating instructions.

§xx-5. Enforcement.

In the event that the Fire Department or Police Department is called due to a violation in the above Ordinance, then the Fire Office or Police Officer shall determine whether to extinguish the fire for safety concerns and either Officer shall have the authority to issue a written citation for the Ordinance violation.

§xx-6. Violations and Penalties.

Any person, entity or corporation who or which violates any provision of this Article shall, upon conviction thereof, be punishable by one or more of the following:

- (1) A fine of not less than \$25.00 nor more than \$2,000.00.
- (2) A period of community service up to but not exceeding 30 days.
- (3) Any combination of the above.

Each day that a violation exists, occurs or continues shall constitute a separate offense for the purpose of imposing the penalties referred to above.

Any person who is convicted of violating this Article within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by the Court to an additional fine as a repeat offender. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.

Section 2.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 3.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Mayor Stemberger announced that the public hearing on the above Ordinance to be open.

Opportunity having been given to those who wished to speak for or against the Ordinance, it was moved by Davis, seconded Zee that the public hearing be closed. Motion carried.

Clerk presented the following resolution.

FINAL RESOLUTION

WHEREAS, an Ordinance entitled **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, COUNTY OF SALEM, STATE OF NEW JERSEY CREATING A NEW CHAPTER OF THE CODE OF THE BOROUGH OF ELMER ENTITLED "FIRE PREVENTION"** was introduced and passed first reading on December 11, 2013; and

WHEREAS, public hearing has been held thereon,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, that an Ordinance **entitled AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, COUNTY OF SALEM, STATE OF NEW JERSEY CREATING A NEW CHAPTER OF THE CODE OF THE BOROUGH OF ELMER ENTITLED “FIRE PREVENTION”** be finally adopted and that notice of its adoption by title only be published in the Elmer Times in accordance with law.

Motion Davis, seconded Zee that the resolution be adopted as read: Ayes – Schneider, Davis, ,Schalick, Williams and Zee. Nays – None. Motion carried.

Council President Schneider called up for second reading an Ordinance entitled:

ORDINANCE 2014-4

2014 SALARY ORDINANCE

Clerk presented affidavit of publication, motion Davis, seconded Nolan that the affidavit be received and filed. Motion carried.

Motion Davis, seconded Zee that the Clerk read the Ordinance by title only and that the public hearing be held thereon. Motion carried.

Clerk read following ordinance by title only:

ORDINANCE 2014-4

2014 SALARY ORDINANCE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey as follows:

1. For the year 2014 and succeeding years thereafter, the salaries, wages and fees for the respective offices and positions are as hereinafter set forth:

A. ADMINISTRATIVE

(1) Mayor	\$3,583.00	per year
(2) Council Members	2,500.00	per year
(3) Administrator	500.00	per year
(4) Municipal Clerk	16,562.00	per year
(5) Deputy Clerk	100.00	per year
(6) Chief Financial Officer	16,589.00	per year
(7) Deputy Treasurer	450.00	per year
(8) Tax Collector	11,514.00	per year
(9) Deputy Tax Collector	10.00	per hour
	(Not to exceed \$1,000)	
(10) Assessor	11,687.00	per year
(11) Custodian Borough Hall	5,874.00	per year
(12) Clerical - not more than	8.25	per hour
(13) Assistant to Municipal Clerk	\$1,853.00	per year
(14) General Maintenance	\$10.00 - \$20.00	per hour
(15) Recycling Enforcer	\$10.00	per hour

B. LAND USE

(1) Zoning Administrator	3,934.00	per year
(2) Housing Officer	3,089.00	per year
(3) Land Use Board Secretary	2,600.00	per year

C. PROTECTION

POLICE DEPARTMENT

(1) Chief	57,782.00	per year
	(27.78	per hour)
(Additional-Negotiated stipend for Health Insurance for full-time employees)		
(2) Sergeant		
(Additional \$1.00 per hour above Patrolman 1 st Class Rate per hour)		
(3) Patrolman 1 st Class	18.26	per hour
(4) Patrolman 2 nd Class	11.25	per hour
(5) Traffic Control Officer	12.43	per hour
(6) Lieutenant	41,746.00	per year
	(20.07	per hour)
(Additional-Negotiated stipend for Health Insurance for full-time employees)		
(7) Traffic Detail	55.00	per hour (or negotiated rate)
(8) Police Department Overtime Pay Rates		
A. Court appearances (officer off duty)	35.00	per session
B. Full-time employees are entitled to one personal day per year.		

C. In the event one or more of the below-listed members of the Police Department works on a Borough of Elmer designated holiday, to wit: New Year's Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day or Christmas, then that officer shall be paid as follows in addition to his/her regular salary, the sum of:

(a) Chief	41.67	per hour
(b) Sergeant	28.89	per hour
(c) Patrolman 1 st Class	27.39	per hour
(d) Lieutenant	30.10	per hour
(e) 12 Hour Shifts	Part time police officers shall not be paid overtime except as stated above.	

OTHER

(1) Emergency Management Coordinator	1,483.00	per year
(2) Deputy Emergency Management Coordinator	865.00	per year
(3) Fire Code Official	5,922.00	per year
(4) Assistant Fire Code Official	15.61	per hour

(Not to exceed \$1,500.00)

D. WELFARE

(1) Secretary Board of Health	100.00	per year
(2) Registrar of Vital Statistics	675.00	per year
(3) Deputy Registrar of Vital Statistics	3,209.00	per year
(4) Alternate Deputy Registrar of Vital Statistics	2,000.00	per year
	(10.77)	per hour)
(5) Animal Registrar	703.00	per year

E. WATER DEPARTMENT

(1) Collector	9,044.00	per year
(2) Deputy Collector	10.00	per hour
	(Not to exceed \$1,000.00)	
(3) Chief Financial Officer	12,483.00	per year
(4) Deputy Treasurer	100.00	per year
(5) Water Clerk	8.25	per hour
(6) Clerical - not more than	8.25	per hour
(7) Municipal Clerk	12,670.00	per year
(8) Assistant Superintendent	9,951.00	per year
	(In addition, \$20.00 per meter to repair, check or an extended water mark-out.)	
(9) Water Meter Reader	3,082.00	per year

2. The following shall be compensated on a fee basis:

- A. Solicitor,
- B. Engineer,
- C. Auditor,
- D. Dog Warden,
- E. Land Use Board Solicitor.

3. Vacation Pay/Policy:

- A. Full-time employees:

1-5 years of employment	10 days
6-15 years of employment	15 days
16+ years of employment	20 days
- B. There is no requirement that vacation days be taken consecutively.

C. Vacation may be used to cover unpaid sick leave or any unpaid days off, except days as a result of disciplinary action.

D. All vacation is subject to the approval of the employee's supervisor.

E. No more than one week of vacation may be carried over from one calendar year to the next, and must be used by June 1 of that year.

4. Sick Leave - Full-time Employees:

A. Employees are entitled to five paid sick days, of which five can be carried to the following calendar year up to a maximum of 15 accumulated sick days at any time.

B. Employees will not be reimbursed for carried-over or unused sick time upon the conclusion of their employment.

5. Bereavement Leave - Full-time Employees.

A. The employee shall receive time off with pay from the date of death until subsequent interment for immediate family members, which shall include spouse, child, parent, brother, sister (inclusive of both step and/or half), as well as mother-in-law and father-in-law not to exceed (5) days.

B. The employee shall receive one day with pay for the following family members: brother-in-law, sister-in-law, aunt, uncle, or grandparents.

C. Employees shall only be paid for bereavement days taken if they were actually scheduled to work on those days.

6. Overtime:

A. Overtime must be approved by the appropriate Borough Council Chairperson, except in an emergency.

7. The salaries, wages and compensations set forth herein shall become effective on January 1, 2013.

8. If any section or provision of this Ordinance shall be declared by a Court of competent jurisdiction to be in valid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

9. All Ordinances, or parts of Ordinances, heretofore adopted and that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

10. This Ordinance shall be effective upon its final passage, adoption and publication in the manner prescribed by law.

Mayor Stemberger announced that the public hearing on the above Ordinance to be open.

Opportunity having been given to those who wished to speak for or against the Ordinance, it was moved by Davis, seconded Zee that the public hearing be closed. Motion carried.

Clerk presented the following resolution.

FINAL RESOLUTION

WHEREAS, an Ordinance entitled **2014 SALARY ORDINANCE** was introduced and passed first reading on December 11, 2013, and

WHEREAS, public hearing has been held thereon;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, that an Ordinance entitled **2014 SALARY ORDINANCE** be finally adopted and that notice of its adoption be published in the Elmer Times in accordance with law.

Motion Davis, seconded Zee that the resolution be adopted as read: Ayes – Schneider, Davis, ,Schalick, Williams and Zee. Nays – None. Motion carried.

The following resolutions were presented:

**RESOLUTION
2014 TEMPORARY BUDGET
GENERAL FUND**

Number 14-14

(See Page 63 a in Minute Book)

**RESOLUTION
2014 TEMPORARY BUDGET
WATER**

Number 14-15

(See Page 63 b in Minute Book)

**RESOLUTION
RESOLUTION TO REMOVE ITEMS FORM THE 2014 TAX SALE**

Number 16-16

WHEREAS, two items need to be removed from the 2014 tax sale as noted..

Block 2 Lot 21 Q, 309 R N Main Street: Not listed in the public news ad.

Block 22 Lot 4, 424 Broad Street: Payment was received in 2013 but not posted until 2014, year end penalty of 737.66 needs to be canceled.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized and directed to remove these items from tax sale and also cancel the year end penalty on Bloc 22 Lot 4 in the amount of \$737.66.

**RESOLUTION
JANUARY TRANSFERS**

Number 17-14

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey that the following transfers be made in the appropriation reserves for the year 2013.

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Engineering: OE	Street Lighting: OE	\$ 800.00
Tax Collector: S&W	Financial Administration:OE	\$ 400.00
Grantsman: OE	Telephone: OE	\$ 100.00
Fire Code Inspector: S&W	Municipal Clerk: OE	\$ 300.00
Police: S&W	Police: OE	\$1,800.00

**RESOLUTION
PLANNING BOARD ESCROW FUND**

Number 18-14

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by Patti Schneider (Applicant) Site Plan (Purpose of Deposit e.g. Site Plan Application) in the amount of \$112.50 be distributed and paid as follows:

\$112.50 To: Katie Coleman

**RESOLUTION
Governor’s Council on Alcoholism and Drug Abuse
Fiscal Grant Extension January 1, 2014 to June 30, 2014**

Number 19-14

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Elmer, County of Salem and State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough of Elmer was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

WHEREAS, funding has been made available to the Borough of Elmer Municipal Alliance in the amount of 0% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding.

NOW, THEREFORE, BE IT RESOLVED that the Elmer Borough Council does hereby authorize the submission of the grant extension for the Borough of Elmer Municipal Alliance grant in the amount of

DEDR	\$2,088.77
Cash Match	522.19
In-Kind	<u>1,566.58</u>
Total	\$4,177.54

The Elmer Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION
APPOINT KEVIN S. GANDY
POLICE OFFICER**

Number 20-14

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that Kevin S. Gandy, 31 Rosewood Road, Millville, NJ 08332 be appointed as a Police Officer for the Borough of Elmer Police Department for a term beginning January 1, 2014 and ending December 31, 2014.

**RESOLUTION
E. C. P. BUSINESS MACHINES CONTRACT**

Number 21-14

BE IT RESOLVED by the Mayor and Borough Council that the Clerk be authorized to enter into an agreement with E.C.P. BUSINESS MACHINES for Borough Clerk’s Fax Service for one year starting January 25, 2014 and ending January 24, 2015 in the amount of \$189.00. This shall be charged to: Technology: OE in the 2014 Budget.

**RESOLUTION
MUNIDEX, INC. CONTRACT**

Number 23-14

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 year 2014 in the amount of \$458.40. This shall be charged to: Board of Health: OE in the 2014 Budget.

**RESOLUTION
RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
COUNTY OF SALEM, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION
OF THE 2014 MEMORANDUM OF UNDERSTANDING FOR THE
MID SALEM COUNTY MUNICIPAL COURT**

Number 24-14

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 2014 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 2014 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.

ADOPTED at a regular meeting of the Mayor and Council of the Borough of Elmer, County of Salem, State of New Jersey held on January 8, 2014.

**RESOLUTION
PLANNING BOARD ESCROW FUND**

Number 25-14

BE IT RESOLVED that the Escrow Fund Deposit made pursuant to Article IV, Section 2.30 of the Land Development Ordinance by Elmer Presbyterian Church (Applicant) Minor Subdivision (Purpose of Deposit e.g. Site Plan Application) in the amount of \$1,158.75 be distributed and paid as follows:

\$1,158.75 To: Jefferis Engineering Associates

**RESOLUTION
ELMER FIRE DEPARTMENT SOCIAL PERMIT**

Number 26-14

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer that Elmer Fire Departments application for Social Affair (NJSA 33:74-1 and NJAC 13:3-5.1 be approved for an affair on March 15, 2014, 8-12 p.m.

Motion Davis, seconded Zee that all the resolutions be adopted. Ayes- Schneider, Davis, Nolan, Schalick, Williams and Zee. Abstained on Resolutions 18-14 and 21-14 Schneider, Abstained Resolution 25-14 Williams. Nays – None.

Motion Zee, seconded Davis to receive and file all bonds. Motion carried.

The following ordinance was introduced by title only:

FIRST RESOLUTION

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, that an Ordinance entitled **CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)** be adopted on first reading, final hearing thereof be held at its regular meeting on February 12, 2014, at 7:30 p.m., Borough Hall, Elmer, New Jersey, and that said Ordinance, together with Notice of Final Hearing, be published in the Elmer Times in accordance with law.

Motion Zee, seconded Davis that the resolution be adopted as read: Ayes – Schneider, Davis, Nolan, Schalick, Williams and Zee. Nays – None. Motion carried.

The following ordinance was introduced by title only:

FIRST RESOLUTION

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, that an Ordinance entitled **AN ORDINANCE CREATING THE POSITION OF POLICE LIEUTENANT** be adopted on first reading, final hearing thereof be held at its regular meeting on February 12, 2014, at 7:30 p.m., Borough Hall, Elmer, New Jersey, and that said Ordinance, together with Notice of Final Hearing, be published in the Elmer Times in accordance with law.

Motion Schneider, seconded Schalick that the resolution be adopted as read: Ayes – Schneider, Davis, Nolan, Schalick, Williams and Zee. Nays – None. Motion carried

Report from Tax/Water Collector, Joanne Marone for the month of December 2013 and 2013 Yearly Report were\ presented.

Motion Davis, seconded Zee that the report be received and filed. Motion carried.

Clerk and Mayor’s mail for the month of January, 2014, was presented and read.

Clerk asked if Council would like a list of Electric Co. disconnects. Answer – No.

Motion Davis, seconded Nolan that the correspondence be received and filed. Motion carried.

Treasurer's Reports for the month of December 2013, were presented and read.

Motion Williams, seconded Davis that the reports be received, filed and spread full upon the minutes. I state this Andrew M. Williams. Motion carried.

(Treasurer's Reports – See Pages 67 a in Minute Book)

The following bills were presented and read: (See pages 67 b in Minute Book)

Moved Davis, seconded Nolan that the bills be paid and charged to their respective accounts. Ayes – Schneider, Davis, Nolan, Schalick, Williams and Zee. Nays - None. Motion carried.

There being no further business, it was moved by Zee, seconded by Williams that the meeting be adjourned. Motion carried.

January 8, 2014

Beverly S. Richards, RMC
Borough Clerk

