

ELSINBORO TOWNSHIP

September 7, 2021

The regular meeting was called to order at 7:00pm by Mayor Elwell as advertised. The requirements of the Sunshine Law were met by notifying the South Jersey Times within the time prescribed by law. Notice was also posted on the bulletin board at the Elsinboro Municipal Building and posted on the Township website.

Mayor Elwell called this September 7, 2021 township committee meeting to order.

Motion to dispense with the reading of the minutes from the previous meeting and to approve as submitted **Motion McAllister Hogate** **3 Ayes** **Second Hogate**

CFO to read treasurer's report and list of bills

Motion to pay bills **Motion McAllister** **Second Hogate** **3 Ayes**

Present were: Mayor Elwell, Deputy Mayor McAllister, Committeeman Doug Hogate, CFO, John Willadsen, Solicitor Arbittier

ORDINANCE for Adoption

ORDINANCE 2021-07

INSTITUTING A CODE FOR FALSE ALARM SYSTEMS WITHIN THE TOWNSHIP

WHEREAS, the Township Committee of the Township of Elsinboro recognizes the importance of alarm systems to protect the residents of the Township of Elsinboro.

WHEREAS, the Township Committee of the Township of Elsinboro also recognizes the importance of the resources that are expended when emergency services must repeatedly respond to emergency alarms within the Township that are either accidentally or falsely set.

WHEREAS, in order to protect the Township's emergency service resources, the Township Committee of the Township of Elsinboro believes it is in the best interest of the Township and its residents to provide standards, procedures, and regulations for various types of burglar, fire, and private alarm systems or warning devices which require a response by the police department, fire department, or other Township agencies.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Elsinboro, hereby enacts this ordinance regarding false alarms as follows:

ALARM SYSTEMS

ARTICLE I: Key Boxes

A. Key boxes required. All properties within the Township of Elsinboro having an automatic fire alarm system or a fire sprinkler system shall be equipped with a key box. Residential property shall be exempt from this requirement.

B. Key box type. The key box shall be of DL type and approved by the Elsinboro Township Fire Official. The key box shall be installed in a location approved by the Elsinboro Township Fire Official.

C. Key box contents. The key boxes shall contain the following:

(1) Keys to locked points of egress, whether on the interior or exterior of such buildings.

(2) Keys to locked mechanical equipment rooms.

(3) Keys to the locked electrical rooms.

(4) Keys to elevator controls.

(5) Keys to other areas as directed by the Township Fire Official.

D. Time of compliance. All existing buildings shall comply within 12 months of the effective date of this article. Existing structures that have already installed key boxes may keep them in their current location. All newly constructed buildings not yet occupied, or buildings currently under construction, shall comply immediately.

E. Penalties. Any building owner violating this article after notice from the Elsinboro Township Fire Official shall be subject to a fine of \$100.

ARTICLE II: False Alarms

A. Definitions.

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

ACT OF GOD — An electrical storm, lightning or other power fluctuation or power surge beyond the control of the alarm system owner.

AUTOMATIC ALARM DEVICE — Any alarm system which communicates or transmits alarms or prerecorded messages of fire, smoke, flood or other peril as a result of the activation of the alarm system.

FALSE ALARM — Any erroneous or unfounded communication or sound, whether caused by the malfunction of an automatic alarm device, power failure or inadvertence, negligence or intentional or unintentional act of any person, firm or corporation, either directly or indirectly, to a commercial alarm service or to any person causing the communication of the peril to the Elsinboro Township Fire Company.

PERSON — Any person, firm, partnership or corporation.

PROPERTY OWNER — Any individual, entity, corporation, tenant or other person having a legal interest in a property having an alarm system.

- B. False alarms unlawful. It is unlawful for a property owner to have more than five false alarms at any one location in any calendar year.
- C. Investigation; recordkeeping. Any person having knowledge of an alarm activation shall immediately notify the Township of Elsinboro emergency response agency Elsinboro Township Fire Company. The Fire Department shall cause an investigation to be made of all alarm activations and a record of same shall be kept on file.
- D. Prevention. It shall be the responsibility of all persons that maintain alarms systems within the Township to prevent the transmission of false alarms through training programs, periodic inspection and maintenance of the alarm system.
- E. Violations and penalties. For all false fire alarms, the Elsinboro Township Fire Official or Fire Department representative will issue a false fire alarm warning form for all false alarms to the person on location representing the business. There shall be a fine as indicated below to be paid by the owner of the business located upon the premises where the alarm is situated beginning with the sixth and each subsequent false alarm thereafter in any calendar year.
- F. Record keeping. A record of same shall be kept on file for all fire alarms in the Office of the Bureau of Fire Prevention and also on file with the Elsinboro Township Fire Company.
- G. Exceptions. The provisions of this article shall not apply to the general alerting alarms that may be used by fire companies, ambulance squads or other municipal agencies to summon response of their members. The provisions of this article shall not apply to alarm systems that are affixed to motor vehicles. For false alarms the Elsinboro Township Fire Official or the Elsinboro Township Fire Company shall issue a notice of violation

with order to pay penalty for the sixth fire alarm, as per the penalties schedule below.

H. Written Complaints. Failure to pay a fire alarm penalty will result in a written complaint from the Elsinboro Township Fire Official or Elsinboro Township Fire Company to the Lower Alloways Creek Municipal Court for collection of penalties.

I. Exceptions

Alarm activations, upon investigation of the Elsinboro Township Fire Official and/or Elsinboro Fire Company, determined to be caused by an act of God shall not be penalized per the violation schedule.

J. Violation and penalties for fire alarms.

- (1) First through fifth offense: no fine.
- (2) On the sixth alarm a penalty of \$250.
- (3) On the seventh alarm a penalty of \$300.
- (4) On the eighth alarm a penalty of \$400.
- (5) On the ninth alarm a penalty of \$500.
- (6) Any alarm thereafter a penalty of \$500.

K. All fees collected for penalties shall be added to the budget of the Elsinboro Fire Company.

Motion to open	Motion McAllister	Second Hogate	3 Ayes
Motion to close	Motion McAllister	Second Hogate	3 Ayes
Motion to adopt	Motion McAllister	Second Hogate	3 Ayes

RESOLUTION to be approved

**RESOLUTION NO. 2021-39
RESOLUTION AUTHORIZING THE THIRD QUARTER TAX PAYMENT TO BE
EXTENDED UNTIL AUGUST 18, 2021**

WHEREAS, The 2021-2022 Tax bills were mailed on July 22, 2021 due to the late certification of the tax rate by the State of New Jersey; and

WHEREAS, The tax collector is requesting an extension on the due date until August 18, 2021, and

THEREFORE, be it resolved by the Township Committee of Elsinboro Township as follows:

The extension of due date to August 18, 2021 after which interest will be retroactive to August 1, 2021.

BE IT FURTHER RESOLVED that a copy of this resolution be filed with the Tax Collector of Elsinboro Township.

Motion McAllister Second Hogate 3 Ayes

**RESOLUTION 2021-40
RESOLUTION TO EXCLUDE THE PUBLIC**

WHEREAS, the open public meetings act, N.J.S.A. 10:4-12b permits a public body to go into a closed session during a public meeting to discuss certain matters as follows:

(1) *Matters Required by law to be confidential:* Any matter which by express provision of the Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

(2) Any matter in which the release of information would impair the right to receive federal funding.

(3) *Matters involving individual privacy:* Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations or other personal material of any education, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned .

(4) *Matters pertaining to a collective bargaining agreement:* Any matter involving a collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) *Matters relating to the purchase, lease acquisition of real property or investment of public funds:* Any matter involving the lease, purchase or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) *Matters of public protection:* Any tactic and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.

(7) *Matters relating to litigation, negotiations and attorney-client privilege:* Any matter of pending or anticipated litigation or contract negotiation other than in (4) above in which the Township is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise ethical duties as a lawyer.

(8) *Matters relating to the employment relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of , promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all of the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed in public.

(9) *Deliberations after public hearing.* Deliberations by the Township occurring after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party; and

WHEREAS, the Township Committee has determined that it is necessary to go into a closed session to discuss certain matters relating to the items as permitted by N.J.S.A. 10:4-12b

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of Elsinboro that the Committee will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

1. Attorney Client/ potential Litigation

BE IT FURTHER RESOLVED, that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

Motion McAllister Second Hogate 3 Ayes

Police Report, Tax Collectors report, construction and housing to be kept on file

Committee Reports

Emergency Management. – Deputy Mayor McAllister let us know Emergency Management received a \$10,000.00 grant.

History Grant - Mayor Elwell shared that the First Interview for the history project was cancelled but we are rescheduling it.

Mayor Elwell informed Solicitor Arbittier that we have a resident using their home as Airbnb and the Zoning Officer has asked for assistance.

Clean Communities will be held October 2, 2021.

Deputy Mayor McAllister informed us we can afford the Gym Equipment for the walking path but the shipping is expensive. The school is going to look into funds

Township Roads - Committeeman Hogate reported Country Club Road is done. He also stated snow fence has been placed at the dump.

Insurance – Committeeman Hogate has been to all required meetings for September.

Close Open Session - Motion McAllister Second Hogate 3 Ayes

Open Closed Session - Motion McAllister Second Hogate 3 Ayes

The committee approved payment to Rah Owoh once he submits to GRC the dispute has been resolved.

Open to Public Comment

Date of Next Meeting: October 18, 2021

Motion for Adjournment made at 5:58pm **Motion McAllister Second Hogate 3 Ayes**