

ELSINBORO TOWNSHIP

February 5, 2024

The regular meeting was called to order at 6:00pm by Mayor Elwell as advertised. The requirements of the Sunshine Law were met by notifying the South Jersey Times and Elmer 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 February 5, 2024 township committee meeting to order.

Motion to dispense with the reading of the minutes from the previous meeting and to approve as submitted 01/01/2024

Motion McAllister Second Hogate 3 Ayes

CFO gave Committee 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 Hogate, CFO Willadsen, Clerk Uzdancovics, Solicitor Vigilante

ORDINANCES INTRODUCED

**ORDINANCE NO. 2024-01
2024 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15 a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Elsinboro in the County of Salem finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$6,292.74 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Elsinboro, in the County of Salem, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2024 budget year, the final appropriations of the Township of Elsinboro shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$22,024.59, and that the CY 2024 municipal budget for the Township of Elsinboro be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

The above ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Elsinboro on the 5th day of February, 2024, at the Township Hall, 619 Salem-Ft. Elfsborg Road, Salem, New Jersey, and should be presented for final consideration and passage at a meeting of the Township Committee of the Township of Elsinboro to be held on the 4th day of March, 2024 at 6:00pm.

Motion McAllister Second Hogate 3 Ayes

ORDINANCE (2024-02)
AN ORDINANCE ESTABLISHING RATE OF COMPENSATION FOR
OFFICERS AND EMPLOYEES OF ELSINBORO TOWNSHIP

WHEREAS, the Township Committee of the Township of Elsinboro desires to establish a rate of compensation for all of its officers and employees;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Elsinboro, County of Salem, State of New Jersey, that the rate of compensation for each officer and employee of Elsinboro Township for the calendar year 2024 shall be as follows:

OFFICER/EMPLOYEE COMPENSATION	
Mayor	\$6,691.00
Township Committee	5,891.00
Registrar of Vital Statistics	555.00
Municipal Improvement Search Clerk	555.00
Tax Clerk	16.35
Chief Financial Officer	12,461.00
Tax Assessor	13,391.00
Tax Collector	10,696.00
Tax Search Clerk	558.00
Planning Board Secretary	\$100/per meeting
Zoning Officer	2,997.00
Construction Official	10,696.00
Electrical Sub-Code Official	2,500.00
Plumbing Sub-Code Official	2,500.00
Fire Sub-Code Official	2,500.00
Crossing Guard	15.13/Hr
Emergency Management Coordinator	2,500.00
Deputy Emergency Management Coordinator	2,000.00
Board of Health Secretary	471.00
Board of Health Committee	50.00
Clean Communities Coordinator	200.00
Secretary-Parttime	15.13/Hr
Parttime Maintenance Worker A	29.28/Hr
Parttime Maintenance Worker B	20.00/Hr

Motion McAllister Second Hogate 3 Ayes

**ORD. NO. 2024-03
AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE
ORDINANCES OF THE TOWNSHIP OF ELSINBORO, COUNTY OF SALEM,
STATE OF NEW JERSEY**

Be it ordained and enacted by the Township Committee of the Township of Elsinboro, County of Salem, State of New Jersey, as follows:

§ 1-1. Code adopted; existing ordinances continued.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Township of Elsinboro of a general and permanent nature adopted by the Township Committee of the

Township of Elsinboro, as revised and codified and consisting of Chapters 1 through 260, are hereby approved, adopted, ordained and enacted as the Code of the Township of Elsinboro, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments.

§ 1-2. Code on file; additions and amendments.

- A. A copy of the Code has been filed in the office of the Township Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance, such copy shall be certified to by the Clerk of the Township of Elsinboro by impressing thereon the Seal of the Township, as provided by law, and such certified copy shall remain on file in the office of the Township Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.
- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the Township Committee to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Township of Elsinboro" shall be understood and intended to include such additions and amendments.

§ 1-3. Notice; publication.

The Clerk of the Township of Elsinboro shall cause notice of the passage of this ordinance to be given in the manner required by law. The notice of passage of this ordinance coupled with filing of the Code in the office of the Township Clerk as provided in § 1-2 shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-4. Severability.

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-5. Repealer.

- A. Ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Township of Elsinboro which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. The following ordinances have been excluded from the Code and are specifically repealed:

- (1) Ordinance No. 58-1, Ordinance Providing for the Repair, Closing, or Demolition of Such Building or Buildings or Parts Thereof, in the Township of Elsinboro, Determined to be Dangerous, Unsafe, Insanitary, or Otherwise Unfit for Human Habitation or Occupancy, or Use, Pursuant to R.S. 40:48-2.3 of New Jersey et seq., adopted June 7, 1958.
- (2) Ordinance No. 60-5, An Ordinance to Establish and Regulate a Municipal Disposal Area and to Regulate the Disposal of Refuse, Rubbish and Garbage, adopted June 8, 1960.
- (3) Ordinance No. 77-4, An Ordinance Setting Forth the Term of the Township Building Inspector, adopted April 4, 1977.

§ 1-6. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-5 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to August 7, 2023.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Township's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of Property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or

pension fund for municipal employees.

§ 1-7. Changes in previously adopted ordinances.

- A. In preparing the revision and codification of the Township's ordinances pursuant to N.J.S.A. 40:49-4, certain minor grammatical and nonsubstantive changes were made in one or more of said ordinances. It is the intention of the Township Committee that all such changes be adopted as part of the Code as if the ordinances so changed had been formally amended to read as such.
- B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)
- C. Nomenclature changes. Throughout the Code, the following titles have been updated as follows:
 - (1) The term "Chairman" is amended to read "Chairperson."
 - (2) The term "Construction Code Official" is amended to read "Construction Official."

§ 1-8. Titles and headings; editor's notes.

- A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 1-9. Altering or tampering with Code; violations and penalties.

It shall be unlawful for anyone to change, alter or tamper with the Code in any manner which will cause the laws of the Township of Elsinboro to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to one or more of the following penalties: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

§ 1-10. When effective.

This ordinance shall take effect immediately upon final passage and publication as provided by law.

Motion McAllister Second Hogate 3 Ayes

RESOLUTIONS APPROVED

RESOLUTION 2024-17
RESOLUTION TO CONDUCT ELECTRONIC TAX SALE

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investor/RealAuction.com to conduct pilot programs, and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Elsinboro Township wishes to participate in the pilot program for an electronic tax sale.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Township Committee, County of Salem and State of New Jersey that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government services

Motion McAllister Second Hogate 3 Ayes

RESOLUTION (2024-18)
RESOLUTION TO ALLOW A CHARGE
OF \$25.00 PER NOTICE OF TAX SALE ON
DELINQUENT ACCOUNTS

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Township of Elsinboro wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, County of Salem and State of New Jersey that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2023 electronic tax sale.

Motion McAllister Second Hogate 3 Ayes

Motion to approve Tax Collectors Annual Report
Motion McAllister Second Hogate 3 Ayes

Motion to approve raffle license for Fire Company
Motion McAllister Second Hogate 2 Ayes Mayor Elwell Abstains

Police Report, Tax Collectors report, Building inspectors report and CO report to be made part of the minutes

Solicitor Vigilante informed the committee that the Tax appeal has been dismissed.

Committee Reports

Fire Company – 100% Respond rate and Ambulance is 96%.

Emergency Management – Deputy McAllister shared that we have 2 new Emergency Management personnel. The walking path grant money should be used up with fitness equipment.

Community Development-Mayor Elwell stated that the Mason Point and Money Island project was complete. He also updated us on Stormwater Tier B to Tier A and that the towns will have to use shared services to afford what has to be done according to the regulations. The beach replenishment should be coming to an end this week. The beach has been cleaned but debris keeps washing up. The Army Corp will be repairing parts of the road in collaboration with the county. The road will be left better than it was found.

Township Roads-Committeeman Hogate thanked Mayor Elwell for plowing and said the plow truck needs service.

Insurance-Committeeman Hogate also reported the JIF is going well and he is now the Finance chairman.

Administration- Mayor Elwell shared that the budget meeting went well and we should be under a penny. He also informed us that he DOT funding was not enough for all three roads that were chosen but Fralinger is working on what options we have.

Open to Public Comment

A Resident asked if anything can be done to make the old Captains house safe like fencing off. Mayor Elwell said he would contact construction Official Then asked what was going on with the pond in front of the school. A board member Was present and encouraged attendance at the school board meeting.

Jenna Hogate shared that she made a Facebook page for Elsinboro Township.

She also stated that people have shown interest in having a community yard sale again. The committee supported this idea. Mayor Elwell offered help with advertising.

Date of Next Meeting: March 4, 2024 at 6:00pm

Motion for Adjournment at 6:39pm by McAllister, Second Hogate 3RCV yes