

ELSINBORO TOWNSHIP
March 4, 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 the Elmer Times within the time prescribed by law. Notice was also posted on the bulletin board at the Elsinboro Municipal Building and the Township website.

Mayor Elwell called this March 4, 2024 township committee meeting to order.

Motion to dispense with the reading of the minutes from the previous meeting and to approve as submitted 02/03/2024 and 02/05/2024.

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 Uzdanovics, Solicitor Vigilante

ORDINANCE TO BE INTRODUCED

ORDINANCE NO. 2024-04
CAPITAL ORDINANCE OF THE TOWNSHIP OF ELSINBORO, COUNTY OF SALEM,
STATE OF NEW JERSEY, AUTHORIZING THE RECONSTRUCTION OF PHILLIP
DRIVE AND A PORTION OF STUART DRIVE IN THE AMOUNT OF \$125,000.00
INCLUDING THE APPROPRIATION OF \$19,826.00 FROM THE CAPITAL
IMPROVEMENT FUND IN THE GENERAL CAPITAL FUND FOR THE AFORESAID
PURPOSE

BE IT ORDAINED by the Mayor and Township Committee of the Township of Elsinboro, County of Salem, State of New Jersey (not less than two-thirds of the full membership thereof affirmatively concurring) as follows:

Section 1. The Township Committee hereby authorizes for the purpose set forth in Section 3 of this ordinance an appropriation in the amount of \$125,000.00

Section 2. For the funding of the cost of said purpose, the Township Committee hereby appropriates \$19,826.00 from the Capital Improvement Fund available therefore by virtue of provision in a budget or budgets of the Township previously adopted. In addition, the Township Committee has received approval of an allotment in the amount of \$105,174.00 under the New Jersey Transportation Trust Fund Authority Act. The amount received under the New Jersey Transportation Trust Authority Act will be utilized for payment of expenditures or for the reimbursement of expenses paid.

Section 3. The purpose herein referred to and hereby authorized is as follows:

Reconstruction of Phillip Drive and a portion of Stuart Drive \$125,000

Section 4. It is hereby found, determined and declared that:

- (a) The purpose described in Section 3 hereof is not a current expense and is an improvement which the Township of Elsinboro may lawfully make as a general improvement, and no part of the costs thereof has been or shall be specifically assessed on property specifically benefited hereby.
- (b) The average period of usefulness of the purpose for which the obligations authorized by this ordinance are to be used is 10 years.
- (c) The aggregate amount included in the estimated cost of the improvements or purposes for the payment of interest on such obligations, accounting, engineering and inspection costs, legal expenses, architect's fees, cost of authorizing, selling and issuing obligations, preliminary planning, test and survey expenses, and a reasonable proportion of the compensation and expenses of employees of the Township of Elsinboro in connection with the construction or acquisition of such improvements or property shall not exceed \$19,826.00.
- (d) No debt is authorized by this ordinance.

Section 5. The 2024 Capital Budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Clerk and is available for public inspection.

Section 6. This ordinance shall take effect after final passage as provided by the New Jersey Statute.

Motion McAllister

Second Hogate

3 RCV yes

ORDINANCE ADOPTED

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 to open to public - Motion McAllister	Second Hogate	3 RCV yes
Motion to close public - Motion McAllister	Second Hogate	3 RCV yes
Motion to adopt - Motion McAllister	Second Hogate	3 RCV yes

ORDINANCE NO. 2024-02
ORDINANCE ESTABLISHING RATE OF COMPENSATION FOR OFFICER 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 to open to public - Motion McAllister	Second Hogate	3 RCV yes
Motion to close public - Motion McAllister	Second Hogate	3 RCV yes
Motion to adopt - Motion McAllister	Second Hogate	3 RCV yes

ORDINANCE 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
ORD. NO. 2024-03

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.

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 to open to public - Motion McAllister	Second Hogate	3 RCV yes
Motion to close public - Motion McAllister	Second Hogate	3 RCV yes
Motion to adopt - Motion McAllister	Second Hogate	3 RCV yes

RESOLUTIONS APPROVED

RESOLUTION NO. 2024-19

RESOLUTION TO APPROVING THE GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSIONS ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L.2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United

States Equal Employment Opportunity Commission's Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-reference enforcement guidance and with their local unit's hiring practices as the pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the township Committee of the Township of Elsinboro hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c. 183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE ELSINBORO TOWNSHIP COMMITTEE ON MARCH 4, 2024

Motion McAllister

Second Hogate

3 RCV yes

**RESOLUTION NO. 2024-20
RESOLUTION TO HONOR MICHELE NORTON**

WHEREAS, Michele Norton has volunteered with Family Promise of Salem County since it began, contributing in various ways and in multiple roles; and

WHEREAS, Michele Norton is a lifetime member of Alloway United Methodist Church where she has served on the Board of Trustees, participated in Operation Christmas Child Shoe Box collection,

was a Church Council Member, Sunday School Teacher, President of the United Methodist Women, Sunday School Superintendent, Director of Community Vacation Bible school and church custodian; and

WHEREAS, Michele Norton is presently employed at John Fenwick Academy as a Preschool Paraprofessional, and frequently volunteers for after school programs and fund raising; and

WHEREAS, prior to Michele Norton being employed at John Fenwick Academy she was self-employed as a private home housekeeper for 18 years; and

WHEREAS, Michele Norton enjoys spending time with family and friends together with her husband, three children and six grandchildren; and

WHEREAS, Michele Norton enjoys cooking, scrapbooking, sewing, drawing, gardening, traveling and helping others when needed; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Township of Elsinboro that the Township registers its appreciation for her dedication to her community and hereby

honors Michele Norton and wishes her and her family good health and happiness in the years ahead; and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Michele Norton and another placed in the minutes of the Elsinboro Township Clerk.

Motion McAllister Second Hogate 3 RCV yes

**RESOLUTION NO. 2024-21
RESOLUTION TO AWARD THE CONTRACT FOR MOWING**

WHEREAS, Elsinboro Township has a need for Mowing Services; and

WHEREAS, the Township Committee of the Township of Elsinboro has awarded the Mowing Services contract to Joseph Robbins; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Elsinboro, that this takes effect on March 4, 2024; and

Motion McAllister Second Hogate 3 RCV yes

**RESOLUTION NO. 2024-22
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF
EL SINBORO APPROVING SNOW REMOVAL ACTIVITY AND COMPENSATION**

WHEREAS, the Township of Elsinboro, a rural community, does not have a public works department.

WHEREAS, Township of Elsinboro owns a truck equipped with a plow which can be utilized for snow removal.

WHEREAS, from time to time, as weather conditions dictate, snow accumulates on Township owned property and must be removed in a timely manner to comply with the law and to avoid creating a hazardous condition.

WHEREAS, the snow removal and the operation of snow removal equipment is not a part of, or considered to be part of, any municipal employee's assigned job duties.

WHEREAS, from time to time as conditions dictate municipal employees or volunteers who may be officials with the Township have utilized the snow removal equipment to clear snow from Township owned properties.

WHEREAS, the Mayor and Council have determined that allowing such a practice to continue is in the best interest of the Township.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Elsinboro the Township Committee expressly permits any appropriately trained municipal employee or volunteer, who may be a member of Township Committee and who is covered under the municipal insurance to operate the vehicle and plow for snow removal purposes.

NOW THEREFORE BE IT FURTHER RESOLVED that upon performance of the service of snow removal, these individuals will be compensated per the municipal salary ordinance as appropriate.

Motion McAllister Second Hogate 3 RCV yes

MOTION to approve Raffle License for VFW & Ladies Auxiliary

Motion McAllister Second Hogate 3 RCV yes

Police Report, Building inspectors report, CO report and Tax Collectors to be kept on file

Township Solicitor – Solicitor Vigilante reminded us that the ordinances for Stormwater Tier A need to be introduced at April’s meeting.

Committee Reports

Deputy Mayor McAllister explained they are still working on the fitness equipment for the walkway.

Insurance- Committeeman Hogate went to the required JIF meetings.

Community Development and Township Roads – Mayor Elwell shared that the beach is done but the road needs a lot of work. The Army Corp and the State of NJ will fix the road and Salem County is to do their part and raise the road, they will not put in a pump. Mayor Elwell then explained that right now the Contractor is coming out a couple times a week and more if requested to keep the road passable.

Open to Public Comment

Mr. Quinnette said the roads are bad and they are never fixed right. He would like to see the plans for the road repair. Mayor Elwell said he would ask the Army Corp for the road plans. The plans will be left in the municipal building.

A resident said Mr. Wiley has been having trouble getting in and out of his car with all the water. Mayor Elwell asked the clerk to contact Mr. Jones to look at Mr. Wileys drainage issue.

Mrs. Harned (for Mr. Hart) asked if the sluice gate would be fixed and if they were going to widen the road. Mayor Elwell responded that the road was not going to be widened. The county is going to ensure the gates and pipes are working correctly.

Mayor Elwell took down the questions presented to the committee and said he would get answers and the plans for the work that will be done on the road. The answers will be available in the municipal building.

Date of Next Meeting: April 1, 2024

Motion for Adjournment at 7:05pm by McAllister Second Hogate 3 RCV yes