

ELSINBORO TOWNSHIP

March 3, 2025

The regular meeting was called to order at 6:30pm by Mayor Elwell as advertised. The requirements of e 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 March 3, 2025 township committee meeting to order.

Motion to dispense with the reading of the minutes from the previous meeting and to approve as submitted 02/01/2025 Budget meeting 02/03/2025 Regular meeting

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 Santogrossi, Clerk Uzdانovics, Solicitor Vigilante

ORDINANCE TO BE ADOPTED

ORDINANCE NO. 2025-01

–2025 “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 2025 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 \$6,433.82 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 2025 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 \$22,518.37, and that the CY 2025 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.

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

ORDINANCE NO. 2025-02

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 2025 shall be as follows:

OFFICER/EMPLOYEE	COMPENSATION
Mayor	\$6,825
Township Committee	\$6,009
Registrar of Vital Statistics	\$566
Municipal Improvement Search Clerk	\$566
Tax Clerk	\$16.68
QPA	\$1,000
Tax Assessor	\$13,659
Tax Collector	\$10,910
Tax Search Clerk	\$568
Planning Board Secretary	\$100/per meeting
Zoning Officer	3,057
Construction Official	10,910
Electrical Sub-Code Official	2,550
Plumbing Sub-Code Official	2,550
Fire Sub-Code Official	2,550
Crossing Guard	15.50/Hr
Emergency Management Coordinator	2,500
Deputy Emergency Management Coordinator	2,000
Board of Health Secretary	480
Board of Health Committee	50
Clean Communities Coordinator	200
Secretary-Parttime	15.50/Hr
Parttime Maintenance Worker A	29.87/Hr
Parttime Maintenance Worker B	20.00/Hr

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

ORDINANCE FOR INTRODUCTION

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ELSINBORO, SALEM COUNTY STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN LAND NO LONGER NEEDED FOR PUBLIC USE PURSUANT TO N.J.S.A. 40A:12-13(b)(5)

WHEREAS, the Township of Elsinboro is the owner of certain lands within the Township of Elsinboro; and

WHEREAS, Mayor and Township Committee do hereby determine that the land and properties set forth in Schedule A are no longer needed for public use; and

WHEREAS, the Mayor and Township Committee desires to make available for public sale said land in accordance with N.J.S.A. 40A:12-13(a) with the right of prior refusal to be afforded to adjacent property owners pursuant to N.J.S.A. 40A:12-13.2.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee, as follows:

Section 1. Authorization for Sale

The Mayor and Township Committee hereby declare that the land and premises set forth in Schedule A are no longer needed for public use and should be sold in accordance with the appropriate statutes of the State of New Jersey.

Section 2. Auction

The Mayor and Township Committee hereby authorize and direct the Municipal Clerk to offer for sale to the highest bidder by open public sale at auction, the property described in Schedule A attached hereto and made a part hereof, subsequent to the receipt of refusals to purchase said lands which are of non-conforming size by their contiguous property owners who have such a right pursuant to N.J.S.A. 40A:12-13.2.

Section 3. Terms and Conditions of Auction

a. The public sale shall take place at the Elsinboro Municipal Building, 619 Salem – Ft. Elfsborg Rd, Salem New Jersey 08079 on June 3, 2025 at 3:00 P.M. or as soon thereafter as the matter may be heard and publicly announced, provided the sale is not canceled.

b. The public sale, if not canceled, shall take place by open public sale at auction to the highest bidder.

c. The successful bidder at the time of sale must present a certified check, money order or cash in the amount of ten (10%) percent of the bid. The balance of the purchase price, together with the costs of sale and legal expenses, shall be paid at closing which shall occur not later than sixty (60) days following the acceptance of the bid by resolution adopted by the Borough. The purchaser shall be entitled to possession immediately following closing of title. In the event the successful bidder fails to close on the property, said bidder shall forfeit the ten percent (10%) deposit.

d. At closing of title, purchaser shall submit an additional sum of money equal to the costs of all advertising of the sale and, if requested, the recording of the Township Deed.

e. The Township reserves the right to accept or reject any and all bids at the public sale.

f. Purchaser agrees to pay taxes on the aforesaid lands and premises a sum equal to the proportionate amount of taxes that would have been due against the same, at the current tax rate, using as a valuation the current valuation reflected by the Borough's records. Purchaser also agrees to pay all settlement costs, including those normally charged to seller.

g. Any improvements constructed on the premises and the contents thereof shall be conveyed in "as is" condition. The Township makes no warranties, express or implied, as to any part or position of said improvements or any equipment contained herein.

h. The sale by the Township of lots that are undersized, located on unimproved roads, landlocked or otherwise non-conforming, shall in no way be construed as an indication that building permits can be secured for said lots.

i. In the event that contiguous property owners exercise their right to purchase in accordance with N.J.S.A. 40A:12-13.2, the sale shall be made to the highest bidder among them. If only one contiguous property owner extends an offer to purchase said lot, the same shall be conveyed to him, provided the price offered is at least the minimum value of the property as set forth in Schedule A and the offer is acceptable to the Township of Elsinboro.

j. All conveyances by the Township shall be made by Quitclaim Deed, unless an adequate deed, prepared at the expense of the purchaser, is forwarded to the Township's attorney for review and approval prior to conveyance, in which case Bargain and Sale Deed with Covenants Against Grantor's Acts will be the form of conveyance. Purchaser shall furnish at their own cost and expense a metes and bounds or other legal description of the property prior to the date of conveyance by the Borough. If no such description is received, the conveyance shall be made by Quitclaim Deed and by utilization of tax lot and block designations.

k. Acceptable bids shall be confirmed by resolution of the Township Committee no later than the second regular meeting of the Township Committee following the date of such sale. The Township reserves the right to waive any and all defects and informalities in any proposal and to accept or reject the highest responsible and responsive bid deemed to be in the best interest of the Township. No bid shall be considered finally accepted until passage of a resolution by the Township Committee as set forth above.

l. This Ordinance shall constitute and serve as the public notice to be published in a newspaper circulating in the Township at least once a week for two (2) consecutive weeks, the last publication being not earlier than seven (7) days prior to the date set forth for the public sale.

Section 3. Marketing and Notification of Auction

The Township Committee directs that notice of the auction be posted in the Municipal Building, that the sale be advertised in local newspapers and on the municipality's website within 5 days of the adoption of this ordinance, at least once a week for two (2) consecutive weeks, the last publication being not earlier than seven (7) days prior to the date set forth for the public sale.

Section 4. Execution of Documents

Acceptable bids shall be confirmed by Resolution of the Township Committee no later than the second regular meeting of the Township Committee following the date of such sale. Upon the adoption of such Resolution, the Mayor, or their designated representative, is hereby authorized to execute all necessary documents to effectuate the sale of the lands described in this resolution.

Section 5. Reporting of Sale

The Municipal Clerk shall file with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publication of advertisements as required by this subsection N.J.S.A. 40A:12-13(b)(5)

Section 6. Effective Date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

EXHIBIT A

Block and Lot	Address	Minimum Price
22 Lot 6	Nelson Avenue (undersized lot)	\$500.00
32 Lot 14	Evergreen Avenue (undersized lot)	\$500.00
Motion McAllister	Second Hogate	3 Ayes

RESOLUTIONS FOR APPROVAL

RESOLUTION NO. 2025-20 **RESOLUTION TO SUPPORT PUBLISHING LEGAL** **NOTICES ON OFFICIAL GOVERNMENT WEBSITES**

WHEREAS, the sunset provision of March 1, 2025 imposed under P.L. 2024 c.106 is fast approaching in what was a temporary solution that allowed local governments to comply with the public notice requirements under the law in time for annual reorganization meetings in January; and,

WHEREAS, local government officials serve as the stewards of property taxpayer dollars and should no longer be required to subsidize the newspaper industry with revenues collected from publishing legal notices in the press; and,

WHEREAS, long before NJ Advanced Media's announcement that it was terminating daily print publications in January of 2025, local government officials found it increasingly difficult to comply with the public notice requirements under the law as the media has become almost exclusively digitized and struggled to retain staff, resources, and publications; and,

WHEREAS, legislation that will authorize local governments to publish legal notices on a local government's official website will streamline an antiquated and overly burdensome process and save valuable time, resources, and property taxpayer dollars; and,

NOW, THEREFORE, BE IT RESOLVED that Elsinboro Township does in fact, hereby urge state leaders to pass legislation that will authorize municipalities, counties, school districts, and all local governments to publish legal notices in a clear, transparent, and timely manner on a local government's official website.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to Governor Phil Murphy, Senate President Nicholas Scutari, Speaker of the General Assembly Craig Coughlin, Senator Burzichelli, Assemblymembers David Bailey Jr., Heather Simmons and the New Jersey State League of Municipalities.

Motion McAllister Second Hogate 3 Ayes

RESOLUTION NO. 2025-21 **RESOLUTION FOR APPROPRIATION RESERVES**

WHEREAS, various 2024 bills have been presented for payment, which bills represent obligations of the prior fiscal year and were not covered by order number or recorded at the time of transfers between the 2024 budget in the last two months of 2024; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Elsinboro, in the County of Salem, State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$7,600.00 be made between the 2024 Budget Appropriation Reserves as follows:

From		
4-01- -155-212	Building and Grounds O/E	\$ 4,000.00
4-01- -160-201	Planning Board O/E	\$ 3,600.00

To		
4-01- -120-211	Clerk O/E	\$ 600.00
4-01- -130-212	Finance O/E	\$ 7,000.00

Total		\$7,600.00
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Motion McAllister Second Hogate 3 Ayes

RESOLUTION NO. 2025-22

RESOLUTION ESTABLISHING A FAIR AND OPEN PROCESS FOR THE AWARD OF PROFESSIONAL SERVICE AGREEMENT

WHEREAS, professional entities and/or person(s), as well as certain other contracts, are exempt from established New Jersey Public bidding laws. Said exceptions are set forth under N.J.S.A. 40A:11-5; and

WHEREAS, the Township of Elsinboro has recognized that there is a need for a fair and open process for the awarding of professional service and/or other contracts which are not subject to public bidding; and

WHEREAS, the State of New Jersey has enacted laws which bar any Township, agency or instrumentality thereof, from entering into a contract exempted from public bidding in excess of \$17,500.00 with a business entity or person that has made a political contribution reportable pursuant to NJ.S.A. 19:44A-1 et seq. to any municipal committee of a political party in that Township if a member of that political party is serving in an elective public office of that Township when the contract is awarded or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded unless said contract is awarded pursuant to a fair and open process;

NOW, THEREFORE, BE IT RESOLVED, on this 3 day of March, 2025 by the Township Committee of the Township of Elsinboro, County of Salem, and State of New Jersey, that:

1. The Township of Elsinboro shall not enter into a contract excepted from public bidding having an anticipated value in excess of \$17,500.00 as determined in advance and certified in writing by the Township, agency or instrumentality with a business entity or person that has made a political contribution that is reportable by the recipient under N.J.S.A. 19:44A-1, et seq. to any municipal committee of a political party in the Township if a member of that political party is serving in an elective public office of the Township when the contract is awarded or to any candidate committee of any person serving in an elective public office of that Township when the contract is awarded; and

2. A business entity or person that has entered into a Contract having an anticipated value in excess of \$17,500.00, and so certified with the Township, or any agency or instrumentality thereof, except a contract that is awarded pursuant to a fair open process, shall not make during the term of the contract a contribution reportable by the recipient under NJ.S.A. 19:44A-1 et seq. to any municipal committee of a political party in the Township if a member of that political party is serving in an elective public office of the Township, or any agency or instrumentality thereof, when the Contract is awarded or to any candidate committee of any person serving in an elective public office of the Township when the Contract is awarded.

3. In the event the Township certifies that a Contract not subject to public bidding may exceed \$17,500 it may be advertised by the Township, or any agency or instrumentality thereof, as the case may be, in the official newspaper of the Township for publication of notices, and published on the Township's website, in sufficient time to give notice in advance of the contract. The published notice shall set forth the name of the position or contract which is to become open, and set forth the following criteria to be considered and materials required to be submitted by the applicant:

- A. Should the applicant be a professional requiring licensure in the State of New Jersey, said applicant shall be licensed for a period not less than one (1) year.
- B. The applicant shall submit a "Certificate of Good Standing" or other similar document evidencing that the professional's license is not presently suspended or revoked.
- C. The applicant shall submit a resume which shall set forth information including, but not limited to the following (as applicable to a business entity or individual professional):
 1. Full name and business address;
 2. A listing of post high school education of the application.
 3. Dates of licensure in the State of New Jersey and any other State;
 4. listing of any professional affiliations or memberships in any professional societies or organizations, with an indication as to any office held therein;
 5. The number of licensed professionals employed by/affiliated with the business entity or the business entity which employs the applicant;
 6. A listing of special accreditations held by the individual licensed professional or business entity.
 7. A list of previous public entities served by the business entity or licensed professional, indicating the dates or services and position held.
- D. The applicant shall submit its estimated cost to perform the services and how same was arrived at.
A sample public notice is attached. It is understood the contracting entity may revise the aforementioned conditions to address any particular concern it may have.

4. The appointing authority shall thereafter select the professional or business entity for the position so advertised based on the following criteria: (i) responsiveness to the required submissions; (ii) general experience and reputation in the field; (iii) specific experience/knowledge of the appointing authority and the subject matter to be addressed under the Contract; (iv) qualifications and experience which most closely match the needs of the appointing authority; (v) availability to accommodate meeting and interface requirements with the appointing authority for meetings, phone conferences, attendance at events and office consultations; (vi) office resources, including backup staff, which are deemed most adequate to service the needs of the appointing authority; and (vii) the applicant who is deemed otherwise most advantageous based on all information submitted or gathered in connection with the proposal.

The appointing authority reserves the right to: (i) not select any of the applicants; (ii) require applicants to submit to a personal interview and/or submit additional or clarifying information; (iii) to reject any or all proposals; (iv) to waive any informalities in the proposals; and (v) procure the articles or services from other sources if deemed most advantageous to the objectives of the appointing authority.

The appointing authority's determination of the applicant who is most advantageous to the goals and objectives of the appointing authority, shall be final and conclusive.

5. In the alternative, if the Township, or any agency or instrumentality thereof, determines not to allow the making of prohibited contributions during the contractual year, then the attached Certification must be executed by the contractor certifying that no such contribution will be made.

Motion McAllister Second Hogate 3 Ayes

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

Township Solicitor- nothing at this time.

Committee Reports

Emergency Management – Deputy Mayor McAllister said everything is good.

Community Development-Mayor Elwell The surveys for Friendship and Stuart were done for DOT Grant

He also wants to contact the county to come out and patch Featherbed and Money Island Road but the county wants us to set up an account for patch. Mayor Elwell also reminded everyone of the meeting for the Animal Shelter on Wednesday March 5.

Township Roads- Committeemen Hogate shared that he plowed snow and made some repairs to the truck. He also said Featherbed Lane is in bad shape. He attended the recycling meeting, the solid waste meeting, helped at the rabies clinic and put up dump fence.

Insurance-Committeemen Hogate said everything is good with the JIF.

Open to Public Comment

Jenna Hogate informed everyone she would like to host a community yard sale again this year. It will be on May 17 and the rain date is May 18.

Mr. Turner asked what happens when we do not sell the properties? Mayor Elwell replied we could reconsider the starting bid and offer again.

Date of Next Meeting: April 7, 2025

Motion for Adjournment made at 7:00pm by McAllister Second Hogate 3 Ayes

Marty Uzdanovics
Clerk