TOWN OF ELSMERE
COUNCIL MEETING MINUTES
FEBRUARY 13, 2020
TOWN HALL
6:30 p.m.

CALL TO ORDER: Mayor Eric Thompson called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE:

MOMENT OF SILENCE:

ROLL CALL:

MAYOR	ERIC SCOTT THOMPSON	PRESENT
1ST DISTRICT	MARIANNE SKIPSKI	PRESENT
2ND DISTRICT	SALLY JENSEN	PRESENT
3RD DISTRICT	ROBERT KACPERSKI	PRESENT
4TH DISTRICT	CHARLES MCKEWEN	PRESENT
5TH DISTRICT	JOANN I. PERSONTI	PRESENT
6TH DISTRICT	BRIAN HURST	PRESENT

Town Solicitor, James McMackin – Present
Town Manager, John Giles – Present
Chief of Police, Laura Giles – Present

PUBLIC COMMENT:

Spiros Mantzavinos, candidate for state senate, stated that he just wanted to introduce himself to the members of Council and stated that he will be attending a few meetings while he runs for senate to help familiarize himself with the needs of our community and how the state can potentially help. He offered to speak with any members of Council who may have questions about his campaign.

APPROVAL OF MINUTES:

Minutes of the January 9, 2020 Council Meeting.

ACTION: A motion was made by Councilman Hurst to approve the minutes of the January 9, 2020 Council Meeting with no corrections. The motion was seconded by Councilman McKewen.

VOTE: **7**-0 All-in-Favor Motion carried

OLD BUSINESS: None

NEW BUSINESS:

Discussion concerning the issuance of Proclamation 20-01.

Mayor Thompson gave a brief overview of this Proclamation designating January 27th to February 1st as School Choice Week. He further explained that this proclamation was issued outside of a standard Council Meeting because of the dates recognized fell between meetings.

Introduction for First and Second reading of Ordinance 648.

Town Manager John Giles gave a brief overview of this ordinance stating that this ordinance arose from a recent appeal regarding the definition of Family in the Town's rental code. The current definition says that a "Family" is a group of not more than 5 people who are living together related or not. This ordinance clarifies the definition to its intended use.

Councilman McKewen stated that he would like to sponsor this ordinance.

Town Solicitor James McMackin stated that he would just like to verify that the Town's code allows for permissible group homes under the State's law. The code may already address this, however, we should confirm.

ACTION: A motion was made by Councilman McKewen to approve Ordinance 648 for First and Second Reading. The motion was seconded by Mayor Thompson.

VOTE: 7-0 All-in-favor Motion carried

Introduction for First and Second reading of Ordinance 649.

Chief Laura Giles gave a brief overview of this ordinance stating that the current fine structure for traffic violations has not changed in almost 40 years and the fines are low and do not deter anyone from committing the offenses. This ordinance increases the fines for these violations and will hopefully deter the offenses. She showed a brief comparison of other municipalities who adopted their own fine amounts and the number of tickets they wrote.

Councilman McKewen stated that he would like to sponsor this ordinance.

Mayor Thompson stated that he would like to know that the fines associated with this ordinance are to be a deterrent and not just budget related.

Chief Laura Giles stated that the current fine does not deter anyone, and an increased fine may cause the drivers to think twice before making those traffic violations. It will certainly increase the Town's revenue; however, it is not the sole purpose of the proposal.

ACTION: A motion was made by Councilman Hurst to approve Ordinance 649 for First and Second Reading. The motion was seconded by Councilman McKewen.

VOTE: 7-0 All-in-favor Motion carried

Discussion concerning legislation intended to be introduced by State Representative John L. Mitchell, which would allow the Town to establish an Alderman's Court.

Chief Laura Giles gave a lengthy overview and presentation of the proposed legislation. She stated that the local CCP Courts are being moved into the City to the County Courthouse. This requires residents to drive into the city and pay for parking. It would serve our residents better to offer an Alderman's court here at Town Hall. In addition to the convenience of not going into the city, because of court fees and security fees, the Alderman's court would be self sufficient and would not cost the Town. She stated that even if the Council requests the charter change, it will be an uphill battle in the legislation to get this bill approved because the State does not want to give up the funding that they receive for court fees.

ACTION: A motion was made by Councilwoman Personti table this discussion until the following documents are forwarded to the council so that all members can make an informed decision.

- Documents presented by the Chief at this meeting.
- Alderman's Court Annual Statistical Reports to the State from 2014 to 2018.
- Impact of Senate Bill 85 to Alderman's Courts.

Mayor Thompson stated that he does not believe that the motion to table is necessary because the agenda only states that this is an item for discussion, not an item for decision.

The motion failed to receive a second.

Mayor Thompson asked Councilwoman Personti if there is something they should be looking for in the requested reports.

Councilwoman Personti stated that everyone should review the reports and form their own opinions based off the information contained in them. She will not give her opinion until everyone evaluates the reports themselves.

Councilwoman Jensen stated that Councilwoman Personti's concerns may help those who don't have experience with the courts and do not look at these reports regularly.

Councilwoman Personti stated that these are statistical reports and that she does not believe that anyone needs to be familiar with courts to be able to form an opinion based on the information contained within. She does not wish to give her opinions until everyone has seen the reports because they may not concern everyone else.

Chief Laura Giles stated she would forward the requested documents and place the item on the March council agenda, however, she would like to be able to give representative Mitchell an idea of the Council's willingness to move forward with the request so that he can either stop spending valuable time and resources or continue to dedicate staff to work on this issue.

The consensus of council was to preliminarily move forward to obtain more information with no official approval at this time.

Consideration of Proclamation 20-02 designating March as Women's History Month.

Town Manager John Giles stated that he has received emails requesting that the Town designating March as Women's History Month in the Town of Elsmere.

ACTION: A motion was made by Councilwoman Personti to approve Proclamation 20-02 designating March as Women's History Month in the Town of Elsmere. The motion was seconded by Councilman McKewen.

VOTE: 7-0 All-in-favor Motion carried

DEPARTMENTAL REPORTS:

Code Enforcement

Town Manager John Giles presented the following items from the written report and asked if there were any questions:

a. The department issued 57 violations during the month. 39 were corrected with the initial warning, 18 were issued fines and 0 remained pending.

b. The department deemed 8 properties to be repeated public nuisance properties. Violations and fines were issued to all properties.

c. The department ordered 5 abatements for violations which were issued.

d. Members of the department attended training for Planning 101: Planning your community's future and ADA Standards – Chapter 1.

There were no questions for the Code Enforcement Department.

Finance

Town Manager John Giles reported the following items from the written report and asked if there were any questions:

a. There is no financial report this month. There are some accounts which have not appeared in the financial reports in the past, we would like to start included in the monthly reports. While we keep talking about "finding" things that haven't been reported, he is confident that there is no money missing, these are just things that haven't been reported that we want to improve on.

b. We held interviews with three applicants for the Finance Director position. The first individual walked into the interview, heard the salary being offered and walked back out. The second individual stated that they had another offer in northern New Jersey for $200,000.00 yet continued to stay for interview with no interest in taking the position. The third was interested in the position but we felt they were unqualified for the position based on their experience. We will need to consider alternatives at this

time, I will be calling the members of Council to speak with them about some ideas for the position.

Councilwoman Jensen asked what salary is being offered for the position.

Town Manager John Giles stated that we are offering $67,000.00 as approved in the Wage Compensation Plan.

Councilman Hurst asked what salary the former Finance Director received.

Town Manager John Giles stated that information should not be discussed in public session and was inflated based on the employee having been here for 13 years.

c. Delinquent tax bills have been sent. This is the final notice prior to sheriff sale. There are currently 5 properties estimated to go to sheriff sale.

d. The department received $26,503.50 in transfer taxes for the month of December 2019.

This department has made significant strides in information, cross training and solving of problems since the change in personnel.

Public Safety

Chief Laura Giles stated that she had nothing to add to her written report.

Public Works

Town Manager John Giles presented the following information from the written report and asked if there were any questions:

a. The department patched 18 potholes during the month of January.

b. The street sweeper was run in districts 1, 2 & 6.

c. The department completed a cleanup project at Richard Moore Park where 2 dead trees were removed and 4 dump truck loads of debris.

d. The department completed 5 abatements at the request of the Code Enforcement Department.

Councilwoman Personti reported that the lights on the flag-pole in Veterans Park are out again. She asked what the problem was with the lights and when a reliable light would be installed.

Town Manager John Giles stated that the lights had been repaired and he was unaware that they were out again, he would find the problem tomorrow and have a permanent repair completed to stop this issue.

Town Manager

Town Manager John Giles presented the following items from the written report as well as items which have come up since the report was issued and asked if there were any questions.

There were no questions for the Town Manager.

ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:

Councilman Kacperski asked that a Charter Change for Annexation be proposed at the March Council Meeting. He stated that he would like the new provisions to mirror those adopted by the Town of Milton.

Mayor Thompson asked Town Solicitor to address liability questions to the Council in response to current events at Odyssey Charter School. What are the legal ramifications if someone were to secretly record an executive session without the consent of the remaining members of council?

Town Solicitor James McMackin stated that his concerns are two-fold, depending upon the content of what is recorded and what is leaked changes the liability. Individuals could have a lawsuit against the Town and Council Members individually. It is highly recommended that this never occur.

PUBLIC COMMENT:

John Jaremchuk, 300 Southern Road, stated that he agrees with Ordinance 649 adopting new fees under Title 21. The fees under this ordinance have remained the same since at least 1973.

ADJOURNMENT:

ACTION: A motion was made by Councilman Hurst to adjourn. The motion was seconded by Councilwoman Personti.

VOTE: 7-0 All-in-favor Motion carried

These minutes summarize the agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio recording of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio recording may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

ERIC THOMPSON **MAYOR**	**BRIAN HURST** **SECRETARY**