

**ELK TOWNSHIP COMMITTEE
MINUTES
MAY 5, 2011**

The meeting of the Elk Township Committee was held on the above date in the Municipal Building. The meeting was called to order by Mayor Barbaro at 7:32 PM.

The Open Public Meeting Notice was read. The Salute to the Flag and the Lord's Prayer were recited in unison.

Present were: Mr. Pantaleo, Mr. Rainey, Mrs. Sammons, Mr. Swanson, Mayor Barbaro, Mr. Duffield, Solicitor, Mr. Gaskill, Engineer, Mr. C. Fralinger, Engineer, Mr. Considine, CFO, and Mrs. Pine, Township Clerk. Police Chief DeFalco was absent.

APPROVAL OF MINUTES

Motion by Mr. Pantaleo, seconded by Mr. Rainey to approve the minutes of the April 19, 2011 Work Session, all were in favor, motion carried.

**RESOLUTION R-53-2011
RESOLUTION TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS
PERSONNEL AND CONTRACT NEGOTIATIONS**

Motion by Mr. Swanson, seconded by Mrs. Sammons to adopt and approve said resolution, all were in favor, motion carried.

RECESS:

Motion by Mr. Rainey to recess from the regular meeting, seconded by Mr. Swanson, all were in favor motion carried. The meeting recessed at 7:35pm.

Motion by Mr. Rainey to return to the meeting, seconded by Mr. Swanson, all were in favor motion carried. The meeting was called back to order at 8:13pm.

Mr. Duffield explained the committee was in a closed executive session to discuss personnel and contract negotiations with the PBA. There were no decisions made in the session.

TOPIC:

Mr. Tony Dariano Construction and Fire Official was asked to come to the meeting to discuss all options of the construction department. Mr. Dariano asked if there were going to be any changes to the shared service with Franklin Township and the electrical inspector and official. Mayor Barbaro stated there have not been any discussions with them as of right now. What the township is looking for is a way to reduce the costs and/or cutting hours of the department. Mr. Dariano stated the option of closing the office and using the state to run the department will not happen, the state will tell the township to go with a third party. Mr. Dariano mentioned cutting 50% of the time and work load or cutting salary and working the same hours. Mr. Dariano offered a maximum 20% cut in pay, less would be nice and if the work load increases he would like to go back to the original salary. He will continue to work the same days. Mr. Pantaleo stated we are here tonight to mitigate some of the losses that have been trending over the past few years. Mr. Dariano stated the price of permit fees needs to be increased to match the state fees. If that had happened a few years ago when the boom was going on we could possibly not be in the negative.

Mr. Dariano prefers to remain at 2 days with a 20% reduction in pay.

Mr. Fabrizio Flaiano, plumbing subcode official has been with the township for 7 ½ years and his starting salary was next to nothing and it is finally at a decent rate. He would like to know how much committee would like to cut the salary and hours. The blue book states that inspections must be done in 72 hours and with hours only one day a week that will not be acceptable to the residents or the state.

As for the shared service with Franklin, the inspectors are making more than he is and they have only been here 2 years. Mr. Flaiano does not want to take a pay cut. Mr. Considine will put some numbers together in several different ways and send it on to committee. Mrs. Sammons is concerned about the response time if we do go to 1 day a week.

Ed Johnson, Gloucester County Fire Marshall, explained to committee the county is willing to do a shared service with the township. Any money that comes into the township for fees, 100% will go to the county. There is no cost to the township for this service. They would conduct all inspections, issue fire permits, help with fire prevention activities, reimburse the town for fire prevention materials at a set rate. The town will be getting a full time staff. State law requires the fees collected to go to the Local Enforcement Agency (LEA), so the township will not be able to keep the fees. The county officially cannot take over the township until July 1st. They can only take over on the first of the quarter.

Mr. Swanson asked if this is a win/win situation.

Mr. Considine stated if the annex house can be shut down, and the fire official was moved to either the public works garage office or the old tax assessor office there would not be a loss. If he was to stay in the annex there will a small cost.

COMMITTEE REPORTS:

Mrs. Sammons did not have a report for recreation. They meet next Tuesday.

Mr. Pantaleo reported Economic Development is still pursuing the possibility of a solar array on the closed dump and at the municipal building. Lisa Morina from the county economic development will be the speaker at the June 6th meeting at 7:30pm here in the municipal building.

Mr. Rainey stated the MUA is still on hold. Orleans is out of bankruptcy. The MUA is waiting to hear from the developers on how they will be reimbursing the MUA for the solicitor's services.

The senior citizens will be holding their monthly luncheon on Monday, May 16th at 12:00 noon at Ferrell Social Hall.

The school board is reorganizing tonight.

Mayor Barbaro attended the Arbor Day Celebration. They planted a flowering pear tree next to the children's playground in the recreation park.

POLICE CHIEF REPORT:

Mr. Rainey gave the police report for the month of April. The calls for service were 545, the department responded to 12 crashes with 2 injuries, issued 128 motor vehicle summons and made 9 arrests.

Cpl. Gonnelli attended a mandatory recertification class.

Cpl. Hitzelberger received a Life Saving Award with Valor from the Gloucester County Awards Committee for his action during a fatal motor vehicle crash, where he removed 3 children from an overturned vehicle.

Operation Take Back was a huge success for the 3rd year. 7 pounds of unused or unwanted prescription medication was collected.

TOWNSHIP ENGINEER REPORT:

Mr. Gaskill reported they are waiting for approval from the NJ DOT on the design and specifications for the reconstruction of Cedar Bridge Road. Committee authorized the project to go out to bid when State approval is received.

Mayor Barbaro asked what section is scheduled to be constructed first.

Mr. Gaskill stated on the plan is from CR 538 to SR 55 over pass as the base bid and from the SR 55 over pass to the end as an alternate.

Mayor Barbaro stated that may be backwards as the SR 55 to the lake is the area that is in more disrepair and should be done first.

There has been some conversation with Hampton Hills. They have suggested they may be done the first week of June. Mr. Gaskill recommends the committee moving forward with the course they have begun.

CVS has completed the pump basin and will be turned over in the next week.

Country Woods is working on completing the punch list items.

FIRE REPORT:

Mr. Rainey gave the Fire report for April. Aura responded to 11 calls and 5 motor vehicle accidents.

Ferrell responded to 19 calls and Lawns responded to 2 motor vehicle accidents and 2 fire alarms.

There was no ambulance report.

We are now part of the Gloucester County EMS.

Mr. Rainey thanked Ferrell Fire Company for their professionalism and the smooth transition with the turn over of the ambulance.

Mr. Lovell was very impressed with the condition of the ambulance.

Mrs. Sammons asked if a report can be obtained from the county concerning the EMS service in Elk Township. Mr. Rainey will make the request.

**ORDINANCE O – 4 – 2011
ORDINANCE AMENDING CHAPTER 84 ENTITLED “SOLID WASTE”
OF THE CODE OF THE TOWNSHIP OF ELK
PUBLIC HEARING**

Motion by Mr. Swanson, seconded by Mr. Rainey to open to the public concerning Ordinance O-4-2011 all were in favor, motion carried.

Mayor Barbaro invited the public to come forward if they have any questions concerning the ordinance.

No one came forward.

Motion by Mr. Rainey, seconded by Mr. Swanson to close the public portion, all were in favor, motion carried.

Motion by Mrs. Sammons, seconded by Mr. Pantaleo to adopt Ordinance O-4-2011, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mrs. Sammons	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**ORDINANCE O – 5 – 2011
ORDINANCE AMENDING CHAPTER 54 SECTION 2 OF THE
CODE OF THE TOWNSHIP OF ELK ENTITLED “UNIFORM CONSTRUCTION CODE”
TITLE ONLY**

Motion by Mr. Rainey, seconded by Mr. Swanson to adopt Ordinance O-5-2011, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mrs. Sammons	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

ORDINANCE O – 6 – 2011
ORDINANCE AMENDING CHAPTER 87 ENTITLED “STREET OPENINGS AND EXCAVATIONS”
OF THE CODE OF TOWNSHIP OF ELK
TITLE ONLY

Motion by Mr. Swanson, seconded by Mr. Rainey to adopt Ordinance O-6-2011, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mrs. Sammons	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

RESOLUTION R-54-2011
RESOLUTION TO REFUND MONEY DUE TO AN ASSESSMENT CHANGE:
BLOCK 44 LOT 3; LEIN HOLDER US BANK CUST FOR MD SASS

Motion by Mrs. Sammons, seconded by Mr. Swanson to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mrs. Sammons	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

SOCIAL AFFAIR PERMIT APPROVAL FOR ELK TOWNSHIP LITTLE LEAGUE
FRIDAY, JUNE 3, 2011 AT FERRELL FIRE HOUSE

Motion by Mrs. Sammons, seconded by Mr. Pantaleo to approve the social affair permit for Elk Township Little League, all were in favor, motion carried.

SOCIAL AFFAIR PERMIT APPROVAL FOR FERRELL VOLUNTEER FIRE COMPANY
SATURDAY, JUNE 11, 2011 AT FERRELL FIRE HOUSE

Motion by Mr. Swanson, seconded by Mrs. Sammons to approve the social affair permit for Ferrell Volunteer Fire Company, all were in favor, motion carried.

TOPICS:

United Body Disciples of Christ Holy Churches, Inc. has filed a request to purchase Block 140 Lot 7 from the township. This is property is surrounded on 3 sides by the church property. Mr. Duffield will conduct the title search and to prepare the necessary paperwork to begin the private sale process. Mrs. Sammons asked if a condition of approval to combine the properties into one lot. Mr. Duffield would recommend a doctrine and merger to remove the lot lines.

Mr. McCreery, Zoning Officer has completed all the procedures to have a property owner clean his lot. There has not been a response and would like the township to authorized the public works department to Clean and Lien 151 Douglass – Block 141 Lot 5. Committee approved the clean up by the public works department and the placement of a lien of the property.

GLOUCESTER COUNTY REPRESENTATIVE – David Lubelski or William Bain

PUBLIC PORTION:

Motion by Mr. Swanson to open the meeting to the public, seconded by Mr. Rainey, all were in favor, motion carried.

Mayor Barbaro asked if anyone had any issues they would like to bring to the township committees attention to come forward at this time.

Robert Tate, 602 N. Douglass St., asked for the location of the church and the 151 Douglass. He also reminded everyone there is a crime watch meeting this month.

Barbara Pearson, 1448 Ferrell Rd., asked if a resident pays for an additional recycle container, does the container remain the property of Elk Township. Mr. Considine stated the additional container is not the property of the township.

Lori Eck, 289 Clayton-Aura Rd., asked the county representative Mr. Lubelski about the railroad crossing on Fairview Road.

Mr. Lubelski stated the county has placed the request for the crossing to be repaired.

Paul Marques, 106 Stockton Ct., stated Richmond American Homes has deeded the common areas to the home owners association without notice. The association would like for the township to take the bond and complete the common areas.

Mr. Duffield explained the common areas may not be part of the final inspection for the release of the bond.

Mr. Pantaleo explained the same thing happened in Hampton Hills. If the common areas have been turned over it is the responsibility of the HOA.

Mr. Marques stated there are broken sidewalks and dead trees.

Mr. Gaskill stated that may be part of the bond.

Mr. Duffield explained when each homeowner went to closing they received a copy a declaration of covenants and restrictions and the by laws of the HOA. This should include language as to when the developer can turn the land over to the HOA. This can be done with the resident's knowledge. It should all be spelled out in those documents.

Motion by Mr. Rainey to close the public portion, seconded by Mr. Swanson all were in favor, motion carried.

PAY BILLS:

There are 2 payments that need to be stricken from the bill list. The check to Allan & Susan Kennedy and Angela Randolph are to be removed.

Motion by Mrs. Sammons to Pay the Bills, seconded by Mr. Rainey, upon roll call motion was carried.

Roll Call:	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mrs. Sammons	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

Motion by Mr. Rainey to adjourn, seconded by Mr. Swanson all were in favor, the meeting was adjourned at 9:27 PM.

Respectfully Submitted,

Debora R. Pine, RMC, CMC
Township Clerk