

**ELK TOWNSHIP COMMITTEE  
MINUTES  
MAY 6, 2010**

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 7:34 PM.

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

**ROLL CALL:** Present were Mr. Creta, Mr. Pantaleo, Mr. Rainey, Mr. Swanson, Mayor Barbaro, Mr. Duffield, Solicitor, Mr. Fralinger, Mr. Considine, CFO, Mrs. Pine, Township Clerk, Mr. Alexander, Public Works and Chief DeFalco. Mr. Gaskill was absent.

**APPROVAL OF MINUTES OF APRIL 19, 2010, WORKSESSION**

Motion by Mr. Pantaleo to approve the minutes of the April 19, 2010 Work Session, seconded by Mr. Swanson, all were in favor, motion carried.

“**PUT SAFETY ON YOUR AGENDA**” presentation was given by Joe Henry, of the Hardenbergh Insurance Group. He explained to the committee and all those present the importance of a safety training program in 2010. The explanation included the core elements of the township's safety program, which are management commitment and accountability, safety communication, hazard id and correction, safety training and accident reporting and investigation. Mr. Henry further explained that proper training can protect employees and volunteers, and residents from being injured and township assets from being damaged. The JIF is placing emphasis on safety training in 2010. Training is available through the MEL Safety Institute, on DVD's, regional meetings and toolbox talks within the township. Mr. Henry thanked the committee and employees for all their efforts and support in regards to safety.

**COMMITTEE REPORTS:**

Mr. Swanson reported the 911 committee invited Joe Regatto from Lake Garrison, Matt Lyon from Old Cedar Campground and Larry Christie from Old Man's Creek Campground to their meeting. They were asked to bring the maps of their sites. There were some corrections that needed to be done to the maps. The committee asked to have the corrections made and then the maps will be sent to the county 911 for approval of the street names.

The construction department issued 6 permits in January for a construction value of \$48,000, 15 permits in March with a construction value of \$23,000 and 26 permits for a construction value of \$49,000.

Mr. Creta stated the JIF was trying to implement a joint health insurance program. They have not been successful with the project. They have decided to implement a Health Program and educate employees on management of their health insurance to help reduce insurance premiums. Details will be forth coming.

The JIF will be holding a seminar for management on exposure. Mr. Alexander and Mr. Creta will be attending.

A policy has been created for emergency personnel and the operation of emergency vehicles.

Mr. Rainey stated the ambulance captain has reviewed the policy and the ambulance squad already follows the rules of the policy.

The JIF is also sponsoring an Awareness Program for operators of senior buses. They want to make sure the operators can handle equipment, such as wheel chairs, dealing with an emergency and general safety of operating a bus when there is an emergency.

Mr. Rainey stated the MUA will be meeting on Monday, May 10<sup>th</sup> at 7:30pm. Crime Watch met in April and viewed the JIF presentation on Volunteers and Their Responsibilities and Duties shown by Mr. Alexander. The school budgets for Elk Township School and Delsea Regional Schools were defeated. Committee has met with both board and they will work on the reductions. Joyce Burnett was re-elected as president of Delsea School Board and Elk Township is meeting tonight.

Mr. Pantaleo was not able to attend the Economic meeting. The committee may have found a candidate to fill the vacant seat.

Mayor Barbaro attended the Arbor Day Celebration and stated it was very well attended. The event was very nice. A tree was planted on the school grounds.

Mayor Barbaro has contacted Mayor Manzo from Harrison Township to discuss the possibility of sharing the cost of the installation of the blinking light on State Route 77 and Fislerville Road. Mayor Manzo will talk to his committee and get back to Mayor Barbaro.

#### **POLICE CHIEF REPORT:**

Chief DeFalco reported the department responded to 716 calls for service, made 27 arrests, responded to 18 crashes with 9 injuries and issued 283 motor vehicle summons. The department completed firearms training, use of force, vehicle pursuit and workplace harassment update training seminars. Ptlm. Franklin attended a course in digital photography for crash investigation, Cpl. Molinari and Det. Gonnelli attended a risk management seminar by the JIF.

Ptlm. Franklin and Ptlm. Bielski were presented with a Lifesaving Award by the Gloucester County Awards Committee for their work in capturing a person who wanted to commit suicide. They convinced the individual to seek medical attention.

#### **TOWNSHIP ENGINEER REPORT:**

Mr. Fralinger stated the bids for the reconstruction of Jackson Avenue, Leddon Street and Roosevelt Avenue were opened. Based on the amount of grant received, \$170,000, from the DOT their recommendation is to award the base bid and alternate #1 to Asphalt Paving Corporation. This will pave Roosevelt and Leddon and a portion of Jackson. Alternate #2 will complete the paving of Jackson. The decision of the award is up to committee. Mr. Considine stated he has some funds remaining in previous ordinances that will cover alternate #2. He does not like to turn money from the state away.

Mayor Barbaro asked if the money can be used on other roads. Mr. Considine stated it can only be used for capital improvements, not oil and chip.

Mr. Alexander will look at the roads and give his recommendation to committee before work session.

#### **FIRE DEPARTMENT REPORT:**

Mr. Rainey reported the Ferrell Fire Department responded to 22 calls of service. Lawn's Fire Department responded to 19 alarms. Ferrell Ambulance squad responded to 52 calls. There was no training since the state is no longer funding training. Aura Fire Department did not submit a report. The county does not bill residents for the use of the service, they will bill insurance companies. A statement will be received, marked "This is Not a Bill."

#### **PUBLIC WORKS REPORT:**

Mr. Alexander stated the grass growing season has begun. One baseball field was treated with a pre-emergent weed killer. This is a test field.

FEMA funds will be available for the February 6<sup>th</sup> snow storm. Elk may be eligible for approximately \$7000 to \$8000 in reimbursement.

The new part-time employee is working out very well.

Clean Up - Dumpster Day will be held Saturday, May 8<sup>th</sup>, from 8am to 12 noon.

**ORDINANCES O – 24 – 2010 THROUGH O – 33 – 2010 WERE ADVERTISED FOR PUBLIC HEARING AND WILL BE VOTED IN ONE MOTION – All ordinances reflect changes that were recommended in the March 2008 Editorial Analysis conducted by General Code Publishers to update The Code of the Township of Elk.**

**O – 24 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 72 ENTITLED “LITTERING; PROJECTILES”**

**O – 25 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 73 ENTITLED “LOITERING”**

**O – 26 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 74 ENTITLED “MOTOR-PROPELLED VEHICLES, UNREGISTERED”**

**O – 27 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 74A ENTITLED “NOISE”**

**O – 28 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 75 ENTITLED “PARENTAL RESPONSIBILITY” –  
DELETE IN ITS ENTIRETY**

**O – 29 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 77 ENTITLED “PEDDLING AND SOLICITING”**

**O – 30 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 79 ENTITLED “PROPERTY MAINTENANCE”**

**O – 31 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 81 ENTITLED “SEWERS”**

**O – 32 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**AMENDING CHAPTER 82 ENTITLED "SMOKE DETECTORS"**

**O – 33 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 83 ENTITLED "SMOKING"  
PUBLIC HEARING**

Motion by Mr. Swanson, seconded by Mr. Rainey to open to the public concerning Ordinances O-24-2010 through Ordinance O-33-2010 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. Pantaleo to close the public portion, all were in favor, motion carried.

Motion by Mr. Rainey, seconded by Mr. Pantaleo to adopt Ordinances O-24-2010 to O-33-2010, upon roll call motion carried.

Roll Call:	Mr. Creta	Yes
	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**O – 34 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
CREATING A NEW CHAPTER OF THE CODE OF THE TOWNSHIP OF ELK  
ENTITLED "INDEMNIFICATION"  
PUBLIC HEARING**

Motion by Mr. Rainey, seconded by Mr. Pantaleo to open to the public concerning Ordinance O-34-2010 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.

Mr. Duffield explained this is a recommendation of the JIF. This is a protection for the township to indemnify or cover all officials, employees and volunteers of the township.

Motion by Mr. Rainey, seconded by Mr. Swanson to adopt Ordinance O-34-2010, upon roll call motion carried.

Roll Call:	Mr. Creta	Yes
	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**ORDINANCE O – 35 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**AMENDING CHAPTER 96 ENTITLED "UNIFIED DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF ELK TO ADD A NEW OVERLAY DISTRICT AND TO ADD DEFINITIONS AND STANDARDS FOR THE NEWLY PERMITTED USE TITLE ONLY**

Mr. Duffield explained this will regulate solar panels and other renewable energy sources. It is a zoning tool. This is for commercial use not residential. This will give the township some guidelines to follow.

Motion by Mr. Rainey, seconded by Mr. Pantaleo to adopt Ordinance O-35-2010, upon roll call motion carried.

Roll Call:	Mr. Creta	Yes
	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**RESOLUTION R-57-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
RE: RESOLUTION TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS  
CONTRACT NEGOTIATIONS AND POTENTIAL LITIGATION**

Motion by Mr. Rainey, seconded by Mr. Pantaleo, to adopt and approve said resolution, all were in favor motion carried.

**RESOLUTION R-58-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
RE: RESOLUTION ADJUSTING THE AMOUNT OF DEFERRED SCHOOL TAXES  
BY THE TOWNSHIP OF ELK, COUNTY OF GLOUCESTER**

Motion by Mr. Rainey, seconded by Mr. Creta, to adopt and approve said resolution, upon roll call motion carried.

Mr. Considine explained the school year runs July to June where the municipal year is January through December. The school taxes are set aside in the township fund balance for half of the school taxes since that is what is owed to them. The conservative approach is not to defer anything. We can defer up to 50% of the amount of taxes, since the school budget year is half the year off from the township. The township fund balance is in such a situation that we will not be able to adopt the township budget if all the fund balance is sitting in deferred school taxes. In 2008 we went from deferring nothing to deferring 25%, or half of the amount allowed to deferring 50% or 100% of the amount allowed. If we need to request a waiver from the state to adopt our budget, this is one of the steps that will need to be completed.

Roll Call:	Mr. Creta	Yes
	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**RESOLUTION R-59-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
RE: RESOLUTION AWARDDING BID TO ASPHALT PAVING CORP., FOR THE  
RECONSTRUCTION OF ROOSEVELT, LEDDON AND JACKSON**

Motion by Mr. Rainey, seconded by Mr. Pantaleo, to table said resolution, upon roll call motion carried.

Roll Call:	Mr. Creta	Yes
	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**RESOLUTION R-60-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE ELK TOWNSHIP SCHOOL DISTRICT FOR CUSTODIAL SERVICES**

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

Roll Call:	Mr. Creta	Yes
	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**RESOLUTION R-61-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION DENYING JUNKYARD LICENSE TO D & H AUTO SALVAGE**

Motion by Mr. Rainey, seconded by Mr. Creta, to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mr. Creta	Yes
	Mr. Pantaleo	Yes
	Mr. Rainey	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**PUBLIC PORTION:**

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

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

Dan Haynicz, 1092 Elk Road, asked if the ordinance that was introduced includes mega panels. Mayor Barbaro explained that we are starting at the ground level and mega panels are not mentioned in the ordinance.

Carolyn King-Sammons, 842 Whig Lane Road, asked how the solar farms will be assessed and taxed. Mr. Duffield explained there is a difference for farming. A farmer can install up to 20% of the farm, to run the farm, any more than that it will make it a utility. The county tax assessor will need to research the issue since they are the assessor for Elk Township.

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

**PAY BILLS:**

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

Roll Call:	Mr. Creta	Yes
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Mr. Pantaleo	Yes
Mr. Rainey	Yes
Mr. Swanson	Yes
Mayor Barbaro	Yes

**RECESS:**

Motion by Mr. Rainey seconded by Mr. Swanson to recess the regular meeting at 8:59pm, all were in favor, motion carried.

Motion by Mr. Rainey seconded Mr. Pantaleo to re-enter the regular meeting at 10:09pm, all were in favor, motion carried.

Motion by Mr. Rainey to adjourn, seconded by Mr. Pantaleo, all were in favor, the meeting was adjourned at 10:09 PM.

Respectfully Submitted,

Debora R. Pine, RMC, CMC  
Township Clerk