

**ELK TOWNSHIP COMMITTEE  
MINUTES  
JUNE 3, 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 7:32 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. Gaskill, Engineer, Mr. Chuck Fralinger, Engineer, Mr. Considine, CFO, Mrs. Pine, Township Clerk and Chief DeFalco. Mr. Alexander, Public Works was absent.

**APPROVAL OF MINUTES OF MAY 18, 2010, WORKSESSION**

Motion by Mr. Swanson to approve the minutes of the May 18, 2010 Work Session, seconded by Mr. Pantaleo, motion carried with Mr. Rainey abstaining.

**COMMITTEE REPORTS:**

Mr. Swanson reported the construction office issued 24 permits and 14 certificates for the month of May. The Ag Board met and the Farmland Preservation Plan has preliminary approval of the SADC and it now goes to the Planning Board for approval and inclusion into the master plan then it goes back to the SADC for final approval.

The public works department is in need of additional help. They are down to 1 full time and 1 part time. A part time position needs to be filled. Mr. Swanson would like committee to think about hiring a replacement.

The Planning Board appointed an interim solicitor to cover for Joan Adams while she is out sick. The committee for 911 met and they discussed the ordinance on the numbering of houses.

Mr. Rainey stated the MUA will not meet until August.

Crime Watch met and there was a new member in attendance. They hope to go out on patrol soon.

The seniors held their monthly luncheon and had a combined luncheon with Hardingville Bible Church, with some entertainment after lunch. The next one will be in the park on June 21<sup>st</sup> at noon.

There was nothing new to report from the Elk Township School Board. Delsea School Board meeting is June 14<sup>th</sup>.

Mr. Pantaleo reported Economic Development will meet next week, the first Monday of the month. Recreation movie night in conjunction with Gloucester County was very successful. There was approximately 200 people in attendance.

Mr. Creta stated the JIF would like municipalities to be cautious if they hire summer help that is under the age of 18. Municipalities need to be careful of the duties they are assigned.

The health insurance study has hit a dead end.

Mr. Alexander and Mr. Creta attended a data management training seminar to monitor all training of employees.

Mayor Barbaro did not have a report from Environmental. He was not able to attend last month.

**POLICE CHIEF REPORT:**

Chief DeFalco reported the department responded to 773 calls for service, made 33 arrest, responded to 13 crashes with 6 injuries and issued 278 motor vehicle summons. Det. Gonnelli attended a course to train school staff for school security and terrorism awareness, Cpl. Wojciechowski, Spec. Officers Mitten

and Rambone attended a course on crime scene processing, Ptl. Pierson attended a 2 day mandatory recertification class and Ptl. Tilden attended a 1 week course for hostage negotiation. Chief DeFalco would like committee to reconsider hiring the third special.

**TOWNSHIP ENGINEER REPORT:**

Mr. Gaskill reported the drainage problem on Carl Aveune seems to be corrected, they are still monitoring the site.

Jackson, Leddon and Roosevelt bid summary has been sent to the NJDOT for approval.

They have applied for discretionary aid for Cedar Bridge Road.

Letters will be sent to Hampton Hills and CVS to get them motivated and moving toward completion.

**FIRE DEPARTMENT REPORT:**

Mr. Rainey reported the Aura Fire Company responded to 19 fire calls and 9 motor vehicle accidents.

Ferrell Fire Department responded to 31 calls and 8 motor vehicle accidents.

Lawns Fire Department responded to 19 calls and 7 motor vehicle accidents.

Ferrell Ambulance responded to 68 calls with the average response time of 13 minutes.

**PUBLIC WORKS REPORT:**

There was no report.

**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  
PUBLIC HEARING**

Motion by Mr. Rainey, seconded by Mr. Pantaleo to open to the public concerning Ordinance O-35-2010 all were in favor, motion carried.

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

Tony DiRienzo, 980 Elk Road, would like to know if there is going to be a minimum or maximum wattage output for solar, will there be any kind of noise restriction and who is going to oversee the facilities.

Mr. Duffield explained the purpose is to set a standard in respect to zoning, what is a permitted or conditional use for the particular zones. The state statute allows solar energy farms to be a permitted use throughout. This ordinance will allow Elk Township to regulate where they are allowed, set the setback requirements. The noise and output is not something that was considered, as they are not zoning issues. The township wanted to be able, along with the planning board, to put together some basic frame work of where it can and where it cannot go. If one were to come to town we will not be prohibited to address those issues. If an application does come in the issues can be addressed at that time.

Jan Walter, 949 Elk Road, would like committee to consider the placement of the solar facility. She would like the township to remain rural and not affect the farmland. Mr. Duffield explained the allowable areas are the light manufacturing, which will require a minimum of 10 acres and residential which will require 40 acres. If they do want to place one in a zone that is not permitted they will need to apply for a variance and come before the planning board.

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

Motion by Mr. Swanson, seconded by Mr. Rainey 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

**ORDINANCE O – 36 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 69 ENTITLED “JUNKYARDS” OF THE CODE OF THE TOWNSHIP OF ELK  
TITLE ONLY**

Motion by Mr. Rainey, seconded by Mr. Swanson to adopt Ordinance O-36-2010, upon roll call motion carried.

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

**ORDINANCE O – 37 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
AMENDING CHAPTER 60 ENTITLED “ANIMAL CONTROL”  
OF THE CODE OF THE TOWNSHIP OF ELK  
TITLE ONLY**

Motion by Mr. Rainey, seconded by Mr. Pantaleo to adopt Ordinance O-37-2010, upon roll call motion carried.

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

**ORDINANCE O – 38 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
CALENDAR YEAR 2010  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK  
N.J.S. 40A:4-45.14  
TITLE ONLY**

Motion by Mr. Rainey, seconded by Mr. Swanson to adopt Ordinance O-38-2010, upon roll call motion carried.

Mr. Considine explained the state government allows the township to increase the budget up to 3.5%, it does not give us approval to spend, it does not raise taxes, it allows us to bank that money, with the ability to spend in 2011 or 2012 budget on inside the CAP items.

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

**ORDINANCE O – 39 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**AMENDING CHAPTER 86 ENTITLED "STORMWATER CONTROL"  
TITLE ONLY**

Motion by Mr. Pantaleo, seconded by Mr. Rainey to adopt Ordinance O-39-2010, upon roll call motion carried.

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

**ORDINANCE O – 40 – 2010  
ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
CREATING A NEW CHAPTER ENTITLED "REFUSE CONTAINERS/DUMPSTERS"  
OF THE CODE OF THE TOWNSHIP OF ELK  
TITLE ONLY**

Motion by Mr. Rainey, seconded by Mr. Creta to adopt Ordinance O-40-2010, upon roll call motion carried.

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

**RESOLUTION R-69-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
RE: RESOLUTION TO REFUND MONEY TO CHASE HOME FINANCE FOR JOHN AND  
EVAMARIE GENTZLER, TOTAL DISABLED VETERAN**

Motion by Mr. Rainey, seconded by Mr. Pantaleo, 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-78-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK  
RE: RESOLUTION SUSPENDING THE OPEN SPACE, RECREATION, FARMLAND AND HISTORIC  
TRUST FUND TAX FOR ONE YEAR**

Motion by Mr. Rainey, seconded by Mr. Pantaleo, 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-72-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION INTRODUCING THE 2010 MUNICIPAL BUDGET FOR THE TOWNSHIP OF ELK**

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

Mr. Pantaleo asked what the impact of this budget will there be on the tax payer. Mr. Considine replied there will be 8 tenths of 1 cent increase as introduced. A public hearing will be held on the budget as it is introduced, then committee has the option to increase or decrease any line item up to 10%.

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

**RESOLUTION R-73-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION TO REFUND MONEY DUE TO AN OVERPAYMENT FOR HOLLY ANN FINCH  
BLOCK 21 LOT 1.19**

Motion by Mr. Creta, 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-74-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION APPROVING THE EXTENSION OF AN INTERLOCAL SERVICE AGREEMENT as  
Amended and now known as a Shared Service Agreement BETWEEN THE TOWNSHIPOF ELK  
AND THE COUNTY OF GLOUCESTER FOR THE PARTICIPATION IN THE CDBG**

Motion by Mr. Rainey, 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-75-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION TO AUTHORIZE THE EXECUTION OF AN INSTALLMENT PAYMENT  
AGREEMENT FOR DELINQUENT TAXES RELATING TO BLOCK 30, LOT 4 ASSESSED TO  
THOMAS H. TOY AND MELVA F. TOY**

Motion by Mr. Pantaleo, seconded by Mr. Rainey, 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-76-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE FOR SMITH LAND COMPANY, LLC, AFFECTING A PARCELS KNOWN AS BLOCK 28, LOT 13 ON THE OFFICIAL TAX MAP OF ELK TOWNSHIP**

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

**RESOLUTION R-77-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION APPROVING AND ACCEPTING FORM OF PERFORMANCE BOND RIDER SUBMITTED FOR APPROVAL FOR A PROJECT BY PAPANONE HOUSING CO., INC. FOR THE SILVER LAKE ESTATES SUBDIVISION AFFECTING THE PARCEL KNOWN AS BLOCK 56, LOT 1 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ELK, RELATING TO PLANNING/ZONING BOARD RESOLUTION NO. 2006-9**

Motion by Mr. Rainey, 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-79-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS PERSONNEL**

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

**RESOLUTION R-80-2010  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: RESOLUTION AMENDING R-25-2010**

**Appointing Doris Brady to Economic Development Committee**

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

**PUBLIC PORTION:**

Motion by Mr. Rainey 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.

No one came forward to comment.

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

**PAY BILLS:**

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

Roll Call:	Mr. Creta	Yes
	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 8:20pm, all were in favor, motion carried.

Motion by Mr. Rainey seconded Mr. Swanson to re-enter the regular meeting at 8:36pm, all were in favor, motion carried.

Motion by Mr. Swanson to adjourn, seconded by Mr. Rainey, all were in favor, the meeting was adjourned at 8:36 PM.

Respectfully Submitted,

Debora R. Pine, RMC, CMC  
Township Clerk

