

**ELK TOWNSHIP COMMITTEE  
MINUTES  
APRIL 7, 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 Deputy Mayor Swanson 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, Mr. Duffield, Solicitor, Mr. Gaskill, Engineer, Mr. C. Fralinger, Engineer, Mr. M. Fralinger, Jr., Engineer, Mr. Considine, CFO, Mrs. Pine, Township Clerk, Mr. Alexander, Public Works, and Police Chief DeFalco. Mayor Barbaro was absent.

**APPROVAL OF MINUTES**

Motion by Mr. Pantaleo, seconded by Mr. Rainey to approve the minutes of the March 3, 2011 Closed Session and March 15, 2011 Work Session and Closed Session, all were in favor, motion carried

**COMMITTEE REPORTS:**

Mrs. Sammons reported the Egg Hunt will be held Saturday, April 9<sup>th</sup>, in the Recreation Park, starting at 10am. A community yard sale will be held on June 4<sup>th</sup> at Ina B. Hull Park on Stanger Avenue. Movie night will be June 10<sup>th</sup> and the movie will be "Despicable Me".

Mr. Pantaleo stated the Economic Development committee met on Monday, April 4<sup>th</sup>. He handed out the 2010 plan and the goals for 2011. They discussed at their meeting solar arrays at the municipal building and school. They are also talking to SJ Gas about possibly bringing a gas line down Whig Lane Road to the school and municipal building.

Mr. Rainey reported the MUA is in the process of dissolving. There are some contract issues that need to be work out.

He met with the school board along with the Mayor concerning their budget. The current attendance is 380.

Crime Watch is still looking for volunteers.

The seniors will be taking a trip to Rainbow Dinner Theater on April 12<sup>th</sup>. The cost is \$40 per person. The senior lunch will be held on April 18<sup>th</sup> at Ferrell Social Hall.

The NJ DOT stated in the newspaper they will be funding a project to put in a traffic light at the intersection of CR 538 and SR 77 to be installed in 2012.

Mr. Swanson stated the construction office issued 24 permits in the month of March.

Mr. Swanson would like to have Solicitor Duffield review the chapter on Street Openings and Excavations. The roads need to be restored properly when the work is completed.

**POLICE CHIEF REPORT:**

Chief DeFalco reported the police department responded to 646 calls for service, 9 motor vehicle crashes with 5 injuries, issued 210 motor vehicle summons and made 26 arrests.

The chief reminded those in attendance that Operation Take Back will be held on April 30<sup>th</sup> from 10am to 2pm.

**TOWNSHIP ENGINEER REPORT:**

Mr. Gaskill stated his office plans to request committee authorization to go to bid on Cedar Bridge Road in May.

There is not much activity going on with the developers.

Hampton Hills, the basin is working, landscaping is being completed, but there has not been any word on the paving.

CVS has installed the pump station and all they need to do is to complete the electric.

Country Woods still has some final punch list items to be completed before the release of their bond.

**FIRE REPORT:**

Mr. Rainey reported Aura Fire Department had 9 fire calls and 4 motor vehicle accidents.

Lawn's Fire Department had 11 calls and 3 motor vehicle accidents.

There was no report from Ferrell Fire or Ambulance.

**PUBLIC WORKS REPORT:**

Mr. Alexander reported the new recycle containers are being distributed. They are still working on getting them out.

As a part of the Energy Grant the upgrades to the electric and lighting in the recreation concession stand have been completed. The rest of the upgrades to the other areas will be done soon.

The department is also getting the equipment ready for spring and mowing.

**ORDINANCE O-2-2011  
ORDINANCE CREATING A NEW CHAPTER OF THE CODE OF THE TOWNSHIP OF ELK  
ENTITLED  
"MUNICIPAL ALLIANCE"  
PUBLIC HEARING**

Motion by Mr. Rainey, seconded by Mrs. Sammons to open to the public concerning Ordinance O-2-2011 all were in favor, motion carried.

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

No one came forward.

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

Motion by Mr. Pantaleo, seconded by Mrs. Sammons to adopt Ordinance O-2-2011, upon roll call motion carried.

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

**ORDINANCE O-3-2011  
ORDINANCE AMENDING CHAPTER 50 ENTITLED "CAMPGROUNDS"  
OF THE CODE OF THE TOWNSHIP OF ELK  
PUBLIC HEARING**

Motion by Mr. Rainey, seconded by Mr. Pantaleo to open to the public concerning Ordinance O-3-2011 all were in favor, motion carried.

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

Dan Haynicz, 1092 Elk Road, wanted to know what this ordinance is for.

Mr. Duffield explained this ordinance adds a violation and penalty section to the code on Campgrounds.

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

Motion by Mr. Pantaleo, seconded by Mr. Rainey to adopt Ordinance O-3-2011, upon roll call motion carried.

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

**ORDINANCE O-4-2011  
ORDINANCE AMENDING CHAPTER 84 ENTITLED "SOLID WASTE"  
OF THE CODE OF THE TOWNSHIP OF ELK  
TITLE ONLY**

Mr. Duffield will look further at the section on repair and replacement of containers.

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

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

**RESOLUTION R-47-2011**

**RESOLUTION DENYING RELEASE OF THE PERFORMANCE SURETY BOND FOR THE  
COUNTRY WOODS SUBDIVISION, AFFECTING A PARCEL KNOWN AS BLOCK 42, LOT 13 ON  
THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ELK**

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

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

**RESOLUTION R-48-2011**

**RESOLUTION APPOINTING OFFICIAL TOW COMPANIES IN ACCORDANCE WITH  
CHAPTER 95 OF THE CODE OF THE TOWNSHIP OF ELK**

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	Abstain
	Mrs. Sammons	Yes
	Deputy Mayor Swanson	Yes

**RESOLUTION R-49-2011**

**RESOLUTION APPROVING EMERGENCY TEMPORARY BUDGET**

Motion by Mrs. Sammons, seconded by Mr. Pantaleo to adopt and approve said resolution, the following discussion ensued.

Mr. Pantaleo is concerned with the amount of the temporary budget. He does not understand why the amount is \$510,000 more than the temporary budget that was adopted in January. Mr. Considine explained in January the municipality is required to adopt a temporary budget which is limited to 26.25% of the prior year appropriations; this is essentially 3 months worth of money. We are now in April and the projected adoption date of the budget is not until the end of May. We do not have enough money to pay all the bills on tonight's bill list, unless we adopt additional spending authority. The temporary budget is just that, temporary. What truly matters is the final adopted. The draft budget is several hundred thousands less than last year's budget. We can adopt temporary budgets at every meeting, it is just more work. In the end the adopted

budget takes away any spending the temporary budget had and only allows spending in the adopted budget.

Mr. Pantaleo asked if this temporary budget is for 3 months or longer.

Mr. Considine stated this temporary budget should get us through July. But he hopes that the actual budget will be adopted before that time.

Mr. Pantaleo thinks going forward that we should be of the mind set of allocating money that keeps vital services going, pay the statutory payments that are required to be paid and nothing above that.

Mr. Considine further explained if we do adopt the budget before July, then yes, we will need this \$1.6 million. It is up to committee to decide what is vital and what should be paid.

Mr. Pantaleo does not feel this temporary budget is sending the right message. He understands we need a temporary budget, but does it need to be \$1.6 million?

Mrs. Sammons stated she has reviewed the temporary budget and does not see where it can be cut.

Mr. Considine stated if committee does not want to approve the temporary budget, then do not approve it.

Mr. Rainey also reviewed the temporary budget and does not see the need to make cuts. There are bills that are necessary to be paid.

Mr. Pantaleo thinks we should be able to foresee what the expenses will be. He would like to see the temporary budget be in line with the actual expenditures that we have and not be an additional \$510,000. He does not want to be an obstacle in the passing of the budget.

Roll Call:	Mr. Pantaleo	No
	Mr. Rainey	Yes
	Mrs. Sammons	Yes
	Deputy Mayor Swanson	Yes

There not being a two-thirds affirmative vote of all the members, the motion was defeated.

**APPROVAL OF TAXICAB LICENSE FOR JULY 1, 2010 THROUGH JUNE 30, 2012  
ALAN COHEN T/A YOUR CHOICE CAR SERVICE**

Motion by Mr. Rainey, seconded by Mrs. Sammons to approve Taxicab License, all were in favor motion carried.

**GLOUCESTER COUNTY REPRESENTATIVE – David Lubelski or William Bain**

**PUBLIC PORTION:**

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

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

Pat Spring, 945 Elk Road, asked who owns the recycle containers. Mr. Duffield stated the township owns the containers. Mr. Spring does not think the residents should be responsible for repair or replacement if it is stolen or hit by a vehicle. Mr. Duffield will be reviewing the wording of the ordinance.

Mr. Spring asked when the budget will be introduced.

Mr. Considine stated we are very close to introducing; there is a draft that meets the state guidelines.

Sam Ragonese, 254 Unionville Road, appreciates the dilemma Mr. Considine is dealing with in regards to the budget. He does not understand what the delay is in adoption. He asked committee if they can talk about what is being discussed.

Mr. Pantaleo explained committee has been working on the budget and are currently evaluating some serious alterations to the spending. They are conscience of not having to increase taxes, not to say they will not be raised. It is a very difficult decision to make.

Mr. Ragonese asked if there is going to be a tax increase or can committee give a range?  
Mr. Rainey stated there will probably be a tax increase; we have cut hundreds of thousands of dollars from last year's budget.

Cindy Merckx, Sentinel Newspaper, stated the public is hearing things and would like to know what is going on. They are hearing there are police being laid off and there will be a tax increase.  
Mr. Considine stated the range of a tax increase is between 1 and 4 cents.

Augusto Rosado, 640 Roosevelt Avenue, purchased a house and is trying to improve the property. He has placed large stumps on the edge of his property to prevent a tractor trailer from riding on his property and creating damage.

Chief DeFalco will be discussing further with Mr. Duffield and the zoning officer, Mr. McCreery to address the problem.

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

**PAY BILLS:**

Motion by Mrs. Sammons to Pay the Bills, as amended, due to the defeat of Resolution R-49-2011, seconded by Mr. Rainey, upon roll call motion was carried.

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

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

Respectfully Submitted,

Debora R. Pine, RMC, CMC  
Township Clerk