

**ELK TOWNSHIP  
COMMITTEE WORK SESSION AGENDA  
December 17, 2019**

MEETING CALLED TO ORDER Time: \_\_\_\_\_

Open Public Meeting Act Statement

FLAG SALUTE

**ROLL CALL:** Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Poisker \_\_\_\_\_ Mr. Rambo \_\_\_\_\_  
Mayor Sammons \_\_\_\_\_ Mr. Considine \_\_\_\_\_ Mrs. Pine \_\_\_\_\_ Mr. Bitgood \_\_\_\_\_

**Approval of minutes** of December 5, 2019 Regular Meeting

Motion \_\_\_\_\_ Second \_\_\_\_\_

**PUBLIC PORTION** on Agenda Items only.

Open meeting to public - Motion \_\_\_\_\_ Second \_\_\_\_\_

Close Public Portion - Motion \_\_\_\_\_ Second \_\_\_\_\_

**RESOLUTIONS:**

**R-139-2019** – Authorizing Release of the Performance Guarantee and Requiring a Maintenance Guarantee by Havish 1, Inc., for Site and Utility Improvements Affecting Block 172 Lot 1.03

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Poisker \_\_\_\_\_

Mr. Rambo \_\_\_\_\_ Mayor Sammons \_\_\_\_\_

**R-140-2019** – To Acknowledge the Completion of a Payment Plan Established to Redeem a Municipal Tax Lien

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Poisker \_\_\_\_\_

Mr. Rambo \_\_\_\_\_ Mayor Sammons \_\_\_\_\_

**R-141-2019** – Authorizing Public Sale by Auction of Block 30, Lot 4 (830 Jacob Harris Lane); Block 67, Lot 18 (283 Union Street); and Block 26, Lot 1 (699 Clems Run) and Establishing Minimum Bid Amounts

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Poisker \_\_\_\_\_

Mr. Rambo \_\_\_\_\_ Mayor Sammons \_\_\_\_\_

**R-142-2019** – Appointing Class II Special Officer for the Elk Township Police Department- Frank Carini

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Poisker \_\_\_\_\_

Mr. Rambo \_\_\_\_\_ Mayor Sammons \_\_\_\_\_

**R-143-2019** – Appointing Class II Special Officer for the Elk Township Police Department – Dylan Warburton

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Poisker \_\_\_\_\_

Mr. Rambo \_\_\_\_\_ Mayor Sammons \_\_\_\_\_

**R-144-2019** – Authorizing 2019 Budget Transfers

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Rambo \_\_\_\_\_

Mrs. Sammons \_\_\_\_\_ Mayor Poisker \_\_\_\_\_

**R-145-2018** – Authorizing Tax Cancellation of Uncollectable Balances under \$5.00 in 2019

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Rambo \_\_\_\_\_

Mrs. Sammons \_\_\_\_\_ Mayor Poisker \_\_\_\_\_

**R-146-2018** – Authorizing Transfer of 2019 Overpayments to 2020

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Rambo \_\_\_\_\_

Mrs. Sammons \_\_\_\_\_ Mayor Poisker \_\_\_\_\_

**R-147-2018** – Approving and Accepting Form of Maintenance Guarantee Submitted by Havish 1, for the Site and Utility Improvements Affecting the Parcel Known as Block 172 Lot 1.03

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Rambo \_\_\_\_\_

Mrs. Sammons \_\_\_\_\_ Mayor Poisker \_\_\_\_\_

**GLOUCESTER COUNTY REPRESENTATIVE** – Leona Mather or James Schmidt

**PURSUANT TO RESOLUTION R-86-2019**

**THERE IS A TIME LIMIT OF 3 MINUTES PER PERSON DURING THE PUBLIC PORTION**

**PUBLIC PORTION:**

Open meeting to public - Motion \_\_\_\_\_ Second \_\_\_\_\_

Close Public Portion - Motion \_\_\_\_\_ Second \_\_\_\_\_

**PAY BILLS:**

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: Mr. Hollywood \_\_\_\_\_ Mrs. Nicholson \_\_\_\_\_ Mr. Poisker \_\_\_\_\_

Mr. Rambo \_\_\_\_\_ Mayor Sammons \_\_\_\_\_

**ADJOURNMENT:**

Motion \_\_\_\_\_ Second \_\_\_\_\_

Time: \_\_\_\_\_

**NOTICE PURSUANT TO N.J.S.A. 10:4-8(d)**

The items listed on this tentative agenda of the Mayor and Committee of the Township of Elk constitutes the agenda to the extent known at the time of posting. Since this agenda is tentative, items may be added and/or deleted prior to the commencement of the meeting. Formal action may or may not be taken regarding each item listed on the final agenda.

**RESOLUTION R-139-2019**

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK  
AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND REQUIRING A  
MAINTENANCE GUARANTEE BY HAVISH 1, INC. FOR SITE AND UTILITY  
IMPROVEMENTS AFFECTING THE PARCEL KNOWN AS BLOCK 172, LOT 1.03 ON THE  
OFFICIAL TAX MAP OF ELK TOWNSHIP,  
GLOUCESTER COUNTY, NEW JERSEY**

**WHEREAS**, the Applicant, Havish 1, Inc., has caused certain work to be performed relating to improvements affecting a parcel known as Block 172, Lot 1.03 on the official Tax Map of Elk Township; and

**WHEREAS**, the Applicant had previously received authorization approving the form and amount of a Performance Guarantee pursuant to Resolution R- 57- 2018 adopted by Mayor and Committee on May 15, 2018; and

**WHEREAS**, after adoption of Resolution R- 57 - 2018, the required Performance Surety Bond No. 76127825 dated May 8, 2018 in the amount of \$255,502.08 issued by The Guarantee Company of North America USA and Cash Bond in the sum of \$28,389.12 were received by the Township Clerk; and remains in effect; and

**WHEREAS**, the Elk Township Engineer has inspected all improvements secured by said Performance Guarantee, and has filed a written report with the Township Clerk dated December 5, 2019 (consisting of 1 page), attached hereto, recommending the release of the Performance Guarantees originally posted pursuant to Resolution R – 57 - 2018; and

**WHEREAS**, the Elk Township Engineer further recommends posting and issuance of a Maintenance Guarantee and Cash Bond as follows:

Maintenance Bond Amount	\$ 10,999.50
<b>Total</b>	<b>\$ 10,999.50</b>

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee, Township of Elk, County of Gloucester, and State of New Jersey as follows:

1. The improvements performed by the Applicant for Block 172, Lot 1.03 are hereby accepted, and the Applicant is hereby released from all liability under the existing Performance Surety Bond No. 76127825 dated May 8, 2018 in the amount of \$255,502.08 issued by The Guarantee Company of North America USA and Cash Bond in the sum of \$28,389.12, however, subject to the conditions set forth below.

2. The Applicant shall post a Maintenance Guarantee in the sum of \$10,999.50 for a period of two (2) years and in the manner set forth in N.J.A.C. 5:36-4.4 and/or N.J.A.C. 5:36-4.2.

3. The Applicant is hereby directed to forward the above-described Maintenance Guarantee to the Township Clerk to satisfy the contingency set forth herein. In addition, all funds currently held by the Treasurer for inspection escrows shall be refunded to the Applicant after all outstanding invoices are satisfied.

4. That no above-mentioned Performance Guarantee shall be released until receipt by the Township of an approved Maintenance Guarantee in a form and manner satisfactory to the Township's Solicitor (if not previously submitted and approved); and payment by the Applicant of any outstanding fees or costs from inspections, escrows and/or items more particularly set forth in the Application and Resolution of the Township Planning Board approving the project.

5. The Township Clerk is hereby directed to forward a certified copy of this Resolution to the Applicant, the Elk Township Engineer and the Elk Township Treasurer.

**ADOPTED** at a Regular Meeting of the Elk Township Committee held December 17, 2019.

**TOWNSHIP OF ELK**

BY: \_\_\_\_\_  
**CAROLYN D. K. SAMMONS, Mayor**

**ATTEST:**

\_\_\_\_\_  
**DEBORA R. PINE, Township Clerk**

ROLL CALL VOTE				
COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
Hollywood				
Nicholson				
Poisker				
Rambo				
Sammons				

**CERTIFICATION**

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on December 17, 2019, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

\_\_\_\_\_  
**DEBORA R. PINE, Township Clerk**



FEDERICI & AKIN, P.A.  
CONSULTING ENGINEERS

Joseph P. Federici, Jr., P.E., P.P.  
President

Douglas E. Akin, P.L.S., P.P.  
Vice President

Bret T. Yates  
Director of Marketing

307 Greentree Road  
Sewell, New Jersey 08080  
(856) 589-1400; Fax (856) 582-7976

December 5, 2019  
File No.17051

Township of Elk  
680 Whig Lane  
Monroeville, NJ 08343  
Att: Mayor Sammons & Committee

**Re: Havish-1, aka Plazma Liquors, Site Plan Improvements  
Block 172- Lot 1.03  
Completion & Release of Guarantee**

Dear Mayor Sammons & Committee Members,

The construction of the referenced project has been completed.

A final inspection was conducted by Federici & Akin, P.A.. All work has been found to be satisfactory and in general conformance with the approved plans and approved minor changes. Accordingly, we recommend that the Township approve a resolution authorizing the release of the performance guaranty upon receipt of an acceptable Maintenance Guarantee.

The maintenance guarantee shall be equal to fifteen percent of the approved construction costs for dedicated and stormwater improvements. The maintenance bond should therefore be in the amount of **\$10,999.50**, determined as shown in the attached estimate:

Construction Costs Stormwater & Dedicated items only: \$73,330.00  
Maintenance Guarantee Amount = \$73,330.00 x 15% = **\$10,999.50.**

The maintenance bond shall be for a period of two years and subject to the review and approval by the Township Solicitor as to form, sufficiency, and execution.

If you have any questions please contact me at your convenience.

Very truly yours,  
**FEDERICI & AKIN, P.A.**

*Stan M. Bitgood*

Stan M. Bitgood, P.E., C.M.E.  
Elk Township Municipal Engineer

enc: Performance Guarantee Estimate, 12/5/19  
ecwe: Brian Duffield, Esq.; Township Solicitor  
Debbie Pine, R.M.C., Township Clerk  
Havish 1, Applicant



FEDERICI & AKIN, P.A.  
CONSULTING ENGINEERS

Joseph P. Federici, Jr., P.E., P.P.  
President  
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307 Greentree Road  
Sewell, New Jersey 08080  
(856) 589-1400; Fax (856) 582-7976

**Performance Guarantee Estimate**

**Havish 1, Inc.**

**Block 172, Lot 1.03**

Township of Elk, Gloucester County, New Jersey

**F&A # 17051**

10/30/2017

**Rev: 12/5/2019**

Item	Description	Quantity	Unit	Unit Price	Est. Cost	% Complete	\$ Remaining
1	Silt Fence	1255	L.F.	\$4.00	\$5,020.00	100%	\$0.00
2	Construction Entrance	1	Each	\$2,000.00	\$2,000.00	100%	\$0.00
3	Inlet Protection	3	Unit	\$200.00	\$600.00	100%	\$0.00
4	Clearing Site	1	L.S.	\$1,000.00	\$1,000.00	100%	\$0.00
5	Tree Removal	30	Unit	\$300.00	\$9,000.00	100%	\$0.00
6	Basin Excavation	1165	C.Y.	\$8.00	<b>\$9,320.00</b>	100%	\$0.00
7	K-5 Sand	920	C.Y.	\$60.00	<b>\$55,200.00</b>	100%	\$0.00
8	Basin Access Drive, Grass Pavers on Stone	220	S.F.	\$6.00	<b>\$1,320.00</b>	100%	\$0.00
9	RCP, 15"	200	L.F.	\$55.00	\$11,000.00	100%	\$0.00
10	RCP, 15" (Cl. V)	50	L.F.	\$60.00	\$3,000.00	100%	\$0.00
11	RCP, 18"	53	L.F.	\$60.00	\$3,180.00	100%	\$0.00
12	Type "A" Inlet, 0'-6' Depth	1	Unit	\$1,750.00	\$1,750.00	100%	\$0.00
13	Type "B" Inlet, 0'-6' Depth	1	Unit	\$2,500.00	\$2,500.00	100%	\$0.00
14	Manhole, 4' Diameter, 0'-6' Depth	3	Unit	\$2,500.00	\$7,500.00	100%	\$0.00
15	Outlet Control Structure	1	Unit	\$5,000.00	<b>\$5,000.00</b>	100%	\$0.00
16	Concrete Headwall, 18"	1	Unit	\$1,500.00	<b>\$1,500.00</b>	100%	\$0.00
17	Rip Rap, 8" Thick	22	S.Y.	\$45.00	<b>\$990.00</b>	100%	\$0.00
18	Dense Graded Aggregate, 6" Thick	22	S.Y.	\$8.00	\$176.00	100%	\$0.00
19	HMA Surface Course, 2" Thick	1,555	S.Y.	\$8.50	\$13,217.50	100%	\$0.00
20	HMA Base Course, 3" Thick	1555	S.Y.	\$11.50	\$17,882.50	100%	\$0.00
21	Concrete Curb, 6" x 8" x 18"	855	L.F.	\$30.00	\$25,650.00	100%	\$0.00
22	Concrete Sidewalk 4" Thick	190	S.Y.	\$50.00	\$9,500.00	100%	\$0.00
23	Handicapped Parking, Painted with Sign	4	Unit	\$250.00	\$1,000.00	100%	\$0.00
24	Signs	2	Unit	\$160.00	\$320.00	100%	\$0.00
25	Traffic Symbol, Painted	10	Unit	\$25.00	\$250.00	100%	\$0.00
26	Striping, Parking Lot, 4" Wide	950	L.F.	\$0.50	\$475.00	100%	\$0.00
27	Trash Enclosure, Vinyl clad	1	Unit	\$3,500.00	\$3,500.00	100%	\$0.00
28	Split Rail Fence w/ Vinyl Wire Mesh, 4' Height	475	L.F.	\$25.00	\$11,875.00	100%	\$0.00
29	Relocate Light Pole	2	Unit	\$500.00	\$1,000.00	100%	\$0.00
30	Site Light Pole, 14' Height	3	Unit	\$2,800.00	\$8,400.00	100%	\$0.00
31	Signs	2	Unit	\$160.00	\$320.00	100%	\$0.00
32	Deciduous Trees	11	Unit	\$350.00	\$3,850.00	100%	\$0.00
33	Evergreen Trees	40	Unit	\$200.00	\$8,000.00	100%	\$0.00
34	Shrubs	57	Unit	\$40.00	\$2,280.00	100%	\$0.00
35	4" Topsoil, Fertilizer, Seed and Mulch	1800	S.Y.	\$5.00	\$9,000.00	100%	\$0.00
<b>Subtotal:</b>					<b>\$236,576.00</b>		<b>\$0.00</b>

**Estimated Construction Cost:** \$236,576.00  
**Plus 20 % Contingency:** \$47,315.20

**Amount of Original Performance Guarantee to be Released:** \$283,891.20

**Amount of Dedicated & Stormwater Items:** \$73,330.00

(Bold items in above estimate)

**Amount of Maintenance Guarantee Required (15%):** \$10,999.50

This estimate is as required by N.J.A.C. 40:55D-53.4

*Stan M. Bitgood*

Stan M. Bitgood, P.E., C.M.E.

N.J.P.E. # 35193

**R-140-2019**

**RESOLUTION TO ACKNOWLEDGE THE COMPLETION OF A PAYMENT PLAN  
ESTABLISHED TO REDEEM A MUNICIPAL TAX LIEN**

**WHEREAS**, the following block and lot was approved to redeem their Township Lien through a payment plan. The below block and lot has completed their plan:

CERTIFICATE#	BLOCK/LOT	SALE DATE	COMPLETION DATE	RESOLUTION #
14-00016	148/4.01	10/28/2014	12/10/19	R-138-2016

**WHEREAS**, this homeowner has completed his agreement and is now subject to the enforcement set forth in N.J.S.A 54:5-1

**NOW THEREFORE BE IT RESOLVED**, the Township Committee has acknowledged the completion of R-138-2016 that allowed Block 148 Lot 4.01, 120 Dunbar Boulevard, Glassboro, NJ 08028, to pay the redemption of tax sale certificate 14-00016 in a payment plan.

**ADOPTED**, at the meeting of the Township Committee for the Township of Elk held on December 17, 2019.

**TOWNSHIP OF ELK**

**Carolyn D. K. Sammons, Mayor**

**Attest:**

**Debora R. Pine, Township Clerk**

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Hollywood				
Nicholson				
Poisker				
Rambo				
Sammons				

**RESOLUTION R-141-2019**

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK  
AUTHORIZING PUBLIC SALE BY AUCTION OF BLOCK 30, LOT 4  
(830 JACOB HARRIS LANE); BLOCK 67, LOT 18 (283 UNION STREET); AND BLOCK 26,  
LOT 1 (699 CLEMS RUN) AND ESTABLISHING MINIMUM BID AMOUNTS**

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**WHEREAS**, the Elk Township Committee has determined to sell, via public auction. The properties identified as follows:

	<u>Block</u>	<u>Lot</u>	<u>Property Location</u>	<u>Lot Size</u>
1.	30	4	830 Jacob Harris Lane	6.03 acres ±
2.	67	18	283 Union Street	5.20 acres ±
3.	26	1	699 Clems Run	1.40 acres ±

; and

**WHEREAS**, the Elk Township governing body has determined to establish a minimum bid amount as follows:

	<u>Block</u>	<u>Lot</u>	<u>Property Location</u>	<u>Bid Minimum</u>
1.	30	4	830 Jacob Harris Lane	\$138,300.00
2.	67	18	283 Union Street	\$106,200.00
3.	26	1	699 Clems Run	\$72,800.00

: and

**WHEREAS**, the Elk Township governing body has determined to schedule the public auction for February 11, 2020 at 3:00 P.M.; and

**WHEREAS**, the Elk Township governing body has reserved the right to accept or reject any and all bids, and impose certain terms and conditions regarding the sale of the property as more specifically set forth in the Public Notice attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Elk, County of Gloucester, State of New Jersey, that the sale by public auction of the following properties is hereby authorized pursuant to the terms and conditions of the Public Notice attached hereto.

	<u>Block</u>	<u>Lot</u>	<u>Property Location</u>	<u>Lot Size</u>	<u>Bid Minimum</u>
1.	30	4	830 Jacob Harris Lane	6.03 acres ±	\$138,300.00
2.	67	18	283 Union Street	5.20 acres ±	\$106,200.00
3.	26	1	699 Clems Run	1.40 acres ±	\$72,800.00



**ADOPTED** at a Regular Meeting of the Elk Township Committee held December 17, 2019.

**TOWNSHIP OF ELK**

**BY:** \_\_\_\_\_  
**CAROLYN D. K. SAMMONS, Mayor**

**ATTEST:**

\_\_\_\_\_  
**DEBORA R. PINE, Township Clerk**

ROLL CALL VOTE				
COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
Hollywood				
Nicholson				
Poisker				
Rambo				
Sammons				

**CERTIFICATION**

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on December 17, 2019, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

\_\_\_\_\_  
**DEBORA R. PINE**  
Clerk

**PUBLIC NOTICE**  
**NOTICE OF PUBLIC SALE BY AUCTION OF REAL ESTATE BY THE**  
**TOWNSHIP OF ELK, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY FOR**  
**BLOCK 30, LOT 4 (830 JACOB HARRIS LANE); BLOCK 67, LOT 18**  
**(283 UNION STREET) AND BLOCK 26, LOT 1 (699 CLEMS RUN)**

PLEASE TAKE NOTICE that pursuant to N.J.S.A. 40A:12-13 and Ordinance No. O-7-2019 (830 Jacob Harris Lane and 283 Union Street) and Ordinance No. O-10-2019 (699 Clems Run), the Elk Township Committee has authorized via public auction the sale of Township owned real property. A public auction for the properties identified below will be conducted on February 11, 2020, at 4:00 p.m. The public auction will be conducted at the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

The properties to be sold are described as follows:

	<u>Block</u>	<u>Lot</u>	<u>Property Location</u>	<u>Lot Size</u>	<u>Bid Minimum</u>
1.	30	4	830 Jacob Harris Lane	6.03 acres ±	\$138,300.00
2.	67	18	283 Union Street	5.20 acres ±	\$106,200.00
3.	26	1	699 Clems Run	1.40 acres ±	\$72,800.00

The sale of the properties are being made subject to the terms, conditions, restrictions and limitations of a Contract for Sale between the successful bidder and the Township and the following terms and conditions:

1. The descriptions of the properties are intended as a general guide only and may not be accurate. No representations of any kind are made by the Township of Elk as to the condition of the property; the premises are being sold strictly in their present condition "AS IS".
2. The sale is made subject to all applicable laws, statutes, regulations and ordinances of the United States, State of New Jersey, County of Gloucester and the Township of Elk.
3. No employee, agent or officer of the Township of Elk has any authority to waive, modify or amend any conditions of the sale.
4. Bids for the properties must be made for a sum equal or greater to the minimum bid.
5. The properties will be conveyed by a Quitclaim Deed and such conveyance shall be subject to all covenants, restrictions, reservations and easements established of record or by prescription and without representation as to character of title of the properties to be conveyed.
6. All sales are subject to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq. and all rights reserved by the Township by such law.

7. Bidder shall deposit cash, check or money order in the amount of not less than 10% of the high bid price at the time of sale. In the event the successful bidder fails to deposit 10% of the bid price at the time of the sale, the Township will re-auction the property at the same public sale. If the successful bidder fails to pay the deposit, the bidder shall be responsible for any difference between their bid and the final sale bid in the event such bid is lower than the bid of the original bidder.
8. The winning bidder shall abide by all zoning, subdivision, health and building regulations and codes and acknowledges that this sale will not be used as grounds to support any variance from or relaxation of the Township's Zoning Code.
9. The winning bidder acknowledges that failure to close title as agreed shall be cause to forfeit all funds deposited with the Township.
10. The winning bidder acknowledges that the purchase price shall not be used before any County Board of Taxation, Tax Court of New Jersey, or in any court of this State as grounds to support a challenge of the existing assessments with regard to other properties.
11. The Township reserves the right to withdraw the offer of sale of each property.
12. All sales are subject to final approval by the Township Committee.
13. The Township does not warrant or certify title to the property and in no event shall the Township of Elk be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to the premises prior to the closing. In the event of closing and a later determination is made that title is defective, the Township shall not be responsible for the same and shall not be required to refund money or correct any defect in title or be held liable for damages.
14. Acceptance of the offer of the highest bid shall constitute a binding agreement of sale, and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
15. The successful bidder shall bear the burden of obtaining any and all approvals from the appropriate municipal, county or government agency, if applicable. The successful bidder shall also bear the burden of obtaining and paying for any and all necessary permits, connections, and/or arrangements to provide for cable, water, electric, sewer or solid waste disposal.
16. The Township reserves the right to accept the highest responsive bid if equal to or greater than the minimum bid price, or to reject all bids at the public sale and not to award to the highest bidder. The Township reserves the right to waive any and all defects and informalities in any proposal, and to accept or reject the highest responsive and responsive bid deemed to be in the best interest of the Township.

17. This sale is made subject to such state of facts as an accurate survey may disclose, existing tenancies, rights of persons in possession, easements, conditions, covenants and restrictions and any other encumbrances of title which the Township Committee may impose on any parcel at the time of the sale, including but not limited to restrictions on the use to be made of such real property, capital improvements or personal property and any conditions of sale as buildings or structures, or as to the type, size or other specializations of buildings or structures, and the time within such conditions shall be operative, or any other conditions of sale in like manner to the same extent as by any other purchaser.
  
18. In addition to the terms and conditions set forth herein, successful bidders agree that the Township shall impose the following conditions:
  - a. To deposit cash, cashier's check or money order in an amount not less than 10% of the high bid price at the time that the bid is submitted.
  - b. To pay on or before the date of closing:
    - i. The balance of the purchase price.
    - ii. The cost of preparation of all legal documents and advertising costs relating to each property.
    - iii. The prorated real estate taxes, for the balance of the current quarter as of the date of closing.
    - iv. The realty transfer fees.
    - v. All recording fees.

Debora R. Pine, Clerk  
Township of Elk  
680 Whig Lane  
Monroeville, NJ 08343  
856-881-6525

R-142-2019

**RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RE: APPOINTING CLASS II SPECIAL OFFICER  
FOR THE ELK TOWNSHIP POLICE DEPARTMENT- Frank Carini**

**WHEREAS**, the Township of Elk has an opening for the appointment of a Class II Special Officer for the Elk Township Police Department; and

**WHEREAS**, Frank Carini desires to serve in this position; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Elk, that Frank Carini be appointed to the position of Class II Special Officer to the Elk Township Police, effective December 18, 2019, subject to the existing salary schedule and the completion of any necessary eligibility requirements.

**ADOPTED** at a meeting of the Township Committee of the Township of Elk held on **December 17, 2019**.

**TOWNSHIP OF ELK**

CAROLYN D. K. SAMMONS, Mayor

**ATTEST:**

DEBORA R. PINE, TOWNSHIP CLERK

ROLL CALL VOTE				
COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
Hollywood				
Nicholson				
Poisker				
Rambo				
Sammons				

**CERTIFICATION**

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on December 17, 2018 in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

DEBORA R. PINE, Township Clerk





**RESOLUTION R-145-2019**

**RE: RESOLUTION AUTHORIZING TAX CANCELLATION OF  
UNCOLLECTABLE BALANCES UNDER \$5.00 IN 2019**

**WHEREAS** as of December 2019 the attached tax balances remained unpaid, and

**WHEREAS** all of the following balances at this time seem to be uncollectable. The cost of collecting these would cost the Township more than what the balances are at this time and should be canceled.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Elk, that the balances be canceled and Tax Collector adjust the books accordingly.

**THIS RESOLUTION IS DULY ADOPTED** by the Township Committee of the Township of Elk at its work session held on the 17th day of December, 2019 at the Municipal Building, 680 Whig Lane, Monroeville, NJ 08343.

**TOWNSHIP OF ELK**

\_\_\_\_\_  
**CAROLYN D. K. SAMMONS, Mayor**

**ATTEST:**

\_\_\_\_\_  
**DEBORA R. PINE, TOWNSHIP CLERK**

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Hollywood				
Nicholson				
Poisker				
Rambo				
Sammons				



**RESOLUTION R-146-2019**

**RESOLUTION AUTHORIZING TRANSFER OF  
2019 OVERPAYMENTS TO 2020**

**WHEREAS** it appears on the records of the Township of Elk that there were certain overpayments of taxes for the year 2019, and

**WHEREAS** it further appears that these overpayments should be transferred and applied to the taxing year of 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Elk to authorize the tax collector to transfer overpayments of \$5.00 or more to 2020.

**THIS RESOLUTION IS DULY ADOPTED** by the Township Committee of the Township of Elk at its work session held on the 17<sup>th</sup> day of December, 2019 at the Municipal Building, 680 Whig Lane, Monroeville, NJ 08343.

**TOWNSHIP OF ELK**

**CAROLYN D. K. SAMMONS, Mayor**

**ATTEST:**

**DEBORA R. PINE, TOWNSHIP CLERK**

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Hollywood				
Nicholson				
Poisker				
Rambo				
Sammons				

**RESOLUTION R-147-2019**

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK  
APPROVING FORM OF MAINTENANCE GUARANTEE SUBMITTED FOR APPROVAL FOR  
A PROJECT BY HAVISH 1, INC. FOR SITE IMPROVEMENTS AFFECTING PARCEL  
KNOWN AS BLOCK 172, LOT 1.03 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF  
ELK, GLOUCESTER COUNTY, NEW JERSEY,**

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**WHEREAS**, via Resolution R-139-2019, the Elk Township Committee authorized release of the Performance Surety Bond and Cash Bond; and

**WHEREAS**, the Elk Township Engineer has calculated the amount of the Maintenance Guarantee to be in the sum of \$10,999.50 for a period of two (2) years; and

**WHEREAS**, the Maintenance Guarantee can be provided to the Township as follows:

(i) Maintenance Guarantee Amount: \$10,999.50

**WHEREAS**, the Applicant has submitted Maintenance Surety Bond No. 76172814 dated December 6, 2019, in the amount of \$10,999.50 issued by The Guarantee Company of North America USA; and

**WHEREAS**, the Elk Township Solicitor has reviewed the form of Maintenance Surety Bond which has been submitted by The Guarantee Company of North America USA on behalf of the Applicant, and has approved the amount and form of said Maintenance Surety Bond; and

**WHEREAS**, the Elk Township Committee has reviewed the aforesaid opinion of the Township Solicitor and, based upon the opinion of the Township Solicitor, has determined that the submitted form of Maintenance Surety Bond is acceptable.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Elk, Gloucester County, New Jersey, as follows:

1. The form of Maintenance Surety Bond No. 76172814 dated December 6, 2019, in the amount of \$10,999.50 issued by The Guarantee Company of North America USA is hereby approved, and the Township Clerk may accept said Maintenance Surety Bond upon receipt of the original documents.

2. The Township Treasurer is hereby authorized to return any cash bond held in escrow by the Township less 10% which shall be retained by the Township for a period of two (2) years concurrently with the Maintenance Surety Bond.

3. When the balance of the initial escrow amount deposited by the applicant for inspection fees drops to 10% of the total inspection fee amount, the developer shall make additional deposits of 25% of the total inspection fee estimate. The Township Engineer shall not perform any inspection if sufficient funds to pay for those inspections are not on deposit with the Treasurer.

4. The approval granted herein is given in reliance upon all representations made by the Applicant, including drawings, plans and other materials filed in connection with this application, and those items specifically referred to and/or incorporated in all Resolution(s) adopted by the Elk Township Committee relating to the Applicant's project.

5. The Township Clerk is directed to forward a certified copy of this Resolution to the Applicant, the Elk Township Engineer and the Elk Township Treasurer.

**ADOPTED** at a regular meeting of the Elk Township Committee held December 17, 2019.

**TOWNSHIP OF ELK**

**BY:** \_\_\_\_\_  
**CAROLYN D. K. SAMMONS, Mayor**

**ATTEST:**

\_\_\_\_\_  
**DEBORA R. PINE, Township Clerk**

ROLL CALL VOTE				
COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
Hollywood				
Nicholson				
Poisker				
Rambo				
Sammons				

**CERTIFICATION**

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on December 17, 2019 in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

\_\_\_\_\_  
**DEBORA R. PINE**  
Clerk