ELK TOWNSHIP
COMMITTEE WORK SESSION MINUTES
February 16, 2021

The meeting was called to order by Mayor Sammons at 7:00PM.
The Open Public Meeting Notice was read.
The Salute to the Flag was recited.

ROLL CALL: Present were: Mr. Hollywood, Mrs. Nicholson, Mr. Poisker, Mr. Rambo, Mayor Sammons, Mr. Considine, CFO, Mrs. Pine, Township Clerk and Mr. Bitgood, Engineer.

Approval of minutes of February 4, 2021 Regular Meeting
Motion by Mr. Hollywood, seconded by Mrs. Nicholson to approve the minutes of the February 4, 2021 Regular Meeting motion carried with Mr. Rambo abstaining.

PUBLIC PORTION on Agenda Items only.
Motion by Mrs. Nicholson to open the meeting to the public, seconded by Mr. Hollywood, all were in favor, motion carried.
Mayor Sammons asked if anyone had any questions on agenda items to speak at this time.
No one spoke.
Motion by Mr. Hollywood to close the public portion, seconded by Mr. Rambo, all were in favor, motion carried.

ORDINANCE:
O – 1 – 2021 – Amending Chapter 84 Entitled “Solid Waste” of the Code of the Township of Elk

Title Only
Motion by Mrs. Nicholson to approve Ordinance O.1-2021, seconded by Mr. Rambo, upon roll call motion carried.

Roll Call: Mr. Hollywood Yes
Mrs. Nicholson Yes
Mr. Poisker Yes
Mr. Rambo Yes
Mayor Sammons Yes

RESOLUTION:
R-37-2021 – Appointing Kurt Lindsley as the Electric Subcode Official of the Township of Elk
Motion by Mr. Hollywood, seconded by Mr. Rambo to adopt and approve said Resolution, upon roll call motion carried.

Roll Call: Mr. Hollywood Yes
Mrs. Nicholson Yes
Mr. Poisker Yes
Mr. Rambo Yes
Mayor Sammons Yes

Motion by Mr. Rambo, seconded by Mr. Hollywood to adopt and approve said Resolution, upon roll call motion carried.

Roll Call: Mr. Hollywood Yes
Mrs. Nicholson Yes
Mr. Poisker Yes
Mr. Rambo Yes
Mayor Sammons read the Resolution and presented each of the officers with a copy of the resolution. Gloucester County Commissioner Frank DeMarco was present via telephone and read a Certificate of Commendation issued by the Gloucester County Board of Commissioners that will be sent to the officers. Mr. DeMarco thanked the Officer and on behalf of the Board of Commissioners and the Gloucester County Law Enforcement Offices.

**R-39-2021** – To Go Into Closed Executive Session to Discuss Contract Negotiations in Regards to the Elk Township Police Department

Motion by Mrs. Nicholson, seconded by Mr. Rambo to adopt and approve said Resolution, all were in favor, motion carried.

**GLOUCESTER COUNTY REPRESENTATIVE**, Leona Mather was present to assist with any questions or concerns for the county. There were none. Mrs. Mather encouraged everyone to register with the state to receive their Covid vaccine.

**PURSUANT TO RESOLUTION R-26-2021**
**THERE IS A TIME LIMIT OF 3 MINUTES PER PERSON DURING THE PUBLIC PORTION**

**PUBLIC PORTION:**
Motion by Mrs. Nicholson to open the meeting to the public, seconded by Mr. Hollywood, all were in favor, motion carried.

Mayor Sammons asked if anyone had any questions or comments or an issue they would like to bring to the township committees attention to speak at this time.

No one spoke at this time.

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

**PAY BILLS:**
Motion by Mr. Rambo to Pay the Bills, seconded by Mr. Hollywood, upon roll call motion was carried.

Roll Call:

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<th>Person</th>
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<tr>
<td>Mr. Hollywood</td>
<td>Yes</td>
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<td>Mrs. Nicholson</td>
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<td>Mr. Poiskier</td>
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<td>Mr. Rambo</td>
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<td>Mayor Sammons</td>
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**RECESS:**
Motion to recess by Mrs. Nicholson, seconded by Mr. Rambo, all were in favor, the meeting recessed at 7:17 PM.

Motion to re-enter the meeting by Mrs. Nicholson, seconded by Mr. Hollywood, the meeting reconvened at 7:36 PM.

**Summary of Closed Session:**
Mayor Sammons summarized the Committee was brought up to date with the current status of the negotiations of the police contract by Mr. Considine. There were no decisions made.

**R-40-2021** – Authorizing the Mayor to Execute an Agreement with PBA Local #122 for the Period January 1, 2019 – December 31, 2023

A motion was made by Mr. Poiskier to approve Resolution R-40-2021 pending approval of Township Labor Counsel, seconded by Mr. Rambo, upon roll call all were in favor, motion carried.
Roll Call:
Mr. Hollywood Yes
Mrs. Nicholson Yes
Mr. Poisker Yes
Mr. Rambo Yes
Mayor Sammons Yes

Mr. Considine reported the trash is moving along, committee introduced the new Solid Waste ordinance tonight, the cans should be delivered in 30 days. He is looking at dumpsters for certain locations in the township. He is looking at Waste Management bid through the County. Mr. Considine is also looking at a contract for Omni Recycling, since the township will now be responsible for the disposal of recycling.

An ad needs to be placed in the paper for a full-time and/or part-time laborer for public works. A CDL-B will be required, with salary commensurate with experience.

Motion by Mr. Hollywood to adjourn, seconded by Mr. Rambo, all were in favor, the meeting was adjourned at 7:47PM.

Respectfully Submitted,

Debora R. Pine, RMC, CMC
Township Clerk
ORDINANCE NO. O – 1 – 2021

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 84
ENTITLED “SOLID WASTE” OF THE CODE OF THE TOWNSHIP OF ELK

WHEREAS, the Mayor and Committee of the Township of Elk have determined that certain amendments to Chapter 84 entitled “Solid Waste” are necessary; and

WHEREAS, in all other respects Chapter 84 entitled “Solid Waste” shall remain in full force and effect.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Elk, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same to create a new Chapter 84 entitled “Solid Waste and Recycling”, as follows:

Section 1.

The existing text and title of Chapter 84 entitled “Solid Waste” shall be deleted in its entirety and replaced with the following:

CHAPTER 84
SOLID WASTE AND RECYCLING

§84-1. Program established.

A. There is hereby established a program for the mandatory source separation of recyclable materials within the Township of Elk, and the requirements of this chapter shall apply to all property owners, occupants and tenants of such property situated within the Township of Elk. Such separation, collection and disposal of specified recyclable materials shall be made under the supervision and guidance of the Township’s Recycling Coordinator.

B. There is hereby established a program to prohibit scavenging of recyclable materials within the Township of Elk and the requirements of this chapter shall apply to all.

C. There is hereby established a program to prohibit littering and dumping within the Township of Elk, and the requirements of this chapter shall apply to all.

§84-2. Definitions.

For the purpose of this and succeeding sections, the following words shall have the meanings respectively ascribed to them by this section:

BUILDING - A structure that contains one or more units.

BULKY AND INDUSTRIAL WASTE – All waste generated by any residence/dwelling unit, industrial business or manufacturing concern of any kind whatsoever and all bulky waste as defined in N.J.A.C. 7:26-1.4, which shall include but not be limited to the following: all items which exceed the size or weight requirements herein, tree trunks or large limbs or stumps, auto bodies or any part thereof, demolition or construction materials, appliances, white goods, furniture, empty drums and other nontoxic bulky items.

BUNDLES - A bundle shall be tied when placed for collection.
CARTS - A container authorized by the Township and designed to be mechanically emptied by an automated collection vehicle.

COMMERCIAL SECTOR - All designated commercial retail, wholesale, institutional, markets and manufacturing facilities including, but not limited to:

   A. COMPLEX – Farms, apartments, private schools, construction and demolition projects.

   B. BUILDINGS – Taverns, restaurants, churches, offices, professional offices, day-care facilities, strip stores and multifamily buildings containing five or more units.

COMMINGLED – A combining of non-putrescible source-separated recyclable materials for the purpose of recycling.

COMPLEX - A property that contains more than one building with or without multiple units.

CONTAINERS or RECEPTACLES - A roll-off, dumpster, cart, can, or bag designed to receive and accept solid waste or recyclable materials and prevent spillage or leakage of their contents.

CURBS - The area adjoining the curb line of the streets.

DESIGNATED RECYCLABLE MATERIALS - Those materials designated within the Gloucester County District Solid Waste Management Plan to be source separated for the purpose of recycling. The following materials shall be designated recyclables from the commercial, municipal, and residential sectors: ozone-depleting compound appliances, metal, glass, cans, plastic, paper, vegetative, wood, batteries, oil, used oil filters, tires, masonry, and asphalt roofing shingles.

DOCUMENTATION - Original or clear copies of receipts or letters in the form of certified weight receipts or a signed business form letter that shall include the name of the recycling market, the hauler, and the generator and shall show the dates and quantity/weight of each recycled material. It is recommended that a summary sheet be provided for each recycled material. These receipts or letters shall be acceptable from recycling market(s) or solid waste facility or hauler(s) or a letter from the construction or demolition permit applicant stating the material(s) were processed with the municipal collection program or a letter from the construction or demolition permit applicant stating that no receipts were provided to them from the identified market(s) and/or hauler(s) or a letter from the construction or demolition permit applicant stating that no material was generated.

DUMPING - Placement of any form of solid waste or recyclables not placed in a public receptacle or in authorized private receptacles for collection, upon any street, sidewalk, or public or private property.

DUMPSTERS - A container designed to be mechanically emptied. These dumpsters must have lids.

DWELLING UNIT - A structure, or an entirely self-contained portion thereof, which is designed for and occupied principally as a place of residence for one housekeeping unit. A dwelling unit must be suitable for year-round occupancy, must have a valid certificate of occupancy, or equivalent authorizing document, and must contain facilities for cooking, sleeping, bathing and human sanitation which are for the exclusive use of the occupants of the dwelling. For temporary housing used solely for farming purposes, the owner of the subject farm may request special consideration by the governing body for issuance of garbage and recycling containers specific to such housing. Temporary dwelling units must be in compliance with all applicable, local, state and federal regulations and have a certificate of occupancy, or equivalent authorizing documentation.

ELECTRONIC WASTE - This shall mean a computer central processing unit and associated hardware including keyboards, modems, printers, scanners and fax machines; a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones.
ESTABLISHMENT - A place where people live or conduct business.

GARBAGE – All refuse, entrails and waste of animals and fish and all vegetable matter which has been or was intended to be used as food, including all packaging material which is not recyclable; all clam, oyster, crab and lobster shells; and all other materials so specified by the State of New Jersey.

HAZARDOUS - Including, but not limited to, paints, paint thinners/cleaners, insecticides, pesticides and any other items so designated by the federal or state environmental protection agencies as to require special handling.

ITEMS - A product too large to fit into a container or plastic bag.

LANDFILL - A facility designed exclusively to accept solid waste, designed and permitted to meet all federal and New Jersey Environmental Protection Agency rules and standards.

LITTERING - Placement of any form of solid waste or recyclables not placed in a public receptacle or in authorized private receptacles for collection, upon any street, sidewalk, or public or private property.

MEDICAL/BIOHAZARDOUS - Placement of any form of medical or biohazardous waste not placed in a receptacle or in authorized private receptacles for collection pursuant to N.J.A.C. 7:26-3 et seq.

METAL OR PLASTIC CANS - A container made of metal or plastic.

MULTIFAMILY DWELLING - Multifamily dwelling- means any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see NJSA 13:1E-99.13a.) and shall include hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the "Hotel and Multiple Dwelling Law," P.L. 1967, c. 76 (C.55: 13A-1 et seq.).

MUNICIPAL RECYCLING COORDINATOR - The person or persons appointed by the municipal governing body and who shall be authorized to, among other things, enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder.

MUNICIPAL SECTOR – All designated government buildings, parks, public events, public school facilities, fire and ambulance facilities.

MUNICIPAL SOLID WASTE (MSW) STREAM - All solid waste generated at residential, commercial, and institutional establishments within the boundaries of the municipality of Elk Township.

PLASTIC BAGS - A bag designed to hold solid waste or recyclable materials.

RECYCLABLE MATERIAL - Those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

A. FERROUS AND NONFERROUS METAL - Examples of which are washers, dryers, dishwashers, ovens, hot water tanks, hot and cold water tanks, gas/oil/electric heaters, gas tanks, bicycles, metal shelves, storage cabinets, auto parts, metal lawn equipment or other large appliances commonly referred to as a "white goods."

B. OZONE-DEPLETING COMPOUNDS (FREON) - Items containing chlorofluorocarbon (CFC) and other ozone-depleting compounds (ODC). Examples of which are air conditioners, refrigerators, and freezers.

C. CANS - Aluminum, steel, tin and bimetal containers and foil.
D. GLASS - All bottles, jars and jugs made from silica or sand, soda ash and limestone, and used for packaging or bottling or the holding of various matter. Clear, green, brown and other colors are included. This shall not include ceramics, window glass, light bulbs, cooking ware, or mirrors.

E. PLASTIC - All bottles, jugs, and jars commonly marked or known as PET(1) and HDPE(2). This shall not include tubs or other items not considered a bottle, jug or jar.

F. PAPER - All uncontaminated corrugated boxes and panels, paperboard boxes, newspaper, brochures and inserts, magazines, books, including phone books, greeting cards, regular and junk mail, chipboard, computer paper, office paper, file folders, copy paper, school paper, etc. This shall not include paper that is contaminated so as to the health concern or problem.

G. BATTERIES - Wet cell automotive, motorcycle and boat batteries, commonly found in six-, twelve- and twenty-four- volt charges.

H. OIL - Petroleum-based motor and transmission oil.

I. OIL FILTERS - Motor and transmission filters made in a metal container.

J. TIRES - Passenger and truck tires and tubes.

K. VEGETATIVE - Leaves, trees, branches, shrubs, stumps, bushes, hedge trimmings, weeds, and grass.

L. WOOD - Lumber, pallets, and wood that is not painted, chemically treated, creosoted, CCA pressure treated.

M. MASONRY - All products generally used in construction including, but not limited to, bricks, cinder block, asphalt, concrete, rock and stone.

N. ROOFING - All asphalt-based roof shingles, tar paper, built-up roofing, stone, slag, asphalt saturated insulation and slate.

O. FOOD - This shall include, but not be limited to, dairy, vegetable, meat, breads, grease, and fat.

RESIDENTIAL SECTOR - All designated single-family buildings and multifamily buildings of four units or less.

ROLL-OFFS - A container that is designed to be removable from a vehicle or chassis.


SOLID WASTE INCINERATOR (RESOURCE RECOVERY FACILITY) - A facility designed exclusively to accept solid waste for incineration and designed and permitted to meet all federal and New Jersey Environmental Protection Agency rules and standards.

SOURCE-SEPARATED RECYCLABLE MATERIALS - Recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

SOURCE SEPARATION - The process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

STREETS - All public highways, avenues, streets, lanes, boulevards, circles, terraces, and public places, whether dedicated or not, within the limits of the Township of Elk.
UNIT - A single commercial, municipal or residential sector establishment.


The following materials shall be designated recyclables from the commercial, municipal, and residential sectors: ozone-depleting compound appliances, metal, glass, cans, plastic, paper, vegetative, wood, batteries, oil, used oil filters, tires, masonry, and asphalt roofing shingles.

§84-4. Receptacle Requirements; Automated Trash Collection; Storage of Containers.

A. Receptacle requirements. It shall be the duty of every owner, lessee or occupant of every unit or building within the corporate limits of the Township of Elk to provide or cause to be provided and to keep on the premises at all times suitable metallic or plastic or regulation paper trash bags with twist ties, designed for trash and garbage combined disposal, watertight, closely covered receptacles for receiving and holding only the garbage, recyclable materials and other animal and vegetable refuse that may accumulate or be collected in the premises.

B. Automated trash and recycle collection. One ninety-five gallon container (also referred to herein as "containers" or "carts") will be assigned by serial number recorded by the Township of Elk Public Works Department to each residential taxable property and will remain the property of the Township of Elk.

(1) If the occupant or owner of the property moves, the container assigned to that property must be left behind for the new occupant.

(2) Containers needing repair. Occupants and owners shall notify the Township of Elk Clerk or CFO. At the sole discretion of the Clerk or CFO, or his/her designee, containers deemed to be damaged beyond repair and/or function may be replaced, provided that the occupant pays for the replacement container in the sum of $95.00 for each container. Containers shall not be replaced for cleanliness or appearance issues.

(3) All containers belong to the Township of Elk and not the lessee.

(4) Occupants and owners may mark their addresses on the lids of the containers at a maximum font of three inches in height.

(5) No person shall place, keep and/or store a trash or recycle container or cart in the front area of the principal dwelling or building. All trash and recycle containers and carts shall be placed, kept and/or stored on the side or rear portion of the principal dwelling or building.

(6) Automated trash containers shall be placed out with metal lift bar facing the center of the street and with at least three feet of clearance on either side so that the mechanical arm can easily lift the container without interference. All containers must be placed in such a fashion as to allow for unencumbered access by the refuse and recyclable collection equipment. The Township is under no obligation to empty any container which, under the sole discretion of the Director of Public Works and/or his/her designee(s), is deemed to be inappropriately placed or encumbered.

C. Container storage.

(1) All waste disposal containers must be stored in a protected area or enclosure so as not to allow debris to blow onto the streets or adjacent properties. No enclosure shall be erected in a public right-of-way or easement.
(2) All solid waste shall be placed in waste disposal containers (trash cans, bags, dumpsters, etc.) and secured so as to prevent easy access to vermin, pests and household pets.

(3) No waste disposal containers shall be filled to the point of overflowing.

(4) Debris or litter on or around trash containers or around construction or demolition projects shall not be accumulated or stored in such a manner that it is likely to be removed by natural forces onto adjacent property.

(5) Hazardous waste shall be disposed of separately according to federal (40 CFR 261) or New Jersey Department of Environmental Protection (N.J.A.C. 7:26-7) disposal regulations.

(6) Medical/biohazard waste shall be disposed of separately according to federal (40 CFR 261) or New Jersey Department of Environmental Protection (N.J.A.C. 7:26-7) disposal regulations.

§84-5. Collection Procedures and Regulations.

A. Scope.

(1) The following regulations shall govern the storage, placement and collection of recyclables, garbage and refuse, exclusive of those items regulated under this chapter, produced or otherwise created within the Township of Elk. For residential and commercial sectors existing on the date of adoption of this ordinance, refuse, garbage and recyclables collection will be furnished by the Township of Elk within the Township on a once-a-week basis unless otherwise specifically provided. All eligible properties within the Township of Elk shall make use of the system of refuse and garbage storage placement and collection in accordance with these regulations.

(2) Municipal collection. The collection, removal and disposal of all designated materials shall be supervised by the Coordinator of Recycling and such other party as may be designated by the Township Committee. All designated solid waste and recyclable materials shall be placed at the curb line for municipal collection no earlier than 5:00 p.m. of the day immediately preceding the specified day, and no later than 5:00 a.m. on the day of collection. Materials placed for collection may not block public ways or access. All carts shall be removed by 9:00 a.m. on the day immediately following the collection day. Elk Township parks and sidewalk receptacles shall be collected and maintained by the Elk Township Public Works Department or such other party as may be designated for municipal collection.

(3) For all other property owners and/or residential and commercial sectors constructed or developed after the adoption of this ordinance, recyclables and trash shall be collected, transported and disposed of by said businesses or entities, property owners and tenants at their own expense. It is the responsibility of every property owner, tenant and/or lessee within the Township limits to properly segregate refuse and recyclable materials.

(4) Nonmunicipal collection. The owner, occupant or lessee shall arrange for separate collection, transportation or disposal, at their expense, of all collected solid waste and/or recyclables. All solid waste shall be removed from special events within 24 hours of their completion. All materials shall be placed in a loading/storage area.

(5) Nonmunicipal collection: commercial sector. Containers or items that do not have a Township tag or are exceeding the container limits or from construction and demolition projects shall be the responsibility of the owner, occupant, or lessee to arrange for separate collection, transportation, and proper disposal of collected solid waste. Tenants or lessees of commercial buildings may be exempt from collection, transportation and disposal
requirements set forth above if their lease designates the owner of the building responsible for this service.

§84-6. Residential Dwelling Compliance Requirements.

The owner of any property shall be responsible for compliance with this Ordinance. For multi-family units, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every 6 months during their occupancy.

§84-7. Non-Residential Establishment Compliance Requirements.

A. All commercial and institutional generators of solid waste shall be required to comply with the provisions of this Ordinance.

B. The arrangement for collection of solid waste and designated recyclables hereunder shall be the responsibility and cost of the commercial, institutional or industrial property owner or their designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, institutional or industrial properties which provide outdoors litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.

C. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.


A. Any application to the planning board of the municipality of Elk, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:

(1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development and

(2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the municipal recycling coordinator.

B. Prior to the issuance of a Certificate of Occupancy by the municipality of Elk, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.

C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the municipal engineer.

A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.

B. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local sanitary code.

C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

D. Refuse acceptable for collection.

(1) All garbage and refuse, except of those items excluded by this chapter, shall be acceptable for collection, provided that the storage and placement of said garbage and refuse is in authorized containers and in compliance with the applicable provisions of this article. In no event shall the collection of refuse and garbage be by dumpsters or containers not provided by the Township, unless otherwise specifically provided.

(2) Bulk collection.

a. On the designated bulk day(s) of every month, as determined by the Clerk or Director of Public Works and/or his/her designee, up to two trash containers of residential household-generated construction debris will be collected from residential properties only if placed in individual containers weighing not more than forty pounds (40lbs) per container. Carpeting shall be cut, rolled and tied into lengths not exceeding four (4) feet and not weighing more than forty pounds (40lbs) each. There shall be a limit of eight (8) rolls of carpet per pick up. No carpeting or construction debris shall be collected if the work was done by a contractor and/or subcontractor. The obligation of the Township to collect any such material is at the sole discretion of the Clerk or Director of Public Works and/or his designee. Any residential construction debris, i.e., lumber, drywall, flooring materials, and the like, shall be no longer or wider than four-foot sections. All screws and/or nails, where applicable, shall be removed or banged down such that no sharp or penetrating object protrudes beyond the surface of the material which may cause personal injury. Residential construction debris shall be securely tied and bundled and not weigh in excess of forty pounds (40lbs) per bundle.

b. Residents must call and have their name and address added to the “bulk” list in order for their household self-generated construction debris to be collected. Residents found not to have construction permits, if required, for said work will not have their construction debris picked up and will be turned over to the Construction Department for review.

(3) Home medical waste.

a. All property owners shall dispose of any legally prescribed medical and/or biohazard waste (i.e., syringes, medical needles, etc.) in containers (i.e., metal or hard plastic) for disposal in the municipal trash collection in the manner required by the New Jersey Department of Environmental Protection, N.J.A.C. 7:26-3 et seq.
b. Any prescribed home medical waste materials not properly discarded in the municipal trash collection system shall be returned to the property owner.

E. Refuse not acceptable for collection. The following refuse shall not be acceptable for collection by the Township of Elk:

(1) Dangerous substances such as poisons, acids, caustics, noxious chemicals, infected materials, explosives and ammunition, or any materials likely to cause injury to persons employed, or damage to equipment used, in making collections.

(2) Bulky and industrial wastes and hazardous wastes shall not be placed in containers for collection but shall be disposed of by the owner at the expense of the owner or possessor thereof, with the exception of bulky waste from residential units generated within the Township of Elk by such dwelling to the extent allowed by guidance documents, rules and regulations promulgated by the Township under this chapter.

(3) Any materials resulting from the demolition, repair, excavation, construction, renovation and/or similar activities performed upon garages, building or structures, including but not limited to such materials as earth, plaster, mortar, asphalt and/or asbestos shingles, carpeting, lumber, roofing materials and the like, if the work was performed by a contractor or subcontractor for or on behalf of the property owner, tenant, and/or person or entity entitled to legal possession thereof.

(4) Disposal of bulky waste items, including but not limited to automobiles, vehicles, parts of vehicles, sod, large tree limbs, tree stumps, tree trunks shall be disposed of by the owner at the expense of the owner or possessor thereof.

(5) Vegetation or tree branches.

(6) Heavy refuse or solid waste exceeding forty pounds (40lbs) in gross weight.

(7) Materials which cannot be disposed of in strict accordance with the standards and regulations prescribed by the Department of Health and Senior Services of the State of New Jersey, the Department of Public Utilities of the State of New Jersey and any other governmental agency or department having jurisdiction, for the disposal of waste materials by sanitary landfill methods.

(8) Commingling refuse between proprieties. It shall be illegal to place any materials, which may be defined in this chapter, in front of or combined with any other property owner’s or tenant’s trash, debris, recyclables, and/or garbage, except multiple family housing which results in the common area placement of trash, and all such materials may be commingled so long as the garbage, trash and refuse may be separately identified for purposes of picking up and segregation from other recyclables.

F. County landfill/incinerator. Nothing in this chapter shall prohibit anyone from transporting and/or disposing of garbage, trash, refuse, etc., at the county-owned/operated landfill and/or incinerator. All expenses incurred shall be paid by said party, and the Township shall not be responsible for any costs of any party.

G. Inspection. All garbage and refuse placed at the curb line for collection shall be subject to random inspection by the Township of Elk to ensure compliance with the provisions of this chapter.
H. It shall be unlawful for any person or persons, other than the person or persons designated by and/or bound under this contract to the Township of Elk, to gather and remove any garbage or other animal and vegetable refuse within the corporate limits of the Township of Elk; except, however, that the private collection of garbage and other animal and vegetable matter may be collected by persons other than such parties with whom the Township of Elk makes contract, provided that such private collector of said garbage and other animal and vegetable matter shall receive a special permit thereof from the Board of Health of the Township of Elk, which permit shall be issued only to such person who will remove said garbage at such time, in such a manner and with such equipment as provided for in this chapter and by the ordinances of the Board of Health of the Township of Elk.

I. No person engaged in the collection of recyclables, garbage and other animal and vegetable refuse, as aforesaid, shall obtain the same except by means of the sidewalk, paths and other means of access. No person shall trespass upon the lawn or damage any property of the owner or occupant of any house, residence or building in the Township of Elk.

§84-10. Source Separation Required; Prohibitions Exemptions.

A. Mandatory source separation: It shall be mandatory for all persons who are owners, tenants, or occupants of residential and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the Township of Elk, to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid waste generated by the owners, tenants, or occupants of such premises and shall be placed separately at the curb in a manner and on such days and times as may be hereinafter established by regulations promulgated by the Township of Elk.

B. Exemptions: Pursuant to N.J.S.A. 13:1E-99.16(d), the governing body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this Chapter, a commercial or institutional generator of solid waste shall file an application for exemption with the municipal recycling coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the commercial or institutional entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the municipal recycling coordinator of the total number of tons collected and recycled for each designated material.

C. It shall be unlawful to combine designated, unsoiled recyclables with other solid waste. Failure to source-separate designated materials for recycling is a violation of this chapter.

D. It shall be unlawful for solid waste collectors to collect solid waste that contains visible signs of designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste and/or recyclables which visibly display a warning notice, indicating that the load of solid waste contains designated recyclable materials and therefore should not be removed for disposal.

E. It shall be the responsibility of any person, firm, corporation, or partnership whose solid waste is not removed because it contains recyclable materials to properly segregate the uncollected waste for proper recycling. Allowing such nonseparated refuse to accumulate shall be considered a violation of this chapter and Chapter 107 of the Code of the Township of Elk.
F. No person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of grass clippings, leaves, or other material from any public or private sidewalk or driveway.

G. No person shall burn trash without a permit issued by the New Jersey Department of Environmental Protection.

H. No person shall place or deposit household or commercial solid waste or recyclable material in sidewalk receptacles or in unauthorized private or municipal containers.

§84-11. Additional Methods of Disposal.

A. Any resident or commercial establishment may donate or sell any recyclable materials to any person, partnership, corporation or charity whether operating for profit or not for profit. However, this source must be listed on the recycling report for businesses.

B. Said person, partnership, corporation, or charity may not, however, under any circumstances pick up any recyclable materials set out for collection in the Township of Elk.

§84-12. Reporting and Documentation by Commercial Establishments.

A. All documentation shall be included with the recycling report. All commercial establishments, cleaning firms or such private hauler responsible for removal of recyclable materials must file completed recycling reports with the Coordinator of Recycling. Reports shall be submitted to the Township’s Coordinator of Recycling as per the following schedule:

<table>
<thead>
<tr>
<th>Report Period</th>
<th>Due Date</th>
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<tbody>
<tr>
<td>January 1 to June 30</td>
<td>July 31</td>
</tr>
<tr>
<td>July 1 to December 31</td>
<td>January 31</td>
</tr>
</tbody>
</table>

B. All construction, demolition and street opening projects shall be required to complete a tracking form and submit it along with a request for a permit. The person who signs the tracking form regarding the project shall be responsible for filing solid waste and recycling documentation when the project is complete or at the end of the calendar year, whichever is first.

C. All documentation of recycled materials and solid waste from special events shall be submitted to the Clerk or Township Coordinator of Recycling no later than 24 hours of their completion.

D. Amount. A product disposed/sold by weight, count, gallonage, or yardage.

E. Hazardous wastes. Documentation for recycled hazardous waste(s) (example: oil, solvents) must include a copy of the hazardous waste hauler’s receipt, clearly showing the New Jersey Department of Environmental Protection hazardous waste hauler permit number.


A. From the time of placement at the curb or in a loading/storage area described herein for the collection by the Township of Elk, in accordance with the terms hereof, items shall be and become the property of the Township of Elk or its authorized agent.

B. It shall be a violation of this chapter for any person, firm, charity, corporation, partnership, or employee to collect, pick up or cause to be collected or picked up any recyclable items placed for collection by the Township or its authorized agent.
C. Any and each collection in violation hereof from one or more properties shall constitute a separate and distinct offense.

§84-14. Littering and Dumping Prohibited.

A. No person shall throw, deposit, or dump upon any street, sidewalk, or other property.

B. No person, while an operator or a passenger in any vehicle, shall throw, deposit, or dump upon any street, sidewalk, or other property.

§84-15 Unlawful Acts.

A. It shall be unlawful to combine designated, unsoiled recyclables with other solid waste. Failure to source-separate designated materials for recycling is a violation of this chapter.

B. It shall be unlawful for solid waste collectors to collect solid waste that contains visible signs of designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste and/or recyclables which visibly display a warning notice, indicating that the load of solid waste contains designated recyclable materials and therefore should not be removed for disposal.

C. It shall be the responsibility of any person, firm, corporation, or partnership whose solid waste is not removed because it contains recyclable materials to properly segregate the uncollected waste for proper recycling. Allowing such nonseparated refuse to accumulate shall be considered a violation of this chapter.

D. No person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of grass clippings, leaves, or other material from any public or private sidewalk or driveway.

E. No person shall burn trash without a permit issued by the New Jersey Department of Environmental Protection.

F. No person shall place or deposit household or commercial solid waste or recyclable material in sidewalk receptacles or in unauthorized private or municipal containers.

§84-16. Unauthorized Use of Receptacles.

A. Private receptacle. Any privately owned/leased receptacle used by any person other than the owner/lessor without the express permission of the owner/lessor.

B. Public receptacle. Any publicly owned/leased receptacle used by any person other than the owner/lessor without the express permission of the owner/lessor.

§84-17. Unauthorized Landfill.

A. Any facility not licensed by the New Jersey Department of Environmental Protection.

B. Any public or private property used for littering or dumping, with or without the property owner's permission.

No person, firm, charity, corporation, partnership, or employee shall collect, pick up, or cause to be collected or picked up any recyclable item placed at the curb line for collection by the Township, or its authorized agent.


It shall be the responsibility of the Coordinator of Recycling and/or the Elk Township Police Department and/or the Director of Public Works and/or the Health Department and their designated agents to inspect and enforce all provisions of this chapter by issuing warnings and citations.

§84-20. Violations and Penalties.

A. Any person who is convicted of violating any provision of this Chapter, shall be subject to a minimum fine of $100.00, but not exceeding $10,000.00; and such person shall be deemed guilty of a separate violation thereof for each and every day during which such violation shall continue after notice is given as provided for in this Chapter.

B. Any person who is convicted of violating any provision of this Chapter within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of this Chapter, but shall be calculated separately from the fine imposed for the violation of this Chapter.

Section 2.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 3.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.
Section 4.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

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TOWNSHIP OF ELK

ATTEST:

Carolyn D. K. Sammons, Mayor

DEBOR A. R. PINE, Township Clerk

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NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Elk, in the County of Gloucester and State of New Jersey, held on February 16, 2020. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on March 4, 2020, at 7:00 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the said Municipal Building, 680 Whig Lane, Monroeville, New Jersey, to the members of the general public who shall request the same.

DEBOR A. R. PINE, CLERK
R-37-2021

RESOLUTION APPOINTING KURT LINDSLEY AS THE ELECTRIC SUBCODE OFFICIAL OF THE TOWNSHIP OF ELK

WHEREAS, Henry Stanley, has submitted his resignation from his position of Electric Subcode Official for the Township of Elk, effective February 17, 2021; and
WHEREAS, as N.J.S.A. 52:27D-126 provides a four (4) year term for Electric Subcode Official; and
WHEREAS, Kurt Lindsley has all the necessary qualifications to serve as Electric Subcode Official for the Township of Elk.

NOW, THEREFORE, BE IT RESOLVED by The Township Committee of Elk Township that the resignation of Henry Stanley is hereby accepted effective February 17, 2021; and
BE IT FURTHER RESOLVED that Kurt Lindsley is appointed Electric Subcode Official for the Township of Elk, to fill the unexpired term of Henry Stanley beginning February 18, 2021, and expiring December 31, 2023.

BE IT FURTHER RESOLVED that the salary of the Electric Subcode Official shall be determined by the Township Committee annually and as promulgated in the salary ordinance of the Township of Elk.

ADOPTED at a regular meeting of the Township Committee of the Township of Elk held on February 16, 2021.

ATTEST:

DEBORA R. PINE, TOWNSHIP CLERK

TOWNSHIP OF ELK

Carolyn D. K. Sammons, Mayor

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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 February 16, 2021 in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

DEBORA R. PINE
Township Clerk
RESOLUTION RECOGNIZING EXTRAORDINARY EFFORTS OF PATROLMAN FRANCESCO MESSINA, PATROLMAN JOSEPH BRANCO, PATROLMAN JEFFREY FRANKLIN AND DETECTIVE JOSEPH PIERSON FOR ACTIONS TAKEN WHILE IN THE LINE OF DUTY

WHEREAS, on January 13, 2021, an attempt to serve an arrest warrant upon a subject was made by Patrolman Francesco Messina and Patrolman Joseph Branco; and

WHEREAS, upon approach to the residence, Patrolmen Messina and Branco observed the subject sitting at a table with numerous illegal controlled dangerous substances (CDS) and drug paraphernalia in plain view; and

WHEREAS, Patrolmen Messina and Branco effected the arrest of the subject for the warrant, and established control of the perimeter of the residence; and

WHEREAS, Patrolmen Messina and Branco contacted the Supervisor(s) on Duty, Patrolman Jeffrey Franklin and Detective Joseph Pierson, to advise of the CDS and paraphernalia; and

WHEREAS, Detective Pierson applied for and obtained a search warrant for the premise; and

WHEREAS, upon the issuance of the search warrant, the premise was searched and the Patrolmen were able to seize 2.75 ounces of crystal methamphetamine, 909 grams of gamma hydroxybutyrate (GHB), numerous amounts of drug paraphernalia and $605 in US Currency; and

WHEREAS, it is believed that this drug seizure is the largest in the history of the Elk Township Police Department.

NOW, THEREFORE, BE IT RESOLVED the Township Committee of the Township of Elk hereby express their appreciation and gratitude to Patrolman Francesco Messina, Patrolman Joseph Branco, Patrolman Jeffrey Franklin and Detective Joseph Pierson for their exemplary sense of urgency and skill which prevented the illegal drugs and paraphernalia from being introduced into our community and to those persons suffering from drug addiction.

BE IT FURTHER RESOLVED it is with great honor that a copy of this Resolution be presented to Patrolman Francesco Messina, Patrolman Joseph Branco, Patrolman Jeffrey Franklin and Detective Joseph Pierson for their commendable professionalism, diligence and dedication to the Township of Elk.

THIS RESOLUTION WAS DULY ADOPTED at a Regular Meeting of the Township Committee of the Township of Elk on this 16th day of February 2021.

ATTEST:

DEBORA R. PINE, Township Clerk

TOWNSHIP OF ELK

Carolyn D. K. Sammons, Mayor

ROLL CALL VOTE

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RESOLUTION R-39-2021

RESOLUTION OF THE TOWNSHIP OF ELK
TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS
EMPLOYMENT AND POTENTIAL LITIGATION IN REGARDS TO CONTRACT
NEGOTIATIONS WITH THE ELK TOWNSHIP POLICE DEPARTMENT

WHEREAS N.J.S.A. 10:4-12B. (7) permits the Township Committee to enter into Closed Executive Session and exclude the public from portions of the meeting to discuss personnel, litigation and/or contract negotiations in which the public body is, or may be a party or which invoices any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer; and

WHEREAS pursuant to N.J.S.A. 10:4-13, the Township Committee must first adopt a Resolution at a meeting which the public is admitted stating the general nature of the subject to be discussed and as precisely as possible at time when the circumstances under which the discussion conducted in Closed Executive Session can be disclosed to the public; and

NOW, THEREFORE, BE IT RESOLVED, that the time when and circumstances under which the discussion conducted in Closed Executive Session of the public body can be disclosed to the public will be at the conclusion of the beforementioned subjects.

THIS RESOLUTION WAS DULY ADOPTED at the Regular Meeting of the Township Committee of the Township of Elk held on the 16th day of February 2021 and is duly certified by the Clerk to embody the determination made by the Committee at that hearing date.

TOWNSHIP OF ELK

CAROLYN D.K. SAMMONS, Mayor

ATTEST:

DEBORAH R. PINE, TOWNSHIP CLERK
RESOLUTION R-40-2021

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PBA LOCAL #122 FOR
THE PERIOD JANUARY 1, 2019 – DECEMBER 31, 2023

WHEREAS, the Township of Elk and PBA Local 122 representing the Elk Township Police
have agreed to a new Police Rank and File Agreement; and

WHEREAS, the new Agreement will be for a five (5) year term from January 1, 2019
through December 31, 2023, pursuant to the terms and conditions of the attached Agreement; and

WHEREAS, resolution of all issues relating to the Collective Negotiations Agreement
between the Township of Elk and PBA Local 122 is in the best interests of the Township of Elk; and

WHEREAS, the new Agreement is subject to review and approval of Labor Counsel for
Elk Township;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of
Elk, County of Gloucester, and State of New Jersey that the Mayor is hereby authorized to execute
the Agreement, upon approval of Labor Counsel, pursuant to the terms, and in the form attached
hereto.

ADOPTED at a regular meeting of the Mayor and Committee of the Township of Elk,
County of Gloucester, State of New Jersey held on February 16, 2021.

TOWNSHIP OF ELK

Carolyn K. Sammons, Mayor

ATTEST:

DEBORAH R. PINE, Township Clerk

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<th>ROLL CALL VOTE</th>
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</table>

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 February 16, 2021 in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New
Jersey.

DEBORAH R. PINE, Township Clerk
# BILL APPROVAL

February 16, 2021

Bank Wires, Manual and Interim Checks

**GENERAL ACCOUNT:**
1) State of NJ Division of Pensions  21000153  $28,447.25

**DOG ACCOUNT:**
1) Andrea Sammons  21000158  $60.00  
2) Danielle DeFrancesco  21000159  $60.00  
3) Clint Nicholson  21000160  $120.00  
4) Debora Pine  21000161  $160.00
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<th>Vendor #</th>
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<td>Budget</td>
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<td>PO #</td>
<td>Enc Date</td>
<td>Item Description</td>
<td>Payment Amt</td>
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<td>Charge Account Description</td>
<td>Account Type</td>
<td>Status Seq</td>
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<td>02/06/21</td>
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There are NO errors or warnings in this listing.