

**ELK TOWNSHIP
COMMITTEE MEETING AGENDA
August 5, 2021**

MEETING CALLED TO ORDER

Open Public Meeting Act Statement

SALUTE TO THE FLAG AND INVOCATION

ROLL CALL: Mr. Hollywood _____ Mrs. Nicholson _____ Mr. Poisker _____ Mr. Rambo _____
Mayor Sammons _____ Mr. Considine _____ Mrs. Pine _____ Mr. Duffield _____
Mr. Bitgood _____ Chief Gonnelli _____

APPROVAL OF MINUTES of July 1, 2021 Regular Meeting

Motion _____ Second _____

COMMITTEE REPORTS

FIRE DEPARTMENT REPORT

ENGINEER'S REPORT

POLICE CHIEF REPORT

PUBLIC PORTION on Agenda Items only.

Open meeting to public - Motion _____ Second _____

Close Public Portion - Motion _____ Second _____

ORDINANCES:

ORDINANCE O – 10 – 2021

**ORDINANCE CREATING A NEW CHAPTER OF THE CODE OF THE TOWNSHIP OF ELK ENTITLED
“CHANGE OF OCCUPANCY OR USE CERTIFICATE”**

PUBLIC HEARING

Motion to Open to the Public _____ Second _____

Motion to Close Public Portion _____ Second _____

Motion to Adopt _____ Second _____

Roll Call: Mr. Hollywood _____ Mrs. Nicholson _____ Mr. Poisker _____

Mr. Rambo _____ Mayor Sammons _____

ORDINANCE O – 11 – 2021

**ORDINANCE PROHIBITING THE OPERATION OF CLASS 5 AND 6 OF LICENSED CANNABIS
BUSINESSES WITH THE ELK TOWNSHIP GEOGRAPHICAL BOUNDARIES AND AMENDING
CHAPTER 96 ENTITLED “UNIFIED DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ELK**

TITLE ONLY

Motion _____ Second _____

Roll Call: Mr. Hollywood _____ Mrs. Nicholson _____ Mr. Poisker _____

Mr. Rambo _____ Mayor Sammons _____

ORDINANCE O – 12 – 2021
ORDINANCE AMENDING CHAPTER 20 ENTITLED “FIRE DEPARTMENT” OF THE CODE OF THE
TOWNSHIP OF ELK
TITLE ONLY

Motion _____ Second _____
Roll Call: Mr. Hollywood _____ Mrs. Nicholson _____ Mr. Poisker _____
Mr. Rambo _____ Mayor Sammons _____

RESOLUTIONS:

RESOLUTION R-85-2021
RESOLUTION APPOINTING A LIEUTENANT WITHIN THE ELK TOWNSHIP POLICE
DEPARTMENT – LANCE HITZELBERGER

Motion _____ Second _____
Roll Call: Mr. Hollywood _____ Mrs. Nicholson _____ Mr. Poisker _____
Mr. Rambo _____ Mayor Sammons _____

Swearing in of Lt. Hitzelberger – Committeeman Rambo

RESOLUTION R-86-2021
RESOLUTION FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2021
MUNICIPAL BUDGET PURSUANT TO N.J.S.A. 40A:4-87
SFY21 BODY-WORN CAMERA GRANT

Motion _____ Second _____
Roll Call: Mr. Hollywood _____ Mrs. Nicholson _____ Mr. Poisker _____
Mr. Rambo _____ Mayor Sammons _____

RESOLUTION R-87-2021
RESOLUTION EXTENDING DUE DATE FOR THIRD QUARTER 2021 TAXES

Motion _____ Second _____
Roll Call: Mr. Hollywood _____ Mrs. Nicholson _____ Mr. Poisker _____
Mr. Rambo _____ Mayor Sammons _____

RESOLUTION R-88-2021
RESOLUTION TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS
CONTRACT NEGOTIATIONS FOR PHASE 7 REDEVELOPERS AGREEMENT- PHASE 7
VILLAGES AT STILL RUN (FKA SILVERGATE)

Motion _____ Second _____

RESOLUTION R-89-2021
RESOLUTION TO REFUND TAX MONEY TO PETER & CRISTI TILDEN FOR AN
OVERPAYMENT ON TAXES

Motion _____ Second _____
Roll Call: Mr. Hollywood _____ Mrs. Nicholson _____ Mr. Poisker _____
Mr. Rambo _____ Mayor Sammons _____

RESOLUTION R-90-2021
RESOLUTION APPOINTING DAVID PASE AS THE
ELECTRIC SUBCODE OFFICIAL OF THE TOWNSHIP OF ELK

Motion _____ Second _____
Roll Call: Mr. Hollywood _____ Mrs. Nicholson _____ Mr. Poisker _____
Mr. Rambo _____ Mayor Sammons _____

GLOUCESTER COUNTY DEPT. OF HEALTH – Eric Fisher

GLOUCESTER COUNTY REPRESENTATIVE – Leona Mather or James Schmidt

TOPICS:

- Pole Barns/Grading (Tom & James)
- Letter from Elizabeth Rivera - Christian St.
- Lien assignment – Block 123 Lot 1
- Land donations (Barbaro and Nicholson properties)

PURSUANT TO RESOLUTION R-26-2021

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 _____

RECESS:

Motion to Recess _____ Second _____ Time: _____
Motion to Re-enter Meeting _____ Second _____ Time: _____

Summary of Closed Session:

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.

ORDINANCE O – 10 – 2021

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY CREATING A NEW
CHAPTER OF THE CODE OF THE TOWNSHIP OF ELK ENTITLED
“CHANGE OF OCCUPANCY OR USE CERTIFICATE”**

WHEREAS, the Mayor and Committee of the Township of Elk deem it in the best interest of the Township to establish a new Chapter of the Code of the Township of Elk entitled “Change of Occupancy or Use Certificate.

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 as follows:

Section 1. This Ordinance creates a new Chapter “XX” of the Township of Elk Code as follows:

CHANGE OF OCCUPANCY OR USE CERTIFICATE

§ xx-1. When required.

Change of Occupancy or Use Certificate (“Certificate”) shall hereinafter be required for human habitation of all existing residential and commercial units in the Township of Elk before a change in occupancy or use of any such unit may commence.

§ xx-2. Adoption and standards.

The International Property Maintenance Code, 2021, and as subsequently amended and revised, is hereby accepted, adopted and established as standards to be used as a guide in determining the fitness of a building or structure for human habitation, occupancy or use. Copies of the International Property Maintenance Code, 2021, and as subsequently amended and revised, have been placed on file in the office of the Township Clerk and are available to all persons desiring to use and examine the same.

§ xx-3. Definitions.

EXISTING COMMERCIAL UNIT

Any building used as a place of business and intended for human occupancy.

EXISTING RESIDENTIAL UNITS

Any building or structure presently used or used hereafter for habitation by any human beings, whether the same is occupied or to be occupied by an owner or tenant or occupied on any other basis.

§ xx-4. Occupancy prohibited.

No person shall occupy any building or dwelling as owner or occupant, or rent to another person(s) for occupancy which does not conform to the provisions of the International Property Maintenance Code, 2021, and as subsequently amended and revised, and established hereby as the standards to be used in determining whether a building or dwelling is safe, sanitary and fit for human habitation.

§ xx-5. Other requirements for Certificates unaffected.

The Change of Occupancy or Use Certificate required herein does not repeal or amend requirements for other certificates heretofore provided for by ordinances of this Township or statutes of the State of New Jersey.

§ xx-6. Application for Certificate.

- A. Application for a Change of Occupancy or Use Certificate for change in occupancy or use shall be made to the Construction Code Official of the Township, or his/her designee, on a form provided by said Construction Code Official.
- B. The Construction Code Official, or his/her designee, shall thereupon cause inspection to be made of the subject residential unit to determine if such unit is fit for human habitation and in compliance with the International Property Maintenance Code, 2021.
- C. Construction Code Official, or his/her designee, shall thereupon cause inspection to be made of the subject commercial unit to determine if such unit is fit for human habitation and meets all the requirements of the current International Property Maintenance Code and Uniform Fire Code as enforced by the Township Fire Official or its designee.

§ xx-7. Certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher required.

In addition to the requirement for a Change of Occupancy or Use Certificate hereinabove set forth, it shall also be required that each dwelling unit shall comply with N.J.A.C. 5:70-2.3 to obtain a Certificate of Smoke Alarm, Carbon Monoxide Alarm and Portable Fire Extinguisher compliance.

§ xx-8. On-site sewage/septic inspection.

As a condition to the issuance of Change of Occupancy or Use Certificate, the owner, purchaser, lessor, lessee or occupant of each residential or commercial unit shall provide to the Code Official a certificate or report issued by a New Jersey licensed independent inspection company indicating that an inspection of the on-site sewage disposal septic system was conducted and meets the current standards required by the Gloucester County Health Department and/or the New Jersey Department of Environmental Protection. The certificate or report of the inspection and satisfactory results shall be conducted within thirty (30) days of the date of application for a Change of Occupancy or Use Certificate.

§ xx-9. Responsibility for obtaining Certificate.

The owner/landlord of each unit subject to this Chapter is hereby charged with the responsibility for making written application to the Construction Code Official for a Change of Occupancy or Use Certificate. In the event that a change of occupancy is also accompanied by a change of ownership or use of a unit, the buyer may waive the seller's responsibility and assume the same; provided, however, that such waiver shall be in writing, which said waiver shall further state that the buyer is fully aware that he, she or it is assuming full responsibility for obtaining the Change of Occupancy or Use Certificate pursuant to this Chapter within ninety (90) days of the date of waiver, and provided further that such written waiver shall be filed with the Construction Code Official, or his/her designee.

§ xx-10. Fee for certificate; inspection; issuance or denial; reinspection; regulations.

- A. Application to the Construction Code Office shall be accompanied by a fee of \$100.00. If an inspection is needed to take place within 72 hours (i.e., due to a settlement), then the Application shall be accompanied by a fee of \$125.00.

- B. The Construction Code Official or his representative shall, within 10 business days of the receipt of a fully completed application for a Change of Occupancy or Use Certificate and the accompanying fee pursuant to this Chapter make such inspections as are required hereinabove and, upon determining that the requirements above have been completed, issue a Change of Occupancy or Use Certificate.
- C. If upon the inspection or inspections aforesaid, the Construction Code Official or his representative finds the subject unit is not in compliance or violations exist, said Official or his representative shall thereupon and within the said 10 business days, notify the applicant in writing of such noncompliance, specifically setting forth the violation or violations which require correction.
- D. Upon correction of the violations, the applicant shall notify the Construction Code Official in writing and shall submit a re-inspection fee of \$50 with such notification whereupon the Construction Code Official or his representative shall re-inspect the subject unit upon receipt of such notification and re-inspection fee. This procedure shall be followed until all violations have been corrected, at which time a Change of Occupancy or Use Certificate shall be issued.
- E. The Construction Code Official shall furnish copies of all regulations referred to herein to any person requesting same for a reasonable fee, commensurate with the costs of reproducing such regulations.
- F. Conditional Certificate: A conditional Certificate may be granted based on extraordinary conditions that would prevent the applicant from meeting the requirements of this Chapter within the allotted timeframe. This can only take place after an initial inspection has been conducted which identifies the deficiencies or violations. A notarized letter from the applicant must be submitted stating the nature of the hardship, along with a fee of \$50. The conditional Certificate may be granted by the Code Official or his/her designee, for a period not to exceed 30 days. At the end of this extension period all conditions must be met, or required permits must be issued to address the deficiencies or violations.

§ xx-11. Violations and penalties.

Any person who shall violate any of the terms or provisions of this Chapter or shall commit or do any act or thing prohibited by the terms of this article shall, upon conviction thereof, be subject to a fine not exceeding \$1,250, imprisonment for a term not exceeding 90 days or a period of community service not exceeding 90 days. Offenses on separate days shall be deemed to be separate offenses, so that a continued violation from day to day shall be construed to be a new violation for each day such violation occurs.

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.

INTRODUCTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion	Second	AYE	NAY	ABSTAIN	ABSENT
Hollywood						✓
Nicholson			✓			
Poisker	✓		✓			
Rambo		✓	✓			
Sammons			✓			

TOWNSHIP OF ELK

ATTEST:

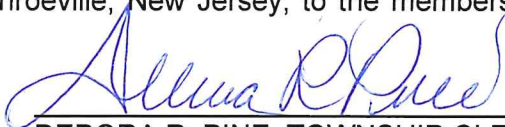
Carolyn D. K. Sammons, Mayor

DEBORA R. PINE, Township Clerk

FINAL ADOPTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT
Hollywood						
Nicholson						
Poisker						
Rambo						
Sammons						

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 June 15, 2021. 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 July 1, 2021 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.



DEBORA R. PINE, TOWNSHIP CLERK

ORDINANCE O – 11 – 2021

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF TOWNSHIP OF ELK,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY PROHIBITING THE OPERATION OF CLASS
5 AND 6 OF LICENSED CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND
AMENDING CHAPTER 96 ENTITLED “UNIFIED DEVELOPMENT” OF THE CODE OF THE TOWNSHIP
OF ELK**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling, reselling and retail selling of cannabis and cannabis items shall be permitted uses in all zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the governing body of the Township of Elk has determined that, due to present uncertainties regarding the potential future impacts that allowing a Class 5 and 6 of cannabis business might have on New Jersey municipalities in general, and on Township of Elk in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of Township of Elk's residents and members of the public who visit, travel, or conduct business in Township of Elk, to amend Township of Elk's zoning regulations to prohibit Class 5 and 6 Licensed marijuana-related land use and development within the geographic boundaries of Township of Elk; and

NOW THEREFORE, BE IT ORDAINED, by the governing body of the Township of Elk, in the County of Gloucester, State of New Jersey, as follows:

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), Class 5 and 6 Licensed cannabis establishments and businesses are hereby prohibited from operating anywhere in Township of Elk.
2. Chapter 96 entitled "Unified Development" of the Code of the Township of Elk is hereby amended by adding to the list of prohibited uses, Class 5 and 6 License cannabis establishments as those terms are defined in section 3 of P.L. 2021, c. 16."
3. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Elk inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.
4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.
5. This ordinance shall take effect upon its passage and publication and filing with the Gloucester County Planning Board, and as otherwise provided for by law.

INTRODUCTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion	Second	AYE	NAY	ABSTAIN	ABSENT
Hollywood						
Nicholson						
Poisker						
Rambo						
Sammons						

TOWNSHIP OF ELK

ATTEST:

Carolyn D. K. Sammons, Mayor

DEBORA R. PINE, Township Clerk

FINAL ADOPTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT
Hollywood						
Nicholson						
Poisker						
Rambo						
Sammons						

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 August 5, 2021. 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's Municipal Building, 680 Whig Lane, Monroeville, New Jersey 08343, in the Township, or via virtual meeting on August 17, 2021, 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 Municipal Building, 680 Whig Lane, in the Township, to the members of the general public who shall request the same.

DEBORA R. PINE
Municipal Clerk

ORDINANCE O – 12 – 2021

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 20 ENTITLED “FIRE DEPARTMENT” OF THE CODE OF THE TOWNSHIP OF ELK

WHEREAS, pursuant to N.J.S.A. 40A:14-68, the governing body, by ordinance may contract with a volunteer fire company or companies in such municipality for purposes of extinguishing fires, upon such terms and conditions as shall be deemed proper; and

WHEREAS, the members of any such company shall be under the supervision and control of said municipality and in performing fire duties shall be deemed to be exercising a governmental function; and

WHEREAS, the Mayor and Committee, Township of Elk, have determined that amendments to Chapter 20 entitled “Fire Department” are necessary; and

WHEREAS, in all other respects Chapter 20 entitled “Fire Department” 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 as follows:

Section 1.

Chapter 20 entitled “Fire Department” shall be amended as follows:

§ 20-1. Establishment.

The Elk Township Fire Department, to be composed of three companies to be known as Aura Volunteer Fire Company No. 1, Ferrell Volunteer Fire Company No. 1 and Lawns Volunteer Fire Company, is hereby established.

§ 20-2. Members: qualification, benefits.

- A. Present members in good standing of the Aura Volunteer Fire Company No. 1, Ferrell Volunteer Fire Company No. 1 and Lawns Volunteer Fire Company shall be members of the Elk Township Fire Department, without formal election thereto.
- B. No person shall hereafter become a member of the Elk Township Fire Department or any unit thereof unless above the age of 18 years and not over the age of 70 years, ~~a resident of Elk Township~~, and shall be physically fit to perform the duties of a fireman as evidenced by a filed certificate to that effect after a physical examination for that purpose by a physician licensed to practice medicine in the State of New Jersey.
- C. No present or future member of said Department shall be eligible to or qualified for benefits of a local fireman's relief association or the New Jersey Firemen's Relief Association, except in compliance with rules and regulations of said Association. The application provided in §20-4 hereof shall contain a provision to the above over the applicant's signature.
- D. Each year, at the Township Committee's Reorganization Meeting, each active member of each Fire Company shall be administered a sworn oath of office. If an active member is unavailable, the active member shall be sworn as soon as reasonably possible after the Township Committee's Reorganization Meeting.

§ 20-3. Required performance of duties by members.

- A. Every member of each fire company shall, in each and every year, participate in at least 60% of the company fire duty. Fire duty shall mean actual attendance and performance of duty at fires and drills, and a record shall be kept of such attendance and duty by the Chief of each fire company.
- B. No later than the third Monday in January, tThe Chief of each fire company shall annually file with the Municipal Clerk a duly verified list and report, under oath, of all active members of the fire company including the Chief, which are under his or her control and supervision, not holding exempt fireman certificates, which shall set forth the name and residence address of all such firemen, whether a citizen of the United States, ~~whether of good moral character,~~ date of becoming a fireman (Incident Management Level 1 Certification or greater), age at that time, date of membership of the company of which he is a member and percentage of fire duty performed during that year by each fireman as required in §20-3A above. In addition, the Chief of each Fire Company shall include in the annual report to the governing body the following information:

- i. Incident command directives;
- ii. SOPs/SOGs adopted during the year;
- iii. Fit test records;
- iv. Apparatus maintenance documentation including annual pump test records for each apparatus;
- v. OSHA/PEOSH logs of work related injuries and illness;
- vi. Training records;
- vii. Invoices/receipts/purchase orders evidencing the expenditures of the Fire Company utilizing the Township's annual stipend;
- viii. Amendments to the Company's organization structure or chart;
- ix. Inventory of Township owned apparatus, equipment and/or assets; and
- x. Written Emergency Action Plan;
- xi. Written Fire Prevention Plan;
- xii. Fire extinguisher training records;
- xiii. M.S.D.S. for all reportable products, including flares; extinguishers; fire fighting foam; gasoline; diesel fuel; oxygen; and any other reportable product;
- xiv. Proof that each active member maintains a current Incident Management Level I Certification;
- xv. Proof that each middle manager, command and/or general staff maintains a minimum ICS-300 NIMS Certification;
- xvi. Proof that the Fire Company is compliant with PEOSH Standards for Firefighters (N.J.A.C. 12:100-8);
- xvii. Proof that each active member of the Fire Company is compliant with NIMS;
- xviii. Proof that the Fire Company is National Fire Protection Association (NFPA) compliant; and
- xix. IRS Form 990 for the Fire Company.

- C. The Chief of each Fire Company shall monthly (no later than the first Wednesday of each month) file with the Municipal Clerk a duly verified report which provides the following information/documentation:

- i. Date(s) and description of training;
- ii. Name of each member attending training, and the number of hours for each training session;
- iii. Date(s), address(es) and time(s) (sign-on/sign-off) of each incident;
- iv. The name of each active member attending the incident;
- v. Apparatus and/or equipment maintenance or testing. Specifically identify the apparatus and/or equipment and nature of the maintenance and/or test;

- vi. OSHA 300 Log of work related injury and/or illness, if any;
- vii. Name of each active member who completed an ability to perform/fit test;
- viii. Name and address of each new member; and
- ix. Any documents or notifications from the State of New Jersey directed to the Fire Company.

§ 20-4. Application for membership.

Every person seeking to join the Elk Township Fire Department shall make application to the fire company of the applicant's choice, and, upon election to membership ~~by vote of a majority of the members pursuant to the Bylaws of the company present and voting,~~ the applicant shall become a member in good standing of the Fire Department, ~~subject to the approval of the applicant's membership by the Chief of the fire company of the applicant's fire district~~ and confirmation by the Township Committee, at which time applicant's name shall be entered on the roll of firemen by the Municipal Clerk.

§ 20-5. Exemption certificates.

Exemption certificates may be issued to members of the Fire Department who shall have served seven years in active duty under municipal control, as required by law April 29, 1935 and as amended May 26, 1936.

Section 3.

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 4.

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.

When effective.

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

INTRODUCTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion	Second	AYE	NAY	ABSTAIN	ABSENT
Hollywood						
Nicholson						
Poisker						
Rambo						
Sammons						

TOWNSHIP OF ELK

ATTEST:

Carolyn D. K. Sammons, Mayor

DEBORA R. PINE, Township Clerk

FINAL ADOPTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT
Hollywood						
Nicholson						
Poisker						
Rambo						
Sammons						

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 August 4, 2021. 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 September 2, 2021, 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.

DEBORA R. PINE, CLERK

RESOLUTION R-85-2021

**RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF ELK
APPOINTING A LIEUTENANT WITHIN THE ELK TOWNSHIP POLICE DEPARTMENT –
LANCE HITZELBERGER**

WHEREAS, this Resolution is adopted for the purpose of making an appointment to the position of Lieutenant with the Elk Township Police Department; and

WHEREAS, the Chief of Police, Edward Gonnelli has recommended Lance Hitzelberger to fill the position of Lieutenant, as he has the necessary qualifications; and

WHEREAS, the Township Committee of the Township of Elk feels it is appropriate to promote Lance Hitzelberger to the position of Lieutenant within the Township of Elk Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Elk that Lance Hitzelberger be promoted to the position of Lieutenant and hereafter be designated as Lieutenant for the Elk Township Police Department; and

BE IT FURTHER RESOLVED that this appointment is effective August 7, 2021.

ADOPTED at a meeting of the Township Committee of the Township of Elk held on August 5, 2021.

TOWNSHIP OF ELK

ATTEST:

Carolyn D. K, Sammons, Mayor

DEBORA R. PINE, Township Clerk

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

**RESOLUTION
R-86-2021**

**RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF ELK FOR THE INSERTION OF A
SPECIAL ITEM OF REVENUE IN THE 2021 MUNICIPAL BUDGET
PURSUANT TO N.J.S.A. 40A:4-87
SFY21 BODY-WORN CAMERA GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

SECTION 1.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey hereby requests the Director of Local Government Services to approve the insertion of a special item of revenue in the budget of the year 2021 in the sum of \$34,646.00 which item is now available as a revenue from the State of NJ Department of Law and Public Safety.

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$34,646.00 be and the same is hereby appropriated under the caption of Body Worn Camera Grant.

BE IT FURTHER RESOLVED that the certification form with the required documentation be filed in the office of the Director of Local Government Services.

ADOPTED at a regular meeting of the Township of Elk held on the 5th day of August, 2021.

TOWNSHIP OF ELK

CAROLYN D. K. SAMMONS, MAYOR

ATTEST:

DEBORA R. PINE – MUNICIPAL CLERK

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

I, Debora R. Pine, Municipal Clerk of the Township of Elk, County of Gloucester, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Committee at a meeting of said Township held on August 5th, 2021.

Debora R. Pine – Municipal Clerk

Seal

RESOLUTION R-87-2021

**RE: RESOLUTION EXTENDING DUE DATE FOR
THIRD QUARTER 2021 TAXES**

WHEREAS the Elk Township Tax Bills were not mailed to property owners and mortgage companies in a timely manner due to the delay of the State Aid figures; and

WHEREAS the Township Committee wishes to give relief to taxpayers due to this unfortunate delay.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Elk that the third quarter 2021 taxes be due and payable August 20, 2021, without a penalty being imposed on the taxpayers.

BE IT FURTHER RESOLVED the interest and penalty charged on or after August 20, 2021 will be calculated back to the original due date of August 1, 2021.

THIS RESOLUTION IS DULY ADOPTED by the Township Committee of the Township of Elk at its regular meeting held on the 5th day of August, 2021 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	AYE	NAY	ABSTAIN	ABSENT
Hollywood				
Nicholson				
Poisker				
Rambo				
Sammons				

RESOLUTION R-88-2021

**RESOLUTION OF THE TOWNSHIP OF ELK
TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS
CONTRACT NEGOTIATIONS FOR PHASE 7 REDEVELOPERS AGREEMENT-
VILLAGES AT STILL RUN (FKA- SILVERGATE)**

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 involves 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 5^h day of August 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:

DEBORA R. PINE, TOWNSHIP CLERK

R-89-2021

**RESOLUTION TO REFUND MONEY TO PETER & CHRISTI TILDEN
FOR AN OVERPAYMENT ON TAXES**

WHEREAS, a payment was received from Peter & Christi Tilden for the February 2021 taxes on Block 41 Lot 12.01 located at 838 Elk Road in the amount of \$758.29 and Block 41 Lot 12.02 location 840 Elk Road in the amount of \$1,982.22; and

WHEREAS this year both properties qualified for Woodland Management and the assessed value was decreased to reflect the same. The decrease in assessment lowered their annual taxes creating an overpayment; and

WHEREAS the Tilden's sold their property in July 2021 to Melissa & Troy Clifford. This credit was not returned at settlement. The credit amount on Block 41 Lot 12.01 is in the amount of \$758.29 and the credit amount on Block 41 Lot 12.02 is in the amount of \$154.78; and

WHEREAS, the Clifford's have requested the overpayment be paid back to the Tilden's; and

WHEREAS the intent of this resolution is to refund the over payments in the total amount of \$913.07 (nine hundred thirteen dollars and seven cents) to Peter & Christi Tilden, 114 Hundards Creek Road, Alderson, WV 24910.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector and CFO are hereby authorized to refund money in the amount of \$913.07 (nine hundred thirteen dollars and seven cents) to Peter & Christi Tiden, 114 Hundards Creek Road, Alderson, WV 24910, for an overpayment due to a decrease in value.

APOPTED, at the meeting of the Township Committee for the Township of Elk held on **August 5, 2021**

TOWNSHIP OF ELK

Carolyn D. K. Sammons, Mayor

Attest:

Debra R. Pine, Township Clerk

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

R-90-2021

**RESOLUTION APPOINTING DAVID PASE AS THE
ELECTRIC SUBCODE OFFICIAL OF THE TOWNSHIP OF ELK**

WHEREAS, Kurt Lindsley, has submitted his resignation from his position of Electric Subcode Official for the Township of Elk, effective July 7, 2021; and

WHEREAS, as N.J.S.A. 52:27D-126 provides a four (4) year term for Electric Subcode Official; and

WHEREAS, David Pase 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 Kurt Lindsley is hereby accepted effective July 7, 2021; and

BE IT FURTHER RESOLVED that David Pase is appointed Electric Subcode Official for the Township of Elk, to fill the unexpired term of Kurt Lindsley beginning August 2, 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 August 5, 2021.

TOWNSHIP OF ELK

ATTEST:

Carolyn D. K. Sammons, Mayor

DEBORA R. PINE, TOWNSHIP CLERK

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	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 August 5, 2021 in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

DEBORA R. PINE
Township Clerk

RECEIVED

JUN 30 2021

TOWNSHIP OF ELK
MUNICIPAL CLERK'S OFFICE

June 29, 2021

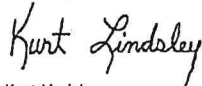
Elk Twp., Construction
Attn: Anthony Dariano
680 Whig Lane
Monroeville, NJ 08343

Dear Anthony

It is with regret that I write this letter to inform you that effective July 7, 2021, I will no longer serve Elk Township in the capacity of Electrical Inspector.

I would like to thank you for this opportunity to be a part of your township as the inspector.

Kind Regards,



Kurt Lindsley

RECEIVED

JUL 28 2021

TOWNSHIP OF ELK
MUNICIPAL CLERK'S OFFICE

Dear Township Committee,

I am a new resident in your township. Since I have started my journey in Glassboro, my family and I have had a very rough time. Before uprooting my children from our previous home and onto the new property, I thought I was given the correct information needed to relocate. Unfortunately, I was misinformed about the laws in your township. I was told and assured that I was able to occupy and live on my premises in the trailer/ RV for temporary purposes while building my house. I was told it was a non-issue due to the fact that the house came with a septic tank. Settlement on my house was scheduled for May 3, 2021, with all the resistance on the sellers part, my settlement was pushed back 30 days. That is an entire month I could not do any work on my house. I was later informed we are prohibited to live on my property in the trailer/ RV. I have searched for temporary housing in the surrounding areas. Temporary housing is not available at this time. I have a family of four, we are staying with family in Philadelphia, living in 1 bedroom. I am commuting back and forth each day. My timeline of the work on my house has been delayed and postponed at least three months now. I am requesting a hardship period for six months to where I can live and occupy my trailer so we can finish the work on my house. Not only would these six months allow me to complete my house within the allotted time, this occupancy would also allow my 17-year-old son to start school in the Gloucester County in September. I am doing my best to stay within the codes and laws. I have made the proper payments and arrangements to pull permits for a new septic tank and well. I am willing to comply with the necessary rules and regulations with may come with this six-month hardship. Thank you for your time.

Appreciatively,



Elizabeth Rivera

§ 73A-39 Location of trailers outside mobile home parks.

- A. It shall be unlawful, except as hereinafter stated, for any person to park, keep or maintain and occupy a trailer coach as a permanent or temporary place of habitation for living, sleeping or dwelling within the boundaries of the Township of Elk unless the mobile home is situated within a duly licensed mobile home park. The purpose of this section is to discourage the placement of mobile homes outside of a licensed mobile home park in the Township of Elk. Therefore, the exceptions contained hereinafter are to be strictly construed to further this purpose and are inserted herein only to alleviate personal hardship. They should in no way create property rights or create rights which are transferable, except as specifically outlined herein.
- B. Emergency or temporary stopping or parking is permitted on any public highway for not longer than one hour, subject to any other and further prohibitions, regulations or limitations imposed by traffic and parking regulations for that public highway.
- C. The owner of a dwelling house or members of his or her immediate family residing with the owner of said dwelling house may keep and store a mobile home belonging to said owner or members of the immediate family as aforesaid, provided that the same is not occupied at any time as a dwelling or for living or sleeping quarters by any person, and further provided that the same is kept or stored at least 25 feet to the rear of and away from said dwelling house.

§ 73A-40 Storage.

Storage of any mobile home, motor home or travel trailer upon the premises of the owner of the same is permitted upon application to the Township Clerk, provided that it is not used for living or sleeping accommodations.

§ 73A-41 Emergencies.

- A. Use of a mobile home, motor home or travel trailer is permitted upon application to the Township Clerk in emergency situations, such as the residence of the property owner being destroyed by fire or an act of God.
- B. After approval by the Township Committee, the property owner may place a mobile home, motor home or travel trailer on his land and reside therein pending reconstruction of the destroyed or damaged home. However, said occupancy shall only be permitted for a period not to exceed six months from the time its use is commenced pursuant to this article.
- C. Upon application for a permit from the Township Clerk for emergency occupation of a mobile home, motor home or travel trailer, a bond in the sum of \$1,000 must be posted with said Clerk guaranteeing the removal of said mobile home, motor home or travel trailer upon the expiration of the six-month period.
- D. Failure to comply will constitute a forfeiture of the full amount of said performance bond.

§ 73A-42 Prohibited dwellings.

No bus, bus body, truck, truck body, van, railroad car or tractor trailer body shall be used or permitted to be used for dwelling purposes in the Township of Elk.

§ 73A-43 Permanent attachment to land.

It shall be unlawful to remove the wheels or other transporting device from any mobile home and attach it to the land in any permanent or semipermanent manner without first obtaining a permit to do so from the Building Inspector. Any such permanent attachment to the land can only be made upon compliance with all requirements of the Building, Land Subdivision, Zoning, Sanitary, Health, Zoning and Electrical Ordinances of the Township of Elk.^[1]

[1] Editor's Note: See Ch. 54, Construction Codes, Uniform; Ch. 90, Subdivision of Land; Ch. 112, Sewage Disposal Systems, Individual, and Ch. 100, Zoning.

**BAGS & BLANKETS
BUTTONS & BADGES
BANNERS & FANS
MAGNETS & DECALS**

AURA LINE

**OFFICE ACCESSORIES
CAMPAIGN PROMO
MEETING SUPPLIES
PENS, TAGS & RULERS**

USA MADE PRODUCTS SINCE 1952

RECEIVED

AUG 24 2020

TOWNSHIP OF ELK
MUNICIPAL CLERK'S OFFICE

Dear Township Committee / Mayor Carolyn Sammons,

Per our conversation yesterday, on behalf of Aura Badge Co., we would like to gift block number 194; Lot 1 to Elk Township if this would be okay. If the township is not interested, we will let this property go to a tax sale and no longer pay taxes on it. Please advise if this acceptable.

Thank you,

Chris Barbaro

President

264 Clayton Ave.

Monroeville, NJ 08343



Deb. P.

www.AuraBadge.com or www.Aura-Line.com

P.O. Box 655 Clayton, NJ 08312 • 1-800-333-AURA • Fax: 856-881-9359

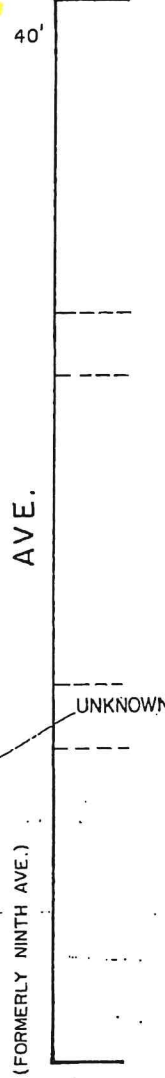
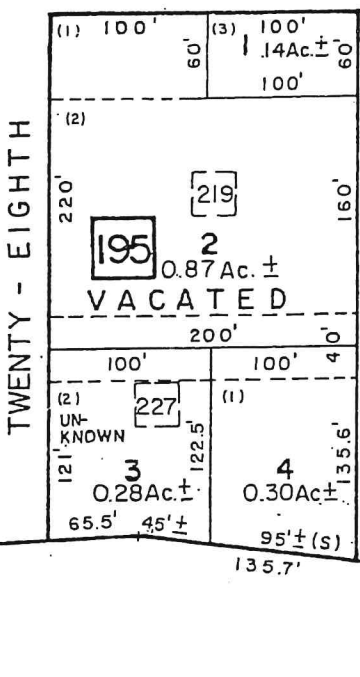
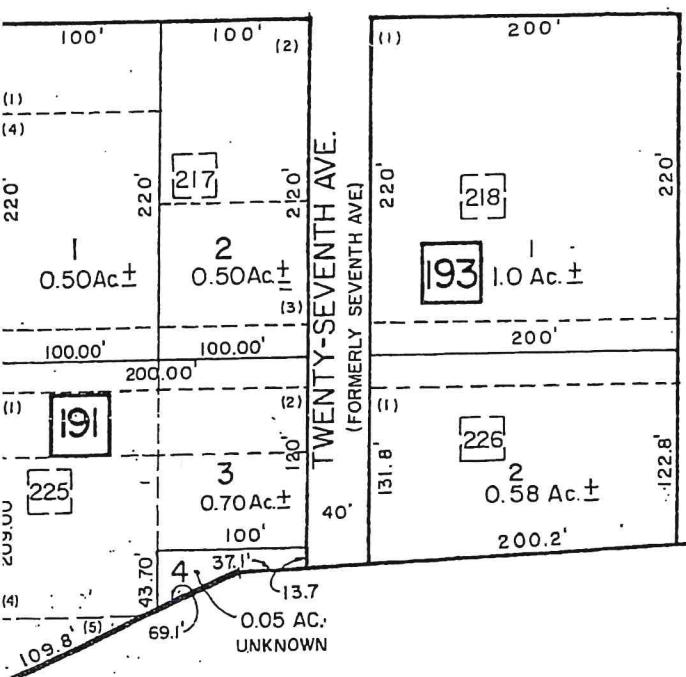
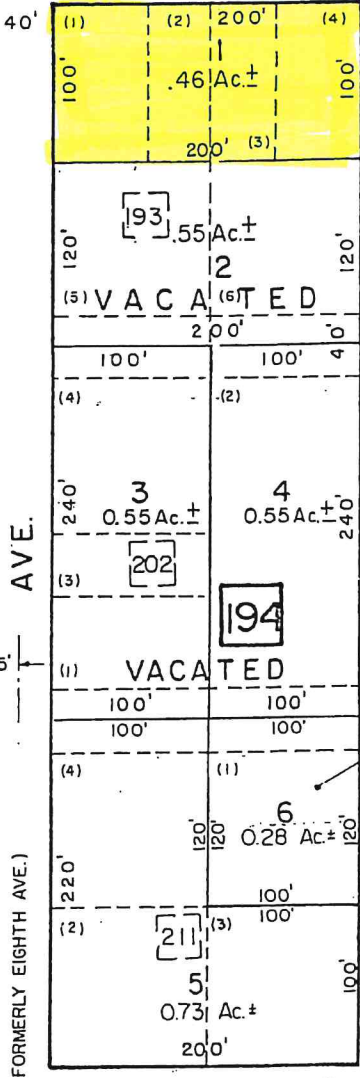
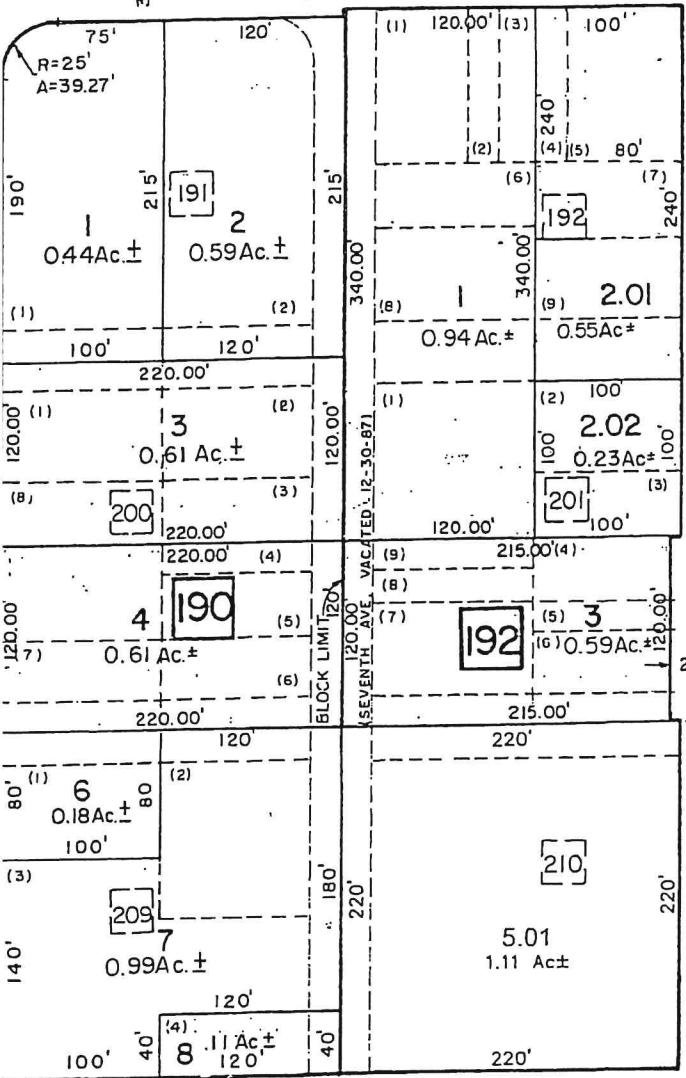


37470

AGE
3670

PAI
3888

CLAYTON AVE.



SHEET 42

5 Records Found for District: 0804 ELK Data as of 08/02/21 Page: 1

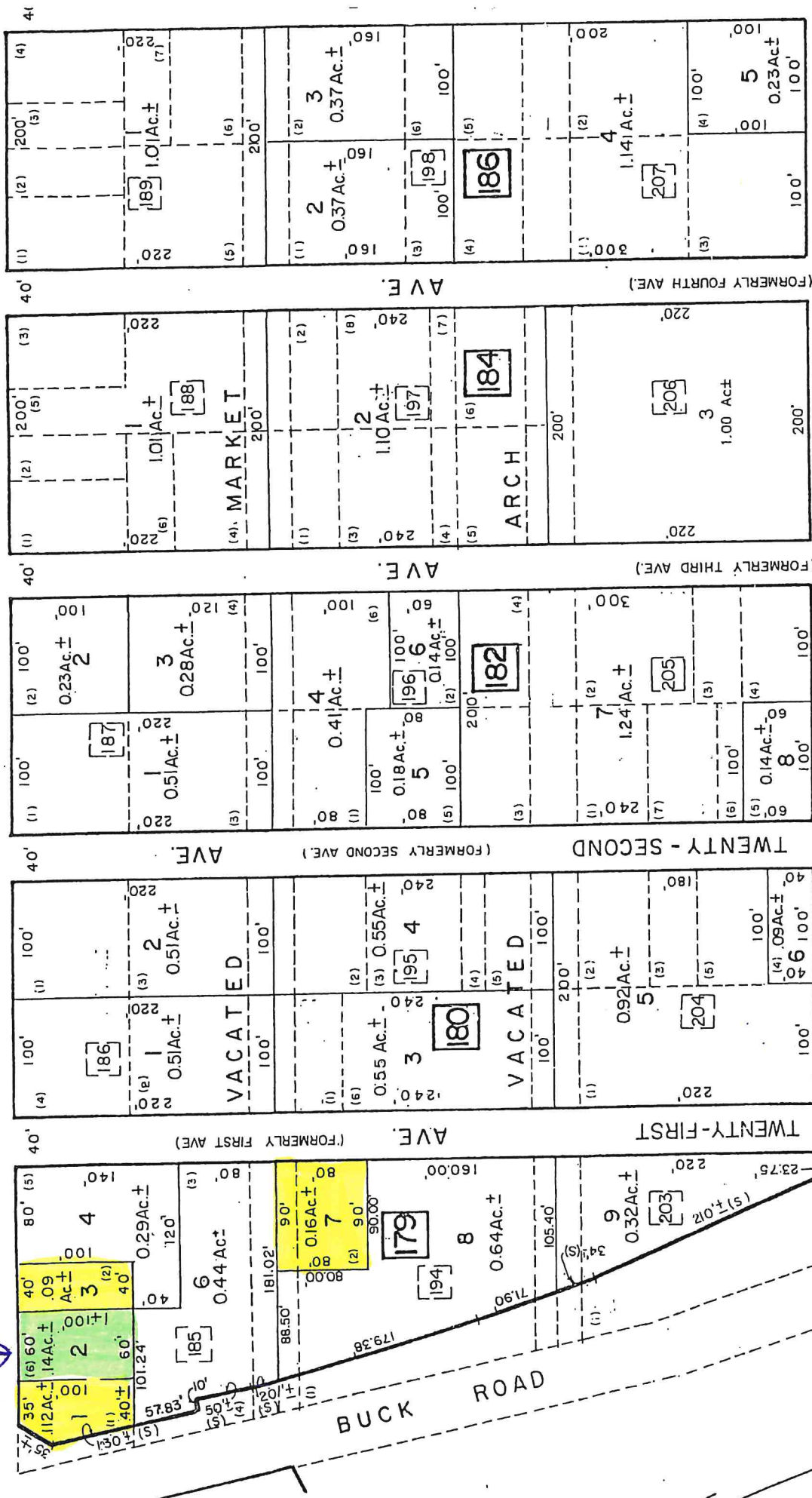
[Back](#)

	Block	Lot	Qual	Class	Location	Owner
More Info	194	1		1	CLAYTON AVE	AURA BADGE CO
More Info	194	2		2	103 TWENTY-EIGHTH AVE	SBF-1 PROPERTIES LLC (Group Home)
More Info	194	3		2	105 TWENTY-EIGHTH AVE	BIRMINGHAM, DAVID JR
More Info	194	4		2	108 TWENTY-NINETH AVE	SADLOWSKI, CARL
More Info	194	5		2	145 TWENTY-EIGHTH AVE	SIMONS, DONALD L JR & WEST, SARAH M

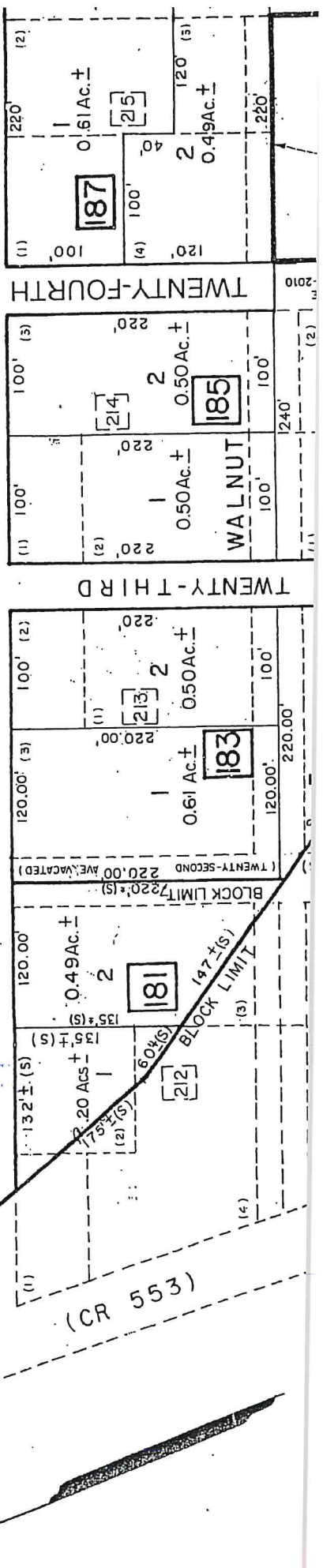
(CR 608)

CLAYTON

Elk Two Property



CARL



(CR 553)

8 Records Found for District: 0804 ELK Data as of 08/02/21 Page: 1

[Back](#)

	Block	Lot	Qual	Class	Location	Owner
More Info	179	1		1	CLAYTON AVE	NICHOLSON, VERNON C ESTATE
More Info	179	2		15C	CLAYTON AVE	TOWNSHIP OF ELK
More Info	179	3		1	CLAYTON AVE	NICHOLSON, VERNON C ESTATE
More Info	179	4		2	232 CLAYTON AVE	JONES, RONALD D & DONNA E
More Info	179	6		2	111 TWENTY-FIRST AVE	SHERIDAN, SEAN F
More Info	179	7		1	113 TWENTY-FIRST AVE	NICHOLSON, VERNON C ESTATE
More Info	179	8		2	115 TWENTY-FIRST AVE	LOCKMAN, EDWARD W & TINA
More Info	179	9		2	117 TWENTY-FIRST AVE	KUNZE, ROBERT E & EDNA S

Deb P.

Dear Members of the Township Committee,

My name is Lew Bivona, and my wife Brooke and I are interested in starting an educational/demonstration agriculture project in Elk Township. I have been in contact with Susan DeFrancesco at the Tax Collector's Office regarding several properties we are interested in purchasing that are either owned outright by the township, or have municipal liens placed on them, because these are near a piece of land that we have already purchased (Block 123, Lot 3). Because I have also been in regular contact with Zoning Officer Bob Clark, I have already had the opportunity to speak with Committee Member Rambo (given his background in agriculture) about our plans, but I'd like to briefly share those here, which will help to explain why we're interested in purchasing these parcels/liens and hopefully help us to establish a great working relationship moving ahead. At the same time, I know you are busy folks and this letter is lengthy. If you'd prefer, you can skip to "The Land We Have and What We Are Interested In Purchasing" on page 2 and read that page for the most relevant information.

Who We Are:

I am a PhD student at Rutgers University, where I study urban agriculture and agricultural ecology/sustainable ag policy. I have 5 years experience working on farms and market gardens, and am currently managing a 1-acre urban farm/market garden in Camden City. Brooke is a school teacher in Camden City, preparing to return to school to earn a Master's Degree to prepare for a career in nature-based education. Until recently, we owned a home in Gloucester City, NJ and I had converted my yard there into a sort of demonstration project of a "food forest", a.k.a. "edible forest garden" — a more natural way of gardening based on agroforestry that brings together trees, shrubs, vegetables and more, to create an ecosystem that creates abundant food while preserving local wildlife and native species. We, and perhaps half of our neighbors, really liked the site and we often received compliments from passersby (especially from other gardeners). But for another segment of our neighbors, what we were doing was untidy and a farm-like look had no place on a street where every other yard was manicured grass. One example of how different these perspectives could be: we were once issued a code violation for letting a patch of grass grow too tall, and they were correct that it was technically a grass... it was wheat we were growing to eat! After many misunderstandings like these, we realized, painfully, that we'd invested a lot of effort in making our home in a place that was inappropriate for what we'd like to do, and so we sold our home in April.

What We'd Like To Do and Why:

We are inspired by work that encourages people to take their yards "back to the land" to turn lawns into edible landscapes, or at least more natural ones. Chris Smaje, who recently gave the keynote speech at the Winter Conference of the Northeast Organic Farming Association - NJ Chapter, argues that more people learning to grow, become a bit more self-sufficient, and acting as "small farmers" is perhaps one of the most powerful ways to address 21st century challenges like climate change, overpopulation, economic recession, and food shortage. We feel the same. And while there are interesting demonstration projects scattered about the country, South Jersey doesn't have such a thing and we want to make it happen.

We're looking to purchase around 2 acres of land to do various aspects of our demonstration. The land we're looking at is all wooded and we would plan to clear about 0.5 acres of it to create a small "alley crop" market garden (where trees are included in typically farm rows) and a small nursery space to help propagate edible and native plants so that others can make their yards more natural spaces. The remaining acreage would remain wooded, but through selective removal of existing trees and replacement with more "useful" species, would become a woodlot for lumber and firewood as well as a space for cultivating "forest crops" like mushrooms, nuts, and understory plants. Eventually (6-8 years down the line), we would also like to build a couple of small structures on the land, including a small home (<1000 square feet) so that we can live closer to the land, and a net-zero energy "passive solar" greenhouse. Again, both of these spaces would be not only functional, but our goal would be to design and construct them as examples of what truly sustainable, natural building can be like in our region. The point of all of this work is to be educational, and so we imagine we might eventually host small classes, workshops, visits from school and university classes, and occasional visitors. There is still much more to plan, but these are the broad strokes of our vision.

The Land We Have and What We Are Interested In Purchasing:

The plot we have already purchased (Block 123, Lot 3) is about an acre in size. We became particularly interested in this plot because agriculture is permitted as of right, and because it is so close to our alma mater, Rowan University, where we spent the first years of our relationship and where we ultimately were married (at Hollybush Mansion, on campus!). We still hold a lot of love and close ties with the area as well as the university (including Engineers Without Borders, the Environmental Club, etc.), where they are also finally beginning to develop degree programs in food systems and agriculture. Everything about coming back to the area feels right!

Unfortunately, Zoning Officer Clark disclosed that one issue facing us in purchasing this plot was that it is not connected to an existing developed street, and so if we purchased that one lot alone, we would be forced to build more than 300 feet of paved, street-grade roadway/driveway. Sadly, this is prohibitively expensive for us on the wages of a graduate student and a school teacher! However, the alternative is this: if we are able to purchase any of the lots separating this lot from one of the existing streets (e.g. Marion St., West Blvd., Stanger Ave.), we would no longer have to build a new roadway. We have been working with both Bob and Susan to identify the lots in the area we might be able to purchase to do so, and several are owned by/under liens from Elk Township. We've been so encouraged by the township staff's willingness to work with us that we went ahead and purchased the large lot, optimistic that we will be able to work the rest out.

The lots we're most particularly interested in are:

- Block 123, Lot 1, 0.47 acres in size. According to records provided by Ms. DeFrancesco, this property currently is burdened with municipal lien valued at \$8,062.32. We are interested in purchasing this lien in order to foreclose on the property.
- Block 123, Lot 2, 0.45 acres in size. Again, according to township records, this property faces is encumbered with a municipal lien valued at \$12,238.89. We are also interested in purchasing this lien. However, Ms. DeFrancesco mentioned the possibility

that, with Township Committee approval, these lots/liens might be sold at a more affordable price. If possible, we would prefer to purchase this lien for the lot's assessed value of \$10,900.00. We know that the liens placed on the land represent an effort to retrieve tax dollars that were not collected and anything less represents somewhat of a loss. We also understand that you have a fiscal responsibility to the residents of the township, and we are new individuals who do not yet live in Elk. But we have been so happy with the municipal staff's interest and willingness to help us that we are more than willing to work with whatever figures the township deems appropriate.

Purchasing these two lots would allow us to access the improved portion of Marion Street. We considered requesting to purchase other lots that are also owned by or encumbered by liens owned by Elk Township, but the other directions would require assembling a greater number of smaller lots, or in the case of one privately owned parcel, demolishing a seemingly dilapidated structure. But if for some reason we are unable to purchase Block 123, lots 1 and 2, other lots we are interested in include Block 123, Lots 5 and 7, and Block 126, Lot 4. We would also be interested in purchasing Block 123, Lot 4 at the next tax sale in October.

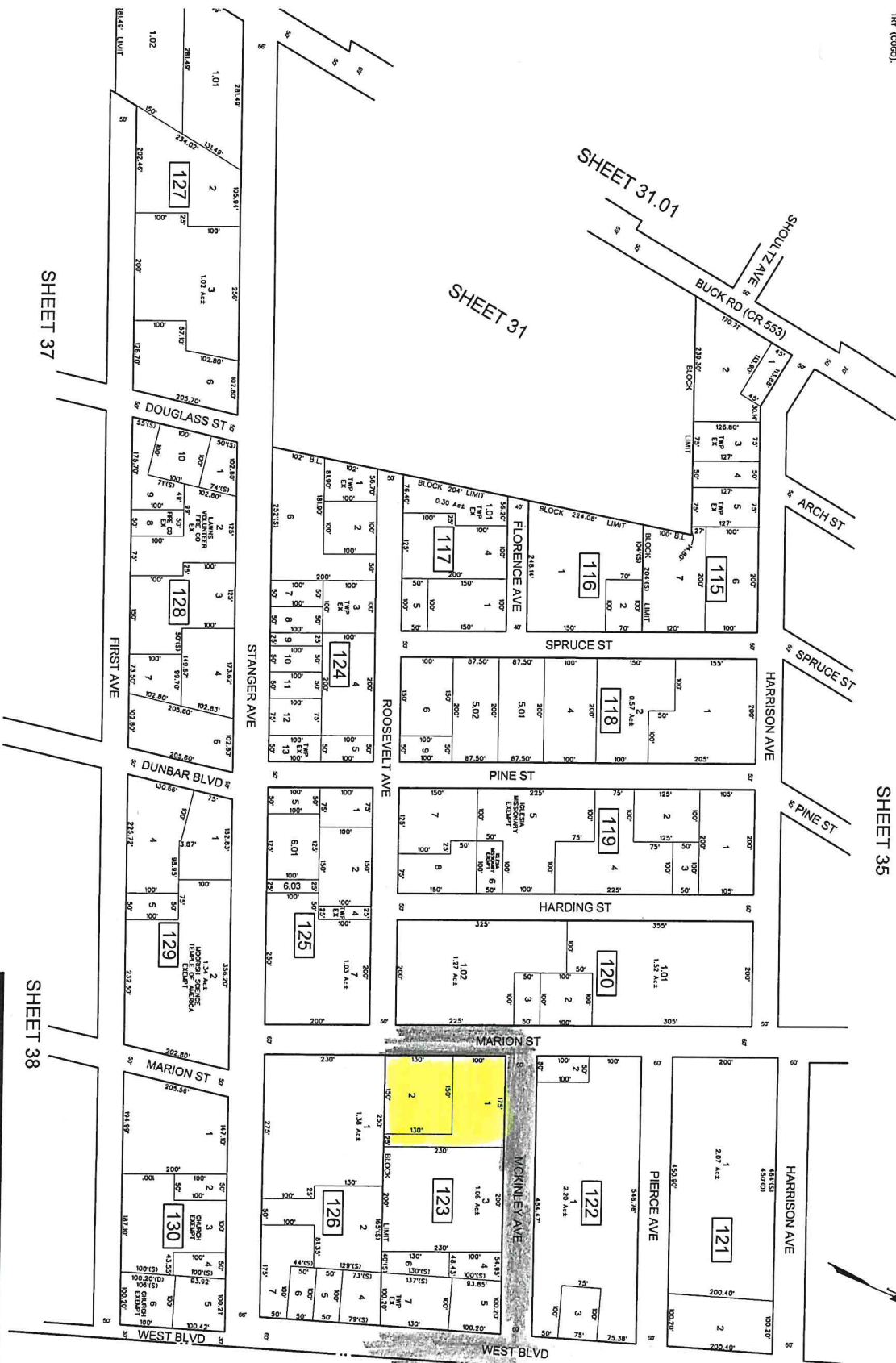
Thank you for taking the time to read our letter. We would be happy to discuss all of this further with you or answer any questions that you have. Our contact information is as follows:

Current Address: 535 King George Road, Cherry Hill, NJ 08034
Email: lewis.bivona@gmail.com
Phone #: (609) 332-6017

Sincerely,

Lew and Brooke Bivona

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BOROUGH OF GLASSBORO
COUNTY OF GLOUCESTER

SHEET 37

SHEET 38

SHEET 31

SHEET 35

THIS MAP HAS BEEN GIVEN A
FORMAL CERTIFICATION BY THE
DIVISION OF TAXATION ON
MARCH 16, 2012, SIGNED
BY SUE DAVISON, CTA AND
ASSIGNED SERIAL NUMBER 990

TAX MAP
TOWNSHIP OF ELK

CHARLES A. ATKINSON

NEW JERSEY
DATE: DECEMBER 2011
LICENSURE: LAND SURVEYOR
NO. 001 WATER MARKET PWS
HARRISON, NEW JERSEY 08033
COUNTY: GLOUCESTER