ELK TOWNSHIP
COMMITTEE WORK SESSION MINUTES
October 19, 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: Mrs. Nicholson, Mr. Poisker, Mr. Rambo, Mayor Sammons, Mr. Considine, CFO, Mrs. Pine, Township Clerk and Mr. Bitgood, Engineer. Mr. Hollywood was absent.

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

ORDINANCE:
O – 16 – 2021
AN ORDINANCE AMENDING CHAPTER 54 SECTION 2 ENTITLED “CONSTRUCTION CODES, UNIFORM” OF THE CODE OF THE TOWNSHIP OF ELK – TITLE ONLY
Motion by Mr. Poisker to approve Ordinance O-16-2021, seconded by Mrs. Nicholson, upon roll call motion carried.

Roll Call:

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RESOLUTIONS:

R-106-2021 – Approving Form of Performance Guarantee Submitted for Approval for a Project by Mullica Hill DG, LLC Affecting Parcel Known as Block 10 Lot 12.03 in Elk Township
Motion by Mrs. Nicholson, seconded by Mr. Rambo to adopt and approve said Resolution, upon roll call motion carried.

Roll Call:

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R-107-2021 – Approving Form of Performance Guarantee (Site Safety and Stabilization) Submitted for Approval for a Project by Mullica Hill DG, LLC Affecting Parcel Known as Block 10 Lot 12.03 in Elk Township
Motion by Mr. Poisker, seconded by Mrs. Nicholson to adopt and approve said Resolution, upon roll call motion carried.

Roll Call:

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R-108-2021 – Approving Form of Performance Guarantee (Perimeter Buffer Landscaping) Submitted for Approval for a Project by Mullica Hill DG, LLC Affecting Parcel Known as Block 10 Lot 12.03 in Elk Township
Motion by Mr. Poisker, seconded by Mrs. Nicholson to adopt and approve said Resolution, upon roll call motion carried.
Roll Call:
Mrs. Nicholson  Yes
Mr. Poisker  Yes
Mr. Rambo  Yes
Mayor Sammons  Yes

R-109-2021 – Authorizing Execution of Contract for Consulting Services with the Rodgers Group, LLC to Assist the Elk Township Police Department Attain Accreditation
This is in the police budget to bring the standard operating procedures (SOP) up to date.
Motion by Mr. Rambo, seconded by Mr. Poisker to adopt and approve said Resolution, upon roll call motion carried.
Roll Call:
Mrs. Nicholson  Yes
Mr. Poisker  Yes
Mr. Rambo  Yes
Mayor Sammons  Yes

R-110-2021 – To Affirm the Township Elk’s Civil Rights Policy with Respect to all Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and Members of the Public Than Come Into Contact With Municipal Employees, Officials and Volunteers
Motion by Mrs. Nicholson seconded by Mr. Poisker to adopt and approve said Resolution, upon roll call motion carried.
Roll Call:
Mrs. Nicholson  Yes
Mr. Poisker  Yes
Mr. Rambo  Yes
Mayor Sammons  Yes

R-111-2021 – Regarding Adoption of Policy on the Protection and Safe Treatment of Minors
Motion by Mrs. Nicholson, seconded by Mr. Rambo to adopt and approve said Resolution, upon roll call motion carried.
Roll Call:
Mrs. Nicholson  Yes
Mr. Poisker  Yes
Mr. Rambo  Yes
Mayor Sammons  Yes

R-112-2021 – Regarding Adoption of Updated Personnel Policies
Motion by Mr. Rambo, seconded by Mr. Poisker to adopt and approve said Resolution, upon roll call motion carried.
Roll Call:
Mrs. Nicholson  Yes
Mr. Poisker  Yes
Mr. Rambo  Yes
Mayor Sammons  Yes

Committee received the Best Practices Inventory from the Chief Financial Officer. There were no questions from the Committee.

GLOUCESTER COUNTY REPRESENTATIVE – Leona Mather was present for the County. She let everyone know that Covid tests and vaccines are available at the County Complex in Clayton.
PURSUANT TO RESOLUTION R-26-2020
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. Poisker, 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 come forward.
No one came forward.
Motion by Mr. Rambo to close the public portion, seconded by Mr. Poisker, all were in favor, motion carried.

PAY BILLS:
Motion by Mr. Rambo to Pay the Bills, seconded by Mr. Poisker, upon roll call motion was carried.
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ADJOURNMENT:
Motion by Mr. Rambo to adjourn, seconded by Mr. Poisker, all were in favor, the meeting was adjourned at 7:17PM.

Respectfully Submitted,

[Signature]

Debora R. Pine, RMC, CMC
Township Clerk
ORDINANCE O – 16 – 2021

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF ELK AMENDING CHAPTER 54 SECTION 2 OF THE CODE OF THE TOWNSHIP OF ELK ENTITLED “UNIFORM CONSTRUCTION CODE”

WHEREAS, Township of Elk wishes to amend its Uniform Construction Code.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, that Chapter 54, section 2 is hereby deleted and replaced with the following:

The basic construction permit fee shall be the sum of the parts computed on the basis of the parts or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and the rating of electrical devices, the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates and/or the applicable flat fees as provided herein plus any special fees.

A. The fee for plan review shall be 20 percent of the amount to be charged for a construction permit.

(1) The fee for plan review of elevator devices in structures of groups other than R-3, R-4 or R-5 and for elevator devices wholly within dwelling units in structures of group R-2 shall be $70.00 for each device.

(2) The fee for plan review for elevator devices in structures of groups other than R-3, R-4 or R-5 and devices in structures of group R-2 exempted by (1.a.) above shall be $365.00 for each device.

B. Building subcode fees:

(1) Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. In each case, the minimum fee shall be $75.00 except for Use Groups A-1, A-2, A-3, A-4, E, F and S, where the minimum fee shall be $180.00.

(a) The fee for new construction shall be in the amount of $0.042 per cubic feet of volume for buildings and structures of all use groups and types of construction as classified and defined in articles 3 and 4 of the building subcode; except:

[1] Garden Type Sheds and similar uses, accessory to 1 & 2 family dwellings shall be as follows:
201 square feet and over................................. $150.00

[2] Open Deck Structures shall be as follows:
Under 100 square feet................................. $75.00
101 to 200 square feet................................. $150.00
201 to 400 square feet................................. $200.00
Over 400 square feet................................. $250.00

(b) For use groups A-1 thru A-5, F-1 & F-2, and S-1&2 the fee shall be $0.025 per cubic feet of volume; and
(c) For farms including commercial farm buildings as defined under N.J.A.C. 5:23-3.2(d), the fee shall be $0.012 per cubic feet of volume not to exceed a maximum fee of $1700.00.

(d) Fees for Modular homes shall be a flat fee of $650.00. This includes footings and foundations for placement of the structure. Any other construction that is not part of the modular home, i.e. garage, deck or added room shall be charged at the rate for new construction.

(e) The fees for manufactured homes shall be a flat fee of $350.00. This includes footings and foundations for placement of the structure. Any other construction that is not part of the modular home, i.e. garage, deck or added room shall be charged at the rate for new construction.

(2) Fees for renovations, alterations, and repairs, or, site construction associated with pre-engineered systems of commercial farm buildings, pre-manufactured construction, and the external utility connection for pre-manufactured construction shall be based upon the estimated cost of work. The minimum fee shall be $75.00.

(a) The fee shall be in the amount of $38.00 per $1,000.00.

(b) For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency such cost data as may be available, produced by the design professional of record, or by a recognized estimating firm, or by the contractor. A Bonafede contractor’s bid, or copy of contract if available, shall be submitted. The enforcing agency shall make the final decision regarding estimated cost.

[1] Fees for additions shall be computed on the same basis as for new construction for the added portion provided in each case, there shall be a minimum fee of $75.00.

[2] Fees for the combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with this Section with a minimum fee of $75.00.

[3] The fee for tents, in excess of 900 SF or more than 30 feet on any dimension, shall be $150.00.

[4] The fee for roofing or siding work shall be $0.038 for each $1,000.00 of estimated cost of work with a minimum of $75.00.

[5] The fee for above-ground swimming pools, spas, and hot tubs, shall be $150.00. If the above ground pool has a surface greater than 550 SF the fee shall be $175.00. The fee for an in-ground swimming pool with a surface area greater than 550 SF shall be $150.00. All others with a surface 549 SF or less, shall be $150.00.

[6] The fee for retaining walls shall be as follows:
   i. The fee for a retaining with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be $250.00.
   ii. The fee for a retaining wall with a surface area 550 square feet or less that is associated with a Class 3 residential structure shall be $150.00.
   iii. The fee for a newly constructed retaining wall of any size at other than a Class 3 residential structure shall be based on the cost of the construction. Minimum fee $75.00.
The fee for elevator tests and inspections shall be according to N.J.A.C. 5:23-12.

Solar Systems shall be a flat fee of $250.00.

(3) Fees for demolition or removal:

(a) In-ground pool $75.00.

(b) Storage tanks: Use groups R-3 or R-5, $75.00, all others shall be $95.00.

(c) For one- and two-family dwellings (groups R-3 & R-5 of the Residential Building Subcode), and structures less than 5,000 SF and less than 30 feet in height, and structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d). shall be a flat fee of $98.00. For all other use groups, the fee will be $175.00.

C. Plumbing subcode fees: Plumbing fixtures and equipment, with the minimum permit fee being $75.00, shall be as follows:

(1) The fee shall be $18.00 per fixture, stack, piece of equipment or appliance connected to the plumbing system and for each appliance connected to the gas piping or oil piping system, sump pumps except as indicated below.

(2) The fee shall be $95.00 per special device for the following:

(a) Grease traps
(b) Oil separators
(c) Refrigeration units
(d) Utility service connections
(e) Back flow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers)
(f) Steam boilers
(g) Hot water boilers (excluding those used for domestic water heating).
(h) Active solar systems
(i) Jacuzzi
(j) Sewer pumps and interceptors
(k) LP underground gas lines and tanks
(l) Air Conditioning Units (Commercial).
(m) Soda dispensing and coffee machines
(n) Acid neutralizing devices
(o) Gas piping (new service)
(p) R-3 and R-5: Vacuum breakers and backflow preventers
(q) Well and septic connections
(3) For cross connections and back flow preventers that are subject to testing, requiring inspection annually the fee shall be $70.00 for each device when they are tested.

(4) For Heating system conversion units on existing heating appliances (oil to gas) the fee shall be $25.00 per conversion unit.

D. Electrical subcode fees: The fee for electrical fixtures and devices, with a minimum fee of $75.00 shall be as follows:

(1) For the first block consisting of one to fifty receptacles, fixtures or devices, the fee shall be $65.00; for each additional block consisting of up to twenty-five receptacles, fixtures or devices, the fee shall be $15.00. For the purpose of computing this fee, receptacles, fixtures or devices shall include lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communications outlets, light standards eight feet or less in height including luminaries, emergency lights, electric signs, exit lights or similar electric fixtures and devices rated 20 amperes or less including motors or equipment rated less than one horsepower (hp) or one kilowatt (kw).

(2) Light Standards (mogul base, mercury base or fixtures other than those specified in the previous subsection); For one to five fixtures, $80.00; For each additional lamp, $15.00

(3) For each motor or electrical device rated from 1 hp or kw to 10 hp or kw; for each transformer or transformer rated from 1 kw to 10 kw or 10 kva; for each replacement of wiring involving one branch circuit or part thereof; for each storable pool or hydro massage bathtub; for each underwater lighting fixture; for each household electric cooking equipment rated up to 16 kw; for each fire, security or burglar alarm control unit; for each receptacle rated from 30 amps to 50 amps; for each light standard greater than eight feet in height including luminaries; and for each communications closet, the fee shall be $25.00.

(4) For each motor or electrical device rated from greater than 11 hp or 11 kw to 50 hp or kw; for each service equipment, panel board, switch gear, motor-controlled-center or disconnecting means rated 225 amps or less; for each transformer or generator rated from greater than 10 kw or 10 kva to 45 kw or 45 kva; for each electric sign rated from greater than 20 amps to 225 amps including associated disconnecting means; for each receptacle rated for greater than 50 amps; for each utility lead management device, the fee shall be $75.00.

(5) For each motor or electrical device rated from greater than 50 hp or 50 kw to 100 hp or 100 kw; for each service equipment, panel board, switch board, switch gear, motor-controlled-center or disconnecting means rated from greater than 225 amps to 1000 amps; for each transformer or generator rated from greater than 45 kw or 45 kva to 112.5 kw or 112.5 kva, the fee shall be $150.00.

(6) For each motor or electrical device rated greater than 100 hp or 100 kw; for each service equipment, panel board, switch board, switch gear, motor-controlled-center, or disconnecting means rated greater than 1000 amps; for each transformer or generator rated greater than 112.5 kw or 112.5 kva, the fee shall be $640.00.

(7) The fee charged for electrical work for each permanently installed private swimming pool as defined in the building subcode, spa, hot tub or fountain shall be flat fee of $85.00, which shall
include any required bonding and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, heaters, etc. excepting panel boards and underwater lighting fixtures. For public swimming pools, the fee shall be changed on the basis of the number of electrical fixtures and rating of electrical devices in accordance with [D (1) through (6) above].

(8) The fee charged for single and multiple station smoke and/or heat detectors and fire, burglar or security alarm systems in any one- or two-family dwelling shall be a flat fee of $75.00 per dwelling unit. For fire, burglar and security alarm systems and detectors in buildings other than one and two family dwellings, the fee shall be in accordance with [D (1) through (3) above].

(9) For installations consisting of multimeter stacks, the fee shall be based on ampere rating of the main buss and not upon the number of meters or rating of disconnects on the meter stack. Individual load side panel boards shall be charged in accordance with [D (4), (5) or (6) above]. There shall be no additional fee charged for the concurrent installation of individual feeder conductors.

(10) For motors or similar devices requiring concurrent installation of individual controls, relays and switches, the fee shall be based only upon the rating of the motor or device. There shall not be an additional fee charged for the concurrent installation of individual circuit components, for example, controllers, starters and disconnecting means.

(11) For electrical requiring replacement of service entrance conductors or feeder conductors only, the fee shall be based on the designated ampere rating of the overcurrent device of the service or feeder as follows:

(A) 225 amperes or less, the fee shall be $75.00.
(B) 226 to 1000 amperes, the fee shall be $150.00.
(C) Greater than 1000 amperes, the fee shall be $640.00

(12) The fee charged for process equipment shall be based on the ampere rating of the over current device protecting the conductor feeding the process equipment or the cutoff device.

(13) For the purpose of computing fees, all electrical and communication devices, utilization equipment and motors which are not part of premises wiring, except those which are portable plug-in type, shall be counted.

(14) For photovoltaic systems, shall be a flat fee of $250.00.

(15) Inverters; Listed under “Amp Motor Control Center/Inverter”
(A) Up to 200 amp the fee shall be $75.00.
(B) Up to 1000 amp the fee shall be $150.00.
(C) Over 1000 amp the fee shall be $640.00

(16) Disconnects: Listed under “Amp Motor Control/Disconnects”
(A) Up to 200 amp the fee shall be $75.00.
(B) Up to 1000 amp the fee shall be $150.00.
(C) Over 1000 amp the fee shall be $640.00
Annual fee for inspection of Commercial Pools, spas and hot tubs [NJAC 5:23-2.18C] shall be $150.00.

E. Fire Protection Subcode Fees: For fire protection and hazardous equipment, sprinklers, standpipes, detectors (smoke, heat, and carbon monoxide), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums. With a minimum permit fee of $75.00, the fee shall be as follows:

1. Sprinklers: The fee for twenty or fewer heads shall be $100.00. 21 heads to and including 100 heads, the fee shall be $182.00. 101 heads to and including 200 heads, the fee shall be $250.00. 201 heads to and including 400 heads, the fee shall be $850.00. 401 heads to and including 1,000 heads, the fee shall be $1,150.00. 1001 heads and above, the fee shall be $1,469.00.

2. Smoke Detectors: The fee for 1 to 12 detectors shall be $65.00. 13 to and including 37 detectors shall be $85.00. 38 to and including 62 detectors shall be $100.00. 63 to and including 87 detectors shall be $175.00. 88 to and including 112 detectors shall be $250.00. 113 detectors and over shall be $400.00.

3. The fee for each standpipe shall be $375.00.

4. The fee for each independent pre-engineered system shall be $175.00.

5. The fee for each gas or oil-fired appliance that is not connected to the plumbing system shall be $70.00 per appliance.

6. The fee for installation of above ground oil tank shall be $70.00.

7. The fee for each commercial kitchen exhaust system shall be $175.00.

8. The fee for each incinerator shall be $511.00.

9. The fee for each crematorium shall be $511.00.

10. The fee for Fire Pumps shall be $180.00 ea.

11. Gasoline and Propane Tanks: the fee shall be $95.00 each for the installation of above and in ground tanks.

12. The fee for Supervisory Devices (i.e., tampers high/low air) shall be $20.00 each.

13. The fee for Signaling Devices (i.e., horn/strobes, bells) shall be $20.00 each.
(14) Dry Pipe Alarm & Pre-Action valves: the fee shall be $75.00 each.

(15) Smoke Control System: the fee shall be $75.00 each.

(16) Permits for the installation of fireplaces, woodstoves and solid fuel burning appliances shall be $38.00 per $1,000.00 of estimated cost per unit, stove or fireplace with a minimum fee of $75.00 per appliance or device.

(17) Fireplace Venting/Metal Chimney Liner: the fee shall be $75.00 each.

(18) For detectors and fire alarm systems in buildings other than one- or two-family dwellings, the fee shall be charged in accordance with [E. (2) above].

F. Fees for Certificates and Other Permits are as Follows:

(1) For one and two family dwellings (groups R-3 & R-5 of the Residential Building Subcode), and structures less than 5,000 SF and less than 30 feet in height, and structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d). shall be a flat fee of $98.00. For all other use groups the fee will be $175.00.

(2) The fee for a permit to construct a sign shall be as follows:
   i. The fee for pylon signs shall be $8.00 per square foot of surface, one side.
   ii. Fees for ground signs or wall signs shall be $8.00 per square foot of surface on one side.
   iii. The minimum fee shall be $75.00.

(3) The fee for a certificate of occupancy shall be $60.00.

(4) The fee for certificate of occupancy granted pursuant to a change of the use group shall be $175.00.

(5) The fee for a certificate of continued occupancy issued under N.J.A.C. 5:23 shall be $175.00.

(6) The fee for the first issuance and renewal of a temporary certificate of occupancy shall be $45.00 and an additional fee of $45.00 for each extension thereafter.

(7) The fee for plan review of a building or compliance under the alternate systems and nondepletable energy source provisions of the energy subcode shall be $383.00 for one- and two-family dwellings (group R-3 or R-5 of the building subcode), and for light commercial structures having the indoor temperature controlled from a single point, and $1,915.00 for all other structures.

(8) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be $821.00 for class I structures and $168.00 for class II or class III structures. The fee for resubmission of an application for a variation shall be $321.00 for class I structures and $91.00 for class II or class III structures.
(9) The fee for a permit for lead hazard abatement work shall be $196.00. The fee for a lead abatement clearance certificate shall be $39.00.

(10) Permits for the installation of fireplaces, woodstoves and solid fuel burning appliances shall be $38.00 per $1,000.00 of estimated cost per unit, stove or fireplace with a minimum fee of $75.00 per appliance or device.

(11) A fee to erect a fence shall be $20.00 per $1,000.00 of estimated cost provided that in each case there shall be a minimum fee of $75.00.

(12) Fee for re-instatement of expired construction permit shall be at the rate of 75% of the original permit fee. The fee is to be calculated with the use or current fee schedule, less 25% for reinstatement fees.

G. Mechanical Systems: Residential replacement only. Minimum fee shall be $75.00

1. Water heater - $18.00
2. Fuel Oil Piping connections - $18.00
3. Gas piping connections:
   i. New Service - $95.00.
   ii. Re-connect - $18.00.
4. Steam Boiler - $75.00.
5. Hot Water Boiler - $75.00.
6. Hot Air Furnace - $75.00.
7. Oil Tank - $70.00.
8. LPG Tank - $85.00.
9. Gas Fireplace or insert - $75.00.
10. Generator - $75.00.
11. Other - $75.00

H. For cross connections and back flow preventers that are subject to testing, requiring inspection annually, the fee shall be $70.00 for each device when they are tested.

I. Annual permit requirements are as follows: The fee that is charged for an annual construction permit shall be charged annually. The fee shall be a flat fee based upon the number of maintenance workers who are employed by the facility, and who are primarily engaged in work that is governed by a subcode. Managers, engineers, and clericals shall not be considered maintenance workers for the purpose of
establishing the annual construction permit fee. Annual permits may be issued for building, fire protection, electrical and plumbing. Fees for annual permits shall be as follows:

(1) One to twenty-five workers (including foreman) $933.00 per worker. Each additional worker over 25, $329.00 per worker.

(2) Prior to the issuance of the annual permit, a training registration fee of $196.00 per subcode and a list of not more than three individuals to be trained per subcode shall be submitted by the applicant to the Department of Community Affairs, Bureau of Code Services, Education Unit — along with a copy of the construction permit (Form F 170). Checks shall be made payable to “Treasurer, State of New Jersey”. The Department shall register these individuals and notify them of the Courses being offered.

J. The fees for elevator device inspections and tests shall be as set forth in N.J.A.C. 5:23-12.

K. The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be $38.00 for each $1,000 estimated cost for moving and placement in a completed condition at the new location, provided that there shall be a minimum fee of $75.00. The new foundation shall be computed as for new construction.

L. For plans already reviewed, those plans processed as prototype, there will be a discount of Twenty percent (20%) of the construction permit. Said prototype plan approvals shall be valid for the purpose of applying for the new construction permit. When submitting under prototype plan review, the construction Code Official shall be notified.

M. The fee for a fish pond in R-3 or R-5 use group that meets the definition of a swimming pool shall be a flat fee of $75.00.

N. The municipality shall remit fees to the Bureau on a quarterly basis, in conjunction with report number R-840A, State Training Fee Report in accordance with N.J.A.C. 5:23-4.5(d).

O. Waiver of construction permit fees for residential accessibility improvements. Pursuant to New Jersey Public Law 1996, Chapter 92 (N.J.A.C. 52:27D-126 e) disabled persons, as so defined, or a parent or sibling of a disabled person shall not be required to pay any municipal fee or charge in order to secure a construction permit for any construction, reconstruction, alteration or improvements which promotes accessibility to the disabled person’s living unit.

Section 3. PARTIAL INVALIDITY.

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part hereof.

Section 4. INCONSISTENT PROVISIONS
All ordinances or parts of ordinances of the Township of Elk heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. EFFECTIVE DATE.

This ordinance shall take effect immediately upon final approval. Notice of adoption shall be published as provided by law.

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TOWNSHIP OF ELK

ATTEST:

Carolyn D. K. Sammons, Mayor

DEBORA 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 October 19, 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 November 16, 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
RESOLUTION R-106-2021

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK APPROVING FORM OF PERFORMANCE GUARANTEE SUBMITTED FOR APPROVAL FOR A PROJECT BY MULLICA HILL DG, LLC AFFECTING PARCEL KNOWN AS BLOCK 10, LOT 12.03 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ELK, GLOUCESTER COUNTY, NEW JERSEY,

WHEREAS, via Resolution R-97-2021, the Elk Township Committee approved the Performance Surety Bond, Cash Bond and Inspection Escrow amounts upon the Elk Township Engineer's recommendation for the Applicant, Mullica Hill DG, LLC, affecting the parcel known as Block 10, Lot 12.03, on the official Tax Map of the Township of Elk relating to Elk Township Combined Planning & Zoning Board of Adjustment Resolution No. 2021-14; and

WHEREAS, the Applicant has submitted Performance Surety Bond No. SUR2002682 dated October 12, 2021, in the amount of $250,729.20 issued by Frankenmuth Mutual Insurance Company, and Cash Bond in the amount of $25,072.92; and

WHEREAS, the Elk Township Solicitor has reviewed the form of Performance Surety Bond which has been submitted by Applicant, and has approved the amount and form of said Performance Surety Bond and Cash Bond; and

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

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

1. The form of Performance Surety Bond No. SUR2002682 dated October 12, 2021, in the amount of $250,729.20 issued by Frankenmuth Mutual Insurance Company, and Cash Bond in the amount of $25,072.92 are hereby approved, and the Township Clerk may accept said Performance Surety Bond upon receipt of the original documents.

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

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

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

ADOPTED at a regular meeting of the Elk Township Committee held October 19, 2021.
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 October 19, 2021, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

DEBORA R. PINE
Clerk

R-106-2021
RESOLUTION R-107-2021

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK APPROVING FORM OF PERFORMANCE GUARANTEE (SITE SAFETY AND STABILIZATION) SUBMITTED FOR APPROVAL FOR A PROJECT BY MULLICA HILL DG, LLC AFFECTING PARCEL KNOWN AS BLOCK 10, LOT 12.03 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ELK, GLOUCESTER COUNTY, NEW JERSEY,

WHEREAS, via Resolution R-972021, the Elk Township Committee approved the Performance Surety Bond, Cash Bond and Inspection Escrow amounts upon the Elk Township Engineer’s recommendation for the Applicant, Mullica Hill DG, LLC, affecting the parcel known as Block 10, Lot 12.03, on the official Tax Map of the Township of Elk relating to Elk Township Combined Planning & Zoning Board of Adjustment Resolution No. 2021-14; and

WHEREAS, the Applicant has submitted Performance Surety Bond No. SUR2002684 (Site Safety and Stabilization Guarantee) dated October 12, 2021, in the amount of $11,798.73 issued by Frankenmuth Mutual Insurance Company, and Cash Bond in the amount of $1,179.87; and

WHEREAS, the Elk Township Solicitor has reviewed the form of Performance Surety Bond which has been submitted by Applicant, and has approved the amount and form of said Performance Surety Bond and Cash Bond; and

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

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

1. The form of Performance Surety Bond No. SUR2002684 (Site Safety and Stabilization Guarantee) dated October 12, 2021, in the amount of $11,798.73 issued by Frankenmuth Mutual Insurance Company, and Cash Bond in the amount of $1,179.87 are hereby approved, and the Township Clerk may accept said Performance Surety Bond upon receipt of the original documents.

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

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

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

ADOPTED at a regular meeting of the Elk Township Committee held October 19, 2021.
TOWNSHIP OF ELK

BY:
CAROLYN D. K. SAMMONS, Mayor

ATTEST:
DEBORAH R. PINE, Township Clerk

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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 October 19, 2021, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

DEBORAH R. PINE
Clerk

R-107-2021
RESOLUTION R-108-2021
RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK APPROVING FORM OF PERFORMANCE GUARANTEE (PERIMETER BUFFER LANDSCAPING) SUBMITTED FOR APPROVAL FOR A PROJECT BY MULLICA HILL DG, LLC AFFECTING PARCEL KNOWN AS BLOCK 10, LOT 12.03 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ELK, GLOUCESTER COUNTY, NEW JERSEY,

WHEREAS, via Resolution R-97-2021, the Elk Township Committee approved the Performance Surety Bond, Cash Bond and Inspection Escrow amounts upon the Elk Township Engineer’s recommendation for the Applicant, Mullica Hill DG, LLC, affecting the parcel known as Block 10, Lot 12.03, on the official Tax Map of the Township of Elk relating to Elk Township Combined Planning & Zoning Board of Adjustment Resolution No. 2021-14; and

WHEREAS, the Applicant has submitted Performance Surety Bond No. SUR2002683 (Perimeter Buffer Landscaping Guarantee) dated October 12, 2021, in the amount of $101,220.00 issued by Frankenmuth Mutual Insurance Company, and Cash Bond in the amount of $10,122.00; and

WHEREAS, the Elk Township Solicitor has reviewed the form of Performance Surety Bond which has been submitted by Applicant, and has approved the amount and form of said Performance Surety Bond and Cash Bond; and

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

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

1. The form of Performance Surety Bond No. SUR2002682 (Perimeter Buffer Landscaping Guarantee) dated October 12, 2021, in the amount of $101,220.00 issued by Frankenmuth Mutual Insurance Company, and Cash Bond in the amount of $10,122.00 are hereby approved, and the Township Clerk may accept said Performance Surety Bond upon receipt of the original documents.

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

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

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

ADOPTED at a regular meeting of the Elk Township Committee held October 19, 2021.
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 October 19, 2021, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

DEBORAH R. PINE
Clerk

R-108-2021
RESOLUTION R-109-2021

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK AUTHORIZING EXECUTION OF CONTRACT FOR CONSULTING SERVICES WITH THE RODGERS GROUP, LLC TO ASSIST THE ELK TOWNSHIP POLICE DEPARTMENT ATTAIN ACCREDITATION

WHEREAS, The Rodgers Group, LLC provides specialized services for and on behalf of various police departments throughout the State of New Jersey; and

WHEREAS, the specialized services provided by The Rodgers Group, LLC includes assisting the Police Department to attain Accreditation from the New Jersey State Association of Chiefs of Police ("NJSAACP"); and

WHEREAS, said services include a review and modification of the Police Department's directive system including Standard Operating Procedures and Rules and Regulations; and

WHEREAS, The Rodgers Group, LLC has provided a proposed Contract for Consulting Services (attached hereto) for the specialized services; and

WHEREAS, the Contract for Consulting Services with The Rodgers Group, LLC is anticipated to exceed $17,500.00; and

WHEREAS, the professional services provided by The Rodgers Group, LLC can be awarded without competitive bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Elk, County of Gloucester and State of New Jersey, that:

1. The Mayor and Township Clerk are hereby authorized to execute the Contract for Consulting Services with The Rodgers Group, LLC, attached hereto, for a fee in the sum of $27,500.00.

2. The Contract for Consulting Services with The Rodgers Group, LLC is for professional services and is exempt from the bidding requirements under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

3. The award of this Contract is subject to compliance with N.J.S.A. 19:44A-20.5 (Pay to Play Law).

ADOPTED at a Regular Meeting of the Elk Township Committee held October 19, 2021.

TOWNSHIP OF ELK

BY: CAROLYN D. K. SAMMONS, Mayor

ATTEST: DEBORA R. PINE, Township Clerk

ROLL CALL VOTE

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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 October 19, 2021, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

DEBORA R. PINE, Clerk
R-110-2021

A RESOLUTION TO AFFIRM THE
TOWNSHIP OF ELK’S CIVIL RIGHTS POLICY
WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE
EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS
OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES,
OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Township of Elk to treat the public, employees,
prospective employees, appointees, volunteers and contractors in a manner consistent with all
applicable civil rights laws and regulations including, but not limited to the Civil Rights Act of
1964 (as subsequently amended), the Americans with Disabilities Act, the New Jersey Law
Against Discrimination, and the New Jersey Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of Elk has determined that certain
procedures need to be established to accomplish this policy;

NOW, THEREFORE BE IT ADOPTED by the governing body of the Township of Elk
that:

Section 1:

No official, employee, appointee or volunteer of the Township of Elk by whatever title
known, or any entity that is in any way a part of the Township of Elk shall engage, either
directly or indirectly in any act (or the failure to act) that constitutes discrimination,
harassment or a violation of any person’s constitutional rights while such official,
employee, appointee, volunteer, or entity is engaged in or acting on behalf of the Township
of Elk’s business or using the facilities or property of the Township of Elk.

Section 2:

The prohibitions and requirements of this resolution shall extend to any person or entity,
including but not limited to any volunteer organization or inter-local organization, whether
structured as a governmental entity or a private entity, that receives authorization or support
in any way from the Township of Elk to provide services that otherwise could be performed
by the Township of Elk.
Section 3:

“Discrimination”, “harassment” and “civil rights” shall be defined for purposes of this resolution using the latest definitions contained in the applicable laws concerning discrimination, harassment and civil rights.

Section 4:

The Township Clerk shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5:

No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6:

The Township Clerk shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Elk, as well as all other entities, subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7:

The Township Clerk shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8:

At least annually, the Township Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the governing body. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of Elk’s website.

Section 9:

This resolution shall take effect immediately.
Section 10:

A copy of this resolution shall be published in the official newspaper of the Township of Elk in order for the public to be made aware of this policy and the Township of Elk’s commitment to the implementation and enforcement of this policy.

THIS RESOLUTION IS DULLY ADOPTED at a Meeting of the Township Committee of the Township of Elk held on October 19, 2021, at the Municipal Building, 680 Whig Lane, Aura, New Jersey.

ATTEST:

DEBORAH 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 October 19, 2021 in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

DEBORAH R. PINE, Township Clerk
RESOLUTION
OF THE TOWNSHIP OF ELK
REGARDING ADOPTION OF POLICY ON THE PROTECTION AND
SAFE TREATMENT OF MINORS

WHEREAS, the State of New Jersey every level of government has a role in protecting minors; and

WHEREAS, the Township of Elk is committed to the safety of all individuals in its community, with particular concern for those who are potentially vulnerable, including minor children;

WHEREAS, the Township of Elk regards the abuse of children as abhorrent in all its forms and pledges to hold its officials, employees and volunteers to the highest standards of conduct in interacting with children; and

WHEREAS, the Township of Elk is fully committed to protecting the health, safety and welfare of minors who interact with officials, employees, and volunteers of the Township to the maximum extent possible; and

WHEREAS, the Township deems it right and proper to adopt the proposed policies and procedures of the New Jersey Municipal Excess Liability Insurance Fund as to these matters;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Elk, that the attached Policy Manual of the Township of Elk on the Protection and Safe Treatment of Minors is hereby adopted; and

BE IT FURTHER RESOLVED that the Clerk is authorized to carry out and implement the procedures and requirements of the Policy Manual of the Township of Elk on the Protection and Safe Treatment of Minors, including all necessary training.

THIS RESOLUTION IS DULY ADOPTED at a Meeting of the Township Committee of the Township of Elk held on April 20, 2021, at the Municipal Building, 680 Whig Lane, Aura, New Jersey.

ATTEST:

 DEBORAH R. PINE, Township Clerk

TOWNSHIP OF ELK

Carolyn D. K. Sammons, Mayor

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RESOLUTION
OF THE TOWNSHIP OF ELK
REGARDING ADOPTION OF UPDATED PERSONNEL POLICIES

WHEREAS, the Township of Elk has undertaken, through administration and Labor
Counsel, a review of current personnel policies; and

WHEREAS, such review has been conducted to ensure that the Township’s policies
reflect legal and business developments; and

WHEREAS, such review has also been conducted for purposes of compliance with the
Employment Practices Risk Control Program of the New Jersey Municipal Excess Liability Joint
Insurance Fund (“MELJIF”); and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of
Elk, that the proposed updated personnel policies of the Township, which are on file with the
Clerk, are hereby adopted; and

BE IT FURTHER RESOLVED that the above policies will be compiled into a single
manual for distribution to all personnel, with the proposed form of manual as recommended by
Labor Counsel being hereby adopted;

BE IT FURTHER RESOLVED that none of the above policies, nor the aforementioned
manual, constitute a contract of employment of any kind; and

BE IT FURTHER RESOLVED that the Clerk, and any designees as the Clerk may
deeem appropriate, are authorized to carry out and implement the policies and procedures above.

THIS RESOLUTION IS DULY ADOPTED at a Meeting of the Township
Committee of the Township of Elk held on October 19, 2021, at the Municipal Building, 680
Whig Lane, Aura, New Jersey.

ATTEST:

DEBORAH R. PINE, Township Clerk

TOWNSHIP OF ELK

Carolyn D. K. Sammons, Mayor

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# BILL APPROVAL
October 19, 2021

Bank Wires, Manual and Interim Checks

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