

**ELK TOWNSHIP COMMITTEE  
MINUTES  
November 1, 2012**

The meeting of the Elk Township Committee was held on the above date in the Municipal Building. The meeting was called to order by Mayor Barbaro at 7:31 PM.

The Open Public Meeting Notice was read. The Salute to the Flag and the Lord's Prayer were recited in unison.

Present were Mr. Pantaleo, Mrs. Sammons, Mr. Spring, Mayor Barbaro, Mr. Duffield, Solicitor, Mr. Considine, CFO, and Mrs. Pine, Township Clerk. Mr. Swanson and Chief DeFalco were absent.

**COMMITTEE REPORTS**

Mrs. Sammons reported the recreation held the 2<sup>nd</sup> Annual Derby Day. It was well attended. There was pumpkin painting and plenty of food provided by the 6<sup>th</sup> grade from Aura School. The Senior Holiday Brunch or Dinner will be held on December 1<sup>st</sup>.

Mayor Barbaro reported Environmental Commission did not meet in October.

Mayor Barbaro contacted public works superintendent of Pitman, Steven Alexander, considering a shared service with the use of the brine truck. There has not been a response to date. He has also talked to Aura School superintendent, Dr. Gravenor concerning a shared service with the brine truck and snow plowing.

Emergency Management met on Sunday, October 28<sup>th</sup> at 11am to discuss and prepare for the storm. There will be a one time yard waste pick up on Monday, November 19<sup>th</sup>.

**EMERGENCY MANAGEMENT REPORT**

Milt Sahms reported a meeting was held with the police, fire and members of the emergency management team to prepare for the storm. They requested all 4 dams to be lowered and that worked well. There was no damage reported. Mr. Sahms recognized the fire departments and the school for their help. A pump was rented from Rain for Rent and returned unused. Emergency Management purchased 2 generators and a small 2" pump. Things went smoothly.

**TOWNSHIP ENGINEER REPORT**

Mayor Barbaro read the engineers report. The 2013 DOT Road Program Applications for Railroad Avenue and Willow Grove Road have been submitted. Silver Lake Estates and Valle del Sol are still building.

**FIRE DEPARTMENT REPORT**

Mr. Spring read the reports from the fire departments.

Aura Fire Department responded to 11 calls for service in October.

Ferrell Fire Department responded to 165 calls for service in October.

**ORDINANCE**

**O – 9 – 2012**

**AN ORDINANCE TO AMEND THE "CODE OF THE TOWNSHIP OF ELK" CHAPTER 34 FIXING AND ESTABLISHING SALARIES AND COMPENSATIONS OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF ELK, IN THE COUNTY OF GLOUCESTER, STATE OF NEW JERSEY  
PUBLIC HEARING**

Motion by Mr. Spring, seconded by Mrs. Sammons to open to the public concerning Ordinance O-9-2012, all were in favor, motion carried.

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

No one came forward.

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

Motion by Mrs. Sammons, seconded by Mr. Spring to adopt Ordinance O-9-2012, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mayor Barbaro	Yes

**ORDINANCE O – 10 – 2012**

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY  
AUTHORIZING THE VACATION OF PUBLIC STREETS, ROADS, HIGHWAYS OR PARTS  
THEREOF PURSUANT TO N.J.S.A. 40:67-1 ET SEQ. WITHIN THE TOWNSHIP OF ELK  
TITLE ONLY**

Motion by Mr. Spring seconded by Mrs. Sammons to approve Ordinance O-10-2012 by title only, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mayor Barbaro	Yes

**ORDINANCE O – 11 – 2012**

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY  
AUTHORIZING THE RENAMING OF STREETS AND ROADS WITHIN THE TOWNSHIP OF ELK  
PURSUANT TO N.J.S.A. 40:67-1(k).  
TITLE ONLY**

Motion by Mr. Pantaleo, seconded by Mr. Spring to approve Ordinance O-11-2012 by title only, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mayor Barbaro	Yes

Mr. Pantaleo expressed his thanks to the 911 Committee for getting this accomplished. Town Hall meetings were mentioned to notify residents of the changes. Every attempt will be made to notify the residents that will be affected by these changes.

**ORDINANCE O – 12 – 2012**

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK, COUNTY OF  
GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 96 ENTITLED “UNIFIED  
DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ELK  
TITLE ONLY**

Motion by Mrs. Sammons, seconded by Mr. Pantaleo to approve Ordinance O-12-2012 by title only, upon roll call motion carried.

Roll Call: Mr. Pantaleo Yes  
Mrs. Sammons Yes  
Mr. Spring Yes  
Mayor Barbaro Yes

Mr. Pantaleo asked if these fees are escrow fees.

Mr. Considine stated if the money is not used for grading, the money left is returned upon request, like escrow funds.

### **1<sup>st</sup> PUBLIC PORTION**

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

Mayor Barbaro asked if anyone had any questions concerning the listed resolutions to come forward at this time.

No one came forward.

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

### **RESOLUTION R-113-2012**

#### **RESOLUTION GRANTING DISABLED VETERAN STATUS TO JOHN J. KENNEY**

Motion by Mr. Spring, seconded by Mrs. Sammons, to adopt and approve said resolution, upon roll call motion carried.

Roll Call: Mr. Pantaleo Yes  
Mrs. Sammons Yes  
Mr. Spring Yes  
Mayor Barbaro Yes

### **RESOLUTION R-114-2012**

#### **RESOLUTION TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS CONTRACT NEGOTIATIONS IN REGARDS TO**

#### **THE ELK TOWNSHIP POLICE DEPARTMENT AND LITIGATION IN REGARDS TO C. CERKEZ**

Motion by Mr. Pantaleo, seconded by Mrs. Sammons to adopt and approve said resolution all were in favor motion carried.

### **RESOLUTION R-115-2012**

#### **RESOLUTION APPOINTING KEVIN KEEN AS A VOLUNTEER DEPUTY EMERGENCY MANAGEMENT COORDINATOR FOR THE TOWNSHIP OF ELK**

Motion by Mr. Spring, seconded by Mrs. Sammons to adopt and approve said resolution all were in favor motion carried.

**Trick or Treat** was postponed by Governor Christie, by Executive Order 105. Trick or Treat will be held on Monday, November 5<sup>th</sup> with an 8PM curfew.

**GLOUCESTER COUNTY REPRESENTATIVE** – David Lubelski was present.

### **PUBLIC PORTION**

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

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

Edward Mick, 239 Unionville Road, inquired about where the township is with the clean up of 233 Unionville Road.

Mayor Barbaro asked if the copy of the paperwork that was mentioned at the last meeting that was brought to committees attention, was given to Mrs. Pine for the review of the solicitor.

Mr. Mick stated that did not happen.

Mr. Duffield explained the Elk Township zoning officer is only overseeing the property maintenance and zoning violations on the property. The township does not have any jurisdiction to oversee environmental issues. Mr. Duffield read excerpts from the DEP letter dated June 25, 2012.

Mr. Duffield stated there is nothing further the township can do at this time.

Tony and Heidi Creta, 233 Unionville Road, stated the problem with the neighbor has been ongoing for 2 years. Statements are being made that are not true. Mr. and Mrs. Creta have contacted the DEP and they have apologized and stated this should not have happened. The DEP feels they are being used for a personal agenda. There is not a dump on his property. The DEP thought based on the information provided concerning the complaint the site was a catastrophe. The county has come out to test several soil samples and have not found anything. Lies are being told by the neighbor and they feel they are being harassed.

Mayor Barbaro stated as the solicitor and police Lieutenant explained to them they can file a complaint or obtain legal counsel.

Mr. Creta also asked about the buffer zone for animals from a residence.

Mayor Barbaro told Mr. Creta the Code of the Township is on line and the set back information should be available there.

Ed Pearson, 1448 Ferrell Road, stated the tractor trailers are back on Whig Lane Road and Ferrell Road. Something needs to be done to enforce this on a regular basis. He should not have to bring this committees attention.

Mayor Barbaro stated the police are looking into this matter and Mr. Pearson will not have to continually bring this to committee again.

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

#### **PAY BILLS**

Motion by Mr. Pantaleo to Pay the Bills, seconded by Mrs. Sammons, upon roll call motion was carried.

Roll Call:	Mr. Pantaleo	Yes
	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mayor Barbaro	Yes

#### **RECESS:**

Motion by Mr. Pantaleo to recess from the regular meeting, seconded by Mr. Spring, all were in favor motion carried. The meeting recessed at 8:27pm.

Motion by Mr. Spring to return to the meeting, seconded by Mr. Pantaleo, all were in favor motion carried. The meeting was called back to order at 8:50pm.

#### **SUMMARY OF CLOSED SESSION**

Mr. Duffield summarized committee discussed the status and terms of potential settlement in the Elk Township v. Cerkez litigation and settlement progress with the PBA agreement with Local 122 and Elk Township.

**RESOLUTION R-116-2012**  
**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT**  
**WITH PBA LOCAL 122**

Motion by Mr. Spring, seconded by Mrs. Sammons, to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mayor Barbaro	Yes

**RESOLUTION R-117-2012**  
**RESOLUTION AUTHORIZING THE SETTLEMENT OF THE ELK TOWNSHIP V. CERKEZ**  
**LITIGATION BEARING DOCKET NO. GLO-C-49-11**

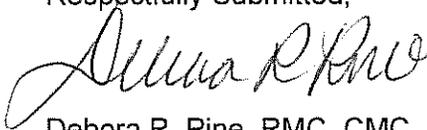
Motion by Mr. Pantaleo, seconded by Mr. Spring, to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mayor Barbaro	Yes

**ADJOURNMENT**

Motion by Mr. Spring to adjourn, seconded by Mrs. Sammons all were in favor, the meeting was adjourned at 8:52PM.

Respectfully Submitted,



Debora R. Pine, RMC, CMC  
Township Clerk

**ORDINANCE**

**O – 9 – 2012**

**AN ORDINANCE TO AMEND THE “CODE OF THE TOWNSHIP OF ELK” CHAPTER 34 FIXING AND ESTABLISHING SALARIES AND COMPENSATIONS OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF ELK, IN THE COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Township Committee of the Township of Elk as follows:

1. The rate of compensation of each of the following officers and employees are hereinafter set forth, upon the noted basis, as follows:

<b>POSITION</b>	<b>SALARY</b>	<b>BASIS</b>
Clerk	not to exceed \$55,000.00 per year	Biweekly
Deputy Clerk	not to exceed \$15.00 per hour	Biweekly
Chief Financial Officer	not to exceed \$42,000.00 per year	Biweekly
Tax Collector	not to exceed \$23,000.00 per year	Biweekly
Asst. Tax Collector	not to exceed \$15.00 per hour	Biweekly
Secretary, Planning Board	not to exceed \$18.00 per hour	Biweekly
Chief of Police	not to exceed \$95,000.00 per year	Biweekly
Lieutenant	not to exceed \$81,000.00 per year	Biweekly
Detective	Base plus amount not to exceed \$2,500.00 per year	Biweekly
Detective Sergeant	Base plus amount not to exceed \$2,500.00 per year	Biweekly
Sergeant 10	not to exceed \$76,000.00 per year	Biweekly
Sergeant 5	not to exceed \$75,000.00 per year	Biweekly
Sergeant	not to exceed \$73,000.00 per year	Biweekly
Corporal	Base plus amount not to exceed \$2,500.00 per year	Biweekly
Patrolman 10	not to exceed \$72,000.00 per year	Biweekly
Patrolman 1	not to exceed \$71,000.00 per year	Biweekly
Patrolman 2	not to exceed \$66,000.00 per year	Biweekly
Patrolman 3	not to exceed \$63,000.00 per year	Biweekly
Patrolman 4	not to exceed \$60,000.00 per year	Biweekly
Patrolman 5	not to exceed \$55,000.00 per year	Biweekly
Patrolman 6	not to exceed \$50,000.00 per year	Biweekly
Patrolman 7	not to exceed \$44,000.00 per year	Biweekly
Probationary Officer	not to exceed \$36,000.00 per year	Biweekly
Part Time Patrolman	not to exceed \$15.00 per hour	Biweekly
Records Clerk	not to exceed \$18.00 per hour	Biweekly
Superintendent of Public Works	not to exceed \$50,000.00 per year	Biweekly
Municipal Judge	not to exceed \$30,000.00 per year	Monthly
Court Administrator	not to exceed \$47,000.00 per year	Biweekly
Deputy Court Administrator	not to exceed \$38,000.00 per year	Biweekly
Public Defender	not to exceed \$7,000.00 per year	Quarterly
Construction Code Official	not to exceed \$25,000.00 per year	Monthly
Fire Sub-Code Official	not to exceed \$25,000.00 per year	Monthly
Plumbing Sub-Code Official	not to exceed \$25,000.00 per year	Monthly
Electrical Sub-Code Official	not to exceed \$25,000.00 per year	Monthly
Building Sub-Code Official	not to exceed \$25,000.00 per year	Monthly
Construction Control	not to exceed \$18.00 per hour	Biweekly
Mayor/Township Committee	not to exceed \$2,000.00 per year	Quarterly
Township Committee	not to exceed \$1,800.00 per year	Quarterly
Zoning Officer	not to exceed \$42,000.00 per year	Biweekly
Temporary Casual Labor	not to exceed \$20.00 per hour	Biweekly
Public Works Assistant	not to exceed \$18.00 per hour	Biweekly
Public Works Labor	not to exceed \$15.00 per hour	Biweekly
Fire Marshall	not to exceed \$2,500.00 per year	Monthly
Fire Inspector	not to exceed \$25.00 per inspection	Monthly
Bailiff	not to exceed \$15.00 per hour	Biweekly
Emergency Management Coordinator	not to exceed \$2,500.00 per year	Quarterly
Deputy Emergency Mgt Coordinator	not to exceed \$1,000.00 per year	Quarterly

2. Longevity payments will no longer be paid by the Township of Elk.
3. If an employee is eligible for health insurance from the Township and has alternative health insurance and prescription coverage, the employee has the option to waive the health insurance benefits provided by the Township. If the employee waives health insurance and prescription benefits, the Township will add \$3,500 to the base salary of the employee. The employee must continuously maintain the alternative health insurance and prescription benefits. If an employee loses their alternative health insurance and prescription benefits, they must give notice to the Chief Financial Officer and enroll on the health insurance and prescription benefit plan offered by the Township of Elk, subject to the conditions of the health insurance plan and the laws of the State of NJ. Upon enrollment or re-enrollment in the Township sponsored health plan, the \$3,500 opt out pay increase will be removed from the employee's base pay.
4. The said salaries, wages and compensation shall be paid in a manner decided upon by the Township Committee.
5. All prior Salary Ordinances are hereby repealed.
6. If any part or parts of this ordinance are deemed illegal or unenforceable, those parts shall be considered null and void, but will not affect the validity of any other part or parts of this ordinance.
7. This Ordinance shall take effect upon publication and final passage thereof as provided by law.

**INTRODUCED** and read at a meeting of the Township Committee of the Township of Elk held on October 16, 2012 and considered for adoption at a meeting of the Township Committee held on November 1, 2012.

TOWNSHIP OF ELK

  
\_\_\_\_\_  
PHILIP A. BARBARO JR. - MAYOR

ATTEST:

  
\_\_\_\_\_  
DEBORA R. PINE - MUNICIPAL CLERK

O-9-2012

RESOLUTION R-113-2012

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK GRANTING DISABLED VETERAN STATUS TO JOHN J. KENNEY.

WHEREAS, John J. Kenney owns property commonly known as 10 Cherry Run Road and identified on the Municipal Tax Map of the Township of Elk as Block 23, Lot 5; and

WHEREAS, the Tax Assessor has received and approved an application for a 100% Disabled Veteran's Tax Exemption pursuant to N.J.S.A. 54:4-3.30, et seq.; and

WHEREAS, the residents of Elk Township and all of New Jersey are proud and grateful to our veterans for their service and sacrifices in preserving our sacred freedoms and rights as Americans; and

WHEREAS, the State of New Jersey recognizes the sacrifices of our veterans by permitting municipalities to provide a tax exemption to their real property; and

WHEREAS, the Gloucester County Tax Assessor has recommended to the Mayor and Committee that the tax exemption be granted and made effective October 19, 2011,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Elk as follows:

- 1. The owner of the premises commonly known as 10 Cherry Run Road and identified on the Municipal Tax Map of the Township of Elk as Block 23, Lot 5 shall be entitled to a 100% Disabled Veteran's Tax Exemption of their property pursuant to N.J.S.A. 54:4-3.30, et seq., said exemption to be effective October 19, 2011.
2. The Township Clerk is hereby directed to forward a certified copy of the within Resolution to the Tax Assessor so the exemption may be duly recorded in the Township's records.
3. The Township Tax Collector shall cancel all taxes due accruing after October 19, 2011.

ADOPTED at a regular meeting of the Elk Township Committee held on November 1, 2012,

TOWNSHIP OF ELK

BY: Philip A. Barbaro, Jr., Mayor

ATTEST:

DEBORA R. PINE, Township Clerk

ROLL CALL VOTE table with columns: COMMITTEE, AYES, NAYS, ABSTAIN, ABSENT. Rows include Pantaleo, Sammons, Spring, Swanson, and Barbaro.

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 November 1, 2012 in the Elk Township Municipal Building, 667 Whig Lane Road, Monroeville, New Jersey.

DEBORA R. PINE
Township Clerk

**RESOLUTION R-114-2012**

**RESOLUTION OF THE TOWNSHIP OF ELK  
TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS  
CONTRACT NEGOTIATIONS IN REGARDS TO  
THE ELK TOWNSHIP POLICE DEPARTMENT AND  
LITIGATION IN REGARDS TO C. CERKEZ**

**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 contract negotiation.

**THIS RESOLUTION WAS DULY ADOPTED** at the Regular Meeting of the Township Committee of the Township of Elk held on the 1<sup>st</sup> day of November 2012 and is duly certified by the Clerk to embody the determination made by the Committee at that hearing date.

**TOWNSHIP OF ELK**

  
Philip A. Barbaro, Jr., Mayor

**ATTEST:**

  
DEBORA R. PINE, TOWNSHIP CLERK

**RESOLUTION R-115-2012**

**RESOLUTION APPOINTING KEVIN KEEN AS A VOLUNTEER  
DEPUTY EMERGENCY MANAGEMENT COORDINATOR  
FOR THE TOWNSHIP OF ELK**

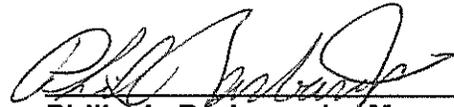
**WHEREAS** there is a need for an additional Volunteer Deputy Emergency Management Coordinator for the Township of Elk; and

**WHEREAS** Kevin Keen has the necessary qualifications to serve as Deputy Emergency Management Coordinator for the Township of Elk.

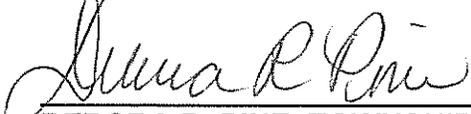
**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of Elk Township that Kevin Keen is hereby appointed to the position of Deputy Emergency Management Coordinator with his term commencing immediately and expiring on December 31, 2012.

**ADOPTED** at a meeting of the Township Committee of the Township of Elk held on November 1, 2012.

**TOWNSHIP OF ELK**

  
Philip A. Barbaro, Jr., Mayor

**ATTEST:**

  
DEBORA R. PINE, TOWNSHIP CLERK

RESOLUTION R-116-2012

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK  
AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT  
WITH PBA LOCAL 122

**WHEREAS**, the Township of Elk and PBA Local 122 representing the Elk Township Police have agreed to renew their existing Collective Negotiations Agreement which expired on December 31, 2010; and

**WHEREAS**, the expired Agreement will be extended for an additional two (2) year term from January 1, 2011 through December 31, 2012 pursuant to the terms and conditions of the attached Memorandum of Agreement; and

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

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

**ADOPTED** at a regular meeting of the Mayor and Committee of the Township of Elk, County of Gloucester, State of New Jersey held on November 1, 2012.

TOWNSHIP OF ELK

BY:   
PHILIP A. BARBARO, JR., Mayor

ATTEST:

  
DEBORA R. PINE, Township Clerk

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Pantaleo	✓			
Sammons	✓			
Spring	✓			
Swanson				✓
Barbaro	✓			

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 November 1, 2012 in the Elk Township Municipal Building, 667 Whig Lane Road, Monroeville, New Jersey.

DEBORA R. PINE  
Township Clerk

RESOLUTION R-117-2012

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK AUTHORIZING  
THE SETTLEMENT OF THE ELK TOWNSHIP V. CERKEZ  
LITIGATION BEARING DOCKET NO. GLO-C-49-11

**WHEREAS**, the Township of Elk ("Township") is currently involved in litigation filed with the Superior Court of New Jersey, Chancery Division, Gloucester County, identified as Elk Township v. Craig S. Cerkez, individually and t/a Cerkez Performance, et als, bearing Docket No. GLO-C-49-11; and

**WHEREAS**, the Township and Co-Defendants have pursued discussions regarding the potential resolution of the aforementioned litigation; and

**WHEREAS**, the Township Committee has determined that it is in the public's best interest to resolve the litigation pursuant to terms and conditions of the Settlement Agreement attached hereto.

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

1. The Township agrees to settle the litigation bearing Docket No. GLO-C-49-11 pursuant to the terms and conditions of the attached "Settlement Agreement".

2. The Mayor and Township Solicitor are hereby authorized and directed to execute the Settlement Agreement attached hereto, or such other and substantially similar Agreement that has been approved as to form and substance by the Township Solicitor acting in consultation with the Mayor, that does not materially alter the Township's obligations hereunder.

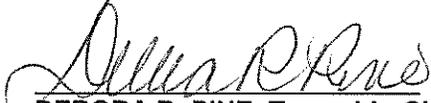
3. The Township, through its appropriate staff and officials, is hereby further authorized and directed to undertake any and all such acts and execute any and all such other documents as may be necessary and appropriate to effectuate the terms hereof.

**ADOPTED** at a regular meeting of the Mayor and Committee of the Township of Elk, County of Gloucester, State of New Jersey held on November 1, 2012.

TOWNSHIP OF ELK

BY:   
PHILIP A. BARBARO, JR., Mayor

ATTEST:

  
DEBORA R. PINE, Township Clerk

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Pantaleo	✓			
Sammons	✓			
Spring	✓			
Swanson				✓
Barbaro	✓			

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 November 1, 2012 in the Elk Township Municipal Building, 667 Whig Lane Road, Monroeville, New Jersey.

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

# BILL APPROVAL

## November 1, 2012

### Bank Wires, Manual and Interim Checks

#### GENERAL ACCOUNT:

1) Elk Township	12-00904	\$64,812.99
2) Gloucester County Library	12-00874	\$39,927.64
3) Gloucester County Treasurer	12-00875	\$518,097.20

#### RECREATION OPERATING:

1) Lorianne Eck		\$24.00
2) Bob's Hobby Shop		\$79.80

#### ELMER ESCROW:

1) Elk Township	12-00882	\$228.00
2) Bach Associates	12-00884	\$1,707.50
3) Fralinger Engineering	12-00915	\$3,466.76

#### UNEMPLOYMENT TRUST:

1) State of NJ Dept. of Labor		\$4,382.00
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Batch Id: SC      Batch Type: C      Batch Date: 11/01/12      Checking Account: CURRENT      G/L Credit: Budget G/L Credit  
Generate Direct Deposit: N

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq
12-00902	11/01/12 10/21/12	A0169 ANYZEK FUELS 1 HEATER-REPLACE BLOWER, ETC.	779.10	PO BOX 364 2-01- -020-243	Budget	Aprv	42
			<u>779.10</u>	REPAIRS & SUPPLIES FOR BLDG			
12-00892	11/01/12 10/17/12	A0260 ATLANTIC CITY ELECTRIC 1 ELECTRIC ANNEX	48.01	5 COLLINS DRIVE 2-01- -037-223	Budget	Aprv	29
12-00892	10/17/12	2 STREET LIGHT	11.09	ELECTRICITY 2-01- -037-222	Budget	Aprv	30
12-00907	10/24/12	1 STREET LIGHTS	98.70	STREET LIGHTING EXPENSE 2-01- -037-222	Budget	Aprv	45
			<u>157.80</u>	STREET LIGHTING EXPENSE			
12-00860	11/01/12 10/10/12	A0359 AUTO SHINE CAR WASH 1 AUGUST CLEANING	36.00	300 NORTH BLACK HORSE PIK 2-01- -029-225	Budget	Aprv	14
			<u>36.00</u>	MISCELLANEOUS			
12-00890	11/01/12 10/17/12	B0095 BACH ASSOCIATES, PC 1 GENERAL PLANNING	67.50	304 WHITE HORSE PIKE 2-01- -023-232	Budget	Aprv	27
			<u>67.50</u>	LEGAL COSTS			
12-00910	11/01/12 10/25/12	B0175 BESCO-BROADWAY ELECTRIC SUPPLY 1 RECEPTICALE	36.41	459 MANTUA AVENUE 2-01- -020-225	Budget	Aprv	48
			<u>36.41</u>	MISCELLANEOUS			
12-00886	11/01/12 10/17/12	C0033 CAPITOL CLEANERS 1 SEPTEMBER UNIFORM CLEANING	558.75	12 N. ACADEMY STREET 2-01- -029-234	Budget	Aprv	24
			<u>558.75</u>	UNIFORM CLEANING			
12-00900	11/01/12 10/21/12	C0082 CETTEI & CONNELL, INC. 1 ACCIDENT/VOLUNTEER POLICY	500.00	PO BOX 657 2-01- -026-223	Budget	Aprv	40
			<u>500.00</u>	LIABILITY (JIF/SURITY)			
12-00873	11/01/12 10/14/12	C0093 CHEAPER THAN DIRT 1 RANGER PLATE, ETC	73.81	2524 NE LOOP 820 2-01- -029-236	Budget	Aprv	21
			<u>73.81</u>	EQUIPMENT & SUPPLIES			
12-00896	11/01/12 10/21/12	C0167 COMCAST 1 09508-729998-01-0 MONTHLY	102.20	2-01- -037-224	Budget	Aprv	33
12-00905	10/24/12	1 09508-444918-01-2 MONTHLY	67.13	TELEPHONE 2-01- -037-224	Budget	Aprv	44
				TELEPHONE			

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			169.33				
12-00870	11/01/12 10/14/12	D0139 DEERPARK 1 WATER	84.32	PO BOX 856192 2-01- -020-225 MISCELLANEOUS	Budget	Aprv	20
			84.32				
12-00575	11/01/12 07/09/12	D0150 DELSEA REGIONAL HIGH SCHOOL 5 SCHOOL TAXES 11/14/2012	215,790.21	ATTN: BOARD OFFICE 2-01- -905-002 REGIONAL SCHOOL TAXES	Budget	Aprv	4
			215,790.21				
12-00903	11/01/12 10/21/12	D0155 DELTA DENTAL PLAN OF NJ 1 NOVEMBER DENTAL	1,333.70	PO BOX 36483 2-01- -026-222 GROUP INSURANCE PLAN	Budget	Aprv	43
			1,333.70				
12-00909	11/01/12 10/24/12	D0499 BRIAN J. DUFFIELD 1 PROSECUTOR - OCT-DEC 2012	3,500.00	95 NORTH MAIN STREET 2-01- -018-225 PROSECUTOR OE	Budget	Aprv	47
			3,500.00				
12-00869	11/01/12 10/14/12	G0173 GARDEN STATE HIGHWAY PRODUCTS 1 PARK SIGNAGE	32.50	1740 E. OAK ROAD 2-01- -020-225 MISCELLANEOUS	Budget	Aprv	19
			32.50				
12-00891	11/01/12 10/17/12	H0176 HERITAGE BUSINESS SYSTEMS, INC. 1 COPY CHARGE	63.41	1263 GLEN AVENUE 2-01- -011-225 MISCELLANEOUS	Budget	Aprv	28
			63.41				
12-00855	11/01/12 10/10/12	H0350 STEVEN HUGHES 1 TAPES REIMBURSEMENT	95.73	2-01- -029-236 EQUIPMENT & SUPPLIES	Budget	Aprv	8
			95.73				
12-00898	11/01/12 10/21/12	I0095 INTERNATIONAL CODE COUNCIL 1 NFPA 72-2010 FIRE ALARM HNDK	125.00	4051 WEST FLOSSMOOR ROAD 2-01- -046-254 BOOKS & PUBLICATIONS	Budget	Aprv	35
12-00898	10/21/12	2 SHIPPING	13.00	2-01- -046-254 BOOKS & PUBLICATIONS	Budget	Aprv	36
12-00898	10/21/12	3 SALES TAX EXEMPT	0.00	2-01- -046-254 BOOKS & PUBLICATIONS	Budget	Aprv	37
			138.00				
12-00908	11/01/12 10/24/12	L0440 GARY H. LOMANNO ESQ. 1 OCT-DEC PUBLIC DEFENDER	2,000.00	330 A WASHINGTON AVENUE 2-01- -051-221 PUBLIC DEFENDER OE	Budget	Aprv	46
			2,000.00				
	11/01/12	M0018 MAJESTIC OIL COMPANY, INC.		2104 FAIRFAX AVENUE			

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12-00899	10/21/12	1	10/12 UNLEADED	1,188.28	2-01- -037-226 GASOLINE/DIESEL	Budget	Aprv	38
12-00899	10/21/12	2	10/16 DIESEL	585.89	2-01- -037-226 GASOLINE/DIESEL	Budget	Aprv	39
12-00911	10/25/12	1	10/23 - UNLEADED	1,602.28	2-01- -037-226 GASOLINE/DIESEL	Budget	Aprv	49
				<u>3,376.45</u>				
12-00819	10/02/12	1	11/14/12-FOLEY,ANNA	65.00	BONNIE IMPOSIMATO 2-01- -023-226 EDUCATIONS	Budget	Aprv	7
				<u>65.00</u>				
12-00858	10/10/12	1	11/01/12 00260 OFFICE PRODUCTS FILE FOLDERS,ENVS,TONER, ETC	126.35	70 SEWELL STREET 2-01- -029-223 OFFICE SUPPLIES	Budget	Aprv	11
				<u>126.35</u>				
12-00862	10/10/12	1	11/01/12 P0115 PARA PLUS TRANSLATION,INC RUSSIAN INTERPRETER	266.07	430 CLEMENTS BRIDGE RD 2-01- -050-225 MISCELLANEOUS	Budget	Aprv	15
12-00862	10/10/12	2	PUNJABI INTERPRETER	266.07	2-01- -050-225 MISCELLANEOUS	Budget	Aprv	16
				<u>532.14</u>				
12-00856	10/10/12	1	11/01/12 P0610 PUBLIC SAFETY OUTFITTERS GLOVES	94.90	545 WOODBURY GLASSBORO RD 2-01- -029-236 EQUIPMENT & SUPPLIES	Budget	Aprv	9
				<u>94.90</u>				
12-00912	10/25/12	1	11/01/12 P0750 PULINI, INC. CFOLD TOWELS, TOILET PAPER	200.62	1100 FERRY AVENUE 2-01- -020-243 REPAIRS & SUPPLIES FOR BLDG	Budget	Aprv	50
				<u>200.62</u>				
12-00888	10/17/12	1	11/01/12 S0040 SCHWAAB, INC. PRE INKED CUSTOM STAMPS	220.47	2-01- -023-223 OFFICE SUPPLIES	Budget	Aprv	26
				<u>220.47</u>				
12-00025	01/02/12	11	11/01/12 S0100 MILTON SAHMS 2012 TELEPHONE-NOV	15.00	955 AURA ROAD 2-01- -037-224 TELEPHONE	Budget	Aprv	1
12-00026	01/02/12	4	MEDICARE PART B - 2012 - 4TH	299.70	2-01- -026-222 GROUP INSURANCE PLAN	Budget	Aprv	2
				<u>314.70</u>				
12-00895	10/21/12	1	11/01/12 S0266 SHAMROCK ENTERPRISES ACETYLENE & OXYGEN RENTAL	100.00	281 CLEARFIELD AVENUE 2-01- -034-236 EQUIPMENT & SUPPLIES	Budget	Aprv	32
				<u>100.00</u>				

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12-00885	11/01/12 10/17/12	S0452 CRISTINA SMITH 1 OCTOBER COURT	180.00	9 RANDOLPH ROAD 2-01- -050-225 MISCELLANEOUS	Budget	Aprv	23
			<u>180.00</u>				
12-00893	11/01/12 10/21/12	S0455 LUZ S. SMITH 1 COURT OCTOBER	600.00	2835 FRIENDSHIP STREET 2-01- -050-225 MISCELLANEOUS	Budget	Aprv	31
			<u>600.00</u>				
12-00859	11/01/12 10/10/12	S0505 STREICHERS POLICE EQUIPMENT 1 STOCK CLIPS - M4	64.99	LB#7873 2-01- -029-236 EQUIPMENT & SUPPLIES	Budget	Aprv	12
12-00859	10/10/12	2 GUN CASES	139.98	2-01- -029-236 EQUIPMENT & SUPPLIES	Budget	Aprv	13
			<u>204.97</u>				
12-00812	11/01/12 09/30/12	S0600 SOUTHERN PEST CONTROL 1 SEPTEMBER SERVICES	48.00	3300 CRESCENT BLVD. 2-01- -020-225 MISCELLANEOUS	Budget	Aprv	6
12-00897	10/21/12	1 OCTOBER SERVICE	48.00	2-01- -020-225 MISCELLANEOUS	Budget	Aprv	34
			<u>96.00</u>				
12-00857	11/01/12 10/10/12	S0620 STATE TOXICOLOGY LABORATORY 1 TESTING	90.00	325 NORFOLK STREET 2-01- -029-225 MISCELLANEOUS	Budget	Aprv	10
			<u>90.00</u>				
12-00798	11/01/12 09/23/12	S0911 ROBERT SEIBERT 1 REIMBURSE MED PART B-NOV & DEC	199.80	350 POPLAR AVENUE 2-01- -026-222 GROUP INSURANCE PLAN	Budget	Aprv	5
			<u>199.80</u>				
12-00883	11/01/12 10/17/12	T0530 DEBRA TRIFILETTI 1 REIMBURSE NOTARY FEES	40.00	446 MULLICA HILL ROAD 2-01- -011-225 MISCELLANEOUS	Budget	Aprv	22
			<u>40.00</u>				
12-00561	11/01/12 07/03/12	T0600 TREASURER OF SCHOOL MONEYS 5 NOVEMBER 7, 2012	197,417.09	ELK TOWNSHIP BOARD OF ED 2-01- -905-001 LOCAL SCHOOL TAXES	Budget	Aprv	3
			<u>197,417.09</u>				
12-00865	11/01/12 10/10/12	W0080 WARREN'S HARDWARE 1 NUTS, BOLTS, ETC	9.27	110 BRIDGETON PIKE 2-01- -034-236 EQUIPMENT & SUPPLIES	Budget	Aprv	17
12-00865	10/10/12	2 NUTS, BOLTS, ETC	0.93-	2-01- -034-236 EQUIPMENT & SUPPLIES	Budget	Aprv	18
			<u>8.34</u>				
	11/01/12	W0160 WEBERS POWER EQUIPMENT, INC.		868 ELK ROAD			

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12-00914	10/30/12	1 CHAINS, OIL	85.25	2-01- -034-236 EQUIPMENT & SUPPLIES	Budget	Aprv	51
			<u>85.25</u>				
	11/01/12	w0205 WEST GROUP PAYMENT CENTER					
12-00901	10/21/12	1 NJ COURT RULES, ETC. UPDATED	215.00	2-01- -050-254 BOOKS & PUBLICATIONS	Budget	Aprv	41
			<u>215.00</u>				
	11/01/12	w0318 WIRELESS ELECTRONICS, INC.		t/a WIRELESS COMMUNICATIONS			
12-00887	10/17/12	1 EAR PIECE SET	192.00	2-01- -029-236 EQUIPMENT & SUPPLIES	Budget	Aprv	25
			<u>192.00</u>				

	<u>Count</u>	<u>Line Items</u>	<u>Amount</u>
Checks:	39	51	429,775.65

There are NO errors or warnings in this listing.