

**ELK TOWNSHIP  
COMMITTEE MEETING MINUTES  
MARCH 2, 2023**

The Regular Meeting of the Elk Township Committee was held on the above date in the Municipal Building. The meeting was called to order by Mayor Sammons at 7:04PM.

The Open Public Meeting Notice was read. The Salute to the Flag and invocation were recited in unison.

Present were: Mrs. Cowan, Mr. Lucas, Mrs. Nicholson, Mayor Sammons, Mr. Considine, CFO, Mrs. Pine, Township Clerk, Mr. Duffield, Solicitor, Mr. Bach, Engineer and Police Chief Gonnelli. Mr. Rambo was absent.

**Approval of minutes** of February 21, 2023 Meeting

Motion by Mr. Lucas, seconded by Mrs. Cowan to approve the minutes of the February 21, 2023 Work Session all were in favor motion carried.

**COMMITTEE REPORTS**

Mrs. Nicholson reported the Environmental Commission will meet on Wednesday, March 8<sup>th</sup> at 7PM.

Arbor Day is being planned for April 22<sup>nd</sup> or 29<sup>th</sup>. The Commission will discuss at their next meeting.

Shred and Clean Up Day will be April 15<sup>th</sup> – 9am to noon.

Mayor Sammons announced the annual Easter Egg Hunt will be held on Saturday, April 1, 2023 at 10AM in the Recreation Park.

**POLICE CHIEF REPORT**

Chief Gonnelli submitted the police report for February 2023. The department received 1897 calls for service, made 28 arrests, issued 437 motor vehicle summonses, responded to 6 motor vehicle crashes with 0 injuries and received 11 new firearm applications. The Chief stated he is very proud of the job the officers are doing.

Mrs. Nicholson echoed the sentiment, the officers are doing a great job, their presence is seen all throughout the township.

**FIRE DEPARTMENT REPORT**

Mayor Sammons read the reports from the fire companies. Aura responded to 3 calls for service and Ferrell responded to 5 calls for service.

**ENGINEER'S REPORT**

Mr. Bach reported Elmwood Estates is getting ready to begin construction. We are waiting on submission of the bond. A preconstruction meeting will be held prior to them beginning.

S J Gas repair does not meet the restoration requirements. The issue will be addressed with S J Gas.

Mr. Bach is working with the cell tower applicant, they wanted to trench under the parking lot. According to the lease agreement this is not permitted. They can install overhead wire using the existing poles.

In reference to the change from Tier B to Tier A, Mr. Bach reported there is no hearing set with the challenge of the DEP change. The only thing that might bring about the change is true litigation against the DEP saying this is an unfunded mandate and is unfair.

Mayor Sammons stated she spoke with several Mayors from other towns in Gloucester and Cumberland Counties, stating they are all on board with fighting this change.

There will be new regulations coming out later this year for stormwater. This is geared more for north Jersey, but will be enforced throughout the state. Stay tuned....

**PUBLIC PORTION** on Agenda Items only.

Motion by Mrs. Nicholson to open the meeting to the public, seconded by Mrs. Cowan, all were in favor, motion carried.

Mayor Sammons asked if anyone had any questions on agenda items to speak at this time.

No one came forward.

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

**ORDINANCES:**

**ORDINANCE O – 1 – 2023**

**ORDINANCE AMENDING CHAPTER 79 ENTITLED “PROPERTY MAINTENANCE” OF THE CODE OF THE TOWNSHIP OF ELK  
PUBLIC HEARING**

Motion by Mrs. Nicholson, seconded by Mr. Lucas to open the public portion, all were in favor, motion carried.

Mayor Sammons invited the public to speak if they have any questions concerning the Ordinance.

No one came forward.

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

Motion by Mrs. Cowan, seconded by Mrs. Nicholson to adopt Ordinance O-1-2023, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**ORDINANCE O – 2 – 2023**

**ORDINANCE AMENDING CHAPTER 60 ENTITLED “ANIMAL CONTROL” OF THE CODE OF THE TOWNSHIP OF ELK (WILDLIFE FEEDING)  
PUBLIC HEARING**

Motion by Mrs. Cowan, seconded by Mrs. Nicholson to open the public portion, all were in favor, motion carried.

Mayor Sammons invited the public to speak if they have any questions concerning the Ordinance.

No one came forward.

Motion by Mrs. Nicholson seconded by Mrs. Cowan to close the public portion, all were in favor, motion carried.

Motion by Mrs. Nicholson, seconded by Mrs. Cowan to adopt Ordinance O-2-2023, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	No
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**ORDINANCE O – 3 – 2023**

**ORDINANCE AMENDING CHAPTER 84 ENTITLED “SOLID WASTE AND RECYCLING” OF THE CODE OF THE TOWNSHIP OF ELK (YARD WASTE)  
PUBLIC HEARING**

Motion by Mrs. Nicholson, seconded by Mrs. Cowan to open the public portion, all were in favor, motion carried.

Mayor Sammons invited the public to speak if they have any questions concerning the Ordinance.

No one came forward.

Motion by Mrs. Cowan seconded by Mrs. Nicholson to close the public portion, all were in favor, motion carried.

Motion by Mr. Lucas, seconded by Mrs. Nicholson to adopt Ordinance O-3-2023, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
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Mr. Lucas	Yes
Mrs. Nicholson	Yes
Mayor Sammons	Yes

**ORDINANCE O – 4 – 2023**  
**ORDINANCE AMENDING CHAPTER 84 ENTITLED “SOLID WASTE AND RECYCLING” OF THE**  
**CODE OF THE TOWNSHIP OF ELK (LITTER CONTROL)**  
**PUBLIC HEARING**

Motion by Mrs. Nicholson, seconded by Mrs. Cowan to open the public portion, all were in favor, motion carried.

Mayor Sammons invited the public to speak if they have any questions concerning the Ordinance. No one came forward.

Motion by Mrs. Cowan seconded by Mrs. Nicholson to close the public portion, all were in favor, motion carried.

Motion by Mrs. Cowan, seconded by Mr. Lucas to adopt Ordinance O-4-2023, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**ORDINANCE O – 5 – 2023**  
**ORDINANCE AMENDING CHAPTER 86 ENTITLED “STORMWATER MANAGEMENT” OF THE**  
**CODE OF THE TOWNSHIP OF ELK (IMPROPER DISPOSAL OF WASTE)**  
**PUBLIC HEARING**

Motion by Mrs. Nicholson, seconded by Mrs. Cowan to open the public portion, all were in favor, motion carried.

Mayor Sammons invited the public to speak if they have any questions concerning the Ordinance. No one came forward.

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

Motion by Mrs. Cowan, seconded by Mr. Lucas to adopt Ordinance O-5-2023, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**ORDINANCE O – 6 – 2023**  
**ORDINANCE AMENDING CHAPTER 86 ENTITLED “STORMWATER MANAGEMENT” OF THE**  
**CODE OF THE TOWNSHIP OF ELK (ILLICIT CONNECTION)**  
**PUBLIC HEARING**

Motion by Mrs. Cowan, seconded by Mrs. Nicholson to open the public portion, all were in favor, motion carried.

Mayor Sammons invited the public to speak if they have any questions concerning the Ordinance. No one came forward.

Motion by Mrs. Nicholson seconded by Mrs. Cowan to close the public portion, all were in favor, motion carried.

Motion by Mrs. Nicholson, seconded by Mrs. Cowan to adopt Ordinance O-6-2023, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**ORDINANCE O – 7 – 2023**  
**ORDINANCE AMENDING CHAPTER 60 ENTITLED “ANIMAL CONTROL” OF THE CODE OF THE**  
**TOWNSHIP OF ELK (PET WASTE CONTROL)**  
**PUBLIC HEARING**

Motion by Mr. Lucas, seconded by Mrs. Nicholson to open the public portion, all were in favor, motion carried.

Mayor Sammons invited the public to speak if they have any questions concerning the Ordinance.

No one came forward.

Motion by Mrs. Nicholson seconded by Mrs. Cowan to close the public portion, all were in favor, motion carried.

Motion by Mrs. Nicholson, seconded by Mr. Lucas to adopt Ordinance O-7-2023, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**RESOLUTIONS:**

**RESOLUTION R-43-2023**

**RESOLUTION AUTHORIZING CANCELLATION AND DISCHARGE OF TAX SALE CERTIFICATE**  
**NOS. 25-93 AND 44-94 RELATING TO BLOCK 123, LOT 2**

Motion by Mrs. Nicholson, seconded by Mr. Lucas to adopt and approve said Resolution, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**RESOLUTION R-44-2023**

**RESOLUTION ELEVATING CLASS RANK OF POLICE OFFICER**  
**UPON ANNIVERSARY DATE OF HIRE- CHRISTOPHER CALABRESE**

Motion by Mr. Lucas, seconded by Mrs. Cowan to adopt and approve said Resolution, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**RESOLUTION R-45-2023**

**RESOLUTION ELEVATING CLASS RANK OF POLICE OFFICER**  
**UPON ANNIVERSARY DATE OF HIRE- JOHN HENNELLY**

Motion by Mrs. Cowan, seconded by Mrs. Nicholson to adopt and approve said Resolution, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**RESOLUTION R-46-2023**  
**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND AND REQUIRING A**  
**MAINTENANCE GUARANTEE BY MULLICA HILL DG, LLC FOR THE PARCEL**  
**KNOWN AS BLOCK 10, LOT 12.03 ON THE OFFICIAL TAX MAP OF ELK TOWNSHIP,**  
**GLOUCESTER COUNTY, NEW JERSEY**

Motion by Mrs. Nicholson, seconded by Mr. Lucas to adopt and approve said Resolution, upon roll call motion carried.

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**RESOLUTION R-47-2023**  
**RESOLUTION TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS**  
**CONTRACT NEGOTIATIONS IN REGARDS TO AURA III AND**  
**SILVERGATE REDEVELOPMENT PLAN**

Motion by Mrs. Nicholson, seconded by Mr. Lucas to adopt and approve said Resolution, upon roll call motion carried.

**GLOUCESTER COUNTY REPRESENTATIVE**, James Schmidt was not able to attend. If anyone has a question or issue, to please state so. Mr. Schmidt will be in contact with Mrs. Pine.

**PURSUANT TO RESOLUTION R-26-2023**  
**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. Lucas, 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 committee's attention to come forward at this time, state your name and address.

Lou Schomber, 457 Ewan Road, asked about construction on a septic that is happening at 100 Daylight Drive in Valle del Sol. They are also blocking the sidewalk. It has been going on for 2 or 3 months. There is no silt fence around the hole of the septic and dirt is running into the roadway.

Mr. Bach stated septic is under county health department jurisdiction, as well as soil conservation with the blocking of the sidewalk. He will follow up on the issues.

Wayne Swanson, 517 Spruce Street, asked about Resolution R-43 that was adopted earlier. What happens to the lien holder in this case.

Mr. Duffield explained the property reverts back to the owner after 20 years and lien holder does not foreclose on the property. The lien becomes void.

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

**PAY BILLS:**

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

Roll Call:	Mrs. Cowan	Yes
	Mr. Lucas	Yes
	Mrs. Nicholson	Yes
	Mayor Sammons	Yes

**RECESS:**

Motion to Recess by Mr. Lucas, seconded by Mrs. Cowan, all were in favor, the meeting recessed at 7:40PM.

Motion to Re-enter Meeting by Mr. Lucas, seconded by Mrs. Cowan, all were in favor, the meeting reconvened at 8:08PM.

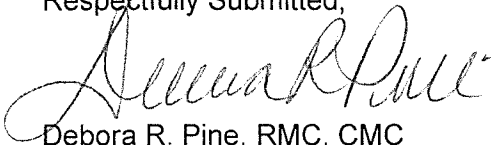
**Summary of Closed Session:**

Mr. Duffield summarized the Committee discussed the status of the Aura III and Silvergate Redevelopment plans and possible amendments to the plans. No decisions were made and no action was taken.

**ADJOURNMENT:**

Motion by Mrs. Nicholson to adjourn, seconded by Mr. Lucas, all were in favor, the meeting was adjourned at 8:09PM.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Debora R. Pine".

Debora R. Pine, RMC, CMC  
Township Clerk

ORDINANCE O – 1 – 2023

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 79 ENTITLED  
"PROPERTY MAINTENANCE" OF THE CODE OF THE TOWNSHIP OF ELK

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**WHEREAS**, the Mayor and Committee, Township of Elk, have determined that amendments to Chapter 79 entitled "Property Maintenance" are necessary; and

**WHEREAS**, in all other respects Chapter 79 entitled "Property Maintenance" 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.**

Article II entitled "Vacant and Abandoned Residential Property" of Chapter 79 "Property Maintenance" shall be deleted in its entirety and replaced with the following language:

CHAPTER 79

Article II. Vacant and Abandoned Real Property.

**§ 79-6. Purpose and Intent:**

It is the purpose and intent of the Township of Elk to establish a process to address the increasing amount of abandoned, foreclosed or distressed real property located within the Township, and to identify, regulate, limit and reduce the number of abandoned properties located within the Township. It is the Township of Elk's further intent to participate in registration program as a mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of abandoned and foreclosed properties.

**§ 79-7. Definitions:**

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

**ABANDONED REAL PROPERTY** - means any real property located in the Township of Elk, whether vacant or occupied, that is in default on a mortgage, has had a lis pendens filed against it by the Lender holding a mortgage on the property, is subject to an ongoing foreclosure action by the Lender, is subject to an application for a tax deed or pending tax assessor's lien sale, or has been transferred to the Lender under a deed in lieu of foreclosure. The designation of a property as "abandoned" shall remain in place until such time as the property is sold or transferred to a new owner, the foreclosure action has been dismissed, and any default on the mortgage has been cured.

**ACCESSIBLE PROPERTY/STRUCTURE** - means a property that is accessible through a compromised/breached gate, fence, wall, etc. or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

**APPLICABLE CODES** - means to include, but not be limited to, the Township of Elk's Zoning Code, the Township of Elk's Code of Ordinances ("Township Code"), and the New Jersey Building Code.

BLIGHTED PROPERTY - means:

- a) Properties that have broken or severely damaged windows, doors, walls, or roofs which create hazardous conditions and encourage trespassing; or
- b) Properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; or
- c) Properties cited for a public nuisance pursuant to the Township Code; or
- d) Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lacks maintenance as required by the Township Codes.

CREDITOR – means a mortgagee or an agent or assignee of a mortgagee, such as the servicer, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the entity seeking to foreclose upon the residential or commercial mortgage changes as a result of an assignment, transfer, or otherwise after the filing of the foreclosure complaint in the Superior Court, the new entity shall be deemed the creditor for purposes of this section. For purposes of this section, a creditor shall not include the State, a political subdivision of the State, a State, county or local government entity, or their agent or assignee, such as the servicer.

ENFORCEMENT OFFICER - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Township of Elk to enforce the applicable code(s).

OWNER - means any person, legal entity or other party having any ownership interest whether legal or equitable, in real property. This term shall also apply to any person, legal entity or agent responsible for the construction, maintenance or operation of the property involved.

PROPERTY MANAGEMENT COMPANY - means an owner, agent, local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

RESPONSIBLE PARTY – means the title holder of a vacant and abandoned property or a creditor responsible for the maintenance of a property pursuant to section 17 of P.L.2008, c.127 (N.J.S.A. 46:10B-51).

VACANT - means any building or structure that is not legally occupied.

**§ 79-8. Applicability:**

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Township of Elk above and beyond any other state, county or local provisions for same.

**§ 79-9. Establishment of a Registry:**

Pursuant to the provisions of Section 79-10, the Township of Elk or its designee shall participate in a registration program for the purpose of cataloging each abandoned and/or foreclosed property within the Township of Elk, containing the information required by this Article.

**§ 79-10. Registration of Abandoned Real Property:**

- A. The creditor filing a summons and complaint in an action to foreclosure shall, in addition to the notice provided to the municipality pursuant to N.J.S.A. 46:10B-51, register the residential or commercial property with the municipality's property registration program as a property in



foreclosure and, as part of that registration: (a) provide the municipality with the information regarding the creditor required by paragraph (1) of subsection a. of section 17 of P.L. 2008, c.127 N.J.S.A. 46:10B-51) or (b) identify the date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing; and (c) identify whether the property is vacant and abandoned in accordance with the definition in the ordinance required by subparagraph E. of this subsection.

- B. If there is any change in the name, address, or telephone number for a representative, agent, or individual authorized to accept service on behalf of a creditor required to register pursuant to the property registration program following the filing of the summons and complaint, the creditor shall update the property registration program within ten (10) days of the change in that information.
- C. The creditor filing a summons and complaint in an action to foreclose shall, if the registered property becomes vacant and abandoned in accordance with the definition in the ordinance required by subparagraph E. of this subsection after the property is initially registered with the municipality, update the property registration with the municipality to reflect the change in the property's status.
- D. The creditor filing a summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if the property is vacant and abandoned at any time while the property is registered with the property registration program. A creditor located out-of-state shall be responsible for appointing an in-state representative or agent to act for the foreclosing creditor.
- E. A property shall be considered vacant and abandoned if it is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:
  - 1. overgrown or neglected vegetation;
  - 2. the accumulation of newspapers, circulars, flyers, or mail on the property;
  - 3. disconnected gas, electric, or water utility services to the property;
  - 4. the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
  - 5. the accumulation of junk, litter, trash, or debris on the property;
  - 6. the absence of window treatments such as blinds, curtains, or shutters;
  - 7. the absence of furnishings and personal items;
  - 8. statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
  - 9. windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
  - 10. doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
  - 11. a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
  - 12. an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
  - 13. the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
  - 14. a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
  - 15. any other reasonable indicia of abandonment.

- F. Any creditor who holds a mortgage or equity lien on real property located within the Township of Elk shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor.
- G. If the property is occupied but remains in default, it shall be inspected by the creditor or his designee monthly until: (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the creditor shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the Township of Elk.
- H. The following annual registration fees shall accompany the registration form or website registration: (1) \$500 per property annually for any property that is required to be registered because a summons and complaint in an action to foreclose was filed by the creditor; and (2) an additional \$2,000 per property annually if the property is vacant or abandoned pursuant to the definition in this Chapter when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to this Chapter at any time thereafter while the property is in foreclosure. On each anniversary date of the initial registration, the owner or creditor shall submit a renewal registration and fee.
- I. All registration fees must be paid directly from the Creditor, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the Municipality and/or its authorized designee.
- J. This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- K. Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain abandoned, vacant or in default.
- L. Failure of the creditor and/or owner to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this Article is a violation of the Article and shall be subject to enforcement.
- M. Pursuant to any administrative or judicial finding and determination that any property is in violation of this Article, the Township of Elk may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

**§ 79-11. Maintenance Requirements:**

- A. Properties subject to this Article shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state or local law discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.
- B. The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- C. Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration was required.
- D. Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for

residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.

- E. Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- F. Pools and spas shall be covered or maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s). A fence shall secure and prohibit access to the pool.
- G. The property shall be maintained free of mold, mildew, algae and/or moss on all exterior structures and buildings.
- H. Failure of the creditor and/or owner to properly maintain the property may result in a violation of the applicable Code(s) and issuance of a citation or Notice of Violation in accordance with this Article and Chapter 47 and 79-1 et seq. of the Township of Elk's Code. Pursuant to a finding and determination by the Township's Code Enforcement Officer or a Court of competent jurisdiction, the Township of Elk may take the necessary action to ensure compliance with this section.
- I. In addition to the above, the property is required to be maintained in accordance with the applicable Code(s).

**§ 79-12. Security Requirements:**

- A. Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- B. A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing or replacing of the window.
- C. If a mortgage on a property is in default, and the property has become vacant or abandoned, a property manager shall be designated by the creditor to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this Article, and any other applicable laws.

**§ 79-13. Public Nuisance:**

All abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Township of Elk.

**§ 79-14. Violations and Penalties:**

- A. An out-of-state creditor found by the municipal court of the municipality in which the property subject to the ordinance is located, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-state representative or agent pursuant to the ordinance shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-state representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. of Section 17 of P.L.2008, c. 127 (N.J.S.A. 46:10B-51) or paragraph (1) of subsection a. of section 2 of P.L.2021, c. 444 (N.J.S.A. 40:48-2.12e.) for providing notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

- B. A creditor found by the municipal court of the municipality in which the property subject to the ordinance is located, or by any other court of competent jurisdiction, to be in violation, excluding only a violation addressed by paragraph (1) of this subsection, of the ordinance shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence eleven (11) days following receipt of the notice.
- C. Any other owner or person(s) who shall violate the provisions of this Article shall be cited and fined by one or more of the following: imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding 90 days; or by a fine not less than \$500.00 or exceeding \$1,250.00; or by a period of community service not exceeding 90 days.
- D. Any person who is convicted of violating this Article within one year of the date of a previous violation of the same Section, and who was fined for the previous violation, shall be sentenced by a Court to an additional fine as a repeat offender. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of this Article, but shall be calculated separately from the fine imposed for the violation of this Article.

**§ 79-15. Inspections for Violations:**

Adherence to this Article does not relieve any person, legal entity or agent from any other obligations set forth in any applicable Code(s), which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable Code(s).

**§ 79-16. Additional Authority:**

- A. If the Enforcement Officer has reason to believe that a property subject to the provisions of this Chapter is posing a serious threat to the public health safety and welfare, the Code Enforcement Officer may temporarily secure the property at the expense of the creditor and/or owner, and may bring the violations before a Court of competent jurisdiction as soon as possible to address the conditions of the property.
- B. The Code Enforcement Officer shall have the authority to require the creditor and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measure including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.
- C. If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the Code Enforcement Officer may direct the Municipality to abate the violations and charge the creditor with the cost of the abatement.
- D. If the creditor does not reimburse the Township of Elk for the cost of temporarily securing the property, or of any abatement directed by the code enforcement board or special magistrate, within thirty (30) days of the Township sending the creditor the invoice, then the Township of Elk may lien the property with such cost, along with an administrative fee of \$800.00 to recover the administrative personnel services.

**§ 79-17. Opposing, Obstructing Enforcement Officer; Penalty:**

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the Code Enforcement Office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable Code(s) or a Court of competent jurisdiction.

**§ 79-18. Immunity of Enforcement Officer:**

Any enforcement officer or any person authorized by the Township of Elk to enforce the Sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this Chapter.

**Section 2.**

The remaining sections shall be renumbered accordingly.

**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 are hereby repealed to the extent of such inconsistencies.

**Section 5. 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
Cowan			✓			
Lucas		✓	✓			
Nicholson			✓			
Rambo	✓		✓			
Sammons			✓			

**ATTEST:**

  
**DEBORA R. PINE, Township Clerk**

**TOWNSHIP OF ELK**

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

FINAL ADOPTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT
Cowan	✓		✓			
Lucas			✓			
Nicholson		✓	✓			
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 February 2, 2023. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on March 2, 2023, 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 – 2 – 2023

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 60 ENTITLED  
“ANIMAL CONTROL” OF THE CODE OF THE TOWNSHIP OF ELK

---

**WHEREAS**, the Mayor and Committee, Township of Elk, have determined that amendments to Chapter 60 entitled “Animal Control” are necessary; and

**WHEREAS**, in all other respects Chapter 60 entitled “Animal Control” 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 60 entitled “Animal Control” shall be amended to include a new Article V entitled “Wildlife Feeding” as follows:

Article V. Wildlife Feeding.

§ 60-34. Purpose.

An Article to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Township of Elk, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 60-35. Definitions.

For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife – all animals that are neither human nor domesticated.

§ 60-36. Prohibited Conduct.

No person shall feed, in any public park or on any other property owned or operated by the Township of Elk, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

§ 60-37. Enforcement.

- a. This Article shall be enforced by the Elk Township Police Department, Elk Township Public Works Department and/or Elk Township Code Enforcement Official.
- b. Any person found to be in violation of this Article shall be ordered to cease the feeding immediately.

§ 60-38. 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.

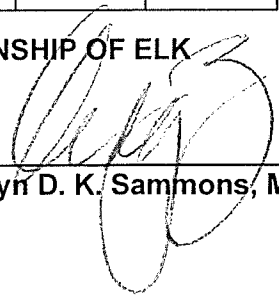
**Section 4.**

**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
Cowan			✓			
Lucas			✓			
Nicholson		✓	✓			
Rambo	✓		✓			
Sammons			✓			

TOWNSHIP OF ELK

  
\_\_\_\_\_  
Carolyn D. K. Sammons, Mayor

ATTEST:

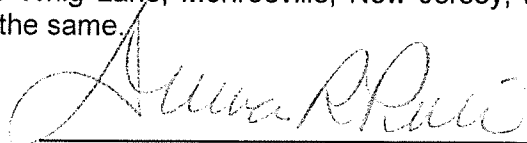
  
\_\_\_\_\_  
DEBORA R. PINE, Township Clerk



FINAL ADOPTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT
Cowan		✓	✓			
Lucas				✓		
Nicholson	✓		✓			
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 February 2, 2023. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on March 2, 2023, 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 – 3 – 2023**

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

---

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

**WHEREAS**, in all other respects Chapter 84 entitled “Solid Waste and Recycling” 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 84 entitled “Solid Waste and Recycling” shall be amended to include a new Article III entitled “Containerized Yard Waste” as follows:

Article III. Containerized Yard Waste.

§ 84-26. Purpose.

An ordinance to establish requirements for the proper handling of yard waste in the Township of Elk, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 84-27. Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street - means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- d. Yard Waste – means leaves and grass clippings.

§ 84-28. Prohibited conduct.

The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

§ 84-29. Enforcement.

This Article shall be enforced by the Elk Township Police Department, Elk Township Public Works Department and/or Elk Township Code Enforcement Official.

§ 84-30. 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.

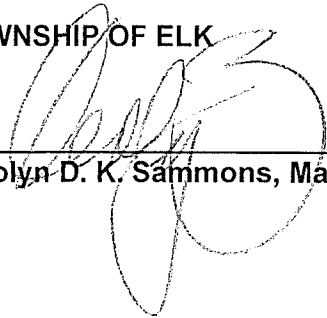
**Section 4.**

**When effective.**

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

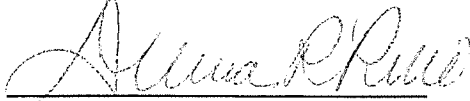
INTRODUCTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion	Second	AYE	NAY	ABSTAIN	ABSENT
Cowan	✓		✓			
Lucas			✓			
Nicholson			✓			
Rambo		✓	✓			
Sammons			✓			

TOWNSHIP OF ELK



Carolyn D. K. Sammons, Mayor

ATTEST:



DEBORA R. PINE, Township Clerk

FINAL ADOPTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT
Cowan			✓			
Lucas	✓		✓			
Nicholson		✓	✓			
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 February 2, 2023. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on March 2, 2023, 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 – 4 – 2023

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

---

**WHEREAS**, the Mayor and Committee, Township of Elk, have determined that amendments to Chapter 84 entitled "Solid Waste and Recycling" are necessary; and

**WHEREAS**, in all other respects Chapter 84 entitled "Solid Waste and Recycling" 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.**

Section 84-14 entitled "Littering and dumping prohibited" shall be deleted in its entirety.

**Section 2.**

All remaining subsections shall be renumbered accordingly.

**Section 3.**

Chapter 84 entitled "Solid Waste and Recycling" shall be amended to include a new Article II entitled "Litter Control" as follows:

Article II. Litter Control.

§ 84-20. Purpose.

An Article to establish requirements to control littering in the Township of Elk, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 84-21. Definitions.

For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Litter - any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

- b. Litter Receptacle – a container suitable for the depositing of litter.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction

§ 84-23. Prohibited acts and regulated activities.

1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this Article, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this Article

§ 84-24. Enforcement.

This Article shall be enforced by the Elk Township Police Department, Elk Township Public Works Department and/or Elk Township Code Enforcement Official.

§ 84-25. 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.**

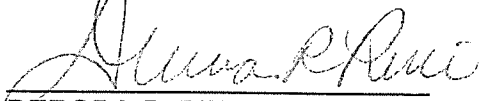
This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

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

TOWNSHIP OF ELK

  
Carolyn D. K. Sammons, Mayor

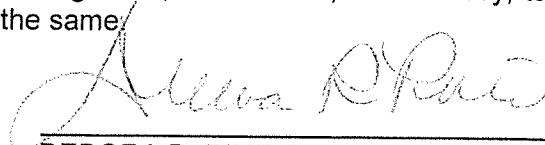
ATTEST:

  
DEBORA R. PINE, Township Clerk

FINAL ADOPTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT
Cowan	✓		✓			
Lucas			✓			
Nicholson		✓	✓			
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 February 2, 2023. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on March 2, 2023, 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 – 5 – 2023

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 86 ENTITLED  
“STORMWATER MANAGEMENT” OF THE CODE OF THE TOWNSHIP OF ELK

---

**WHEREAS**, the Mayor and Committee, Township of Elk, have determined that amendments to Chapter 86 entitled “Stormwater Management” are necessary; and

**WHEREAS**, in all other respects Chapter 86 entitled “Stormwater Management” 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 86 entitled “Stormwater Management” shall be amended to include a new Article IV entitled “Improper Disposal of Waste” as follows:

Article IV. Improper Disposal of Waste.

§ 86-21. Purpose.

An Article to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Elk, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 86-22. Definitions.

For the purpose of this Article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater. NOTE: In municipalities with combined sewer systems, add the following: “MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.



§ 86-23. Prohibited acts and regulated activities.

Prohibited Conduct: The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Elk is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

§ 86-24. Exceptions to Prohibition.

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact cooling water)
- d. Irrigation water (including landscape and lawn watering runoff)
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- f. Residential car washing water, and residential swimming pool discharges
- g. Sidewalk, driveway and street wash water
- h. Flows from firefighting activities
- i. Flows from rinsing of the following equipment with clean water:
  - A. Beach maintenance equipment immediately following their use for their intended purposes; and
  - B. Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery

§ 86-25. Enforcement.

This Article shall be enforced by the Elk Township Engineer, Elk Township Public Works Department and/or Elk Township Code Enforcement Official.

§ 86-26. 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
Cowan	✓		✓			
Lucas			✓			
Nicholson			✓			
Rambo	✓	✓	✓			
Sammons			✓			

TOWNSHIP OF ELK

  
 Carolyn D. K. Sammons, Mayor

ATTEST:

  
 DEBORA R. PINE, Township Clerk

FINAL ADOPTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT
Cowan	✓		✓			
Lucas		✓	✓			
Nicholson			✓			
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 February 2, 202. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on March 2, 2023, 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.



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DEBORA R. PINE, TOWNSHIP CLERK

ORDINANCE O – 6 – 2023

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 86 ENTITLED  
“STORMWATER MANAGEMENT” OF THE CODE OF THE TOWNSHIP OF ELK

---

**WHEREAS**, the Mayor and Committee, Township of Elk, have determined that amendments to Chapter 86 entitled “Stormwater Management” are necessary; and

**WHEREAS**, in all other respects Chapter 86 entitled “Stormwater Management” 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 86 entitled “Stormwater Management” shall be amended to include a new Article III entitled “Illicit Connection” as follows:

Article III. Illicit Connection.

§ 86-16. Purpose.

An Article to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Elk, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply

§ 86-17. Definitions.

For the purpose of this Article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township of Elk, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).

- d. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Township of Elk or other public body, and is designed and used for collecting and conveying stormwater. NOTE: In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."
- e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A
- f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- i. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

§ 86-18. Prohibited conduct.

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Elk any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

§ 86-19. Enforcement.

This Article shall be enforced by the Elk Township Engineer, Elk Township Public Works Department and/or Elk Township Code Enforcement Official.

§ 86-20. 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
Cowan	✓		✓			
Lucas			✓			
Nicholson		✓	✓			
Rambo			✓			
Sammons			✓			

TOWNSHIP OF ELK

  
Carolyn D. K. Sammons, Mayor

ATTEST:

  
DEBORA R. PINE, Township Clerk

FINAL ADOPTION ROLL CALL VOTE							
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT	
Cowan		✓	✓				
Lucas			✓				
Nicholson	✓		✓				
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 February 2, 2023. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on March 2, 2023, 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 – 7 – 2023

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 60 ENTITLED  
“ANIMAL CONTROL” OF THE CODE OF THE TOWNSHIP OF ELK

---

**WHEREAS**, the Mayor and Committee, Township of Elk, have determined that amendments to Chapter 60 entitled “Animal Control” are necessary; and

**WHEREAS**, in all other respects Chapter 60 entitled “Animal Control” 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 60 entitled “Animal Control” shall be amended to include a new Article IV entitled “Pet Waste Control” as follows:

Article IV. Pet Waste Control.

§ 60-28. Purpose.

An Article to establish requirements for the proper disposal of pet solid waste in the Township of Elk, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 60-29. Definitions.

For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.



§ 60-30. Requirement for Disposal.

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

§ 60-31. Exemptions.

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

§ 60-32. Enforcement.

This Article shall be enforced by the Elk Township Police Department, Elk Township Public Works Department and/or Elk Township Code Enforcement Official.

§ 60-33. 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.

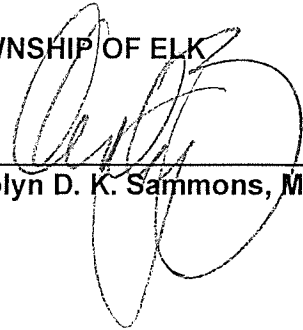
**Section 4.**

**When effective.**

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

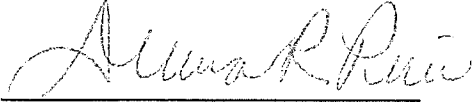
INTRODUCTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion	Second	AYE	NAY	ABSTAIN	ABSENT
Cowan	✓		✓			
Lucas		✓	✓			
Nicholson			✓			
Rambo			✓			
Sammons			✓			

TOWNSHIP OF ELK



Carolyn D. K. Sammons, Mayor

ATTEST:

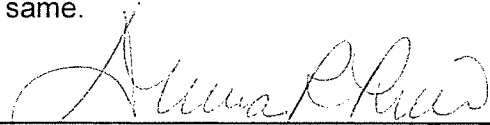


DEBORA R. PINE, Township Clerk

FINAL ADOPTION ROLL CALL VOTE						
COMMITTEE MEMBER	Motion to Adopt	Second	AYE	NAY	ABSTAIN	ABSENT
Cowan			✓			
Lucas		✓	✓			
Nicholson	✓		✓			
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 February 2, 2023. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on March 2, 2023, 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-43-2023

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK  
AUTHORIZING CANCELLATION AND DISCHARGE OF TAX SALE CERTIFICATE NOS. 25-93  
AND 44-94 RELATING TO BLOCK 123, LOT 2

WHEREAS, Mildred Brooks is the owner of Block 123, Lot 2; and

WHEREAS, on June 9, 1993, Elk Township sold a municipal tax lien for Block 123, Lot 2 via Tax Sale Certificate No. 25-93; and

WHEREAS, on June 15, 1994, Elk Township sold a municipal tax lien for Block 123, Lot 2 via Tax Sale Certificate No. 44-93; and

WHEREAS, Tax Sale Certificate Nos. 25-93 and 44-94 were assigned to a third-party; and

WHEREAS, pursuant to N.J.S.A. 54:5-79, the title of a purchaser of a tax sale certificate shall cease and become void at the expiration of twenty (20) years from the date of such sale unless the purchaser or the purchaser's assignee foreclosed the right to redeem prior to expiration of the term; and

WHEREAS, Tax Sale Certificate Nos. 25-93 and 44-94 are over twenty (20) years old and have expired; and

WHEREAS, the Township Committee has determined that it is in the best interests of the Township to discharge and cancel Tax Sale Certificate Nos. 25-93 and 44-94.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Elk, County of Gloucester, State of New Jersey, that the Tax Collector is hereby authorized and directed to cancel and discharge Tax Sale Certificate No. 25-93 dated June 9, 1993.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Elk, County of Gloucester, State of New Jersey, that the Tax Collector is hereby authorized and directed to cancel and discharge Tax Sale Certificate No. 44-94 dated June 15, 1994.

ADOPTED at a Regular Meeting of the Elk Township Committee held March 2, 2023.

TOWNSHIP OF ELK

BY:

  
CAROLYN D. K. SAMMONS, Mayor

ATTEST:



DEBORA R. PINE, Township Clerk

ROLL CALL VOTE				
COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
Cowan	✓			
Lucas	✓			
Nicholson	✓			
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 March 2, 2023, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

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

**R-44-2023  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RESOLUTION ELEVATING CLASS RANK OF POLICE OFFICER  
UPON ANNIVERSARY DATE OF HIRE- CHRISTOPHER CALABRESE**

**WHEREAS** the agreement between the Township of Elk and the Policemen's Benevolent Association of New Jersey Local #122 dated January 1, 2019 through December 31, 2023 recognizes a movement in rank for Police Patrolmen upon completion of one full year of service; and

**WHEREAS** all movement in rank will be by action of the Township Committee after review of the recommendation by the Chief of Elk Township Police; and

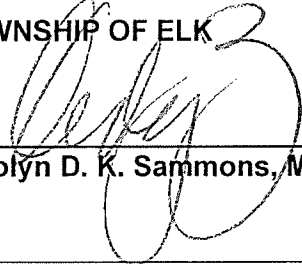
**WHEREAS** the Township Committee has received recommendation from Chief Edward Gonnelli, to elevate the rank of Patrolman **Christopher Calabrese**; and

**WHEREAS** Patrolman **Christopher Calabrese** was hired as a full time officer to the Elk Township Police Department as a recruit on March 7, 2019 and on March 7, 2023 has completed four years of continuous service thereby elevating him to the rank of Officer #4, earning an annual salary as stated in the Contract.

**NOW, THEREFORE, BE IT RESOLVED**, that patrolman **Christopher Calabrese** be elevated in rank and entitled to salaries as stated above.

**ADOPTED** at a regular meeting of Township Committee of the Township of Elk held March 2, 2023.

TOWNSHIP OF ELK

  
\_\_\_\_\_  
Carolyn D. K. Sammons, Mayor

ATTEST:

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

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Cowan	✓			
Lucas	✓			
Nicholson	✓			
Rambo				✓
Sammons	✓			

**R-45-2023  
RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK**

**RESOLUTION ELEVATING CLASS RANK OF POLICE OFFICER  
UPON ANNIVERSARY DATE OF HIRE- JOHN HENNELLY**

**WHEREAS** the agreement between the Township of Elk and the Policemen's Benevolent Association of New Jersey Local #122 dated January 1, 2019 through December 31, 2023 recognizes a movement in rank for Police Patrolmen upon completion of one full year of service; and

**WHEREAS** all movement in rank will be by action of the Township Committee after review of the recommendation by the Chief of Elk Township Police; and

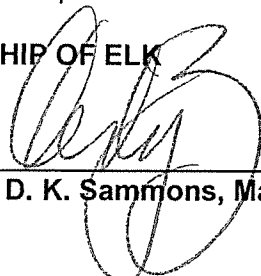
**WHEREAS** the Township Committee has received recommendation from Chief Edward Gonnelli, to elevate the rank of Patrolman **John Hennelly**; and

**WHEREAS** Patrolman **John Hennelly** was hired as a full time officer to the Elk Township Police Department as a recruit on March 20, 2018 and on March 20, 2023 will have completed five years of continuous service thereby elevating him to the rank of Officer #3, earning an annual salary as stated in the Contract.

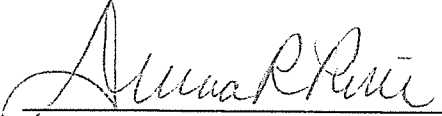
**NOW, THEREFORE, BE IT RESOLVED**, that patrolman **John Hennelly** be elevated in rank and entitled to salaries as stated above.

**ADOPTED** at a regular meeting of Township Committee of the Township of Elk held March 2, 2023.

TOWNSHIP OF ELK

  
\_\_\_\_\_  
Carolyn D. K. Sammons, Mayor

**ATTEST:**

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

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Cowan	✓			
Lucas	✓			
Nicholson	✓			
Rambo				✓
Sammons	✓			

**RESOLUTION R-46-2023**

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK  
AUTHORIZING RELEASE OF PERFORMANCE BOND AND REQUIRING A  
MAINTENANCE GUARANTEE BY MULLICA HILL DG, LLC FOR THE PARCEL  
KNOWN AS BLOCK 10, LOT 12.03 ON THE OFFICIAL TAX MAP OF ELK TOWNSHIP,  
GLOUCESTER COUNTY, NEW JERSEY**

---

**WHEREAS**, the Applicant, Mullica Hill DG, LLC, has caused certain work to be performed relating to improvements affecting a parcel known as Block 10, Lot 12.03 on the official Tax Map of Elk Township; and

**WHEREAS**, via Resolution R-106-2021, the Elk Township Committee approved the Performance Guarantee amount and Inspection Escrow amount; and

**WHEREAS**, after adoption of Resolution R-106-2021, the required Performance Bond No. SUR2002682 dated October 12, 2021, in the amount of \$250,729.20 issued by Frankenmuth Mutual Insurance Company was received by the Township Clerk; and remains in effect; and

**WHEREAS**, the Elk Township Engineer has inspected all improvements secured by said Performance Guarantee and has filed a written report with the Township Clerk dated May 26, 2022, attached hereto, recommending the release of the Performance Guarantee originally posted pursuant to Resolution R-106-2021; and

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

Maintenance Guarantee Amount	\$ 45,468.49
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**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee, Township of Elk, County of Gloucester, and State of New Jersey as follows:

1. The improvements performed by the Applicant for Block 10, Lot 12.03 are hereby accepted, and the Applicant is hereby released from all liability under the existing Performance Bond No. SUR2002682 dated October 12, 2021, in the amount of \$250,729.20 issued by Frankenmuth Mutual Insurance Company, however, subject to the conditions set forth below.

2. The Applicant shall post a Maintenance Guarantee in the sum of \$45,468.49, and in the manner set forth in N.J.A.C. 5:36-4.4 and/or N.J.A.C. 5:36-4.2.

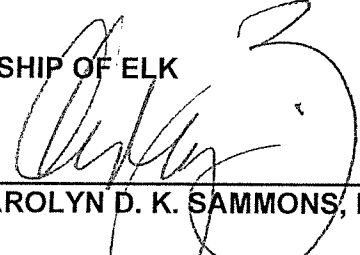
3. The Applicant is hereby directed to forward the above-described Maintenance Guarantee to the Township Clerk to satisfy the contingency set forth herein. In addition, all funds currently held by the Treasurer for inspection escrows shall be refunded to the Applicant after all outstanding invoices are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

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

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

**ADOPTED** at a Regular Meeting of the Elk Township Committee held March 2, 2023.

**TOWNSHIP OF ELK**

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

**ATTEST:**

  
**DEBORA R. PINE, Township Clerk**

ROLL CALL VOTE				
COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
Cowan	✓			
Lucas	✓			
Nicholson	✓			
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 March 2, 2023, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

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

**RESOLUTION R-47-2023**

**RESOLUTION OF THE TOWNSHIP OF ELK  
TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS  
CONTRACT NEGOTIATIONS IN REGARDS TO AURA III AND SILVERGATE  
REDEVELOPMENT PLAN**

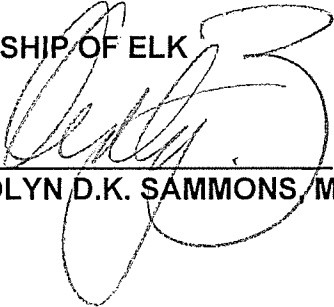
**WHEREAS** N.J.S.A. 10:4-12B. (7) permits the Township Committee to enter into Closed Executive Session and exclude the public from portions of the meeting to discuss personnel, litigation and/or contract negotiations in which the public body is, or may be a party or which involves any matters falling 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 2<sup>nd</sup> day of March 2023 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



# BILL APPROVAL

## March 2, 2023

### Bank Wires, Manual and Interim Checks

#### GENERAL ACCOUNT:

1) Elk Township	23-00226	\$80,264.54
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#### ELMER ESCROW:

1) Dale Taylor Esq.	23-00215	\$1,080.00
2) Bryson & Yates Consulting, LLC	23-00230	\$2,448.71

#### DOG ACCOUNT:

1) NJ Department of Health	23-00234	\$380.40
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Batch Id: SC      Batch Type: C      Batch Date: 03/02/23      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	Acct
23-00184	03/02/23 02/16/23	A0020 A-QUALITY BUSINESS SYSTEMS INC 1 COPIER SERVICE	160.00	1839 DELSEA DRIVE 3-01- -029-239 REPAIRS TO EQUIPMENT	Budget	Aprv	6	1
			<u>160.00</u>					
23-00225	03/02/23 02/26/23	A0260 ATLANTIC CITY ELECTRIC 1 MONTHLY ELECTRIC/STREET LIGHTS	20.87	5 COLLINS DRIVE 3-01- -037-222 STREET LIGHTING EXPENSE	Budget	Aprv	35	1
			<u>20.87</u>					
23-00213	03/02/23 02/24/23	A0304 AT&T MOBILITY 1 MONTHLY-287309487008	635.09	PO BOX 6463 3-01- -037-224 TELEPHONE	Budget	Aprv	21	1
			<u>635.09</u>					
23-00229	03/02/23 02/28/23	B0268 BRYSON & YATES CONSULTING LLC 1 ENGINEERING TRANSFER	359.92	307 GREENTREE ROAD 3-01- -019-222 ENGINEERING OPERATING EXPENSES	Budget	Aprv	38	1
23-00229	02/28/23	2 STORMWATER	525.00	3-01- -019-222 ENGINEERING OPERATING EXPENSES	Budget	Aprv	39	1
23-00229	02/28/23	3 EWAN ROAD PH 2	1,762.50	3-01- -019-222 ENGINEERING OPERATING EXPENSES	Budget	Aprv	40	1
23-00229	02/28/23	4 MOODS ROAD PH 2	2,839.88	3-01- -019-222 ENGINEERING OPERATING EXPENSES	Budget	Aprv	41	1
23-00229	02/28/23	5 PARKING LOT	2,554.83	G-01- -105-114 NJ DOT - MUNICIPAL PARKING LOT	Budget	Aprv	42	1
			<u>8,042.13</u>					
23-00209	03/02/23 02/20/23	C0149 STEPHEN CONSIDINE 1 ZOOM COURT	84.40	3-01- -050-225 MISCELLANEOUS	Budget	Aprv	17	1
23-00209	02/20/23	2 UCC BOOKS	120.99	3-01- -046-254 BOOKS & PUBLICATIONS	Budget	Aprv	18	1
			<u>205.39</u>					
23-00222	03/02/23 02/26/23	C0149 STEPHEN CONSIDINE 1 PETTY CASH	22.71	3-01- -046-223 OFFICE SUPPLIES	Budget	Aprv	31	1
23-00222	02/26/23	2 SUPPLIES	11.19	3-01- -013-223 OFFICE SUPPLIES	Budget	Aprv	32	1
			<u>33.90</u>					
23-00228	03/02/23 02/28/23	C0166 COMCAST 1 MONTHLY SERVICE	486.82	ACCT 8499-05-064-0022477 3-01- -037-224 TELEPHONE	Budget	Aprv	37	1
			<u>486.82</u>					
23-00205	03/02/23 02/18/23	D0139 READY REFRESH BY NESTLE 1 WATER - 13B8224421563	289.78	PO BOX 856192 3-01- -020-225	Budget	Aprv	16	1

March 1, 2023  
07:21 PM

TOWNSHIP OF ELK  
Check Payment Batch Verification Listing

Page No: 2

Check No. PO #	Check Date Enc Date	Vendor # Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
			289.78	MISCELLANEOUS				
22-00840	03/02/23 01/01/23	D0150 DELSEA REGIONAL HIGH SCHOOL 10 03/08/2023	314,204.25	ATTN: BOARD OFFICE 3-01- -905-002 REGIONAL SCHOOL TAXES	Budget	Aprv	2	1
			314,204.25					
23-00227	03/02/23 02/28/23	D0498 BRIAN J. DUFFIELD 1 LEGAL THRU 2/28/2023	3,684.92	95 N. MAIN STREET 3-01- -017-222 LEGAL OPERATING EXPENSES	Budget	Aprv	36	1
			3,684.92					
23-00177	03/02/23 02/11/23	F0256 FENCEMAX LLC 1 QUOTE 77189-MUNICIPAL BLDG	2,127.52	1624 HARDING HIGHWAY G-01- -105-114 NJ DOT - MUNICIPAL PARKING LOT	Budget	Aprv	4	1
			2,127.52					
23-00196	03/02/23 02/16/23	G0150 GALL'S INC. 1 ACCT 5470678, INV. 023065461	263.18	PO BOX 505614 2-01- -029-233 UNIFORM ALLOWANCE	Budget	Aprv	10	1
23-00197	02/16/23	1 ACCT 5470678, INV 023029783	127.01	2-01- -029-233 UNIFORM ALLOWANCE	Budget	Aprv	11	1
23-00198	02/16/23	1 ACCT 5470678, INV 023277406	153.96	2-01- -029-233 UNIFORM ALLOWANCE	Budget	Aprv	12	1
23-00199	02/16/23	1 ACCT 5470678, INV 023329048	70.82	2-01- -029-233 UNIFORM ALLOWANCE	Budget	Aprv	13	1
			614.97					
23-00186	03/02/23 02/16/23	G0262 GLOUCESTER CTY POLICE ACADEMY 1 2/9-10 PENDZIK, LEVANO, STEPHAN	180.00	ROWAN COLLEGE OF SJ 3-01- -029-226 EDUCATIONS & CONFERENCES	Budget	Aprv	8	1
23-00212	02/24/23	1 2/13-17 CALABRESE-CRIM INVEST	150.00	3-01- -029-226 EDUCATIONS & CONFERENCES	Budget	Aprv	20	1
			330.00					
23-00214	03/02/23 02/24/23	H0158 JORDAN HIGGINS 1 COURT RECORDER 2/21/23	90.00	62 MAIN STREET 3-01- -050-225 MISCELLANEOUS	Budget	Aprv	22	1
			90.00					
23-00188	03/02/23 02/16/23	H0177 LANCE HITZELBERGER 1 SHIPPING REIMBURSEMENT	49.15	3-01- -029-225 MISCELLANEOUS	Budget	Aprv	9	1
			49.15					
23-00211	03/02/23 02/24/23	M0018 MAJESTIC OIL COMPANY, INC. 1 2/16 UNLEADED	989.80	2104 FAIRFAX AVENUE 3-01- -037-226 GASOLINE/DIESEL	Budget	Aprv	19	1
			989.80					
03/02/23	M0475	MUNICIPAL RECORD SERVICES		106 WEST ATLANTIC AVENUE				

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	Acct
23-00180	02/16/23	1 TRAFFIC TIX	1,090.00	3-01- -050-224 PRINTING OF FORMS	Budget	Aprv	5	1
			<u>1,090.00</u>					
23-00200	02/18/23	03/02/23 M0914 MES 1 RESCUE TOOLS SERVICE	4,245.90	PO BOX 856892 2-01- -028-226 AID TO FIRE COMPANY OTHER EXPENSES	Budget	Aprv	14	1
			<u>4,245.90</u>					
23-00217	02/26/23	03/02/23 Q0401 QUILL CORPORATION 1 ACCT 3365032, INV 30671536	103.97	PO BOX 37600 3-01- -043-223 OFFICE SUPPLIES	Budget	Aprv	24	1
23-00218	02/26/23	1 ACCT 3365032, INV 30769775	58.01	3-01- -029-223 OFFICE SUPPLIES	Budget	Aprv	25	1
23-00218	02/26/23	2 ACCT 3365032, INV 30769775	58.01	3-01- -043-223 OFFICE SUPPLIES	Budget	Aprv	26	1
23-00218	02/26/23	3 ACCT 3365032, INV 30769775	58.01	3-01- -024-223 OFFICE SUPPLIES	Budget	Aprv	27	1
23-00219	02/26/23	1 ACCT 3365032, INV 30770338	20.92	3-01- -023-223 OFFICE SUPPLIES	Budget	Aprv	28	1
23-00220	02/26/23	1 ACCT 3365032, INV 30837615	99.16	3-01- -029-223 OFFICE SUPPLIES	Budget	Aprv	29	1
			<u>398.08</u>					
23-00233	03/01/23	03/02/23 S0025 SAR AUTOMOTIVE EQUIPMENT, INC. 1 LIFT CERTIFICATION	270.00	7954 CESSNA AVE 3-01- -034-239 REPAIRS TO EQUIPMENT	Budget	Aprv	44	1
			<u>270.00</u>					
23-00221	02/26/23	03/02/23 S0255 SENTINEL NEWSPAPER 1 ADVERTISE VARIOUS ORDINANCES	53.40	330 OAK AVENUE 3-01- -043-228 ADVERTISEMENTS	Budget	Aprv	30	1
			<u>53.40</u>					
23-00185	02/16/23	03/02/23 S0455 LUZ S. SMITH 1 INTERPRETER 2/14/23	300.00	2835 FRIENDSHIP STREET 3-01- -050-225 MISCELLANEOUS	Budget	Aprv	7	1
			<u>300.00</u>					
23-00095	01/21/23	03/02/23 S0476 SOUTH JERSEY WATER TEST LLC 1 QUARTERLY WATER TESTING	498.00	4077 SOUTH BLACK HORSE PIKE 3-01- -020-243 REPAIRS & SUPPLIES FOR BLDG	Budget	Aprv	3	1
			<u>498.00</u>					
23-00223	02/26/23	03/02/23 S0482 SOUTH JERSEY GAS 1 MONTHLY SERVICE	1,522.61	23884200000 3-01- -037-225 PROPANE/NATURAL GAS	Budget	Aprv	33	1
			<u>1,522.61</u>					
23-00224	02/26/23	03/02/23 S0483 SOUTH JERSEY GAS 1 MONTHLY SERVICE	588.70	3388420000 3-01- -037-225 PROPANE/NATURAL GAS	Budget	Aprv	34	1

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	Acct
			588.70					
23-00201	03/02/23 02/18/23	S0600 SOUTHERN PEST CONTROL 1 FEBRUARY SERVICE	53.00	PO BOX 95 3-01- -020-243 REPAIRS & SUPPLIES FOR BLDG	Budget	Aprv	15	1
			53.00					
23-00231	03/02/23 03/01/23	S0671 STARR GENERAL CONTRACTORS 1 MONTHLY RENTAL FEBRUARY	120.00	3017 DELSEA DRIVE 3-01- -020-225 MISCELLANEOUS	Budget	Aprv	43	1
			120.00					
23-00216	03/02/23 02/26/23	T0200 TAG'S AUTO SUPPLY, INC 1 FILTERS,KIT, ETC	187.63	12 W. HIGH STREET 3-01- -061-226 POLICE VEHICLE MINOR REPAIR	Budget	Aprv	23	1
			187.63					
22-00839	03/02/23 01/01/23	T0600 TREASURER OF SCHOOL MONEYS 10 03/08/2023	291,256.92	ELK TOWNSHIP BOARD OF ED 3-01- -905-001 LOCAL SCHOOL TAXES	Budget	Aprv	1	1
			291,256.92					

Checks:	Count	Line Items	Amount
	29	44	632,548.83

There are NO errors or warnings in this listing.

