

## WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

December 2, 2013 - 6:00 P.M.

### Meeting called to order

Opening Announcement

Pledge of Allegiance & Moment of Silence

Roll Call & Determination of Quorum

### Work Session

#### Consent Agenda

- Approval of Minutes November 18, 2013
- Res. #2013-295 Payment of Vouchers \$408,122.31
- Res. #2013-296 Authorization for Refund of Taxes (2 properties paid twice \$1,485.34)
- Res. #2013-297 Application for Fiscal Grant Extension for Drug Enforcement and Demand Reduction (DEDR) Grant Funds (extension on spending until 6/30/14)
- Res. #2013-298 Amend Resolution #2013-62 Appointment of William Blaney, Esq as Labor Attorney (additional \$8,000)
- Res. #2013-299 A Resolution Amending Specific Personnel Policies and Procedures for Lower Township (Donated Leave Program and Training and Education/Travel Reimbursement)
- Res. #2013-300 A Resolution Authorizing A Grant Application to the Cape May County Open Space Program for a Bike Path Connecting to Middle Township
- Res. #2013-301 Authorization for the Payment Of College Credits (by contract 21 employees total of \$18,260.)
- Res. #2013-302 Authorization for 2013 Incentive Award for Insurance Waiver (by contract 14 employees total of \$29,083.33)
- Res. #2013-303 Transfer of 2013 Appropriations (\$200,000.)
- Res. #2013-304 Authorization for the Payment of Guaranteed Overtime (by contract 8 dispatchers \$23,801.05)
- Res. #2013-305 Authorizing Pay Out of Terminal Leave (M.LoMonaco \$4,998.67)
- Res. #2013-306 Approval of Contribution to Lower Township Rotary (\$800 for Christmas Parade/Tree Lighting)
- Res. #2013-307 Bid Acceptance and Award for One (1) 2013 6 1/2 to 8 1/2 Cubic Yard Dump Body, Snow Plow and Salt Spreader Mounted on Existing Township Owned Chassis ( Intercon Truck Equipment \$48,137)
- Res. \$2013-308 Bid Acceptance and Award for ADA Upgrades and Improvements at the "Old" Fishing Creek School (Thomas Barry Marine Construction \$272,200)
- Res. #2013-309 Bid Acceptance and Award for ADA Upgrades and Improvements at the Recreation Center (Aliano Brothers General Contractors \$92,637)
- Res. #2013-310 Certification of Lot Clearing Charges to the Tax Collector (4 properties \$3,030.)
- Res. #2013-311 Acceptance and Contract Award for Lead Abatement Contractor - Fishing Creek School (the Oak Group \$32,000)

#### Regular Agenda

#### Administrative Reports

Finance

#### Council Comments

#### Call to the Public

#### Closed Session

- Res. #2013-312 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12. **PERSONNEL - MANAGER/SOLICITOR**

#### Adjournment

## COUNCIL MEETING MINUTES – November 18, 2013

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on November 18, 2013 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Clerk announced that the meeting was being held in compliance with the Open Public Meetings Act and that adequate notice of the meeting had been provided according to law.

The following members of Council were present for roll call taken by the Clerk:

Councilmember Thomas Conrad  
Councilmember James Neville  
Councilmember Erik Simonsen  
Deputy Mayor Clark  
Mayor Michael Beck

Also present: Michael Voll, Township Manager, Chuck Sandman, Township Solicitor and Karen Fournier, Clerk's Office

Mayor Beck congratulated newly-elected Council member Eric Simonsen. Councilmember Simonsen, accompanied by his wife, Anna and 2 daughters, Katya and Viktoria, was sworn in by Freeholder Director Gerald Thornton. Additional attendees included Gary Schaffer, Linda Pagliughi and Kristine Gabor. Mr. Thornton also congratulated Councilmember Simonsen on a successful campaign and thanked his family for their support.

### **Work Session**

Fishing Creek School Community Volunteer Awards

Deputy Mayor Clark said a few words of introduction about the Fishing Creek School. He acknowledged David Pacevich for commissioning the recognition wall using a Pride grant from the New Jersey Education Association. Mr. Pacevich explained the criteria for nominations and introduced the volunteers being recognized for their contributions to the community. Among them included: Townbank Fire Chief Lewis Magonigal, judo instructor Joshua Frederick, Care Alternatives Hospice volunteer Ashlie Campbell, youth football and wrestling coach John Altieri, therapy dog handlers Karen Wadding and Kiki Miller, and NASW museum volunteer Richard Ryan.

### **Consent Agenda**

Approval of NJ State Fireman's Membership Application - Cory R Curtis, Villas Fire Company

Approval of Minutes November 4, 2013

Res. #2013-289 Payment of Vouchers \$ 448,307.93

Res. #2013-290 A Resolution Requesting Release of Performance Guarantee for Atlantis Beach Club; Block 730.02, Lot 1.02, Escrow #Z05-06-03 (\$1,522.50 plus interest)

Res. #2013-291 A Resolution Requesting Release of Demolition Bond for Block 161, Lot10, 132 West New York Avenue (\$500.)

Res. #2013-292 A Resolution Requesting Release of Demolition Bond for Block 349.09, Lot 43, 104 Birch Road (\$500.)

Res. #2013-293 Transfer of 2013 Appropriations (\$21,800.)

Res. #2013-294 Council's request to the Tax Collector to Cancel Taxes Due on the Properties Listed Below Located in the Cape May County Airport and Industrial Park (3 properties \$8,330.93)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
NEVILLE		X	X			
SIMONSEN			X			
CLARK			X			
BECK			X			

**Regular Agenda**

**Administrative Reports**

Personnel Actions

Monthly Reports - Animal Control, Construction, Dog, Fire, Municipal Clerk, Police, Tax Collector, Vital Statistics

**Council Comments**

Councilmember Conrad welcomed back Councilmember Simonsen. He also instructed residents to ignore the MUA notice about the tax sale.

Councilmember Neville congratulated and welcomed Councilmember Simonsen. He spoke about his meeting with Stu Farrell regarding FEMA's flood maps and the v zone.

Councilmember Simonsen thanked his family and everyone who supported his campaign. He looks forward to serving the people of the township and requested we keep the Sicozi family, Mayor Beck's brother, and Jenny Farrin in our prayers. He spoke of several benefits throughout the township to support special programs and people in need.

Deputy Mayor Clark welcomed Councilmember Simonsen and informed that he will be joining the Economic Development Committee. He spoke about forming a committee to work on tax abatements at the Cape May County Airport and also gave an update on the proposed renovations for the Fishing Creek School. In preparation for Thanksgiving, he reflected on what he is thankful for, including heroes such as teachers, fire personnel and police officers.

Mayor Beck welcomed Councilmember Simonsen. He announced the following upcoming events: Tree Lighting/Veterans Ceremony, Hospitality Night, Christmas Parade, Ferry Merry Christmas, and the Annual Family New Year's Eve Party. In addition, he announced a fund raiser to be held for Jim and Evelyn McCarty, victims of the recent explosion. Township Hall will also be collecting donations for Toys for Tots, the local Food Bank and Sock's For Seniors. Chris South, area coordinator for Sock's for Seniors, explained the program and encouraged drop offs through December 13<sup>th</sup>. Fun socks preferred.

In the spirit of Thanksgiving, Mayor Beck said a few words of thanks, wished everyone a blessed holiday, and requested prayers for the McCarty Family.

**Call to Public**

Ed Butler of Villas addressed Council with regard to the taxpayers and requested to keep the budget within the means of the township.

Janet Pitts of Villas addressed Council to inquire about the subject of litigation for Closed Session. Solicitor Sandman explained that the Township is named as a defendant in the suit against Bailey.

Jack Porter, former MUA employee, addressed Council to clarify the powers of the MUA board. Solicitor Sandman explained the authority of the board as set forth by statute. Mr. Porter expressed concern for the safety of his family.

**Closed Session**

Res. #2013-295

Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

**Litigation - Bailey et al V. Twp / Personnel: Manager/Solicitor**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
NEVILLE	X		X			
SIMONSEN			X			
CLARK		X	X			
BECK			X			

Council adjourned to closed session at 6:49 p.m.

Council returned to open session at 7:30 p.m.

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Neville. Motion to adjourn unanimous. Meeting adjourned at 7:31 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Township Clerk

Approved:



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00652 CAPE COUNTY CLIPPERS LLC*	13-01799	06/14/13	LOT CLEARING	Open	1,300.00	0.00		
00784 CAPE MAY STAR & WAVE	13-03457	11/22/13	LEGAL PUBLICATIONS 11-13-13	Open	189.10	0.00		
00807 CDW-GOVERNMENT INC*	13-02903	10/07/13	REPLACEMENT BATTERIES	Open	771.00	0.00		
	13-03132	10/28/13	COMPUTER / OFFICE SUPPLIES	Open	<u>82.32</u>	0.00		
					853.32			
00825 COMCAST*	13-03473	11/25/13	INTERNET 11/30/13-12/29/13FIRE	Open	109.93	0.00		
01110 COLLEEN CRIPPEN	13-03443	11/20/13	MEDICAL CLAIMS -V	Open	115.00	0.00		
01201 DELL CORPORATION*	13-03101	10/18/13	OPTIPLEX 7010 DESKTOP COMPUTER	Open	1,396.78	0.00		
01203 BRIAN DENHAM	13-03138	10/28/13	PLASTIC FOR HAUNTED TRAILS	Open	99.62	0.00		
01220 DRAEGER SAFETY DIAGNOSTICS*	13-03089	10/17/13	ANNUAL RECERTIFICATION	Open	155.00	0.00		
01239 DIANA L DeNOTE	13-03416	11/15/13	MEDICAL CLAIMS	Open	124.03	0.00		
01242 CHARLES J RYAN	12-01286	05/16/12	2012 EQUIP. ALLOWANCE	Open	115.02	0.00		B
	13-01062	04/16/13	2013 EQUIP. ALLOWANCE	Open	<u>150.00</u>	0.00		
					265.02			
01265 BRIAN DONAHUE	12-01280	05/16/12	2012 EQUIP. ALLOWANCE	Open	150.00	0.00		B
	13-01048	04/16/13	2013 EQUIP. ALLOWANCE	Open	<u>150.00</u>	0.00		
					300.00			
01519 TOM FOLS ELECTRICALCONTRACTOR*	13-03442	11/20/13	INSTALLED HANGING FIXTURE/DPW	Open	700.00	0.00		
01602 THOMSON WEST*	13-03135	10/28/13	PAMPHLET	Open	35.00	0.00		
01643 WILLIAM GALESTOK	13-03471	11/25/13	REIMBURSEMENT	Open	36.00	0.00		
01649 GARDEN STATE HWY PRODUCTS, INC*	13-02920	10/09/13	SIGNS/ MATERIAL	Open	1,320.25	0.00		
01690 GRANTURK EQUIPMENT CO*	13-03087	10/17/13	TRUCK #36 RAM	Open	1,767.16	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01806 ANTHONY J HARVATT, II, ESQ	13-00973	04/08/13	BOARD SOLICITOR SALARY	Open	550.00	0.00		
01859 HESS CORPORATION	13-03465	11/22/13	10/21/13-11/17/13 ELECTRIC	Open	6,047.22	0.00		
	13-03466	11/22/13	ELECTRIC 10/18/13-11/18/13	Open	<u>371.99</u>	0.00		
					6,419.21			
02021 JERSEY CAPE DOOR*	13-02896	10/07/13	GARAGE DOOR	Open	243.00	0.00		
02101 KELLY PRODUCTS CO., INC.*	13-03232	11/08/13	MISC. EQUIPMENT	Open	267.24	0.00		
	13-03401	11/15/13	SUPPLIES FOR MILLMAN CENTER	Open	<u>449.63</u>	0.00		
					716.87			
02136 TED KINGSTON INC*	13-01998	07/05/13	RADIO MAINT. OCTOBER	Open	499.36	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE	13-03419	11/18/13	MEMBERSHIP LUNCHEON	Open	45.00	0.00		
02402 MGL PRINTING SOLUTIONS	13-03107	10/21/13	2013 TAX FORMS & CHECKS	Open	895.60	0.00		
02473 FRANCIS P. MAJANE	13-03468	11/22/13	MEDICAL CLAIMS	Open	221.00	0.00		
02490 MARC PUBLISHING CO*	13-03128	10/28/13	CROSS REF. BOOK	Open	162.45	0.00		
02607 MICHAEL MAJANE	12-01293	05/16/12	2012 EQUIP. ALLOWANCE	Open	122.49	0.00		B
03001 STATE TOXICOLOGY LABORATORY*	13-03090	10/17/13	APPLICANT TESTING	Open	45.00	0.00		
03075 NEW JERSEY PUBLIC SAFETY	13-00775	03/18/13	TRAINING	Open	598.00	0.00		
03109 TRU GREEN CHEMLAWN	13-00969	04/08/13	FERTILIZER/SLICE SEED FIELDS	Open	6,029.50	0.00		
03241 SARGENT OSHEA	13-03464	11/22/13	MEDICAL CLAIMS	Open	1,532.64	0.00		
03279 PARDO'S TRUCK PARTS WHSE*	13-03139	10/28/13	BRAKES #8/DPW	Open	276.26	0.00		
03305 PEDRONI FUEL*	13-03449	11/21/13	NO LEAD GAS	Open	377.91	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03414 WILLIAM PRIOLE								
	12-01283	05/16/12	2012 EQUIP. ALLOWANCE	Open	150.00	0.00		B
	13-01061	04/16/13	2013 EQUIP. ALLOWANCE	Open	<u>150.00</u>	0.00		
					300.00			
03440 QUALITY COMMUNICATIONS*								
	13-03180	10/31/13	NEW VEHIVLE EQUIPMENT	Open	248.00	0.00		
03460 V.E. RALPH & SON, INC.*								
	13-03396	11/15/13	SAFETY EQUIPMENT	Open	726.80	0.00		
03484 LAUREN M. READ								
	13-03472	11/25/13	TRAVEL REIMBURSEMENT	Open	27.00	0.00		
03518 RIGGINS, INC.*								
	13-03421	11/18/13	OFF HIGHWAY DIESEL	Open	926.92	0.00		
03537 RUTGERS, THE STATE UNIVERSITY*								
	13-02638	09/06/13	Clerk Class - Advanced Duties	Open	614.00	0.00		
03611 SERVICE TIRE TRUCK CENTERS*								
	13-02185	07/25/13	TIRES/RDS/SANT/RECY/OCTOBER	Open	6,924.36	0.00		
03638 SHOP RITE OF RIO GRANDE								
	13-03397	11/15/13	REFRESHMENTS FOR OPEN HOUSE	Open	109.87	0.00		
03692 SOUTH JERSEY GAS CO*								
	13-03451	11/21/13	GAS FOR NOVEMBER 2013	Open	3,066.24	0.00		
03723 STAPLES, INC.*								
	13-03265	11/08/13	OFFICE SUPPLIES BIDS	Open	233.70	0.00		
03783 THIS AND THAT UNIFORMS*								
	13-02678	09/12/13	UNIFORMS	Open	89.00	0.00		
03899 UPS								
	13-03205	11/04/13	POSTAGE	Open	23.04	0.00		
03969 VERIZON								
	13-03507	11/27/13	NOVEMBER 2013 PHONE SERVICE	Open	5,680.75	0.00		
03992 VAL-U AUTO PARTS LLC*								
	13-01941	06/28/13	RDS/SANT/RECY/OCT	Open	2,790.64	0.00		
04039 TIMOTHY WHITTINGTON								
	12-01289	05/16/12	2012 EQUIP. ALLOWANCE	Open	78.85	0.00		B
04216 PRIVATE ISLAND EMBROIDERY*								
	13-02902	10/07/13	DISPATCH UNIFORMS	Open	1,103.00	0.00		
04300 W B MASON CO INC*								
	13-03147	10/29/13	OFFICE SUPPLIES	Open	488.06	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
06030 JACK FICHTER*	13-01455	05/24/13	PUBLIC INFORMATION OFFICER	Open	1,000.00	0.00		B
4104 DOUGLASS LANDSCAPING LLC*	13-01800	06/14/13	LOT CLEARING	Open	1,075.00	0.00		
5053 ANTHONY GRETO	12-01313	05/17/12	2012 EQUIP. ALLOWANCE	Open	150.00	0.00		B
	13-01070	04/16/13	2013 EQUIP. ALLOWANCE	Open	<u>20.00</u>	0.00		B
					170.00			
6059 USABLE LIFE	13-03469	11/22/13	DECEMBER 2013 LIFE INSURANCE	Open	492.82	0.00		
6061 AMERIHEALTH ADMINISTRATORS	13-03427	11/20/13	NOV 18 HEALTH INS & RX	Open	190,643.06	0.00		
	13-03482	11/26/13	NOV 25 HEALTH INS & RX	Open	105,082.50	0.00		
	13-03483	11/26/13	DECEMBER 2013 ADMIN & STOP LOSS	Open	<u>26,118.62</u>	0.00		
					321,844.18			
6071 UNITED UNIFORMS LIMITED LIAB*	13-03197	11/01/13	UNIFORMS-FIRE SAFETY	Open	854.85	0.00		
7044 A SHORE THING CLEANING*	13-03231	11/08/13	CLEANING OF MILLMAN CENTER	Open	650.00	0.00		
7061 THORNTON ENTERPRISES, INC*	13-03192	10/31/13	CARBON DIOXIDE CYLINDER	Open	18.38	0.00		
7072 TERRANCE J CROWLEY*	13-03369	11/12/13	RES#2013-285 SCHOOL FESASIBILI	Open	7,500.00	0.00		B
7078 AMANDA FRANCES	13-03444	11/20/13	REFUND WRESTLING FEE	Open	15.00	0.00		
7080 ERNEST UTSCH, JANICE LETTS	13-03454	11/22/13	RETURN OF UNUSED ESCROW	Open	79.32	0.00		
7081 LINDA COLLINS	13-03455	11/22/13	RELEASE OF DEMO BOND	Open	500.00	0.00		
7082 JACLYN DIGUGLIELMO	13-03461	11/22/13	REFUND CHEERLEADING FEE	Open	10.00	0.00		
BAC TAX BAC TAX SERVICE CORP REFUNDS	13-03462	11/22/13	RES#2013-296 REFUND 3RD QRT 13	Open	1,026.46	0.00		
BLAUE BLAUER ASSOCIATES INC*	13-00857	03/26/13	DCA#13-00122-00 ADA REC/FISHIN	Open	1,625.00	0.00		B
	13-03447	11/20/13	VILLAS STORM WATER OUTFALL	Open	<u>100.00</u>	0.00		
					1,725.00			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CENTRAL CENTRAL MORTGAGE COMPANY	13-03450	11/21/13	RES#2013-296 REFUND 4TH 2013	Open	458.88	0.00		
HOOVER ROBERT HOOVER & SONS INC*	13-02685	09/12/13	SUPPLIES FOR TRUCK	Open	31.37	0.00		
SEAGE SEAGEAR MARINE SUPPLY*	13-01683	06/07/13	SUUPPLIES FOR RDS/DPW/JULY	Open	437.55	0.00		
Total Purchase Orders: 96				Total P.O. Line Items: 295	Total List Amount: 405,622.31	Total Void Amount: 0.00		

**TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>CK</u>	<u>Amount</u>
Samuel Stango	13-03453	Settlement Agreement	51599	\$ 2,500.00

<b>Total Manual Checks</b>	<b>\$ 2,500.00</b>
<b>Total Computer Generated</b>	<b>\$ 405,622.31</b>
<b>Total Bill List</b>	<b>\$ 408,122.31</b>

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 2, 2013.

\_\_\_\_\_  
Julie Picard, Township Clerk

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2013-296

TITLE: AUTHORIZATION FOR REFUND OF TAXES

WHEREAS, the Township Tax Collector has certified an overpayment due to the reasons listed below:  
and

WHEREAS, a refund is due.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the CFO/Treasurer be and the same is authorized and directed to refund the overpayments according to the Tax Collector's certification on file with the CFO/Treasurer.

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
557.01	33	BAC Tax Services	paid twice	1,026.46
349.13	28	Central Mortgage Company	paid twice	458.88

I hereby certify the foregoing to be the original resolution adopted by the governing body at a meeting held on December 2, 2013.

\_\_\_\_\_  
Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION #2013-297**

**TITLE: APPLICATION FOR FISCAL GRANT EXTENSION FOR DRUG ENFORCEMENT AND DEMAND REDUCTION (DEDR) GRANT FUNDS**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, the Council of the Township of Lower, County of Cape May, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

**WHEREAS**, the Township of Lower was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

**WHEREAS**, funding has been made available to the Lower Cape Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the total amount of the County Grant shall be \$15,704, that the amount of local in-kind match shall be \$11,778, and that the amount of local cash match shall be \$3,926. Lower Township cash match shall be \$2,787.

**BE IT FURTHER RESOLVED**, that the Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

I hereby certify this is the original resolution adopted by the Township Council on December 2, 2013

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2013- 298

**TITLE: AMENDING RESOLUTION # 2013-62 APPOINTMENT OF WILLIAM BLANEY, ESQ. AS LABOR ATTORNEY**

**WHEREAS**, the Township of Lower ("Township") adopted Resolution #2013-62 at its Council Meeting of February 4, 2013, appointing William Blaney as Labor Attorney at a fee not to exceed \$25,000; and

**WHEREAS**, William Blaney, Esq. has submitted a revised proposal indicating he will provide the goods or services described hereinabove at a rate of \$125.00 per hour for a total revised price not to exceed \$33,000. and

**WHEREAS**, the CFO has determined sufficient funds are available in the current budget as follows:

Appropriation \_\_\_\_\_ Signature: \_\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Lower hereby appoints William Blaney as Labor Attorney and approves the contract for the goods and services for a total amount not to exceed \$33,000.

**BE IT FURTHER RESOLVED** that notice of Award of Professional Contract for the above appointment shall be published in the official Township paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2013- 299

**TITLE: A RESOLUTION AMENDING SPECIFIC PERSONNEL POLICIES AND PROCEDURES FOR LOWER TOWNSHIP**

**WHEREAS**, the Lower Township Council adopted a Personnel Policy Manual by Resolution #2012-109 on April 16, 2012; and

**WHEREAS**, this manual is intended to provide guidelines covering public service by Township employees and is not a contract and the provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that the current Personnel Policy Manual is hereby amended to include a revised **Donated Leave Program** and **Training and Education/Travel Reimbursement** policy. Policy attached hereto.

**BE IT FURTHER RESOLVED** that these personnel policies and procedures shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

**BE IT FURTHER RESOLVED** that the Township Manager and all managerial/supervisory personnel are responsible for these employment practices. The Personnel Officer and the Township Solicitor shall assist the Township Manager in the implementation of the policies and procedures in this manual.

I hereby certify the foregoing is the original resolution adopted by the Township Council at a meeting held on December 2, 2013

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

## **DONATED LEAVE PROGRAM**

(a) A Township employee shall be eligible to receive donated sick or vacation leave if the employee:

1. Has completed at least one year of continuous service;
2. Has exhausted all accrued sick, vacation and administrative leave, all sick leave injury benefits, if any, and all compensatory time off;
3. Has not, in the two-year period immediately preceding the employee's need for donated leave, been disciplined for chronic or excessive absenteeism, chronic or excessive lateness or abuse of leave; and
4. Either:
  - i. Suffers from a catastrophic health condition or injury;
  - ii. Is needed to provide care to a member of the employee's immediate family who is suffering from a catastrophic health condition or injury; or
  - iii. Requires absence from work due to the donation of an organ (which shall include, for example, the donation of bone marrow).

(b) For purposes of this section, a "catastrophic health condition or injury" shall be defined as follows:

1. With respect to an employee, a "catastrophic health condition or injury" is either:
  - i. A life-threatening condition or combination of conditions; or
  - ii. A period of disability required by his or her mental or physical health or the health of the employee's fetus which requires the care of a physician who provides a medical verification of the need for the employee's absence from work for 60 or more work days.
2. With respect to an employee's immediate family member, a "catastrophic health condition or injury" is either:
  - i. A life-threatening condition or combination of conditions; or
  - ii. A period of disability required by his or her mental or physical health which requires the care of a physician who provides a medical verification of the need for the family member's care by the employee for 60 or more work days.

(c) A Township employee may request that the appointing authority approve his or her participation in the program, as a leave recipient or leave donor. The employee's supervisor may make such a request on behalf of the employee for his or her participation in the program as a leave recipient.

1. The employee or supervisor requesting the employee's acceptance as a leave recipient shall submit to the appointing authority medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the disability resulting from either the catastrophic health condition or injury, or the donation of an organ, as the case may be.
2. When the appointing authority has approved an employee as a leave recipient, the appointing authority shall, with the employee's consent, post or circulate the employee's name along with those of other eligible employees in a conspicuous manner to encourage the donation of leave time, and shall provide notice to all negotiations representatives in that appointing authority.
  - i. If the employee is unable to consent to this posting or circulation, the employee's family may consent on his or her behalf.

(d) In Township service, a leave recipient must receive at least five sick days or vacation days or a combination thereof from one or more leave donors to participate in the donated leave program. A leave donor shall donate only whole sick days or whole vacation days and may not donate more than 30 such days to any one recipient.

1. A leave recipient shall receive no more than 260 sick days or vacation days, and shall not receive any such days on a retroactive basis.
2. A leave donor shall have remaining at least 20 days of accrued sick leave if donating sick leave and at least 12 days of accrued vacation leave if donating vacation leave.
3. A leave donor shall not revoke the leave donation.
4. If a leave donor is not in the same department as the leave recipient, appropriate arrangements shall be made between the affected appointing authorities to verify donor eligibility and adjust leave records. However, the posting requirement set forth in (c)2 above is limited to the recipient's appointing authority.

(e) While using donated leave time in Township service, the leave recipient shall accrue sick leave and vacation leave and be entitled to retain such leave upon his or her return to work.

1. Any unused, donated leave shall be returned to the leave donors on a prorated basis upon the leave recipient's return to work, except that if the proration of leave days results in less than one day per donor to be returned, that leave time shall not be returned.
2. Upon retirement, the leave recipient shall not be granted supplemental compensation on retirement for any unused sick days which he or she had received through the leave donation program.

(f) A Township employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.

**TOWNSHIP OF LOWER DONATED LEAVE PROGRAM**

**DONOR TRANSFER FORM**

I hereby direct the Payroll Department to transfer leave credit as indicated below to be used by the recipient.

**DONATION SECTION:**

**Name of Recipient:** \_\_\_\_\_

\_\_\_\_\_ I wish to donate \_\_\_\_\_ **VACATION DAYS**. This will not reduce my vacation leave balance below 12 accrued vacation days.

\_\_\_\_\_ I wish to donate \_\_\_\_\_ **PERSONAL DAYS**

\_\_\_\_\_ I wish to donate \_\_\_\_\_ **COMP DAYS**

**CERTIFICATION SECTION:**

I certify that I have not solicited or accepted anything of value for the donation of paid leave time.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**FOR USE BY TOWNSHIP**

\_\_\_\_\_ Your request to transfer the above leave is approved.

This is to advise you that your request to transfer the above leave is not approved the following reason (s):

\_\_\_\_\_ Employee has already received the maximum number of 180 donated days.

\_\_\_\_\_ Your vacation leave balance is below the required 12 days.

## TOWNSHIP OF LOWER DONATED LEAVE PROGRAM

### RECIPIENT AFFIDAVIT

I have read the procedures regarding the donated leave program and I consent to participation in this program.

I understand that the number of days used through the donated leave program will reduce my terminal sick leave payment at retirement or resignation if applicable.

I hereby request to participate in the donated leave program for the following reason (s):

\_\_\_\_\_

I have attached a doctor's certification to this affidavit attesting to the nature of my catastrophic health condition or injury. According to my doctor, I expect to be absent from work until:

\_\_\_\_\_

I certify that I have not solicited or accepted anything of value for the donation of paid leave time.

I have not directly or indirectly intimidated, threatened or coerced, or attempted to intimidate, threaten or coerce any employee for the purpose of obtaining a donation of paid leave.

I have not interfered with any right that another employee may have with respect to contributing, receiving or using paid leave under this program.

I understand that I cannot receive temporary disability (TDI) benefits for the same period that I am paid wages from donated leave or while using any of my own leave time.

I also understand that the temporary disability benefits law requires that I use all of the donated leave before benefits can be paid.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Home Telephone Number

\_\_\_\_\_  
Date

## TRAINING AND EDUCATION / TRAVEL REIMBURSEMENT

The Township will provide training to all employees in the proper use and safety of any equipment required in the performance of job duties. The Township encourages employees to attend seminars, conferences and courses providing information and instruction relative to the performance of duties including administrative and statutory requirements. The employee must receive approval from the department head prior to submitting an application to attend any aforementioned program.

The Township will pay for the cost of approved program fees subject to available appropriations. Use of a Township vehicle for transportation to an approved program is preferred with prior approval. Reimbursement for travel expense is available for the following:

- Mileage - when personal vehicle is used, at a rate stated by the IRS, with a mileage worksheet
- Tolls - amount paid, with receipt
- Parking - amount paid, with receipt
- Meals - up to the following amounts: \$5.00 breakfast, \$ 10.00 lunch, \$15.00 dinner, with receipt

Overnight accommodations may be reimbursed in certain circumstances, with prior approval from the Township Manager and an approved Purchase Order. All reimbursements are subject to available budget appropriations and prior approval from the department head.

Payment to eligible employees for approved college credits is covered in the collective bargaining agreement(s), if applicable.

Township sponsored and required training shall generally be arranged during regularly scheduled work hours. A department head may change the standard work hours to accommodate or require attendance at such training activities. Such required training shall be recorded as "training" time worked.

For training/educational programs that are sponsored by someone other than the Township, an application is submitted to the department head for approval. It is the responsibility of the department head to determine adequate budget appropriations, personnel scheduling and appropriateness of program content when authorizing application. If application is approved, a requisition is submitted by the department head to appropriate the funds necessary to pay program fees. The purchase order is signed by the Treasurer and the Township Manager and returned to the department. The application may then be sent to the appropriate vendor.

The Township will permit employees attending authorized training/educational programs to count those hours as "training" time worked

If overtime is earned due to training, the employee should notify the department head as soon as possible. Every effort should be made to use the time earned prior to the end of that pay period.

For reimbursement of travel expenses, submit a completed reimbursement worksheet signed by the department head along with receipts and a completed requisition.

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION #2013-300**

**TITLE: A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE  
CAPE MAY COUNTY OPEN SPACE PROGRAM FOR A BIKE  
PATH CONNECTING TO MIDDLE TOWNSHIP**

**WHEREAS**, the Council of the Township of Lower has determined that it is in the best interest of the Township to construct a bike path to connect with Middle Township's bike path; and

**WHEREAS**, funds for such construction may be available to the Township of Lower under the Cape May County Open Space Program; and

**WHEREAS**, an application must be filed with the Cape May County Open Space Program to apply for such funds.

**NOW, THEREFORE, BE IT RESOLVED** that Council of Lower Township, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit a grant application.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Lower Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 2, 2013.

---

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION # 2013-301**

**Title: AUTHORIZATION FOR THE PAYMENT OF COLLEGE CREDITS**

**WHEREAS**, the employees listed on the attached schedule have earned college credits and per union contract the Township will pay employees for those credits earned as determined in their union contracts; and

**WHEREAS**, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance, and

**WHEREAS**, it has been determined by the Township Treasurer as evidenced by signature \_\_\_\_\_ that adequate funding is available for such payment in the 2013 budget for Salaries and Wages

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Lower that payment to the employees listed on the attached schedule not to exceed the amount of **\$18,260.00** is authorized and chargeable to the 2013 Budget:

I hereby certify the foregoing to be the original resolution adopted by the Township Council on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

## 2013 College Credits

Last	First	Amount
Anzelone	Jennifer	1,000.00
Armbruster	John	1,000.00
Beeby	Thomas	240.00
Biersbach	Martin R.	1,000.00
Black	Kaitlin O.	1,000.00
Chew, Jr	John	1,000.00
Coombs	Eric	880.00
Edwards	Edward	1,000.00
Fisher	David	880.00
Greene	Patrick	1,000.00
Greto	Anthony	1,000.00
Hedum	Marlin	1,000.00
Hickok	Darrin	240.00
Lewis	Kevin	900.00
McEwing	Brian	1,000.00
Perry	Michael	1,000.00
Ryan	Charles	1,000.00
Vanaman	Donald	1,000.00
Whitten	Douglas	1,000.00
Whittington	Timothy	1,000.00
Thomas	Linda	120.00

18,260.00

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
RESOLUTION # 2013-302**

**Title: AUTHORIZATION FOR 2013 INCENTIVE AWARD FOR INSURANCE  
WAIVER**

**WHEREAS**, the employees listed on the attached schedule have waived health insurance and are due an incentive amount per Superior Officers Union and PBA Union Contract, Article 12, Section F, AFSCME Union Contract, Article VII, Section F and Supervisors Contract, Article VI, Section F, and

**WHEREAS**, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance, and

**WHEREAS**, it has been determined by the Township Treasurer as evidenced by signature \_\_\_\_\_ that adequate funding is available for such payment in the current year's budget for Health Insurance.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Lower that payment to the attached schedule of employees in the amount of **\$29,083.33** is authorized and chargeable to the 2013 Budget account 3-01-23-220-412.

I hereby certify the foregoing to be the original resolution adopted by the Township Council on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

First	Last	Months of Waiver	Amount
Jennifer	Anzelone	6	\$2,500.00
Howard	Bailey	6	\$2,500.00
Louis	Bartleson	2	\$833.33
Martin	Biersbach	6	\$2,500.00
George	Curvan	6	\$2,500.00
Gary	Douglass	6	\$2,500.00
Scott	Douglass	2	\$833.33
Kevin	Lewis	6	\$2,500.00
Michael	Majane	4	\$1,666.67
William	Mastriana	2	\$833.33
Michael	Perry	6	\$2,500.00
Jennifer	Saunders	6	\$2,000.00
Marc	Szczur	1	\$416.67
Michael	Voll	12	\$5,000.00

\$29,083.33

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2013-303

Title: TRANSFER OF 2013 APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two months of the current fiscal year when it has been determined that any appropriation is insufficient to pay the claims authorized or incurred during the current year, which are chargeable to said appropriation, and there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill its purpose.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following transfers totaling \$200,000 be made between the 2013 budget appropriations:

LINE ITEM		ACCT. NUMBER	TO	FROM
GROUP HEALTH INSURANCE	OE	3-01-23-220-400	200,000.00	
MANAGER	OE	3-01-20-100-200		300.00
COUNCIL	OE	3-01-20-110-200		100.00
CLERK	OE	3-01-20-120-200		250.00
COLLECTOR	OE	3-01-20-145-200		1,300.00
ASSESSOR	OE	3-01-20-150-200		700.00
ENGINEERING	OE	3-01-20-165-200		2,500.00
PLANNING	OE	3-01-20-170-200		1,200.00
B&G	OE	3-01-20-310-300		20,000.00
PLANNING BD	OE	3-01-21-180-200		450.00
ZONING BD	OE	3-01-21-185-200		500.00
POLICE	OE	3-01-25-240-200		5,000.00
DISPATCH	OE	3-01-25-250-200		2,900.00
EMS	OE	3-01-25-252-200		2,000.00
ANIMAL CONTROL	OE	3-01-27-340-200		2,500.00
RECREATION	OE	3-01-25-370-200		5,000.00
BOCA	OE	3-01-22-195-200		2,200.00
CODE ENFORCEMENT	OE	3-01-22-195-300		1,750.00
DPW	S&W	3-01-26-305-100		40,000.00
DISPATCH	S&W	3-01-25-250-100		10,000.00
POLICE	S&W	3-01-25-240-100		40,000.00
BOCA	S&W	3-01-22-195-100		10,000.00
B&G	S&W	3-01-20-310-100		1,000.00
MLU	S&W	3-01-20-170-100		3,000.00
ENGINEERING	S&W	3-01-20-165-100		5,000.00
ASSESSOR	S&W	3-01-20-150-100		2,000.00
COLLECTOR	S&W	3-01-20-145-100		2,000.00
FINANCE	S&W	3-01-20-130-100		6,150.00
COUNCIL	S&W	3-01-20-110-100		200.00
MANAGER	S&W	3-01-20-100-100		2,000.00
RECREATION	S&W	3-01-28-370-100		20,000.00
COURT	S&W	3-01-43-490-100		10,000.00
			<u>200,000.00</u>	<u>200,000.00</u>

Resolution #2013-303  
Transfer of 2013 Appropriations

I hereby certify the foregoing to be a resolution adopted by the Township Council on December 2, 2013

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION # 2013-304**

**Title: AUTHORIZATION FOR THE PAYMENT OF GUARANTEED OVERTIME**

**WHEREAS**, the employees listed on the attached schedule have earned guaranteed overtime and per union contract the Township will pay employees for hours worked over 40 hours per week; and

**WHEREAS**, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance, and

**WHEREAS**, it has been determined by the Township Treasurer as evidenced by signature \_\_\_\_\_ that adequate funding is available for such payment in the 2013 budget for Salaries and Wages

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Lower that payment to the employees listed on the attached schedule not to exceed the amount of **\$23,801.05** is authorized and chargeable to the 2013 Budget:

I hereby certify the foregoing to be the original resolution adopted by the Township Council on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

Last Name	Suffix	First Name	Middle Initial	O/R Rate	Rate	Amount
ANZELONE		LAUREN M		29.4968	104	3067.67
GAMBLE		SUZANNE M		30.5541	104	3177.63
HILDRETH		PAUL		35.7984	104	3723.03
LABAR		TIFFANY L		21.6347	42	908.66
PIGGOTT II		JOHN R		34.0166	104	3537.73
SAUNDERS		Jennifer L		30.0816	104	3128.49
UMSCHEID		ERIN N		31.9017	100	3190.17
WHITE		KRISTI		29.4968	104	3067.67
						23801.05

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2013-305

Title: AUTHORIZING PAY OUT OF TERMINAL LEAVE

WHEREAS, the employee listed below has retired from the Township and is entitled to payment for accumulated vacation, sick and compensatory and personal time, and

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance, and

WHEREAS, it has been determined by the Township Treasurer as evidenced by signature \_\_\_\_\_ that adequate funding is available for accumulated time in the dedicated line item "Reserved for Accumulated Absences".

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a revised payment due to Marie LoMonaco in the amount of \$ 4,998.67 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify this is the original resolution adopted by the Township Council on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

LoMonaco

TOWNSHIP OF LOWER  
 RETIREMENT PAYOUT ANALYSIS  
 DATE: 12/1/2013

EMPLOYEE: LoMonaco, Marie  
 DATE OF RETIREMENT 11/30/2013  
 DATE OF PAYMENT: \_\_\_\_\_  
 RESOLUTION #: \_\_\_\_\_

Annual Salary:	\$42,098.87
Hourly Rate:	\$23.13
Longevity	

<b>SALARY:</b>		
Salary due to	11/30/2013	\$38,860.50
Salary paid through	11/30/2013	\$38,860.56
longevity due		
Longevity paid		
<b>Balance due</b>		<b>-\$0.06</b>

<b>TERMINAL LEAVE:</b>			
	Hours	Rate	Total
Comp	0.00	23.13	0.00
Personal	5.10	23.13	117.88
Sick	106.92	23.13	2,473.34
Vacation	104.08	23.13	2,407.51
<b>Terminal Leave Payout</b>			<b>\$4,998.74</b>
<b>Final pay</b>			<b>\$4,998.67</b>

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)
	Carryover	Annual Accrual	48 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp	0.00					0.00
Personal	0.25	28.00	0.92	25.85	21.00	5.10
Sick	207.00	105.00	0.92	96.92	197.00	106.92
Vacation - 46 weeks	84.00	140.00	0.88	123.85	110.50	97.35
Vacation - 2 weeks		175.00	0.04	6.73		6.73
<b>Total</b>	<b>291.25</b>	<b>448.00</b>		<b>246.62</b>	<b>328.50</b>	<b>209.37</b>

Accrual and time used are current to \_\_\_\_\_ subject to change if time is used or not currently reported.

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Treasurer's Signature: \_\_\_\_\_

TOWNSHIPOF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

**RESOLUTION # 2013-306**

Title: **APPROVAL OF CONTRIBUTION TO LOWER TOWNSHIP ROTARY**

**WHEREAS,** The Lower Township Rotary Club with the financial help and support of the Township of Lower has been hosting the Lower Township Christmas Parade for the past 31 years; and

**WHEREAS,** the Lower Township Rotary Club has also been hosting the Lower Township Annual Tree Lighting/Veterans Ceremony for well over ten (10) years; and

**WHEREAS,** The Lower Township Rotary Club partners with the Township of Lower to host these events as part of their "Service above Self" commitment.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Lower does hereby authorize and approve a contribution of \$800. towards the Christmas Parade and Annual Tree Lighting/Veterans Ceremony.

**BE IT FURTHER RESOLVED** that the CFO, Lauren Read is hereby authorized to issue the above checks chargeable to the following line item where sufficient funds are available as evidenced by her signature

Budget Account: 3-01-30-420-299

CFO's Signature: \_\_\_\_\_

I hereby certify the foregoing to be the original Resolution adopted by the Township Council on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



## LOWER TOWNSHIP ROTARY

**Parade Committee**  
% 638 Seashore Road  
Cape May, NJ 08204

November 11, 2013

Lower Township Mayor & Council  
2600 Bayshore Road  
Villas, NJ 08251

Re: Tree Lighting/Tribute to Armed Forces and  
32<sup>nd</sup> Annual Christmas Parade

Dear Mayor and Councilmembers:

As you know, the Lower Township Rotary Club with the financial, support and cooperation of the Township has been hosting the Township's Christmas Parade for the past 31 years and the Annual Tree Lighting/Veteran's Ceremony for well over 10 years. We enjoy putting on these community events as part of our "Service above Self" commitment but we couldn't do it with the Township's support and that of many local businesses and Rotarians.

This year's Tree Lighting/Veteran's ceremony will be held on Tuesday, December 3, 2013 7 p.m. at the Recreation Center. The Annual Christmas Parade will be held on Saturday, December 14, 2013 at 7 p.m. beginning at Bayshore & Breakwater Roads.

We invite you to attend both events and respectfully request the Township provide the same financial contribution to these community events as in year's past. If that is not possible, please let me know.

Thank you and we look forward to hearing from you and having you join us in the upcoming holiday celebrations.

Sincerely,

A handwritten signature in cursive script that reads "Claudia R. Kammer".

Claudia R. Kammer,  
Lower Township Rotary Club

C. Mike Voll, Manager

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2013-307

**TITLE: BID ACCEPTANCE AND AWARD FOR ONE (1) 2013 6 ½ to 8 ½ CUBIC YARD DUMP BODY, SNOW PLOW AND SALT SPREADER MOUNTED ON EXISTING TOWNSHIP OWNED CHASSIS**

**WHEREAS,** The Notice to Bidders #2013-24 for one (1) 2013 6 ½ to 8 ½ Cubic Yard Dump Body, Snow Plow and Salt Spreader mounted on existing Township Owned Chassis was advertised on November 13, 2013 and accepted on November 26, 2013 at 10:00 a.m.; and

**WHEREAS,** One (1) proposal was submitted and reviewed by the QPA and the Director of Public Works; and

**WHEREAS,** the lowest qualified bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation # : C-04-55-415-2850 \$ 48,137.00

CFO Signature: \_\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the contract for the above is hereby awarded to the lowest qualified responsible bidder as follows:

**AWARD TO: Intercon Truck Equipment Inc**

**TOTAL AWARD: \$ 48,137.00**

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

SPECIFICATION FOR ONE 2013 OR NEWER UNUSED 6½ to 8½ CUBIC YARD DUMP BODY, SALT SPREADER & PLOW



PUBLIC WORKS

**SPECIFICATION FOR ONE 2013 OR NEWER UNUSED 6½ to 8½ CUBIC YARD DUMP BODY, SALT SPREADER & PLOW**

Dump body, spreader and plow to be assembled on township owned existing truck chassis.

Any name brands listed can be substituted with equal material. Ninety day delivery requirement.

All potential bidders are responsible for viewing of existing truck chassis. Appointments can be made by calling Bob Bailey at (609) 780-6052.

Awarded Contractor is responsible for pickup and delivery to Lower Township Public Works facility located at 771 Seashore Rd, Cold Springs, NJ 08204.

Total bid price:

\$ 48,137<sup>00</sup>

Forty Eight Thousand One Hundred Thirty Seven  
DOLLARS

Thomas Yeager  
VICE PRESIDENT  
INTECON TRUCK EQUIPMENT

Julie Picard

---

**From:** Gary Douglass <gdouglass@townshipoflower.org>  
**Sent:** Wednesday, November 27, 2013 10:40 AM  
**To:** Margaret Vitelli  
**Cc:** Julie Picard; Lauren Read (Lauren Read); mvoll@townshipoflower.org  
**Subject:** Award of Bid

Margaret,  
Please place on council agenda the award for the Dump Body, Plow and Spreader to Intercon Truck the low bidder. Our budget line was for \$49,000.00 (C-04-55-414-250)  
Thank you  
Gary

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2013-308

TITLE: **BID ACCEPTANCE AND AWARD FOR ADA UPGRADES AND IMPROVEMENTS AT THE "OLD" FISHING CREEK SCHOOL**

**WHEREAS**, The Notice to Bidders for ADA Upgrades and Improvements at the "Old" Fishing Creek School was advertised on October 2, 2013 and accepted on November 7, 2013 at 10:00 a.m.; and

**WHEREAS**, seven (7) proposals were submitted and reviewed by the QPA and James Lindemon, of LWDMR and Associates; and

**WHEREAS**, the lowest qualified bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the Small Cities CDBG Public Facilities Grant as follows:

Appropriation # : 3-01-56-750-351

CFO Signature: \_\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the contract for the above is hereby awarded to the lowest qualified responsible bidder as follows:

**AWARD TO:** Thomas Barry Marine Construction Inc.

Base Bid:	\$ 230,000
Alt. #1 Circular Raised Podium	\$ 20,000
Alt #2 All Work Called For At Garage	\$ 12,000
Alt #4 Installation of New Hardware & Exit Signs etc	\$ 3,000
Alt #5 Installation of New Plants as noted on drawing	\$ 7,200
<b>TOTAL AWARD:</b>	<b>\$ 272,200.</b>

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



224 North High Street  
Millville NJ 08332  
856 293 9554 / 1571 fax

140 Bay Street Suite 4  
Jersey City NJ 07302  
201 333 5017 / 5309 fax

lwdmr.com

November 8, 2013

Colleen Crippen  
Coordinator of Federal & State Aid  
Assistant Treasurer  
**Township of Lower**  
2600 Bayshore Road  
Villas, NJ 08251

*and*

Margaret Vitelli, QPA  
Purchasing Agent  
**Township of Lower**  
2600 Bayshore Road  
Villas, NJ 08251

Re: **Recommendation As To Award**  
ADA Upgrades and Improvements at the "Old" Fishing Creek School, Villas, NJ  
for the Township of Lower, Cape May County, NJ

To All Concerned,

On Thursday, November 7, 2013 at 10:00 am bids were received for the above mentioned project. There were seven (7) bids received and all were opened, read aloud and recorded in accordance with Local Public Contract law of New Jersey.

The lowest bid was presented by Thomas Barry Marine Construction, Inc. of 741 Route 657, South Dennis, NJ 08245. The bid was reviewed by myself and Margaret Vitelli, QPA (Purchasing Agent) of the Township of Lower.

It was noted that one (1) of the attending bidders inspected one page of the bid documents (the List of Sub-Contractors BF-15). In a later phone conversation with the second lowest bidder (DDL Enterprises, Inc.) it was revealed that DDL was concerned that the lowest bidder (Thomas Barry Marine Construction) did not list a specific sub-contractor for Structural Steel / Ornamental Iron.

Upon research into the requirements of the plans and specifications it is determined that there is NO Structural Steel and NO Ornamental Iron. There is only miscellaneous metals (screws, bolts, hurricane clips, nails, railing and etc.) therefore a sub-contractor for Structural Steel / Ornamental Iron is not required.



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201 333 5017 / 5309 fax

[lwdmr.com](http://lwdmr.com)

After a detailed review of the entire proposal as submitted by Thomas Barry marine Construction, Inc. it is determined that their bid is accurate, responsive, and complete. I therefore recommend that a contract be awarded to Thomas Barry Marine Construction, Inc. for \$230,000.00 plus any bid Alternates the Township may require.

Note: Thomas Barry Marine Construction, Inc. has an impressive list of historic restoration projects reviewed by the NJ Historic Trust and the NJ State Historic Preservation Office (SHPO). They are very capable historic preservation contractors having recently completed the Egg Harbor City Lafayette Fire House reviewed by NJSHPO and NJ Historic Trust.

Professionally submitted,

A handwritten signature in black ink that reads "James N. Lindemon".

James N. Lindemon, RA  
LWDMR & Associates, PC

JNL/tmt

cc: File

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2013-309

TITLE: BID ACCEPTANCE AND AWARD FOR ADA UPGRADES AND IMPROVEMENTS AT THE RECREATION CENTER

WHEREAS, The Notice to Bidders for ADA Upgrades and Improvements at the Recreation Center was advertised on October 23, 2013 and accepted on November 26, 2013 at 10:00 a.m.; and

WHEREAS, six (6) proposals were submitted and reviewed by the QPA and James Lindemon, of LWDMR and Associates; and

WHEREAS, the lowest qualified bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the Small Cities CDBG Public Facilities Grant and Capital Ordinance #2011-14 as follows:

Appropriation # : 3-01-56-750-351 \$ 89,740  
C-04-55-400-560 \$ 2,897

CFO Signature: \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the contract for the above is hereby awarded to the lowest qualified responsible bidder as follows:

AWARD TO: Aliano Brothers General Contractors

Base Bid: \$ 89,740

Alt #5 System Water Cooler Bottle Filling Station (2) \$ 2,897

TOTAL AWARD: \$ 92,637

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



224 North High Street  
Millville NJ 08332  
856 293 9554 / 1571 fax

140 Bay Street Suite 4  
Jersey City NJ 07302  
201 333 5017 / 5309 fax

lwdmr.com

November 26, 2013

Colleen Crippen  
Coordinator of Federal & State Aid  
Assistant Treasurer  
**Township of Lower**  
2600 Bayshore Road  
Villas, NJ 08251

*and*

Margaret Vitelli, QPA  
Purchasing Agent  
**Township of Lower**  
2600 Bayshore Road  
Villas, NJ 08251

Re: **Recommendation As To Award**

ADA Upgrades and Improvements at the Recreation Center, Villas, NJ for the Township of Lower, Cape May County, NJ

To All Concerned,

On Tuesday, November 26 2013 at 10:00 am bids were received for the above mentioned project. There were six (6) bids received and all were opened, read aloud and recorded in accordance with Local Public Contract law of New Jersey.

The lowest bid was presented by Aliano Brothers General Contractors, Inc. of 2560 Industrial Way, Vineland, NJ 08360. The bid was reviewed by myself and Margaret Vitelli, QPA (Purchasing Agent) of the Township of Lower.

It was noted that two (2) of the attending bidders inspected two pages of the bid documents (the List of Sub-Contractors). There were no objections as the Aliano Brothers documents were properly filled out.

After a detailed review of the entire proposal as submitted by Aliano Brothers it is determined that their bid is accurate, responsive, and complete. I therefore recommend that a contract be awarded to Aliano Brothers General Contractors, Inc. for \$89,740.00 plus any bid Alternates the Township may require.



224 North High Street  
Millville NJ 08332  
856 293 9554 / 1571 fax

140 Bay Street Suite 4  
Jersey City NJ 07302  
201 333 5017 / 5309 fax

[lwdmr.com](http://lwdmr.com)

Note: Aliano Brothers General Contractors, Inc. has an impressive list of public funded projects. They are very capable contractors having completed the Salem County Courthouse, the Bayshore Discovery projects, the Cold Spring Village Train Station & Restrooms, Longport Municipal Hall renovation, and approximately 15-20 other project with our firm.

Professionally submitted,

A handwritten signature in black ink, appearing to read 'James N. Lindemon'.

James N. Lindemon, RA  
LWDMR & Associates, PC

JNL/tmt

cc: File

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION #2013-310**

**TITLE: CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR**

**WHEREAS**, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code, and

**WHEREAS**, according to Section 302, Exterior Property Areas of the Property Maintenance Code, all premises and exterior property shall be maintained in a clean, safe and sanitary condition, and

**WHEREAS**, the properties listed below contained conditions which violated Section 302 of the Property Maintenance Code; and

**WHEREAS**, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

Block	Lot	Name (As Assessed)	Property Location	Amount	Admin Fee	Lien Amount
495.03	11	Szubski, Kathy A	111 Charles Street	235.00	500.00	735.00
474	5	Grey, Daniel & Ruth Ann	961-963 Shirley Ave	375.00	500.00	875.00
404	11	Bernhart, Richard A	129 Edna Ave	120.00	500.00	620.00
496.14	25	Bruckno, Gregory	3 Heron Way	300.00	500.00	800.00
			TOTAL	1,030.00	2,000.00	3,030.00

**WHEREAS**, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May and State of New Jersey that the costs and fees set forth on Schedule A, incurred by the Township of Lower to abate the unlawful conditions on the properties listed below are charges as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	Motion	Second	Aye	Nay	Abstain	Absent
Conrad						
Neville						
Simonsen						
Clark						
Beck						

# Memo

**To:** Julie Picard, Clerk

**From:** Walter Fiore, Code Enforcement Officer

**Subject:** Liens for Lot Clearings

**Date:** November 27, 2013

**CC:** File

I respectfully request liens be placed on the properties listed below for lot clearing charges incurred by the Township.

Please note the Township cost to be added to all liens is \$500.00

<b>BLK/LOT</b>	<b>Name (As Assessed)</b>	<b>Amount</b>	<b>Property Location</b>
495.03 / 11	SZUBSKI, KATHY A	\$235.00	111 CHARLES STREET
474 / 5	GREY, DANIEL & RUTH ANN	\$375.00	961-963 SHIRLEY AVENUE
404 / 11	BERNHART, RICHARD A	\$120.00	129 EDNA AVE
496.14 / 25	BRUCKNO, GREGORY	\$300.00	3 HERON WAY

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2013-311

TITLE: ACCEPTANCE AND CONTRACT AWARD FOR LEAD ABATEMENT CONTRACTOR FISHING CREEK SCHOOL

WHEREAS, P2P 2013-19 Pay to Play Notice to Bidders for the Lead Abatement Contractor Fishing Creek School was advertised on the Township website on October 2, 2013 and accepted on Wednesday October 16, 2013 at 11:00 a.m.; and

WHEREAS, Two (2) proposals were submitted and reviewed by the QPA and Jim Lindemon from LWDMR; and

WHEREAS, the lowest qualified bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation # : \_\_\_\_\_

CFO Signature: \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the contract for the above is hereby awarded to the lowest qualified responsible bidder as follows:

AWARD TO: The Oak Group Inc.

TOTAL AWARD: \$32,000.00

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

# Lead Abatement Contractor Fishing Creek School

Lead Abatement  
of  
Fishing Creek School  
2102 – 2106 Bayshore Road  
Villas, NJ 08251

## **P2P # 2013-19 Re-Bid**

**Prepared For:**  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251  
**Attn.: Margaret Vitelli**

Updated 11/27/2013

**Due Date: October 16, 2013**  
**Time: 11:00 am**

the oak group, inc.  
waterfront technology center  
200 federal street  
suite 300  
camden, new jersey 08103  
ph/ (856) 614-5511  
fx/ (856) 614-5554



Township of Lower  
Treasurer's Report  
YTD: 2013

	Total	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
<b>BEG. BAL. JAN. 1, 2013</b>	<b>4,614,646.00</b>	<b>4,614,646.00</b>	<b>3,149,027.99</b>	<b>5,360,964.09</b>	<b>3,705,112.73</b>	<b>2,326,306.59</b>	<b>4,251,085.27</b>	<b>1,906,540.61</b>	<b>4,974,874.03</b>	<b>5,900,714.25</b>	<b>2,360,967.99</b>
<b>RECEIPTS:</b>											
Per Revenue Status	56,983,710.89	5,748,948.81	7,284,526.33	1,158,008.58	5,899,985.65	12,545,689.55	682,240.87	6,722,532.35	9,774,684.49	1,176,387.17	5,990,707.09
less: post cash surplus	(1,678,000.00)					(1,678,000.00)					
Interest due from Escrow	(164.50)	(13.78)	(12.78)	(14.26)	(13.94)	(14.47)	(20.31)	(20.90)	(13.74)	(19.53)	(20.79)
Interest due from Capital	(46.91)	(12.66)	(11.99)	(9.88)	(2.17)	(1.76)	(1.11)	(1.15)	(1.22)	(1.25)	(3.74)
BAN SALE	0.00										
GSTF - IN LIEU	(87,437.00)								(87,437.00)		
Transfers:	55,218,062.48	5,748,922.37	7,284,501.56	1,157,984.46	5,899,969.54	10,867,673.32	682,219.45	6,722,510.30	9,687,232.53	1,176,366.39	5,990,682.56
Capital	2,117,431.30					1,300,000.00			817,431.30		
Grants Received											
OLUA \$ Recd	4,400.00	4,400.00									
DOJ \$ RECD	2,717.00										2,717.00
Clean Communities \$ Recd	69,368.29					69,368.29					
SC \$ Recd	284,938.00	78,491.00	90,705.00	52,785.00	4,346.00		58,611.00				
Comcast Tech \$ Recd	100,000.00					100,000.00					
Jif \$ Recd	3,525.00						3,525.00				
Aled \$ Recd	316.65						316.65				
DDEF \$ Recd	6,121.42									6,121.42	
EMS \$ Recd	5,000.00										5,000.00
361,423.29											
<b>TOTAL RECEIPTS:</b>	<b>57,811,880.14</b>	<b>5,831,813.37</b>	<b>7,375,206.56</b>	<b>2,510,769.46</b>	<b>5,904,315.54</b>	<b>11,037,041.61</b>	<b>744,672.10</b>	<b>6,722,510.30</b>	<b>10,504,663.83</b>	<b>1,185,204.81</b>	<b>5,995,682.56</b>
<b>DISBURSEMENTS:</b>											
2012 Reserves	438,155.77	456,327.09	65,847.39	70,610.14	1,846.01	(158,947.50)	353.43	221.15	976.66	771.38	150.00
2013 Current	60,791,276.79	6,762,330.89	5,101,363.01	4,149,833.52	7,369,086.33	9,298,291.44	3,082,052.83	3,455,018.33	9,503,170.11	4,753,835.32	7,306,294.91
2013 Capital	932,773.39	104,470.44	21,847.48	36,722.38	65,130.79	104,506.91	55,913.42	291,623.28	100,625.48	22,855.66	129,077.55
less: CIF post	(95,000.00)				(95,000.00)						
62,162,205.95											
Appropriation Refunds:	(623,653.18)	(25,687.04)	(25,787.42)	(90,545.22)	(57,941.45)	(131,587.92)	(59,103.02)	(92,685.86)	(33,020.03)	(62,511.29)	(54,773.91)
PAYROLL	7,071.37								7,071.37		
<b>TOTAL DISBURSEMENTS</b>	<b>61,450,624.14</b>	<b>7,297,431.38</b>	<b>5,163,270.46</b>	<b>4,166,620.82</b>	<b>7,283,121.68</b>	<b>9,112,262.93</b>	<b>3,089,216.76</b>	<b>3,654,176.88</b>	<b>9,578,823.61</b>	<b>4,724,951.07</b>	<b>7,380,748.55</b>
<b>END. BAL. DEC. 31, 2013</b>	<b>975,902.00</b>	<b>3,149,027.99</b>	<b>5,360,964.09</b>	<b>3,705,112.73</b>	<b>2,326,306.59</b>	<b>4,251,085.27</b>	<b>1,906,540.61</b>	<b>4,974,874.03</b>	<b>5,900,714.25</b>	<b>2,360,967.99</b>	<b>975,902.00</b>
Total Appropriation Refunds	(623,653.18)	(25,687.04)	(25,787.42)	(90,545.22)	(57,941.45)	(131,587.92)	(59,103.02)	(92,685.86)	(33,020.03)	(62,511.29)	(54,773.91)
<b>Bank Balance</b>											
Checking	5,317,145.12	6,702,658.96	2,315,984.37	3,447,834.69	4,060,936.63	3,842,054.85	4,402,409.31	8,457,306.22	4,008,971.51	5,647,739.39	
Online Payment Acct	103,078.69	146,880.25	39,339.08	107,067.03	174,939.94	24,615.22	72,934.20	151,671.43	49,288.62	72,838.33	
MBIA	6,985.05	6,985.05	6,985.05	6,985.05	6,985.05	6,985.05	6,985.05	6,985.05	6,985.05	6,985.32	
Total Bank Balance	5,427,208.86	6,856,524.26	2,362,308.50	3,561,886.77	4,242,861.62	3,873,655.12	4,482,328.56	8,615,962.70	4,065,245.18	5,727,563.04	
ADD: Deposits in Transit	440,501.30	84,031.54	1,533,792.61	562,564.99	68,725.70	27,199.10	526,734.01	5,133.31	61,349.61	521,999.79	
LESS: Outstanding Checks	(2,718,682.17)	(1,579,591.71)	(190,988.38)	(1,798,145.17)	(60,502.05)	(1,994,313.61)	(34,188.54)	(2,720,381.76)	(1,765,626.80)	(5,273,660.83)	
<b>Adjusted Bank Balance</b>	<b>3,149,027.99</b>	<b>5,360,964.09</b>	<b>3,705,112.73</b>	<b>2,326,306.59</b>	<b>4,251,085.27</b>	<b>1,906,540.61</b>	<b>4,974,874.03</b>	<b>5,900,714.25</b>	<b>2,360,967.99</b>	<b>975,902.00</b>	

OUTSTANDING CHECKS

PRIOR

OCT

DIT'S

47711	54.00
48492	26.25
48725	5.00
49106	150.00
49950	234.97
50333	20.00
50418	41.00
50613	318.00
50681	310.00
50884	250.00
50908	5.00

1,414.22

51072	80.73	11,383.29 ONLINE TAX
51107	15.00	8,921.23 ONLINE TAX
51115	100.00	12.63 10/31 bank charge-due from bank
51118	252,551.00	93,865.49
51132	150.00	71,440.07
51133	200.00	115,427.84
51138	114.12	127,012.29
51145	7,600.00	51,028.06
51146	525.00	2,340.00
51149	2,939.04	1,845.00
51150	3,918.72	185.00
51151	1,306.24	8,887.82
51158	200.00	22.75
51164	35.00	25,540.32
51166	270.00	1,298.00
51171	1,525,156.40	110.00
51173	1,181,796.00	2,680.00
51185	225.00	
51186	200.00	
51187	375.00	
51190	55.48	
51191	212.50	
51201	500.00	
51207	2,279,326.91	
51208	6,206.00	
21210	573.24	
51211	1,325.00	
51217	1,162.50	
51227	350.00	
51230	200.00	
51231	225.00	
51237	200.00	
51238	15.00	
51242	120.00	
51243	46.00	
51244	15.00	
51251	200.00	
51257	200.00	
51261	200.00	
51264	225.00	
51267	200.00	
51268	140.32	
51276	200.00	
51280	200.00	
51286	200.00	
51289	225.00	
51302	200.00	
51305	200.00	
51306	200.00	
51313	200.00	
51326	761.41	
51327	180.00	
51328	225.00	

5,272,246.61

5,273,660.83

521,999.79

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION # 2013-312**

**TITLE: A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12."**

**WHEREAS**, the Township Council of the Township of Lower is subject to certain requirements of the Open Public Meetings Act, N.J.S.A 10:4-6, et seq., and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

**WHEREAS**, it is necessary for the Township Council of the Township of Lower to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- \_\_\_\_\_ (1) **Matters Required by Law to be Confidential:** Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- \_\_\_\_\_ (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:** Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- \_\_\_\_\_ (3) **Matters Involving Individual Privacy:** Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- \_\_\_\_\_ (4) **Matters Relating to Collective Bargaining Agreement:** Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- \_\_\_\_\_ (5) **Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:** Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- \_\_\_\_\_ (6) **Matters relating to Public Safety and Property:** Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- \_\_\_\_\_ (7) **Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:** any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. 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.

X   (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting. **MANAGER / SOLICITOR**

       (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township council of the Township of Lower, assembled in public session on December 2, 2013 that an Executive Session closed to the public shall be held on this date at approximately \_\_\_\_\_ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

I hereby certify the foregoing to be the original resolution adopted by the Township Council on December 2, 2013.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						