

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

April 1, 2013 - 6:00 P.M.

Meeting called to order.

Opening Announcement
Pledge of Allegiance & Moment of Silence
Roll Call & Determination of Quorum
Presentation - Eagle Scout Jackson VonSavage
Proclamation - April, 2013 Autism Month

Work Session

2013 Budget - Leon Costello, CFO Lauren Read

Consent Agenda

Membership Applic. NJ State Fireman's Association - David Anderson, Villas Volunteer Fire Co; Markie Alexander and Dennis Robertson, Jr, Erma Volunteer Fire Company

Approval of Minutes March 18, 2013

Res. #2013-101 Payment of Vouchers \$ \$1,522,537.87

Res. #2013-102 Resolution for Self-Examination of Budget (yearly resolution)

Res. #2013-103 Authorization for Refund of Taxes (1 property paid twice \$481.04)

Res. #2013-104 Resolution Authorizing An Inter-District Transfer of a Blue 1998 Ford Crown Victoria No Longer Needed For Public Use to the Lower Township Elementary School District

Res. #2013-105 Renewal of 2013 Campground Licenses (6 Campgrounds)

Res. #2013-106 A Resolution Requesting Release of a Demolition Bond for Block 587, Lot 7, 309 Beach Avenue

Res. #2013-107 Approval of Change Order #1 for HVAC Ductwork Replacement at the Millman Community Center (Increase of \$3,894.00)

Res. #2013-108 Resolution Approving Contract with Delta Dental for Extraordinary Unspecifiable Services (Dental Insurance for employees self funded plus \$1,555 brokers fee)

Res. #2013-109 Resolution Approving Contract with USAble for Group Life Extraordinary Unspecifiable Services (employee group life insurance \$5,629 plus \$813 Brokers fee)

Res. #2013-110 Resolution Approving Contract with Amerihealth for Medical and Prescription Extraordinary Unspecifiable Services (employee insurance self funded plus \$60,000 brokers fee)

Regular Agenda

Res. #2013-111 Adoption of 2013 Municipal Budget (Final budget with 2 minor changes to State Aid)

Ord. #2013-07 An Ordinance Establishing A Source Separation And Recycling Policy for Township of Lower (Single Source Recycling) 2nd reading and Public Hearing

Ord. #2013-08 An Ordinance Amending Chapter 432 of the Mercantile License of the Township of Lower (setting a \$75.00 late fee) 2nd reading and public hearing

Administrative Reports

Personnel Action Report
Monthly Report - Treasurer's Office

Council Comments

Call to the Public

Adjournment

COUNCIL MINUTES – March 18, 2013

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on March 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 Glenn Douglass
Deputy Mayor Norris Clark
Mayor Michael Beck

Also present: Charles W. Sandman, III, Solicitor and Karen Fournier, Clerk's Office

Presentation to Jackson Sole and Jackson VonSavage - Eagle Scout

Jackson VonSavage was not present.

Jackson Sole chose for his Eagle Scout project to lead a crew in planting a vineyard at St. John Neumann parish in dedication of his father, Gene Sole. Jackson has been involved in scouts for 12 years and plans to attend Virginia Tech. Mayor Beck stated that he, Deputy Mayor Clark and Councilmember Neville were honored to attend the Eagle Scout Court of Honor for Sole. Mayor Beck congratulated him on his many achievements, adding how truly proud he is of him.

Councilmember Conrad congratulated Mr. Sole and stated that he wished his own son would have followed Jackson's footsteps.

Councilmember Neville, former Eagle Scout and Jackson's Scout Leader, stated he always knew Jackson would be an Eagle Scout.

Councilmember Douglass stated that Mr. Sole has grown into a fine young man and wishes him luck at Virginia Tech.

Deputy Mayor Clark stated that Mr. Sole set a great example at the Court of Honor and wishes him the best.

Proclamation - Supporting Click It or Ticket

Mayor Beck read the proclamation supporting Click It or Ticket Seatbelt Mobilization, May 20, 2013 – June 2, 2013, pledging to increase awareness of the mobilization and benefits of seatbelt use.

Presentation - Cape May County Dog Obedience Training Club

Representatives from the Cape May County Dog Obedience Training Club spoke on behalf of their organization, stating that during Superstorm Sandy, large dogs were turned away from the emergency shelter because the crates were not large enough to accommodate them. As a result, members of their organization made donations- in lieu of a Christmas exchange- to purchase large dog crates. To their surprise, their efforts multiplied. The Cape May County Dog Obedience Training Club matched their

donation. Furthermore, Bob Smeltzer of Smeltzer and Sons also matched their donation and offered to sell them the crates below cost. Mr. Smeltzer stated that the Township will end up with over \$1,000.00. worth of crates to be used for emergency preparedness and delivered wherever the Township designates.

Don Montgomery, Lower Township Animal Control Officer accepted the donation on behalf of the Township and thanked all parties involved for their generosity.

Mayor Beck stated that this came as a surprise but he is truly grateful to the CMC Dog Obedience Training Club, their representatives and Smeltzer and Sons for their generous gifts.

Councilmember Conrad expressed the need and thanked CMC Dog Obedience Training Club and Mr. Smeltzer for all they do for the community.

Councilmember Neville spoke on behalf of the dogs and their owners to thank all parties involved for their donations.

Councilmember Douglass stated that his dogs have enjoyed working with the CMC Obedience Training Club and continue to be obedient today. He thanked them, as well as Mr. Smeltzer for bringing this opportunity to the Township.

Deputy Mayor Clark also thanked the organization and Mr. Smeltzer for filling the need within the Township.

Work Session

Presentation - Qualified Purchasing Agent - Margaret Vitelli

Postponed until further notice.

Consent Agenda

Mayor Beck referred to Res. #2013-91 opposing the Senate passing an early voting system and briefly described what the bill entails and the negative effects it could have on the Township.

Councilmember Conrad thinks the bill is a terrible idea, stating that it will cost the taxpayers of this Township.

Councilmember Neville pointed out that the polls will have to be open for 15 days from 6:00 a.m. to 8:00 p.m. He argued that this is why we have the vote by mail option.

Councilmember Douglass believes that there are too many uncertainties with this bill, along with security issues.

Deputy Mayor Clark agreed.

Jack Sparks of North Cape May disagrees with Council concerning the early voting system. He informed that there are currently 32 states that have adopted this policy. Senator VanDrew and Assemblymen have endorsed it. He argued that our right to vote should be a priority and therefore urged Council to reconsider.

Robert Rizzo, Mickel's Run, agreed with Mr. Sparks and requested that Council table this resolution to allow more time to research it.

Mayor Beck clarified three points regarding the opposition to this bill: first, that Council has had ample time to research it; second, that the bill is opposed by the League of Municipalities who requested this resolution; and third, that he has the utmost respect for Senator VanDrew, but feels it is in the best interest of the Township for reasons including time, cost and security. Mayor Beck foresees the future of voting through both the internet and mail in votes.

| | |
|---------------------|---|
| Approval of Minutes | March 4, 2013 |
| Res. #2013-87 | Payment of Vouchers \$ 2,939,754.77 |
| Res. #2013-88 | Authorizing Payment of 2013 Employer Share of Pension (\$564,646. PERS and \$931,563. PFRS) |
| Res. #2013-89 | Authorization for Waiver of Fees for Seashore Community Church of the Nazarene |

- Res. #2013-90 Authorization for Refund of Taxes (1 property paid twice \$602.09)
- Res. #2013-91 Resolution Opposing A2364/A3553 (opposing the senate creating an early voting system)
- Res. #2013-92 Approval of Change Order No. 2 for Delaware Bay Shore Outfall Extensions, Contract M-7 (net decrease of \$4,000.)
- Res. #2013-93 A Resolution Approving An Agreement with S. Vitale Pyrotechnic Industries, Inc. To Provide Fireworks Display (\$40,000. July 3, 2013 - second year option)
- Res. #2013-94 Bid Acceptance and Contract Award for Maintenance of Township Grounds and Parks/Fertilizer/Slice Seed (Tru-Green \$18,009. - second year option)
- Res. #2013-95 Approving Flea Markets - Villas Fire Company (April 6, May 4, July 6 and Aug 3, 2013)
- Res. #2013-96 Approval for Roadside Solicitation by Villas Volunteer Fire Company, Inc. (May 25, June 29 and Aug 31, 2013)
- Res. #2013-97 Click it or Ticket 2013 Mobilization (May 20 - June 2, 2013)
- Ord. #2013-07 An Ordinance Establishing a Source Separation And Recycling Policy for the Township of Lower (setting forth rules and regulations for single source recycling) - 1st reading (2nd reading and public hearing April 1st)
- Ord. #2013-08 An Ordinance Amending Chapter 432 of the Mercantile License of the Township of Lower (\$75.00 late fee)- 1st reading (2nd reading and public hearing April 1st)

| | Motion | Second | Aye | Nay | Abstain | Absent |
|----------|--------|--------|-----|-----|---------|--------|
| Conrad | X | | X | | | |
| Neville | | | X | | | |
| Douglass | | X | X | | | |
| Clark | | | X | | | |
| Beck | | | X | | | |

Regular Agenda

- Res. # 2013-98 Bid Acceptance And Contract Award for Maintenance Of Township Grounds and Parks (Douglass Landscaping, LLC \$51,925. Second year option)

| | Motion | Second | Aye | Nay | Abstain | Absent |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | X | X | | | |
| NEVILLE | X | | X | | | |
| DOUGLASS | | | | | X | |
| CLARK | | | X | | | |
| BECK | | | X | | | |

- Res. #2013-99 Authorizing the Payment of Vouchers (\$57,259.09 KG Marine)

Mayor Beck stated that this resolution ties into the change order, Resolution # 2013-92.

| | Motion | Second | Aye | Nay | Abstain | Absent |
|----------|--------|--------|-----|-----|---------|--------|
| Conrad | | | X | | | |
| Neville | | | X | | | |
| Douglass | X | | X | | | |
| Clark | | X | X | | | |
| Beck | | | X | | | |

Administrative Reports

Personnel Actions Report

Department Monthly Reports: Animal Control, Construction, Dog Register, Fire Safety, Police, Municipal Clerk, Tax Collector and Vital Statistics

Council Comments

Councilmember Conrad thanked St. Raymond's for their food bank donations. He also pointed out that the wooden boxes along the bay front are part of a Township resident's Eagle Scout project to recycle fishing line and clean up the jetties. He reminded that April 1, 2013 starts single stream recycling.

Councilmember Neville wished everyone a Happy Easter.

Councilmember Douglass requested Council's approval to add 3 non-voting, student members to the Recreation Advisory Board to assist with recreation ideas from a youth perspective. Mayor Beck expressed that it's a great idea. He advised to speak with Deb Johns, Chairperson of the RAB, before official approval is given.

Deputy Mayor Clark introduced a new program called Friends of Lower Township, established to raise funds to underwrite the recreation department with its various events, and publicly recognize and thank its sponsors. In addition, he announced that Trip Advisor has changed the designation on their website to correctly say Sunset Beach, Lower Township. Lastly, Deputy Mayor Clark announced that Governor Christie's team has reached out to offer help to Lower Township. He and Mayor Beck took advantage of their offer and went to Trenton to meet with Bob Martin, Commissioner of the Department of Environmental Protection, regarding our beaches. Mr. Martin previewed with them the Governor's plan involving major beach replenishment along the entire coast of New Jersey, including the Bay, as a result of a post Sandy initiative.

Mayor Beck, having been in government for 13 years, was impressed that Governor Christie voluntarily reached out to help us. Mayor Beck, Deputy Mayor Clark and George Curvan, Township Engineer, met with Bob Martin from the DEP to discuss matters such as flooding problems, water allocation and beach erosion. In addition, Mayor Beck informed that South Jersey is experiencing an increase in drug use and commended the County Task Force for their great work, as well as the Township Police Department. He has taken the concern to the commissioner of human services, the prosecutor and school representatives to assure that everyone is aware of the problem, as he strongly believes that there is an educational and rehabilitation component to it. The Police Department requested he announce their Hear It, See It, Report It initiative. For anonymous reports, call 886-1619 extension 156. He affirmed that these drug offenders will be found and locked up.

Mayor Beck announced the following: Easter Egg Hunt, Saturday, March 23, 10:00 a.m. at Bennett's Field; Thursday, April 25, Genesis Health Fair. He thanked Principal Denise LaBov of Maud Abrams School for inviting him to judge the Irish Potato Contest and congratulated David Burr's 3rd grade class on their victory.

Call to the Public

Fred Long of Cold Spring addressed Council regarding 2 bills in the State Legislature: A2753 and S1923 which directly affect the energy tax receipts in Lower Township's budget. The above bills would require the state to restore \$331 million dollars back to the municipalities. He has requested that Council consider a resolution supporting the passage of these bills, including a provision that no diversions occur. Prompt attention is necessary, as this bill is now positioned for a vote on the assembly floor.

Mayor Beck agreed that this is an important matter; however there is too much uncertainty in what programs the state will have to cut as a result of returning the money to the municipalities.

Councilmember Conrad agreed to support Mayor Beck's decision on this.

Deputy Mayor Clark added that the problem lies in the fact that once the state receives the money into the treasury, they forget how they got it, and spend it however they choose.

Councilmember Neville stated that it's a matter worth looking into, particularly because the League of Municipalities wants us to support it.

Mayor Beck agreed to call the League to readdress the issue, but reiterated that he wants assurance that no programs will be cut.

Patty Sparks of North Cape May addressed Councilmember Conrad to clarify the name of the group who organized the food drive as the Parish of St. John Neumann. The bags were divided between St. Raymond and St. John of God respectively. She thanked Mr. Conrad for the recognition and thanked the parishioners and the community for feeding God's sheep.

Fred Swope, 19 Redwood Avenue, addressed Council to report more storm damage. The beach access stairs at Redwood Ave. were lost as a result of the storm. He is concerned that it poses a safety issue and respectfully requested that Council address it before the start of the season.

Mayor Beck agreed to look into the matter by speaking with Manager Voll and Gary Douglass to find out who is responsible to fix it.

Joe Will, Fishing Creek, addressed Council to request they acknowledge that his father, Paul R. Will started the Recreation Center in 1962.

Closed Session

Res. #2013-100

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- Tax Appeals)

| | Motion | Second | Aye | Nay | Abstain | Absent |
|----------|--------|--------|-----|-----|---------|--------|
| Conrad | X | | X | | | |
| Neville | | X | X | | | |
| Douglass | | | X | | | |
| Clark | | | X | | | |
| Beck | | | X | | | |

Adjournment

Council returned to open session and there being no further comment, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. Meeting adjourned at 8:25 p.m. by verbal "ayes".

Mayor

Township Clerk

Approved:

| Vendor # Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|----------------------------------|----------|----------|--------------------------------|--------|---------------|-------------|----------|---------|
| 00735 CATERINA SUPPLY, INC.* | 13-00597 | 02/28/13 | SUPPLIES FOR OUTFALLS | Open | 2,376.90 | 0.00 | | |
| 00784 CAPE MAY STAR & WAVE | 13-00805 | 03/20/13 | LEGAL ADVERTISEMENTS 03-13-13 | Open | 120.28 | 0.00 | | |
| 00820 COMCAST OF WILDWOOD* DPW | 13-00824 | 03/21/13 | MONTHLY INTERNET-PUBLIC WORKS | Open | 102.00 | 0.00 | | |
| | 13-00866 | 03/27/13 | INTERNET CABLE/DPW | Open | <u>102.00</u> | 0.00 | | |
| | | | | | 204.00 | | | |
| 00825 COMCAST* | 13-00844 | 03/25/13 | INTERNET 3-30-4-29 FIRE SAFETY | Open | 106.95 | 0.00 | | |
| 01110 COLLEEN CRIPPEN | 13-00861 | 03/27/13 | DOMAIN REGISTRATION | Open | 25.90 | 0.00 | | |
| 01125 MARGARET CROMPTON | 13-00766 | 03/14/13 | MEDICAL CLAIMS | Open | 20.00 | 0.00 | | |
| 01219 CONTRACTOR SERVICE* | 13-00661 | 03/06/13 | SAFETY JACKETS | Open | 49.00 | 0.00 | | |
| 01310 JLP INTL INC* | 13-00722 | 03/11/13 | REPLACE CUT SEAT WEIGHT ROOM | Open | 155.00 | 0.00 | | |
| 01389 EDDIE'S AUTO BODY* | 13-00313 | 01/30/13 | VEHICLE REPAIR | Open | 1,160.60 | 0.00 | | |
| 01450 ERMA DELI* | 13-00521 | 02/20/13 | CLEAN SHORES | Open | 1,394.40 | 0.00 | | B |
| | 13-00811 | 03/21/13 | PIZZA & SODA TRAVEL BASKETBALL | Open | <u>111.11</u> | 0.00 | | |
| | | | | | 1,505.51 | | | |
| 01641 GALL'S INC* | 12-01829 | 07/02/12 | BATTERIES | Open | 69.00 | 0.00 | | |
| 01660 GENERAL SPRING SERVICE* | 13-00598 | 02/28/13 | REPLACE HOSE & FITTINGS/LABOR | Open | 672.30 | 0.00 | | |
| 01690 GRANTURK EQUIPMENT CO* | 13-00603 | 02/28/13 | CLAMP AND EYE BOLT | Open | 224.28 | 0.00 | | |
| | 13-00665 | 03/06/13 | PARTS FOR RECYCLING | Open | <u>325.56</u> | 0.00 | | |
| | | | | | 549.84 | | | |
| 01781 HATCH MOTT MACDONALD, LLC* | 13-00831 | 03/22/13 | PROFESSIONAL ENGINEERING | Open | 119.00 | 0.00 | | |
| | 13-00832 | 03/22/13 | PROFESSIONAL ENGINEERING | Open | 303.15 | 0.00 | | |
| | 13-00833 | 03/22/13 | PROFESSIONAL ENGINEERING | Open | 23.80 | 0.00 | | |
| | 13-00834 | 03/22/13 | PROFESSIONAL ENGINEERING | Open | 951.45 | 0.00 | | |
| | 13-00840 | 03/22/13 | PROFESSIONAL ENGINEERING | Open | <u>999.50</u> | 0.00 | | |
| | | | | | 2,396.90 | | | |

| Vendor # Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|-------------------------------------|----------|----------|--------------------------------|--------|---------------|-------------|----------|---------|
| 01785 ROBERT HARTMAN SR | 13-00184 | 01/16/13 | CONTRACTUAL REIMBURSEMENT | Open | 314.70 | 0.00 | | |
| 01803 HORIZON DENTAL OPTION* | 13-00839 | 03/22/13 | APRIL 2013 DENTAL | Open | 15,649.89 | 0.00 | | |
| 01840 COLLEEN HORWATH | 13-00810 | 03/21/13 | MEDICAL CLAIMS | Open | 148.00 | 0.00 | | |
| 01859 HESS CORPORATION | 13-00849 | 03/25/13 | ELECTRIC 02/19/13-03/20/13 | Open | 7,634.19 | 0.00 | | |
| 01889 JOHN J HERMAN | 13-00642 | 03/06/13 | REF FEE'S FOR BASKETBALL | Open | 36.00 | 0.00 | | |
| 02021 JERSEY CAPE DOOR* | 13-00327 | 01/31/13 | SWAT OVERHEAD DOOR | Open | 760.00 | 0.00 | | |
| 02140 KINDLE FORD LINC/MERC., INC.* | 13-00602 | 02/28/13 | PARTS FOR POLICE VEHICLES | Open | 84.44 | 0.00 | | |
| | 13-00664 | 03/06/13 | PARTS FOR POLICE VEHICLE | Open | <u>102.40</u> | 0.00 | | |
| | | | | | 186.84 | | | |
| 02351 LOWER CAPE MAY REGIONAL | 13-00003 | 01/07/13 | 2012-2013 SCHOOLTAXES DUE 15TH | Open | 1,116,668.38 | 0.00 | | |
| 03104 NORTHEAST IND.&MARINE SUPPLY* | 13-00361 | 02/04/13 | PARTS/RDS/SANT/RECY | Open | 264.41 | 0.00 | | |
| 03158 NYSCA* | 13-00426 | 02/13/13 | LACROSSE CONT EDUCATION CERT | Open | 40.00 | 0.00 | | |
| 03160 OFFICE BASICS, INC* | 13-00605 | 02/28/13 | CASH DRAWER CLERKS OFFICE | Open | 199.99 | 0.00 | | |
| | 13-00701 | 03/11/13 | DOG LICENSE PAPER- CLERKS OFFI | Open | 170.36 | 0.00 | | |
| | 13-00705 | 03/11/13 | OFFICE SUPPLIES | Open | <u>622.15</u> | 0.00 | | |
| | | | | | 992.50 | | | |
| 03305 PEDRONI FUEL* | 13-00772 | 03/15/13 | NO LEAD GAS | Open | 571.30 | 0.00 | | |
| | 13-00825 | 03/21/13 | NO LEAD GAS/DPW | Open | <u>780.88</u> | 0.00 | | |
| | | | | | 1,352.18 | | | |
| 03353 POOL OPERATION MANAGEMENT* | 13-00621 | 03/04/13 | POOL CERTIFICATION CLASS | Open | 610.00 | 0.00 | | |
| 03366 AMERI-GAS* | 13-00812 | 03/21/13 | FUEL FOR BENNETTES CROSSING | Open | 491.30 | 0.00 | | |
| 03427 POLAR BEAR* | 13-00471 | 02/15/13 | TOWNSHIP HVAC REPAIRS | Open | 340.00 | 0.00 | | |

| Vendor # Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|--------------------------------------|----------|----------|--------------------------------|-----------|-----------------|-------------|----------|---------|
| 03427 POLAR BEAR* | | | | Continued | | | | |
| | 13-00687 | 03/11/13 | ASSESSOR/TAX UNIT #4 | Open | <u>1,470.97</u> | 0.00 | | |
| | | | | | 1,810.97 | | | |
| 03455 PUBLIC WORKS ASSOCIATION* | | | | | | | | |
| | 13-00258 | 01/23/13 | 2013 MEMBERSHIP | Open | 30.00 | 0.00 | | |
| 03518 RIGGINS, INC.* | | | | | | | | |
| | 13-00823 | 03/21/13 | HIGHWAY DIESEL | Open | 2,663.15 | 0.00 | | |
| 03537 RUTGERS, THE STATE UNIVERSITY* | | | | | | | | |
| | 13-00757 | 03/14/13 | 2013 RUTGERS PURCH CONF 5/1-2 | Open | 350.00 | 0.00 | | |
| 03573 SAFETY-KLEEN CORP* | | | | | | | | |
| | 13-00758 | 03/14/13 | EQUIPMENT MAINTENANCE/GARAGE | Open | 310.28 | 0.00 | | |
| 03611 SERVICE TIRE TRUCK CENTERS* | | | | | | | | |
| | 13-00363 | 02/04/13 | TRIES/RDS/SANT/RECY/DPW | Open | 3,864.41 | 0.00 | | |
| 03652 FRANK SIPPLE | | | | | | | | |
| | 13-00644 | 03/06/13 | REF FEE'S FOR BASKETBALL | Open | 86.00 | 0.00 | | |
| 03678 SMELTZER & SONS INC.* | | | | | | | | |
| | 13-00759 | 03/14/13 | BEACH PATH FENCING | Open | 1,948.74 | 0.00 | | |
| 03692 SOUTH JERSEY GAS CO* | | | | | | | | |
| | 13-00837 | 03/22/13 | GAS FOR MONTH OF MARCH 2013 | Open | 6,556.07 | 0.00 | | |
| 03717 DEPT OF COMMUNITY AFFAIRS | | | | | | | | |
| | 13-00595 | 02/28/13 | NJ UNIFORM CONSTRUCTION CODES | Open | 50.00 | 0.00 | | |
| 03723 STAPLES, INC.* | | | | | | | | |
| | 13-00657 | 03/06/13 | SECURITY TINT PAYROLL ENVELOPE | Open | 173.94 | 0.00 | | |
| | 13-00700 | 03/11/13 | OFFICE SUPPLIES | Open | 61.95 | 0.00 | | |
| | 13-00731 | 03/12/13 | OFFICE SUPPLIES | Open | 59.95 | 0.00 | | |
| | 13-00733 | 03/12/13 | OFFICE SUPPLY | Open | 29.99 | 0.00 | | |
| | 13-00765 | 03/14/13 | OFFICE SUPPLIES-ENGINEER | Open | 254.47 | 0.00 | | |
| | 13-00777 | 03/18/13 | HANDTRUCK CART | Open | <u>329.99</u> | 0.00 | | |
| | | | | | 910.29 | | | |
| 03810 MUNICIPAL UTIL AUTH USAGE COST | | | | | | | | |
| | 13-00725 | 03/11/13 | SEWER CHARGES DUE 04/01/2013 | Open | 1,160.00 | 0.00 | | |
| 03867 UNIVERSAL SUPPLY CO. | | | | | | | | |
| | 13-00720 | 03/11/13 | ROOFING REPAIR | Open | 1,261.55 | 0.00 | | |
| 03960 VECTOR SECURITY* | | | | | | | | |
| | 13-00398 | 02/06/13 | RE-KEY ENTRY DOORS- TWP HALL | Open | 535.00 | 0.00 | | |
| | 13-00517 | 02/20/13 | CHANGE AND SWAP OFFICE LOCKS | Open | 70.00 | 0.00 | | |
| | 13-00651 | 03/06/13 | BUILDING ALARM REPAIR | Open | <u>142.50</u> | 0.00 | | |
| | | | | | 747.50 | | | |

| Vendor # Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|-------------------------------------|----------|----------|--------------------------------|--------|---------------|-------------|----------|---------|
| 03969 VERIZON | 13-00764 | 03/14/13 | PHONE CHARGES- MARCH 2013 | Open | 5,784.07 | 0.00 | | |
| 04057 ELLEN WILL | 13-00845 | 03/25/13 | MEDICAL CLAIMS-V | Open | 479.17 | 0.00 | | |
| 04105 PITNEY BOWES GLOBAL FINANCIAL | 13-00476 | 02/19/13 | LEASE FOR FEBRUARY 2013 | Open | 451.00 | 0.00 | | |
| | 13-00761 | 03/14/13 | LEASE FOR MARCH-POSTAGE MACHIN | Open | <u>451.00</u> | 0.00 | | |
| | | | | | 902.00 | | | |
| 04176 CHRISTOPHER J WINTER SR*CALEA | 12-02442 | 09/11/12 | CALEA ACCREDITATION CONSULTING | Open | 880.00 | 0.00 | | B |
| 04214 ZEP, INC* | 13-00417 | 02/07/13 | SUPPLIES/DPW/GARAGE | Open | 463.84 | 0.00 | | |
| 04225 PRINK ME* | 13-00234 | 01/22/13 | BANNER FOR RECREATION | Open | 275.00 | 0.00 | | |
| 04288 NUANCE COMMUNICATIONS INC* | 13-00330 | 01/31/13 | MAINTENANCE CONTRACT | Open | 4,696.53 | 0.00 | | |
| 04445 TRICOMM SERVICES CORP* | 13-00650 | 03/06/13 | MOVE FAX LINE TO NEW OFFICE | Open | 127.50 | 0.00 | | |
| | 13-00699 | 03/11/13 | PROGRAMMING EXT NEW OFFICE | Open | <u>191.25</u> | 0.00 | | |
| | | | | | 318.75 | | | |
| 05100 CHARLES W. SANDMAN, III ESQ | 13-00268 | 01/23/13 | 2013 LITIGATION MONTHLY \$50k | Open | 4,166.66 | 0.00 | | B |
| 06020 JOSEPH PORRETTA BUILDERS* | 13-00753 | 03/14/13 | MILLMAN CENTER RENO #2013-65 | Open | 29,315.72 | 0.00 | | B |
| 5001 HALE TRAILER BRAKE & WHEEL INC | 12-03284 | 12/04/12 | PATROL EQUIPMENT | Open | 463.32 | 0.00 | | |
| 6005 TOSHIBA BUSINESS SOLUTIONS IN* | 13-00558 | 02/25/13 | TECH SUPPORT AGREEMENT-FIRE SA | Open | 1,655.00 | 0.00 | | |
| 6020 THE UPS STORE#5410* | 13-00760 | 03/14/13 | UPS SHIPPING | Open | 152.86 | 0.00 | | |
| 6023 BARBARA NEENHOLD | 13-00804 | 03/20/13 | 1 DOG SPAY | Open | 35.00 | 0.00 | | |
| 6024 LAUREN ANZELONE | 13-00813 | 03/21/13 | TRAINING MEALS | Open | 87.23 | 0.00 | | |
| 6025 JENNIFER SAUNDERS | 13-00814 | 03/21/13 | TRAINING MEALS | Open | 100.57 | 0.00 | | |

| Vendor # | Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|----------|-------------------------------|----------|----------|--------------------------------|--------|----------|-------------|----------|---------|
| 6026 | MICHAEL MCGEEVER | 13-00819 | 03/21/13 | REFUND OF TAX- DOUBLE PAYMENT | Open | 481.04 | 0.00 | | |
| 6027 | ERIC BRONSON | 13-00821 | 03/21/13 | COACHING CERTIFICATION-LACROSS | Open | 20.00 | 0.00 | | |
| 6030 | VINCENT LAMANNA, III | 13-00846 | 03/25/13 | RELEASE OF DUNE BOND | Open | 1,000.00 | 0.00 | | |
| AMENH | TOM AMENHAUSER | 13-00640 | 03/06/13 | REF FEES FOR BASKETBALL | Open | 50.00 | 0.00 | | |
| BLAUE | BLAUER ASSOCIATES INC* | 13-00857 | 03/26/13 | DCA#13-00122-00 ADA REC/FISHIN | Open | 4,050.00 | 0.00 | | |
| HOOVER | ROBERT HOOVER & SONS INC* | 13-00663 | 03/06/13 | SUPPLIES FOR TRUCK | Open | 152.85 | 0.00 | | |
| HOPE | HOPE OF CAPE MAY COUNTY (ALS) | 13-00855 | 03/26/13 | DONATION TO HOPE OF CAPE MAY | Open | 1,200.00 | 0.00 | | |
| TOWNWATC | NATIONAL ASSOC OF TOWN WATCH | 13-00607 | 02/28/13 | MEMBERSHIP RENEWAL | Open | 35.00 | 0.00 | | |

Total Purchase Orders: 105 Total P.O. Line Items: 220 Total List Amount: 1,522,537.87 Total Void Amount: 0.00

I hereby certify the foregoing to be a Resolution adopted by the Lower Township Council at a meeting held on April 1, 2013

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013-102

Title: RESOLUTION FOR SELF-EXAMINATION OF BUDGET

WHEREAS, N.J.S.A. 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, N.J.A.C. 5:30-7.2 through 7.5 the Township of Lower has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2013 budget year.

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Township of Lower that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A: 4-45.2 and appropriations for exceptions to limits on appropriations found at 40A: 4-45.3 et seq. are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A: 4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled

BE IT FURTHER RESOVED that a copy of this resolution is forwarded to the Director of the Division of Local Government Services upon adoption.

I hereby certify the foregoing to be a resolution adopted by the Township Council on April 1, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013-103

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> |
|--------------|------------|------------------|---------------|------------|
| 496.10 | 1 CA10 | Michael McGeever | paid twice | 481.04 |

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on April 1, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013-104

TITLE: RESOLUTION AUTHORIZING AN INTER-DISTRICT TRANSFER OF A BLUE 1998 FORD CROWN VICTORIA NO LONGER NEEDED FOR PUBLIC USE TO THE LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT

WHEREAS, Lower Township currently has a vehicle no longer needed for public use and which is of minimal monetary value, and,

WHEREAS, Lower Township Elementary School District has the need for such a vehicle to assist in service to the Lower Township Elementary School District.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey, that the Blue 1998 Ford Crown Victoria, from Lower Township is hereby authorized to be transferred to the Lower Township Elementary School District.

BE IT FURTHER RESOLVED that the 1998 Ford Crown Victoria, vehicle identification number 2FAFP71WX152020 shall be removed from the Township's fixed assets list.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on April 1, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

Sandman Consolidated School
838 Seashore Road
Cape May, NJ 08204
Telephone: (609) 884-9410
Fax: (609) 884-9412

LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT

834 SEASHORE ROAD
CAPE MAY, NEW JERSEY 08204

Memorial School
2600 Bayshore Road
Villas, NJ 08251
Telephone: (609) 884-9430
Fax: (609) 886-0515

Maud Abrams School
714 Town Bank Road
Cape May, NJ 08204
Telephone: (609) 884-9420
Fax: (609) 884-9421

TELEPHONE: (609) 884-9400
FAX: (609) 884-1821
www.lowertwpschools.com

Carl T. Mitnick School
905 Seashore Road
Cape May, NJ 08204
Telephone: (609) 884-9470
Fax: (609) 898-9481

March 15, 2013

*Mr. Michael Voll, Manager
Township of Lower
405 Breakwater Road
Erma, N.J. 08204*

Dear Mr. Voll,

It is my understanding that the following vehicle, a blue 1998 Ford Crown Victoria, VIN #2FAFP71WX152020, has been slated to go to auction.

I am therefore requesting a Transfer of Fixed Asset and that the vehicle be donated, at no cost to the Lower Township School District.

As always, I appreciate your cooperation.

Sincerely,


George Drozdowski
Superintendent

*c: Board of Education
Brian Q. Marker, Chief of Police, Lower Township*

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

RESOLUTION #2013-105

TITLE: RENEWAL OF 2013 CAMPGROUND LICENSES

WHEREAS, Lake Laurie RV and Camping Resort, Holly Shores Campground and Seashore Campground have applied for renewal of their Campground Licenses, and

WHEREAS, the applicants have paid the required license fees.

NOW, THEREFORE, BE IT RESOLVED by the Township Council the governing body of the Township of Lower that the Campground Licenses for the following are hereby renewed for the period of April 1, 2013 through March 31, 2014 subject to all real estate taxes being current.

Sun Lake Laurie RV, LLC
David & Margaret Robinson
Alice Mary Fuddy
Robert Lepor
Doug McPherson
Thomas F Brodesser, Jr

t/a Lake Laurie RV and Campground Resort
t/a Holly Shores Campground
t/a Seashore Campsites Inc
t/a Cape Island Campground
t/a Cold Spring Campground
t/a Beachomber Campground

I hereby certify this is the original resolution adopted by the Township Council at the meeting of April 1, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013-106

TITLE: A RESOLUTION REQUESTING **RELEASE OF DEMOLITION BOND**
FOR Block 587, Lot 7, 309 BEACH AVENUE, NORTH CAPE MAY

WHEREAS, Paul Burgin Builders posted a Demolition Bond with the Township of Lower, in the amount of \$1,000.00, and

WHEREAS, the Township Building Inspector made a final inspection and the Certificate of Occupancy was issued June 17, 2010, and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing Body thereof, that the demolition bond be and hereby is **released**.

BE IT FURTHER RESOLVED, that the Township Treasurer is granted permission to issue a check in the amount of \$1,000.00 plus any accrued interest for payment of the above released demolition bond.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on April 1, 2013.

Julie A Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

MEMORANDUM

TO: Mayor Michael Beck &
Township Council

FROM: William J. Galestok, PP,AICP
Director of Planning

DATE: March 26, 2013

RE: Release of Demolition Bond
Resolution #2013-106
John & Petya Spletzer
309 Beach Drive
North Cape May, NJ 08204
Block 587, Lot 7

Please release to the applicant the demolition bond that the Township is holding in trust, to assure the required demolition. A certificate of occupancy was issued June 17, 2010. Thank you.

WJG:las

att.

cc: financial file

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2013- 107

**TITLE: APPROVAL OF CHANGE ORDER NO. 1 FOR HVAC DUCTWORK
REPLACEMENT MILLMAN COMMUNITY CENTER**

WHEREAS, Multi-Temp Mechanical, Inc was originally awarded a contract in the amount of \$ 44,500.00 for the HVAC Ductwork Replacement for the Millman Community Center; and

WHEREAS, Change order # 1 requires to replace R6 fiberglass duct wrap with R8 Fiberglass duct wrap and R8 flex duct to meet building code, which will result in an increase of \$3,894.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that Change Order No. 1 for the HVAC Ductwork replacement at the Millman Community Center is hereby approved.

BE IT FURTHER RESOLVED the previous total contract amount of \$44,500.00 shall have an increase of \$3,894.00. The revised contract total will be \$48,394.00.

I hereby certify the foregoing to be a Resolution adopted by the Township Council at a meeting held on April 1, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798
(609) 886-2005

MEMORANDUM

TO: Mayor Michael Beck &
Township Council

FROM: George Curvan, P.E.
Township Engineer

DATE: March 28, 2013

RE: Change Order #1
Multi-Temp Mechanical, Inc.
Renovation to Lower Township Millman Center

As per the building code, all ductwork proposed in the renovations to the Millman Center shall have a thermal resistance of at least R-8. The architectural drawings prepared by Blane Steinman Architect, LLC specified 1-1/2" thick fiberglass duct wrap insulation for all supply and return ductwork.

The 1-1/2" thick fiberglass duct wrap only provides a thermal resistance of R-6.

Change Order #1 includes all materials and/or workmanship required to increase the thermal resistance of all ductwork to R-8.



**TOWNSHIP
OF LOWER**

CHANGE ORDER NO. 1

CONTRACTOR: Multi-Temp Mechanical, Inc
1000 Delsea Drive Suite B1
Westville, NJ 08093

REASON FOR CHANGE: Increase duct insulation to R-8

THE TIME PROVIDED FOR COMPLETION OF THIS PROJECT IS: Unchanged

TIME EXTENTION FOR CHANGE ODRDER: 0 Days

UPON EXECUTION THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT

| TYPE OF CHANGE | ITEM | DESCRIPTION | QTY | UNITS | UNIT PRICE | AMOUNT |
|------------------|------|------------------------------|-----|-------|------------|-------------------|
| SUPPLEMENTAL | CO1 | Increase Duct Insulation R-8 | 1 | LS | 3,894.00 | 3,894.00 |
| | | | | | | |
| SUBTOTAL: | | | | | | \$3,894.00 |
| EXTRA | | | | | | |
| | | | | | | |
| SUBTOTAL: | | | | | | |
| REDUCTION | | | | | | |
| | | | | | | |
| SUBTOTAL: | | | | | | |

CHANGE ORDER SUMMARY

| PREVIOUS CHANGE ORDERS | | | CURRENT CHANGE ORDER | |
|--|------------|---------------------------------|----------------------|------------|
| NO. | AMOUNT | REASON FOR CHANGE | TYPE OF CHANGE | TOTAL |
| 1 | \$3,894.00 | Increase duct insulation to R-8 | | |
| 2 | | | + SUPPLEMENTAL | \$3,894.00 |
| 3 | | | | |
| 4 | | | + EXTRA | |
| 5 | | | | |
| 6 | | | - REDUCTIONS | |
| 7 | | | | |
| 8 | | | NET CONTRACT CHANGE | |
| 9 | | | THIS CHANGE ORDER | \$3,894.00 |
| 10 | | | | |
| ORIGINAL CONTRACT AMOUNT | | | \$44,500.00 | |
| AMENDED CONTRACT AMOUNT | | | \$48,394.00 | |
| TOTAL CONTRACT CHANGE (AMOUNT) | | | \$3,894.00 | |
| TOTAL CONTRACT CHANGE (PERCENT) | | | 8.75% | |
| ACCEPTED BY: _____ | | | | |
| Multi-Temp Mechanical, Inc | | | DATE | |
| RECOMMENDED BY: _____ | | | | |
| George Curvan, P.E. | | | DATE | |
| Lower Township Engineer | | | | |
| APPROVED BY: _____ | | | | |
| Mitch Plenn | | | DATE | |
| Lower Township Superintendent of Recreations | | | | |

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

RESOLUTION #2013-108

TITLE: RESOLUTION APPROVING CONTRACT WITH DELTA DENTAL FOR EXTRAORDINARY UNSPECIFIABLE SERVICES

WHEREAS, there exists a need for a group dental plan beginning June 1, 2013; and

WHEREAS, the maximum amount of the contract is based on approximately 162 employees with an estimated annualized commission to Marsh & McLennan of \$1,555.00 and funds have been certified by the Chief Financial Officer as evidenced by her signature below:

[Handwritten Signature] CFO Signature

3-01-23-220-423 Budget Account Number

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection, and

WHEREAS, the Chief Financial Officer has certified that this meets the statute and regulations governing the award of said contracts.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council as follows:

1. The Township Manager is hereby authorized and directed to execute the agreement as follows:

- A. Group Dental Plan – Delta Dental pursuant to the rates set forth on Schedule A attached. Effective date June 1, 2013.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on April 1, 2013.

Julie A. Picard, Township Clerk

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows: CONRAD, NEVILLE, DOUGLASS, CLARK, BECK



Marsh & McLennan Agency LLC
510 Bank Street Commons, PO Box 477
Cape May, NJ 08204
+1 609 884 8431 • Fax +1 866 795 1284
+1 800 642 3710
www.niagroup.com

March 27, 2013

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

RE: Brokerage Fees

Dear Colleen,

In response to your email dated March 21, 2013 with regard to the brokerage fees for USABLE, AmeriHealth and Delta Dental, please refer to the outline below:

| Name of Carrier | Line of Coverage | Commission | Estimated Annualized Premium | Estimated Annualized Commission |
|-----------------|------------------------|--|------------------------------|---------------------------------|
| USABLE | Group Life | Graded: 15% of the first \$5,000 of premium; 10% of the next \$5,001-\$10,000 of premium; 10% of the next \$10,001-\$20,000 of premium, ect... | \$5,629 | \$813 |
| AmeriHealth | Medical & Prescription | Flat \$60,000 | Self funded | Flat \$60,000 |
| Delta Dental | Dental-Self Funded | \$0.80 Per Employee/Per Month (Broker Fee is built into the \$6.80 PEPM total ASO fee) | Approx. 162 EE's | \$1,555 |
| Delta Dental | Dental – Fully Insured | Graded: 10% of the first \$5,000 of premium; 4% up to \$95,000 of premium; 3% up to \$10,000,000 of premium | \$179,870 | \$6,696 |

Please let me know if you have any questions or need additional information. I can be reached at 609-884-6637 (office) or 609-402-1307 (cell).

Sincerely,

Kellie A. Seib

Kellie A. Seib
Senior Benefits Specialist
Marsh & McLennan Agency, LLC

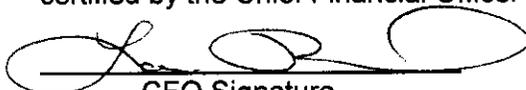
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2013-109

TITLE: RESOLUTION APPROVING CONTRACT WITH USABLE FOR GROUP LIFE
EXTRAORDINARY UNSPECIFIABLE SERVICES

WHEREAS, there exists a need for a group life insurance plan beginning June 1, 2013; and

WHEREAS, the estimated annualized premium of the contract is \$5,629.00 with an estimated annualized commission to Marsh & McLennan of \$ 813.00 and funds have been certified by the Chief Financial Officer as evidenced by her signature below:


CFO Signature

3-01-23-220-419
Budget Account Number

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection, and

WHEREAS, the Chief Financial Officer has certified that this meets the statute and regulations governing the award of said contracts.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council as follows:

1. The Township Manager is hereby authorized and directed to execute the agreement as follows:

- A. Group Life Insurance – USABLE pursuant to the rates set forth on Schedule A attached. Effective date June 1, 2013.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on April 1, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |



Marsh & McLennan Agency LLC
510 Bank Street Commons, PO Box 477
Cape May, NJ 08204
+1 609 884 8431 • Fax +1 866 795 1284
+1 800 642 3710
www.niagroup.com

March 27, 2013

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

RE: Brokerage Fees

Dear Colleen,

In response to your email dated March 21, 2013 with regard to the brokerage fees for USABLE, AmeriHealth and Delta Dental, please refer to the outline below:

| Name of Carrier | Line of Coverage | Commission | Estimated Annualized Premium | Estimated Annualized Commission |
|-----------------|------------------------|--|------------------------------|---------------------------------|
| USABLE | Group Life | Graded: 15% of the first \$5,000 of premium; 10% of the next \$5,001-\$10,000 of premium; 10% of the next \$10,001-\$20,000 of premium, ect... | \$5,629 | \$813 |
| AmeriHealth | Medical & Prescription | Flat \$60,000 | Self funded | Flat \$60,000 |
| Delta Dental | Dental-Self Funded | \$0.80 Per Employee/Per Month (Broker Fee is built into the \$6.80 PEPM total ASO fee) | Approx. 162 EE's | \$1,555 |
| Delta Dental | Dental – Fully Insured | Graded: 10% of the first \$5,000 of premium; 4% up to \$95,000 of premium; 3% up to \$10,000,000 of premium | \$179,870 | \$6,696 |

Please let me know if you have any questions or need additional information. I can be reached at 609-884-6637 (office) or 609-402-1307 (cell).

Sincerely,

Kellie A. Seib

Kellie A. Seib
Senior Benefits Specialist
Marsh & McLennan Agency, LLC

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

RESOLUTION #2013-110

TITLE: RESOLUTION APPROVING CONTRACT WITH AMERIHEALTH FOR MEDICAL AND PRESCRIPTION EXTRAORDINARY UNSPECIFIABLE SERVICES

WHEREAS, there exists a need for a medical and prescription insurance plan beginning June 1, 2013; and

WHEREAS, the estimated annualized premium of the contract is self funded with a flat commission to Marsh & McLennan of \$ 60,000.00 and funds have been certified by the Chief Financial Officer as evidenced by her signature below:

[Handwritten Signature] CFO Signature

3-01-23-220-412/413 Budget Account Number

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection, and

WHEREAS, the Chief Financial Officer has certified that this meets the statute and regulations governing the award of said contracts.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council as follows:

- 1. The Township Manager is hereby authorized and directed to execute the agreement as follows:
A. Medical and Prescription Insurance – Amerihealth pursuant to the rates set forth on Schedule A attached. Effective date June 1, 2013.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on April 1, 2013.

Julie A. Picard, Township Clerk

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows: CONRAD, NEVILLE, DOUGLASS, CLARK, BECK



Marsh & McLennan Agency LLC
510 Bank Street Commons, PO Box 477
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+1 609 884 8431 • Fax +1 866 795 1284
+1 800 642 3710
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March 27, 2013

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

RE: Brokerage Fees

Dear Colleen,

In response to your email dated March 21, 2013 with regard to the brokerage fees for USABLE, AmeriHealth and Delta Dental, please refer to the outline below:

| Name of Carrier | Line of Coverage | Commission | Estimated Annualized Premium | Estimated Annualized Commission |
|-----------------|------------------------|--|------------------------------|---------------------------------|
| USABLE | Group Life | Graded: 15% of the first \$5,000 of premium; 10% of the next \$5,001-\$10,000 of premium; 10% of the next \$10,001-\$20,000 of premium, ect... | \$5,629 | \$813 |
| AmeriHealth | Medical & Prescription | Flat \$60,000 | Self funded | Flat \$60,000 |
| Delta Dental | Dental-Self Funded | \$0.80 Per Employee/Per Month (Broker Fee is built into the \$6.80 PEPM total ASO fee) | Approx. 162 EE's | \$1,555 |
| Delta Dental | Dental – Fully Insured | Graded: 10% of the first \$5,000 of premium; 4% up to \$95,000 of premium; 3% up to \$10,000,000 of premium | \$179,870 | \$6,696 |

Please let me know if you have any questions or need additional information. I can be reached at 609-884-6637 (office) or 609-402-1307 (cell).

Sincerely,

Kellie A. Seib

Kellie A. Seib
Senior Benefits Specialist
Marsh & McLennan Agency, LLC

3-18-13
4-1-13
EFF: 4-1-13

TOWNSHIP OF LOWER, COUNTY OF CAPEMAY, STATE OF NEW JERSEY

ORDINANCE #2013-07

AN ORDINANCE ESTABLISHING A SOURCE SEPARATION AND RECYCLING POLICY FOR TOWNSHIP OF LOWER

WHEREAS, the New Jersey Statewide Mandatory Source Separation and Recycling Act establishes a goal of 50% reduction of Municipal Solid Waste and a 60% reduction of all solid waste through source separation and recycling by residential, commercial and institutional establishments in all New Jersey municipalities; and

WHEREAS, the Cape May County Solid Waste Management Plan designates the lists of mandatory and recommended recyclables to be source separated for recycling in all sectors of the community; and

WHEREAS, recycling will reduce the municipality's expense of solid waste disposal, conserve energy and valuable resources, extend the life of Cape May County's only landfill and has the potential to produce revenues from the sale of such recyclable materials.

NOW, THEREFORE, BE IT ORDAINED by the Township of Lower, County of Cape May, State of New Jersey as follows:

SECTION 1-

Article II, Section 570-8 through 570-17, of Chapter 570 shall be deleted in its entirety and replaced by the following:

SECTION 2 – SHORT TITLE

This chapter shall be known and may be cited as the "Township of Lower Recycling Program Ordinance."

SECTION 3 – DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Designated Recyclable Materials" - means those materials designated within the Cape May County Solid Waste Management Plan to be Source Separated for the purpose of recycling by residential, commercial, institutional and industrial sectors. The recycling of these materials is **mandatory**; they cannot be disposed of as solid waste. The Source Separated Recyclable Materials that are mandated for recycling are organized into the following two categories, which include but are not limited to:

Category 1: Designated Recyclable Materials To Be Set Out At Curbside:

- (a) The following Source Separated Recyclable Materials shall be mixed together and set out at curbside for collection; this set out and collection system shall be known as "Single Stream Collection". The following items are included as "Single Stream Recyclable Materials":

Paper Products – Newspaper with inserts, magazines, office paper, junk mail including shredded paper, telephone and paperback books, corrugated cardboard, brown paper bags, non-foil wrapping paper, and chipboard packaging including but not limited to dry food boxes (cereal, rice, pasta, cookie and cracker), gift, shoe and tissue boxes, powdered detergent boxes, paper towel rolls, clean pizza boxes (no food debris) and cardboard beverage carriers. Remove and throw away all liner bags, food contaminated paper and waxed-coated cardboard boxes. Shredded paper may be placed in a clear plastic bag.

Glass, Food and Beverage Containers – Clear, green and brown food and beverage bottles and jars, excluding however, blue bottles, window glass and light bulbs. All food and liquid residue shall be removed from containers.

Metal Food and Beverage Containers – Aluminum and steel food and beverage containers 5 gallons or less in size, including empty aerosol cans. No paint cans. All food and liquid residue shall be removed from containers.

Plastic Containers – Plastic containers imprinted with a ♻️ (PETE), ♻️ (HDPE), ♻️ (PVC), ♻️ (LDPE), ♻️ (PP), ♻️ (PS) or ♻️ (Other) on the bottom, 5 gallons or less in size, including bottles, jugs, jars and other rigid plastic containers. Plastic containers from food, beverage, health, beauty and cleaning products are included. Examples include, but are not limited to; margarine tubs, microwave trays, yogurt containers, plastic buckets and landscape pots. No Styrofoam packaging. No polystyrene egg cartons. No beverage cups. No PVC pipe. No plastic film. No plastics which contained chemicals or hazardous products, such as motor oil or pesticide containers. All food and liquid residue shall be removed from containers.

Category 2: Designated Materials to Be Recycled by the Individual Generator or Municipality via Drop-off at Cape May County Municipal Utilities Authority (CMCMUA) or Private NJDEP Approved Recycling Facilities, as applicable:

- (a) Christmas Trees – Free of decorations, tree stands and plastic bags;
- (b) Leaves – Comprised mainly of tree and plant leaves and not contaminated with brush or other material; and
- (c) Grass - Lawn grass clippings.

- (d) Brush, Tree Branches and Stumps – All parts of vegetative growth from trees, and vegetative materials generated during land clearing;
- (e) Ferrous and Non-Ferrous Scrap – Metals, such as copper, iron, sheet metal, aluminum, radiators, structural steel, metal pipe and “white goods” including, but not limited to, appliances containing “CFC’s” or Freon;
- (f) Computers and Consumer Electronics – shall mean a computer central processing unit and associated hardware including keyboards, modems, printers, scanners and fax machines, cathode ray tubes, cathode ray tube devices, flat panel displays or similar video display devices with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards including, but not limited to, televisions and cell phones. Also includes VCR’s, radios and landline telephones;
- (g) Motor Oil / Kerosene / # 2 Heating Oil - Crank-case oil and similar oils, kerosene fuel and #2 home heating oil which are used to fuel heating equipment;
- (h) Wood Pallets and Crates – Clean untreated, unpainted pallets and crates only;
- (i) Batteries - Lead Acid Batteries – Used SLA (sealed lead acid) batteries generated from motor vehicles, aviation and marine equipment;
- (j) Propane Tanks – Empty 20 to 30 lb. BBQ type tanks;
- (k) Contaminated Soil – If classified as ID27, all fuel contaminated soil, dewatered soil, and stone from septic beds and similar materials which are allowed to be recycled in accordance with the regulations of the New Jersey Department of Environmental Protection;
- (l) Commercial Cooking Grease – Grease and oil generated from food preparation by commercial sources only;
- (m) Asphalt and Concrete – Asphalt and concrete materials from construction and demolition projects;
- (n) Auto and Truck Bodies – All junk automobiles, trucks and parts;
- (o) Tires – Worn truck and passenger car tires;
- (p) Used Oil Filters – Used filters that are generated from changing crankcase oil in automobiles, trucks and other vehicles;
- (q) Anti-freeze – Used antifreeze generated from automobiles, trucks and other vehicles/sources; and

- (r) Consumer Rechargeable NiCad (Nickel-Cadmium) and Small Sealed Lead Acid Batteries – Small sealed batteries generated from use of electronic equipment.

“Municipal Recycling Coordinator” - means the person or persons appointed by the municipal governing body and who shall be authorized to enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder. This appointee shall also be responsible to assure that all materials recycled in the municipality are properly reported and recorded. The New Jersey Mandatory Source Separation and Recycling Act requires that each municipality appoint at least one individual as Municipal Recycling Coordinator who has successfully completed all requirements mandated by the State of New Jersey to be designated as a New Jersey Certified Recycling Professional;

“Municipal Solid Waste (MSW) Stream” - means all solid waste generated at residential, commercial and institutional establishments within the boundaries of the Township of Lower;

“NJDEP” - means the New Jersey Department of Environmental Protection;

“Recommended Recyclable Materials” – means those materials recommended within the Cape May County Solid Waste Management Plan to be Source Separated for the purpose of recycling by residential, commercial, institutional and industrial sectors. The Source Separated Recyclable Materials that are recommended for recycling are:

“Recyclable” or “Recyclable Material” - means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

“Source Separation” - means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

“Source Separated Recyclable Materials” - means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

SECTION 4 - APPLICABILITY OF MANDATORY SOURCE SEPARATION AND RECYCLING REQUIREMENTS

- A. Mandatory Source Separation: It shall be mandatory for all persons who are owners, lessees, tenants or occupants of residential and non-residential premises, including but not limited to retail and commercial locations, government, schools and other institutional locations within Township of Lower, to separate Designated Recyclable Materials from all solid waste.

- 1) **Category 1** Designated Recyclable Materials shall be placed at the curb in a manner and on such days and times as may be hereinafter established by the Township of Lower Public Works Department.
- 2) When municipal curbside collection is not provided for Designated Recyclable Materials, as is the case for those recyclables included in **Category 2**, it shall be the obligation of the generator to deliver or arrange for the delivery of such materials to the Cape May County Municipal Utilities Authority (CMCMUA) recycling facilities located at the Sanitary Landfill and/or Transfer Station as applicable, or to a private sector market for recycling. Category 2 [(a),(b),(c),(d),(e),(f)] materials may be delivered to Township of Lower Public Works Department 771 Seashore road Colds Springs.

SECTION 5 - COLLECTION OF RECYCLABLE MATERIALS

The collection of Source Separated Recyclable Materials shall be in the manner prescribed as follows:

- A. It is the responsibility of the property owner to provide adequate size and number of containers for the placement of recyclables for curbside collection as follows: Single Stream Recyclable Materials as defined in **Category 1(a)** shall be mixed together in one container. More than one container may be used for Single Stream Recyclable Materials; however, each container used should be marked or labeled to identify its contents as Single Stream Recyclable Materials. All set out containers which contain Single Stream Recyclable Materials shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be recycled shall be placed as noted above any time after 5:00 PM of the day immediately preceding the day of collection, but no later than 7:00 AM of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 PM of the day of collection.
- B. Container to be used for Single Stream Recyclable Materials shall have a capacity not to exceed 32 gallons and 50 pounds in weight.
- C. All receptacles or dumpsters shall be maintained in a clean and safe manner.
- D. The following materials must be Source Separated and recycled through the municipal recycling program in the following manner:
 - 1) Leaves and Grass – Leaves collected loose and curbside in accordance with the schedule adopted yearly. Grass in receptacle marked with material collected in accordance with the adopted yearly schedule. Leaves and grass are not to block rain flow to storm inlets. Recyclables may be delivered to the Township's Recycling Center.

- 2) Christmas Trees – Collection accordance to adopted yearly schedule.
 - 3) Brush, Tree Branches and Tree Stumps – Branches no longer than 7 feet and 6 inches in diameter free of debris will be collected curb side in accordance with the schedule adopted yearly. Branches are not to block rain flow to storm inlet. Branches may be delivered to the Township's recycling Center during regular scheduled business hours. Stumps are not accepted at the Township's Center but may be delivered to private sector NJDEP Permitted Class B facilities or the CMCMUA.
 - 4) White Goods – collected by appointment accordance to adopted yearly schedule. Doors are to be removed.
 - 5) Ferrous and Non-Ferrous Scrap – collected by appointment in accordance with adopted yearly schedule. Metal may also be delivered to the Township's Recycling Center during regular working hours.
 - 6) Rigid Plastics - May be taken to the Township's Recycling Center during regular business hours.
 - 7) Electronics, Computers, TV's- Generator may take to the Township's Recycling Center during regular business hours or take to CMCMUA recycling facilities or any NJDEP approved recycling center.
- E. The following materials must be Source Separated and recycled by the generator at authorized CMCMUA recycling facilities or any NJDEP approved recycling center:
- 1) Wood Pallets and Crates – Generator may take to the CMCMUA recycling facilities or any NJDEP approved recycling center:
 - 2) Propane Tanks – Generator may take to the CMCMUA recycling facilities or any NJDEP approved recycling center:
 - 3) Tires – Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.
 - 4) Antifreeze – Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.
 - 5) Lead Acid Batteries – Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.
 - 6) Used Motor Oil – Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.
 - 7) Kerosene / #2 Heating Oil – Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.

- 8) Used Oil Filters — Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.
- 9) Asphalt and Concrete – Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.
- 10) Auto and Truck Bodies – Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.
- 11) Contaminated Soil – Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.
- 12) Commercial Cooking Grease – Generator may take to CMCMUA recycling facilities or any NJDEP approved recycling center.
- 13) Consumer Rechargeable NiCad and Small Sealed Lead Acid Batteries – Generator may take to the Township’s recycling Center or CMCMUA recycling facilities, or any NJDEP approved recycling center.

Subsection 5.1 - Residential Dwelling Compliance Requirements

The owner of each property shall be responsible for compliance with this Ordinance. For multifamily units, including but not limited to condominium complexes and seasonal hotel/motels and guest houses, the management or owner is responsible for setting up and maintaining the recycling system, including collection of Designated Recyclable Materials, except for those Designated Recyclable Materials for which municipal collection service is provided to multifamily units. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The owner or management shall issue notification and collection rules regarding recycling requirements to all new tenants when they arrive and with a reminder a minimum of every 6 months during their occupancy.

Subsection 5.2 - Commercial Establishment Compliance Requirements

- A. All commercial, business or industrial facilities shall be required to comply with the provisions of this Ordinance.
- B. The arrangement for collection of all categories of Designated Recyclable Materials hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, except for those specific Designated Recyclable Materials that are collected by the municipality from that property. All commercial, institutional or industrial properties at which litter is generated by employees or the public shall provide litter and recycling receptacles. These properties shall provide for separate recycling collection services for the contents of the recycling receptacles.
- C. Every business, institution or industrial facility shall report on a quarterly basis to the Municipal Recycling Coordinator, on such forms as may be prescribed, regarding recycling activities at their premises, including the amount and type of recycled material not placed curbside for municipal collection. If material is removed from the

premises by a hauler, recycler or paper shredder, the quantity and final disposition of the material is to be reported on the form.

- D. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle Commercial Cooking Grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

Subsection 5.3 - New Developments of Multi-Family Residential Units or Commercial, Institutional or Industrial Properties

- A. Any application to the planning board of the Township of Lower, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of three or more units or any commercial, institutional or industrial development of 1,000 square feet or more, must include a recycling plan. This plan shall contain, at a minimum, the following:
 - 1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and
 - 2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Municipal Recycling Coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the Township of Lower, the owner of any new multi-family housing or commercial, institutional or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of Source Separated Designated Recyclable Materials for those locations or properties where the municipality does not otherwise provide this service.

SECTION 6 - PROHIBITION OF THE COLLECTION OF WASTE MIXED WITH RECYCLABLE MATERIALS

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, Designated Recyclable Materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the container of solid waste contains Designated Recyclable Materials.
- B. It shall be the responsibility of the owner or occupant to properly segregate the uncollected waste for proper disposal and/or recycling. Allowing such unseparated solid waste and recyclables to accumulate at the curbside beyond 7:00 p.m. on the day of collection will be considered a violation of this ordinance and the local sanitary code.

- C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than any personnel authorized by the municipality or the owner or occupant responsible for placement of the Designated Recyclable Materials for collection, shall tamper with, collect, remove, or otherwise handle Designated Recyclable Materials. Upon placement of such Designated Recyclable Material, it shall become property of the municipality. It shall be a violation of this ordinance for any person not duly authorized to collect or pick up or cause to be collected or picked up any Recyclable Materials that are the property of the municipality as provided for above.

SECTION 7 - CONSTRUCTION, RENOVATION AND DEMOLITION DEBRIS RECOVERY PLAN

For all activities that require municipal approval such as construction, demolition or public event permits, a Designated Recyclable Materials plan shall be filed along with all other required permit conditions. The plan shall include provisions for the recovery of all Designated Recyclable Materials generated during construction, renovation and demolition activities, as well as, public events.

Subsection 7.1 - Compliance with Diversion Requirement

The Municipal Recycling Coordinator shall review the information submitted pursuant to this Section of the Ordinance and determine, prior to the issuance of the municipal approval or permit, whether the plan submitted by the owner of the entity carrying out the covered activity will comply or fail to comply with the recycling requirements set forth herein. The determination regarding compliance will be provided to the Municipal Public Works Director/Supervisor and the owner of the entity carrying out the covered project in writing. When such plan is deemed not compliant, the Municipal Recycling Coordinator shall include specific conditions to be implemented by the permit holder to achieve compliance. It shall be a violation of this Ordinance for any owner or permit holder to fail to comply with the recycling requirements set forth herein.

SECTION 8 – ENFORCEMENT

The Municipal Recycling Coordinator and the following designees Members of the Lower Township Police Department, the Code Enforcement Officer, and members of the county Health Department are hereby individually and severally empowered to enforce the provisions of this Ordinance. The enforcers of the ordinance may conduct inspections at the site of the generator, which consists of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any Designated Recyclable Material.

Additionally, the Cape May County Health Department (CMCHD) shall be empowered to enforce the provisions of this Ordinance. The municipality shall retain primary enforcement responsibility with the CMCHD serving in a secondary enforcement role which includes inspection of commercial establishments with proof of violations prior to law enforcement actions.

SECTION 9 – SEVERABILITY AND EFFECTIVE DATE

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a Court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

This Ordinance shall take effect immediately upon final passage and publication according to law.

SECTION 10 – RULES AND REGULATIONS

The governing body is hereby authorized to promulgate, from time to time, additional rules and regulations relating to the Source Separation, preparation, placement and collection of Recyclable Materials pursuant to the provisions of this program and subchapter; provided, however, that such rules and regulations shall not be inconsistent with terms and provisions of this subchapter and shall be approved by the governing body. Such rules and regulations shall be duly promulgated subsequent to publication so that the public has had notice thereof.

SECTION 11 – PENALTY

Any person or entity violating, or failing to comply with, any of the provisions provided in this Ordinance shall, upon conviction thereof, be punishable by a fine of not less than \$50 and not more than \$500 or by imprisonment for a term not to exceed 90 days, or by both such fine and imprisonment, in the discretion of the municipal judge. The continuation of any violation for each successive day shall constitute a separate offense, and the person, persons, or entity allowing or permitting the continuation of the violation may be punished as provided above for each separate offense. Any violation may be afforded at least one warning at the discretion of the enforcement designees before the issuance of any fines.

Thomas Conrad, Councilmember

James Neville, Councilmember

Glenn Douglass, Councilmember

Norris Clark, Deputy Mayor

Michael Beck, Mayor

Adopted: _____

Attest: _____
Julie A. Picard, Township Clerk

3-18-13
4-1-13
EFF 4-21-13

Township of Lower, County of Cape May, State of New Jersey

Ordinance # 2013-08

TITLE: AN ORDINANCE AMENDING CHAPTER 432 OF THE MERCANTILE LICENSE OF THE TOWNSHIP OF LOWER

WHEREAS, Section 432-4 of the Mercantile Licenses Ordinances of the Township of Lower governs the annual fees to be paid to the Township Clerk for conducting the business of selling goods, services or a combination thereof; and

WHEREAS, there is a need to enforce the payment of fees and provide incentive for the timely payment of same, by imposing a late fee charge on all mercantile licenses which are paid untimely.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township of Lower Council, County of Cape May and the State of New Jersey as follows:

Section 1: Chapter §432 Section 4 of the Township of Lower Municipal Ordinance is hereby enacted as follows:

432-4 N. Late Fees. All annual fees for mercantile licenses are to be paid on or before, July 15th, of the year of intended operation or conduction of business. Any business owner or operator who conducts any business governed by Chapter 432 of the Lower Township Ordinances, who has not paid the required annual fee set forth herein by the August 15th deadline will be subject to a \$75.00 late fee in addition to that fee which is normally required.

Section 2. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect twenty (20) days after final passage and Publication as provided by law.

Thomas Conrad, Councilmember

James Neville, Councilmember

Glenn Douglass, Councilmember

Norris Clark, Deputy Mayor

Michael E. Beck, Mayor

Adopted: _____

Attest: _____
Julie A. Picard, Township Clerk

PERSONNEL ACTIONS

Report for Council Meeting of 04/01/2013

| <u>Department</u> | <u>Name</u> | <u>Eff. Date</u> | <u>Replaces</u> | <u>Action</u> | <u>Title</u> | <u>Budgeted Item</u> |
|-------------------|-----------------|------------------|-----------------|---------------|------------------|----------------------|
| Clerk | Fournier, Karen | 2/19/2013 | | promotion | Sr. Clerk Typist | Yes |

Date of report 3/28/2013

c: Manager
Clerk
Payroll
Asst. Treasurer
Personnel Director
Bulletin Board
File

| | <u>Total</u> | <u>Jan</u> | <u>Feb</u> |
|-----------------------------------|----------------------|---------------------|---------------------|
| BEG. BAL. JAN. 1, 2013 | 4,614,646.00 | 4,614,646.00 | 3,149,027.99 |
| RECEIPTS: | | | |
| Per Revenue Status | 13,033,475.14 | 5,748,948.81 | 7,284,526.33 |
| Interest due from- Dev. Escrow | (26.56) | (13.78) | (12.78) |
| Capital | (24.65) | (12.66) | (11.99) |
| | 13,033,423.93 | 5,748,922.37 | 7,284,501.56 |
| Grants Received | | | |
| OLUA \$ Recd | 4,400.00 | 4,400.00 | |
| SC \$ Recd | 169,196.00 | 78,491.00 | 90,705.00 |
| 173,596.00 | | | |
| TOTAL RECEIPTS: | 13,207,019.93 | 5,831,813.37 | 7,375,206.56 |
| DISBURSEMENTS: | | | |
| 2012 Reserves | 522,174.48 | 456,327.09 | 65,847.39 |
| 2013 Current | 11,863,693.90 | 6,762,330.89 | 5,101,363.01 |
| 2013 Capital | 126,317.92 | 104,470.44 | 21,847.48 |
| 12,512,186.30 | | | |
| Appropriation Refunds: | (51,484.46) | (25,697.04) | (25,787.42) |
| TOTAL DISBURSEMENTS | 12,460,701.84 | 7,297,431.38 | 5,163,270.46 |
| END. BAL. DEC. 31, 2013 | 5,360,964.09 | 3,149,027.99 | 5,360,964.09 |

| | | |
|------------------------------|---------------------|---------------------|
| Bank Balance | | |
| Checking | 5,317,145.12 | 6,702,658.96 |
| Online Payment Acct | 103,078.69 | 146,880.25 |
| MBIA | 6,985.05 | 6,985.05 |
| Total Bank Balance | 5,427,208.86 | 6,856,524.26 |
| ADD: Deposits in Transit | 440,501.30 | 84,031.54 |
| LESS: Outstanding Checks | (2,718,682.17) | (1,579,591.71) |
| Adjusted Bank Balance | 3,149,027.99 | 5,360,964.09 |
| | 0.00 | 0.00 |

OUTSTANDING CHECKS

| | | |
|------------|-------------|------------------|
| FEB | 2013 | |
| 6/19/2012 | 47711 | 54.00 |
| | 48208 | 30,000.00 |
| | 48492 | 26.25 |
| | 48725 | 5.00 |
| | 49102 | 30.00 |
| | 49106 | 150.00 |
| | 49250 | 22.48 |
| | 49307 | 80.00 |
| | | <u>30,367.73</u> |

DIT'S

| | | |
|-------|--------------|-------------------|
| 49327 | 99.00 | 1,023.00 |
| 49368 | 80.00 | 43,215.94 |
| 49392 | 40.00 | 3,539.91 |
| 49406 | 276.01 | 19,339.45 |
| 49409 | 330.00 | 1,125.00 |
| 49410 | 25,879.29 | 107.00 |
| 49411 | 6,000.00 | 225.00 |
| 49412 | 99.94 | 319.75 |
| 49417 | 5.00 | 3,323.00 |
| 49420 | 1,600.00 | 10.00 |
| 49423 | 205.00 | 123.30 |
| 49424 | 89.22 | 3,005.00 |
| 49425 | 859.02 | 3,660.78 wipp dit |
| 49426 | 102.00 | 5,014.41 wipp dit |
| 49428 | 200.00 | |
| 49431 | 24.10 | |
| 49435 | 14,430.04 | |
| 49439 | 135.00 | |
| 49447 | 1,495,251.40 | |
| 49454 | 195.94 | |
| 49472 | 200.00 | |
| 49475 | 2,963.02 | |
| 49482 | 70.00 | |
| 49486 | 90.00 | |

1,549,223.981,579,591.7184,031.54