

# WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

AUGUST 20, 2012 - 6:00 P.M.

## Meeting called to order.

Opening Announcement  
Pledge of Allegiance & Moment of Silence  
Roll Call & Determination of Quorum  
Presentation - Municipal Clerk Claudia Kammer's Retirement

## Work Session

Viet Nam Veteran's Museum, Tom Collins  
Review of Consent & Regular Agenda Items

## Consent Agenda

Approval of Minutes August 6, 2012  
Membership Applic. NJ State Fireman's Association - Zachary R Banks, Townbank Volunteer Fire Company  
Res. #2012-207 Payment of Vouchers, \$ 1,843,289.82  
Res. #2012-208 Resolution Authorizing the Donation of A 2008 Ford Int/Crown Victoria No Longer Needed For Public Use to the Town Bank Volunteer Fire Company  
Res. #2012-209 Resolution Amending Resolution #2012-75, Establishment of Council Meeting Dates and Times (setting meeting time at 6:00p.m.)  
Res. #2012-210 Resolution Authorizing a Grant Application and the Execution of a Grant Agreement with the New Jersey Department of Transportation for the Clubhouse Drive Project (reconstruction /resurfacing)  
Res. #2012-211 Resolution Approving Project Proposal Between Hatch Mott Macdonald and the Township of Lower For Engineering Services Related to the Beach Drive Pedestrian Access Improvement Project (Traffic engineering services for project, \$2,900)  
Res. #2012-212 Small Cities Housing Rehabilitation Program Policy and Procedure Manual (annual requirement)  
Res. #2012-213 Resolution Approving Project Proposal Between Hatch Mott Macdonald and the Township of Lower For Engineering Services Related to the Reconstruction of Clubhouse Drive (preparation and submission of a DOT application, \$2,200)

## Regular Agenda

Ord. #2012-19 Bond Ordinance Providing for Various Road and Drainage Improvements in and by the Township of Lower, in the County of Cape May, New Jersey, Appropriating \$1,790,000 Therefor and Authorizing the Issuance of \$1,700,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof. 1<sup>st</sup> rdg. (Annual road & drainage repair program) 2<sup>nd</sup> rdg. & public hearing

## Administrative Reports

Certification of Determination and Award Bond Anticipation Note Sale  
July Reports Animal Control, Construction, Dog Licensing, Engineer, Fire Safety, Municipal Clerk, Municipal Court, Police Department, Tax Collector, Treasurer

## Council Comments

## Call to the Public

## Closed Session

Res. #2012- 214 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." (Update on Police Personnel Issues)

## Return to Open Session

Res. # 2012-215 Authorizing Pay Out of Terminal Leave (C. Lambert \$20,431.50)

## Adjournment

## Regular & Work Session Meeting Minutes - August 6, 2012

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on August 6, 2012 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Assistant 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 Assistant Clerk:

Councilmember Thomas Conrad  
Councilmember Walt Craig  
Councilmember Glenn Douglass  
Deputy Mayor Kevin Lare  
Mayor Michael Beck

Also present: Bill Blaney, Solicitor, Michael Voll, Manager and Asst. Clerk Picard

Mayor Beck stated that two key members of our Township family are retiring and spoke of knowing Gayle's son Trevor through Eagle Scouts.

### Certificate of Recognition - Gayle Crookston

Mayor Beck and Council presented Ms. Crookston with a certificate of appreciation for her dedicated service to Lower Township. Ms. Crookston thanked Mayor Beck and Council.

### Certificate of Recognition - Thom Will

Mayor Beck and Council presented Thom Will with a certificate of appreciation for his dedicated service to Lower Township. Mr. Will stated he started working for the Township as a CETA Worker and also stated the Recreation Center is named for his father, of which he is very proud.

### Proclamation Supporting the Drive Sober or Get Pulled Over 2012 Statewide Crackdown

Mayor Beck read the proclamation Supporting the Drive Sober or get Pulled Over initiative from the State. The proclamation declared August 17<sup>th</sup> through September 3<sup>rd</sup> as the state crackdown period.

### Presentation: Jim Kilman - Atlanticare - Medic 5 Stationed at Erma Fire House

Mr. Kilman addressed Council and informed them that Medic 5 has been stationed in Lower Township at the Erma Fire Station. They have responded to over 40 calls per week and feel that the Township Residents deserve the best care possible. He stated they respond to 9-1-1 calls for life threatening issues. Chief Muller and Mr. Kilman thanked the Mayor and Council for helping them find the most appropriate way to target the needs of the County.

Councilman Conrad stated he is happy to welcome Medic 5 to the Township. This unit will provide care to the residents in need.

Fred Long addressed Council and thanked the members of Medic 5 for a situation involving his daughter-in-law. He stated if not for their efforts, she would not have lived.

Ed Butler addressed Council and questioned if they would be on call 24/7. Chief Muller replied they will respond to any life threatening call they are dispatched to.

Wayne Weissman addressed Council and expressed the desire to see a medic unit in every fire house.

## Regular & Work Session Meeting Minutes - August 6, 2012

### Public Hearing: Small Cities Public Facilities Application Hearing and Housing Rehabilitation Application Hearing (yearly requirement)

Mayor Beck opened the hearing for the Small Cities Facilities Application and the Housing Rehabilitation Application. Ed Butler questioned if Lower Township is eligible to apply for the grants. Colleen Crippen, Grants Coordinator replied the Township has already passed Resolutions approving the applications for the grants, this is the public hearing requesting public input.

John Lauderback addressed Council and pointed out that part of the grant money would be funneled down to the Fishing Creek School for use in its ADA upgrades. He also pointed out that the school will be a cultural center, and the bulk of the money will help with early childhood education programs.

Mayor Beck stated that the concert series at the School is a huge success. In the past, many of our residents had to go out of town to attend events such as this, but this event brought in more than 175 people. The school was built in 1888 to serve the needs of children, and we are trying to return it to its original purpose of early childhood education. This project will be an asset for many years to come.

### Work Session

#### Review of Consent & Regular Agenda Items

Councilmember Conrad requested Bruce Fournier's name be placed on Resolution 2012-202.

Councilmember Craig requested Victoria Roach's name be placed on Resolution 2012-203.

Deputy Mayor Lare questioned why Township Inspectors are not used for Resolution 2012-192. Colleen Crippen replied in case of conflict. Deputy Mayor Lare questioned why Lindenman was being hired as the architect. Ms. Crippen replied that he had done the original plan and had done much of the work at the Recreation Department as well. Ms. Crippen stated their firm is well respected and experienced with ADA work.

Ed Butler questioned the Bond Ordinance for roads and outfalls. Ms. Crippen stated the outfall grant requires a grant match. Mr. Butler stated he is concerned with the amount of money that is being bonded - it is building up. Manager Voll replied the Township looks for every possible source of money and grants. Lower Township is very healthy for bonding.

### Consent Agenda

Approval of Minutes	July 16, 2012
Res. #2012-187	Payment of Vouchers, \$ 4,342,510.14
Res. #2012-188	A Resolution Requesting Reduction of Performance Guarantee for Good Samaritan Baptist Church, Inc. Block 494.47, Lots 22 & 23.03 Escrow #Z-06-03-09
Res. #2012-189	Amendment to Resolution #2012-94 Increasing Economic Loan Amount (Cape May Brewing increasing loan to \$129,512.78)
Res. #2012-190	Authorization for Refund of Taxes ( 5 properties)
Res. # 2012-191	Insertion of Special Item of Revenue Pursuant to N.J.S.A.40A:4-87, Chapter 159 (\$4,400 Drive Sober or Get Pulled Over)
Res. #2012-192	Adoption of State Model Citizen Participation Plan for DCA Small Cities Program ( \$400,000 Public Facilities Project & \$200,000 Housing Rehab loan program)
Res. #2012-193	Approval of Housing Rehabilitation Grant Management Plan (Management plan for \$200,000 2013 CDBG Housing Rehab program)
Res. #2012-194	Approval of Public Facilities Grant Management Plan Removal of Architectural Barriers

Regular & Work Session Meeting Minutes - August 6, 2012

- (Management plan for \$400,000 2013 CDBG Public Facilities project)
- Res. #2012-195 Renewal of Commercial Excavation (Gravel Pit) License for A & H Mining & Recycling, LLC (Annual renewal)
- Res. #2012-196 Application for 2013 Drug Enforcement and Demand Reduction (DEDR) Grant Funds (annual app)
- Res. #2012-197 Identifying Small Cities Fair Housing Officer (Colleen Crippen - annual appointment)
- Res. #2012-198 Certification of Lot Clearing Charges to Tax Collector (to lien 17 properties)
- Res. #2012-199 Approval of Cold Spring Presbyterian Church's Application to Conduct a Flea Market
- Res. #2012-200 Award of Vinyl Fence Installed at Lower Township Pool Location (\$14,000.00)
- Res. #2012-201 Capital Budget Amendment ( required for bond ordinance 2012-19)
- Res. #2012-202 Appointment to the Recreation Advisory Board ( 1 alternate member to fill unexpired term)
- Res. #2012-203 Appointing a Municipal Public Defender (Applicants A. Cafiero, C.Mattessich, V.Roach)
- Res. #2012-204 Resolution For Extension Of Liquor License To Receiver (CJ Holdings)
- Res. #2012-206 Appointment of Hearing Officer For Employee Disciplinary Matters
- Ord. #2012-19 Bond Ordinance Providing for Various Road and Drainage Improvements in and by the Township of Lower, in the County of Cape May, New Jersey, Appropriating \$1,790,000 Therefor and Authorizing the Issuance of \$1,700,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof. 1<sup>st</sup> rdg. (Annual road & drainage repair program) 2<sup>nd</sup> rdg. & public hearing Aug. 20

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

**Regular Agenda**

- Ord. #2012-18 An Ordinance Authorizing Acceptance of Title to the Brandywine Shoal Light Station and Approving the Leasing Thereof to the Cape May Maritime Museum and Education Center, Inc. - 2<sup>nd</sup> reading & public hearing. A Copy of this Ordinance was posted and made available to the public.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
CRAIG		X	X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

## Regular & Work Session Meeting Minutes - August 6, 2012

### Administrative Reports

Personnel Action Report

June Reports                      Municipal Court, Treasurer

### Council Comments

Councilmember Craig stated he and the Mayor attended the re-dedication project at the Douglass Memorial Garden and thanked Jarred Osborne for a job well done.

Councilmember Douglass thanked the Recreation Department for the successful concert at the Delaware River Bay Authority. The concert was well attended and everyone had a great time. Councilmember Douglass stated the Township is currently working on additional concerts.

Deputy Mayor Lare echoed Councilmember Douglass's remarks and stated the Recreation Department is doing great things.

Mayor Beck congratulated Jarred Osborne on a great job at the memorial garden. He stated the concert at the DRBA was a magical show and the Recreation Department did an awesome job.

Mayor Beck announced the following:

National Night Out August 7<sup>th</sup> 7-9p.m.

Fishing Creek School Concert - August 17<sup>th</sup> 5-7p.m.

Blood Drive August 21<sup>st</sup> 10-3

Council Meeting September 5<sup>th</sup> will be at the Villas Fire Hall.

Mayor Beck recommended the continuation of the 6:00 p.m. starting time for Council Meetings for the remainder of 2012. All members of Council agreed. A formal Resolution for the change will be introduced at the next meeting.

### Call to the Public

Tom Frisoli addressed Council and noted that the Nation Night Out event is held in an air conditioned facility at the school and gets bigger and better every year.

Ryan Krill, Cape May Brewing Company addressed Council and thanked both Council and Colleen Crippen for all their support.

Kevin Maloney addressed Council and thanked Council and the Administration for all their help and support with the Brandywine Shoal Light Station.

Regular & Work Session Meeting Minutes - August 6, 2012

Robert Rizzo addressed Council and suggested that everyone honor Claudia Kammer by donating blood at the Blood Drive scheduled for August 21<sup>st</sup>.

**Closed Session**

Res. #2012-205

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." (Update on Police Personnel Issues & Litigation - Various Foreclosure Matters)

Deputy Mayor Lare suggested that because no decisions are required for this session, that each Councilmember contact the solicitor individually for the information. Council did not agree so Deputy Mayor Lare withdrew his motion.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
CRAIG		X	X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

**Adjournment**

There being no further business to discuss, Council adjourned to Closed session at 6:45 p.m.

\_\_\_\_\_  
Mayor

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

Approved:



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00825 COMCAST*			Continued					
	12-02198	08/13/12	MONTHLY INTERNET- TOWN HALL	Open	<u>95.18</u>	0.00		
					190.36			
00991 COLONIAL ELECTRIC SUPPLY*								
	12-01944	07/13/12	EXIT LIGHTS FOR MAINTENANCE	Open	166.66	0.00		
01072 WILLIAM CORDES JR								
	12-02184	08/10/12	CONTRACTUAL REIMBURSEMENT	Open	150.54	0.00		
01130 GAYLE HADLEY								
	12-02170	08/09/12	PAYMENT FOR ZUMBA INSTRUCTOR	Open	85.00	0.00		
01170 VERIZON WIRELESS* F/S								
	12-02132	08/07/12	CELL SERVICE FOR FIRE SAFETY	Open	72.35	0.00		
01196 H A DEHART & SON*								
	12-01915	07/11/12	PARTS /DPW	Open	95.51	0.00		
	12-01967	07/17/12	PARTS FOR COUNTY VEH/ SWEEPER	Open	86.51	0.00		
	12-02075	08/01/12	PARTS/ROAD/DPW	Open	<u>947.79</u>	0.00		
					1,129.81			
01219 CONTRACTOR SERVICE*								
	12-01948	07/13/12	VARIOUS EQUIP/SUPPLIES/ROADS	Open	456.75	0.00		
01239 DIANA L DeNOTE								
	12-02189	08/10/12	CONTRACTUAL REIMBURSEMENT	Open	213.00	0.00		
01310 JLP INTL INC*								
	12-01496	06/08/12	EXERSICE ROOM EQUIPMENT	Open	18,043.95	0.00		
01490 ROBERT FESSLER								
	12-01996	07/20/12	TRAINING MEALS	Open	32.25	0.00		
01502 PAMELA FELDER								
	12-02148	08/08/12	CONTRACTUAL REIMBURSEMENT	Open	51.00	0.00		
01582 FLAGHOUSE, INC.*								
	12-02000	07/20/12	CASSETTE PLAYERS	Open	419.80	0.00		
01781 HATCH MOTT MACDONALD, LLC*								
	12-01983	07/18/12	BEACH DRIVE PEDESTRIAN ACCESS	Open	51,500.00	0.00		
	12-02123	08/06/12	FOR PROFESSIONAL ENGINEERING	Open	<u>69.00</u>	0.00		
					51,569.00			
01785 ROBERT HARTMAN SR								
	12-02116	08/03/12	CONTRACTUAL REIMBURSEMENT	Open	760.47	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
	12-00985	04/17/12	BOARD SOLICITOR SALARY	Open	466.66	0.00		
	12-02122	08/06/12	BAUZ RESOLUTION	Open	<u>150.00</u>	0.00		
					616.66			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01807	MARLIN HEDUM	12-02183	08/10/12	CONTRACTUAL REIMBURSEMENT-V	Open	374.99	0.00		
01840	COLLEEN HORWATH	12-02128	08/07/12	CONTRACTUAL REIMBURSEMENT	Open	136.00	0.00		
01973	LOGIN INC.	12-02004	07/23/12	ANNUAL DUES	Open	800.00	0.00		
02045	LIBERTY PARKS AND PLAYGROUNDS*	12-01815	06/28/12	WEBCOAT BENCHES	Open	4,000.00	0.00		
02140	KINDLE FORD LINC/MERC., INC.*	12-01965	07/17/12	PARTS FOR POLICE VEH.	Open	44.88	0.00		
		12-02074	08/01/12	PARTS FOR VEHICLES	Open	71.68	0.00		
						<u>116.56</u>			
02223	LANDSMAN UNIFORMS*	12-01830	07/02/12	UNIFORMS	Open	394.00	0.00		
02320	LOWER TOWNSHIP BRD OF EDUCATN	12-00968	04/11/12	2012 SCHOOL TAX 7/01-12/2012	Open	1,495,251.40	0.00		B
02517	BRIAN MARKER	12-02188	08/10/12	CONTRACTUAL REIMBURSEMENT-V	Open	575.00	0.00		
02538	MARSH & MCLENNAN AGENCY, LLC*	12-02127	08/06/12	FISHING CREEK INSURANCE VOLUNT	Open	350.00	0.00		
02541	ROBERT D. MARTIN, JR	12-02117	08/03/12	CONTRACTUAL REIMBURSEMENT	Open	40.00	0.00		
02632	N J PLANNING OFFICIALS*	12-02100	08/01/12	SEMINAR	Open	40.00	0.00		
03001	STATE TOXICOLOGY LABORATORY*	12-01191	05/07/12	APPLICANT TESTING	Open	45.00	0.00		
03104	NORTHEAST IND.&MARINE SUPPLY*	12-01968	07/17/12	PARTS/RDS/SANT/RECY	Open	1,107.70	0.00		
03158	NYS&A*	12-01979	07/18/12	COACHES RECERTIFICATIONS	Open	200.00	0.00		
03279	PARDO'S TRUCK PARTS WHSE*	12-01964	07/17/12	RDS/SANT/RECY/DPW	Open	310.02	0.00		
03280	PARAMOUNT SANITARY SUPPLY*	12-00287	01/27/12	2012 BAYRUN SUPPLIES	Open	43.99	0.00		
		12-02063	07/27/12	TOILET TISSUE AND DISPENSER	Open	32.25	0.00		
						<u>76.24</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03301 RED BANK VETERINARY HOSPITAL	12-02190	08/10/12	ANIMAL CONTROL-EMERGENCY	Open	359.34	0.00		
03305 PEDRONI FUEL*	12-02110	08/03/12	NO LEAD GAS	Open	191.82	0.00		
03466 R & R SPECIALTIES	12-02149	08/08/12	PLAQUE:CLAUDIA	Open	101.50	0.00		
03478 RED THE UNIFORM TAILOR, INC.*	12-01831	07/02/12	UNIFORMS	Open	175.00	0.00		
03607 SEASHORE FOOD SUPPLY*	12-00294	01/27/12	2012 BAYRUN FOOD SUPPLIES	Open	803.75	0.00		
03613 SEA ISLE ICE CO. INC.*	12-02039	07/24/12	REFILL ICE MACHNE	Open	173.00	0.00		
03637 SHOPPE	12-01922	07/11/12	SHOPPE FARM MARKET 7/12-8/2/12	Open	320.00	0.00		
03683 SNAP-ON TOOLS*	12-01430	05/30/12	SUPPLIES FOR GARAGE/DPW	Open	382.50	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	12-02036	07/24/12	ONE-CALL MESSAGES/DPW	Open	157.12	0.00		
03902 DONALD VANAMAN JR	12-02080	08/01/12	TRAINING	Open	11.58	0.00		
03910 UNIFORM CONST.CODE OFF. OF SJ*	12-00918	04/05/12	MEMEBERSHIP 2012	Open	150.00	0.00		
03921 UNIFORM & ACCESSORIES WHSE*	12-01743	06/22/12	LIGHTS	Open	252.87	0.00		
03958 DEBORAH VAN MOURIK	12-02181	08/10/12	CORRECTION PYMT FOR VISION PYT	Open	51.59	0.00		
03963 US LUBES, LLC *	12-02034	07/24/12	SUPPLIES FOR GARAGE/DPW	Open	948.94	0.00		
04075 BARBER CONSULTING SERVICES LLC	12-02130	08/07/12	12 MONTH CONTRACT AUG-DEC 2012	Open	833.33	0.00		
04117 BILL ROLLINS	12-02041	07/25/12	LACROSSE OFFICIAL	Open	120.00	0.00		
04123 TAMMY DECKER	12-02171	08/09/12	PAYMENT FOR AQUA CARDIO	Open	126.00	0.00		
	12-02172	08/09/12	PAYMENT TO INSTRUCTOR-PILATES	Open	12.00	0.00		
					<u>138.00</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04216 PRIVATE ISLAND EMBROIDERY*	12-01959	07/17/12	BAYRUN SHIRTS	Open	2,190.00	0.00		
04272 PROPET DISTRIBUTORS*	12-02001	07/20/12	DOGIPOT LITTER BAGS	Open	488.35	0.00		
04300 W B MASON CO INC*	12-00963	04/11/12	SUPPLIES	Open	129.40	0.00		
	12-01950	07/16/12	OFFICE SUPPLIES	Open	438.28	0.00		
	12-01997	07/20/12	PAPER	Open	570.00	0.00		
					<u>1,137.68</u>			
04301 SEASHORE ASPHALT CORPORATION*	12-02035	07/24/12	PATCH FOR INVOICE 4006302	Open	633.60	0.00		
	12-02046	07/25/12	ASPHALT/PATCH/ROADS	Open	110.00	0.00		
					<u>743.60</u>			
04449 TRIPLE B SQUARED,LLC	12-02049	07/26/12	ROCK WALL 7/27/12 FARM MARKET	Open	500.00	0.00		
04504 MEDIA FIVE LTD*	12-02115	08/03/12	CHORDUROY DUO 08/03/12	Open	600.00	0.00		
04505 SOUTH JERSEY PUBLISHING	12-01751	06/25/12	ADS 2CX4" 6/27-7/12	Open	714.00	0.00		
5032 NORTH WILDWOOD \$ CREST SHIRT*	12-01245	05/16/12		Open	297.00	0.00		
	12-01507	06/08/12	UMBRELLAS FOR LIFEGUARDS	Open	300.00	0.00		
	12-01673	06/15/12	SUMMER LEAGUE SHIRTS	Open	480.00	0.00		
					<u>1,077.00</u>			
5035 LONGPORT MEDIA LIMITED COMP*	12-01051	04/20/12	3 HR BROADCAST- JULY 3, 2012	Open	1,000.00	0.00		
BOSNA KAREN MANETTE BOSNA	12-02150	08/08/12	PAYMENT TO INSTRUCTOR FOR YOGA	Open	25.00	0.00		
	12-02169	08/09/12	AQUA YOGA INSTRUCTOR PAYMENT	Open	230.00	0.00		
					<u>255.00</u>			
BRITB BRUCE BRITTON	12-02068	07/27/12	SUMMER BASKETBALL REFEREE	Open	385.00	0.00		
TOMPKI KIRBY TOMPKINS	12-02145	08/08/12	REFUND FOR FOOTBALL	Open	20.00	0.00		
<hr/> <b>Total Purchase Orders: 92 Total P.O. Line Items: 118 Total List Amount: 1,641,472.20 Total Void Amount: 0.00</b> <hr/>								

**RESOLUTION #2012-207**

<u>Vendor</u>	<u>Disc</u>	<u>Date</u>	<u>Ck #</u>	<u>Ck Amount</u>
Victorian Abstract Co.	Prop Acquisition	8/12/12	48142	\$201,817.62

Total Manual Checks	\$ 201,817.62
Total brought forward from computer generated list	\$ 1,641,472.20
<b>TOTAL BILL LIST</b>	<b><u>\$ 1,843,289.82</u></b>

I hereby certify this is the original Resolution adopted by the Township Council at a meeting of August 20, 2012.

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-208

**TITLE: RESOLUTION AUTHORIZING THE DONATION OF A 2008 FORD INT/CROWN VICTORIA NO LONGER NEEDED FOR PUBLIC USE TO THE TOWN BANK VOLUNTEER FIRE COMPANY**

**WHEREAS**, Chief Brian Marker of the Lower Township Police Department currently has a vehicle no longer needed for public use and which is of minimal monetary value, and,

**WHEREAS**, Town Bank Volunteer Fire Company has the need for a vehicle to assist in service to the residents of Fire District # 2 and the residents of Lower Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that the 2008 Ford Int/Crown Victoria from the Lower Township Police Department is hereby authorized to be donated to the Town Bank Volunteer Fire Company to be used servicing the residents of Fire District # 2 and the residents of Lower Township in general.

**BE IT FURTHER RESOLVED** that the 2008 Ford Int/Crown Victoria, vehicle identification number 8X105195 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 August 20, 2012.

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						



TOWN BANK VOL. FIRE CO.

Phone (609) 886 5511 Fax (609) 886 5287 Web: www. Townbankfire.com

P.O. Box 796  
North Cape May NJ, 08204

August 6, 2012

Michael Voll  
Lower Township Manager  
2600 Bayshore Road  
Villas, NJ 08251

Dear Michael Voll:

It was brought to my attention that the Township has vehicles that are being removed from its inventory. I am requesting one of these surplus vehicles namely a Ford Crown Victoria that was the former Police Chief's Vehicle. The Fire Company has budget restraints and would like to use a surplus vehicle to serve the residents in Fire District # 2 and the residents in the Township of Lower in general.

Thank You for Your Consideration

Respectfully,

☉☼☽☿♁♂♆♃♄♅♆♇♈♉♊♋♌♍♎♏♐♑♒♓♈♉♊♋♌♍♎♏♐♑♒♓

Lewis Megonigal  
Chief  
TBFC

*OK.  
Approved*

*8X105195  
Veh ID #4238  
Ford Crown  
Vic.*

*Julie, please prepare for next Council meeting. Get info from Bob Bouley!*

*Mike*

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

RESOLUTION #2012-209

**TITLE: RESOLUTION AMENDING RESOLUTION 2012-75, ESTABLISHMENT OF COUNCIL MEETING DATES AND TIMES**

WHEREAS, Resolution #2012-75 amended the official Council Meeting dates and times for 2012, and

WHEREAS, the Council desires to further amend the Annual Meeting Schedule for the remainder of 2012.

NOW, THEREFORE, BE IT RESOLVED all council meeting for the remainder of the year shall begin at 6 p.m. and the meeting location shall remain as advertised.

October 1      Time - **6 p.m.**  
October 15     Time - **6 p.m.**  
November 5    Time - **6 p.m.**  
November 19   Time - **6 p.m.**  
December 3    Time - **6 p.m.**  
December 17   **Mtg. @ Town Bank Fire Co. Time - 6 p.m.**

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on August 20, 2012.

\_\_\_\_\_  
Claudia R. Kammer, Municipal Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

**RESOLUTION #2012-210**

**TITLE: A RESOLUTION AUTHORIZING A GRANT APPLICATION AND THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CLUBHOUSE DRIVE PROJECT**

**WHEREAS**, the Council of the Township of Lower has determined that Clubhouse Drive is in need of reconstruction and/or resurfacing; and

**WHEREAS**, funds for such reconstruction and/or resurfacing may be available to the Township of Lower under the New Jersey Transportation Trust Fund Authority Act; and

**WHEREAS**, an application must be filed with the Department of Transportation 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 an electronic grant application identified as MA-2013-Lower Township-00039 to the New Jersey Department of Transportation on behalf of Lower Township.

**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 this is the original resolution adopted by the Township Council on August 20, 2012

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

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DOUGLASS						
LARE						
BECK						



RECEIVED  
8-13-12

## State of New Jersey

DEPARTMENT OF TRANSPORTATION  
P.O. Box 600  
Trenton, New Jersey 08625-0600

CHRIS CHRISTIE  
*Governor*

JAMES S. SIMPSON  
*Commissioner*

KIM GUADAGNO  
*Lt. Governor*

August 8, 2012

Dear Mayor:

I am pleased to announce that applications will now be accepted for the New Jersey Department of Transportation's (NJDOT) FY 2013 State Aid programs. The Commissioner of Transportation and I are committed to maintaining and improving New Jersey's local transportation infrastructure by providing financial assistance to counties and municipalities for traditional and non-traditional transportation initiatives.

The following is a brief description of each program:

- **Municipal Aid** - This program has been a significant resource for municipalities in funding local transportation projects. All municipalities are eligible. The Department continues to encourage municipalities to consider using the Municipal Aid Program to fund projects that support walking and biking in their communities. NJDOT has set a goal to award up to 10% of the Municipal Aid Program funds to projects such as pedestrian safety improvements, bikeways and streetscapes.
- **Transit Village** - This program will award grants for traditional and non-traditional transportation projects that enhance walking, biking and/or transit ridership within 1/2 mile of the transit facility. Only New Jersey municipalities that have been designated as Transit Villages by the Commissioner of Transportation and the inter-agency Transit Village Task Force are eligible to apply. The eligible town list can be found at <http://www.state.nj.us/transportation/business/localaid/transitvillagef.shtml>
- **Bikeways** - This program is intended to fund bicycle projects. It is available to all counties and municipalities. The Department continues to work toward the goal of achieving 1,000 miles of dedicated bikeways in New Jersey. Special consideration will be given to bikeways that are physically separated from motorized vehicular traffic by an open space or barrier, but on-road bike lanes and other bike routes and facilities are also eligible for funding.
- **Safe Streets to Transit** - The intent of this program is to encourage counties and municipalities to construct safe and accessible pedestrian linkages to transit facilities, in order to promote increased usage of transit by all segments of the population.

All projects funded through the Transportation Trust Fund must comply with the Americans with Disabilities Act (ADA). ADA guidance, program descriptions and application guidance materials can be found on the NJDOT website at:

<http://www.state.nj.us/transportation/business/localaid/stateaid.shtm>

If you choose to apply, please consider the following in your applications. NJDOT requires grant projects to be delivered to construction award within eighteen months of grant agreement execution. Please provide background information in the application to support your project's construction readiness. This information will be a factor in our rating of applications.

I encourage you to submit applications for these Local Aid programs. Each program application will be evaluated independently, affording counties and municipalities the opportunity to receive funding in more than one category.

The enclosed map provides contact information for each Local Aid District Office. Please keep in mind that a separate application for each project must be completed and submitted on or before October 16, 2012 on-line through SAGE at:

<https://enterprisegrantapps.state.nj.us/NJSAGE/>

We recommend that you consult with your Local Aid District Office to assist in preparing applications for funding. Thank you for your continued interest and support of NJDOT, and best wishes for success with your project applications.

Sincerely,



Chris Christie  
Governor

Enclosure

c Municipal Clerk  
Municipal Engineer

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

RESOLUTION #2012-211

**TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR ENGINEERING SERVICES RELATED TO THE BEACH DRIVE PEDESTRIAN ACCESS IMPROVEMENT PROJECT**

WHEREAS, Hatch Mott MacDonald is currently serving as the Municipal Engineer (the "Engineer") based upon a Contract For Services which sets forth their standard hourly rates as approved by the Township Council and executed by the Mayor and Clerk (the "Engineer's Contract");

WHEREAS, the Engineer has provided a separate fee proposal for engineering services related to the **Beach Drive Pedestrian Access Improvement Project** which is set forth on EXHIBIT A attached hereto (the "Project Proposal"); and

WHEREAS, the Township Council desires to approve the Project Proposal and the CFO has certified the availability of funds by her signature in the budget as follows:

  
Lauren Read, CFO

C.04-55-397-910  
Account

NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower, County of Cape May, State of New Jersey, that:

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for a total amount of \$2,900 is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Project Proposal on behalf of the Township of Lower, and to take any and all other actions necessary to effectuate the purposes thereof.
3. All of the terms and conditions of the Engineer's Contract except for the specific terms and conditions of the Project Proposal shall continue in full force and effect and the Project Proposal shall be deemed a supplement thereto.

I hereby certify the foregoing to be an original resolution adopted by the Township Council of the Township of Lower at a meeting held on August 20, 2012.

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

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CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						



**Hatch Mott  
MacDonald**

**Hatch Mott MacDonald**  
833 Rt 9 North  
PO Box 373  
Cape May Court House, NJ 08210  
T 609.465.9377 www.hatchmott.com

August 15, 2012  
Via Email at [mvoll@townshipoflower.org](mailto:mvoll@townshipoflower.org) & 1<sup>st</sup> Class Mail

Mr. Michael Voll, Manager  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

**RE: Traffic Engineering Services Proposal  
Beach Drive Pedestrian Access Improvement Project  
Township of Lower, Cape May County, New Jersey**

Dear Mr. Voll:

Please find enclosed herewith our proposal for traffic engineering services required for the above referenced project. As per our meeting this morning, it is the Township's intent to ensure that the proposed improvements associated with the Beach Drive Pedestrian Access Improvement project will provide for a bicycle compatible roadway.

In accordance with the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines proposed cartway widths required for a roadway to be bicycle compatible are based on traffic volume, speed, sight distance, number of trucks and larger vehicles and grade. The recommended widths provided for in the above guidelines are also based on providing sufficient pavement for shared use by bicycle and motor vehicle traffic.

In order to provide the recommended pavement width, traffic volumes will need to be collected and analyzed so that the average daily traffic (ADT) can be determined. HMM is proposing the following scope of work to collect and evaluate the existing daily traffic volumes experienced on Beach and Shore Drives:

1. Data Collection

- Install and maintain automatic traffic recorders (ATRs) at three (3) locations to collect bi-directional, daily traffic volumes. Traffic volumes will be recorded in 15-minute intervals, 24 hours a day, for the duration of one (1) week. Study locations include:
  - a. South of Pinewood Road (northern project limit)
  - b. In the vicinity of Emerson Avenue (mid-project)
  - c. North of Lincoln Boulevard (southern project limit)
- Download ATR data and compile information.



Hatch Mott  
MacDonald

- The traffic volume information will be used to calculate an Average Daily Traffic volume at the study locations.

2. Traffic Evaluation and Report

- Prepare a letter report summarizing the traffic volume information and recommending the proposed cartway widths for bicycle and pedestrian compatibility.

We propose to complete the scope of work outlined above for the lump sum amount of **\$2,900.**

We thank you for the opportunity to provide this Scope of Work for Traffic Engineering services for the Beach Drive Access Improvement Project. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Hatch Mott MacDonald

Mark R. Sray PE, CME  
Senior Associate  
T 609.465.9377 F 609.465.5270  
mark.sray@hatchmott.com

Steven C. Morey, CEP  
Associate  
T609.465.9377 F 609.465.5270  
steven.morey@hatchmott.com

cc (via Email): Claudia R. Kammer, Clerk  
Gary Douglass, Public Works Superintendent  
Mitchell Plenn, Parks and Recreation Superintendent

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

**RESOLUTION #2012-212**

**TITLE: SMALL CITIES HOUSING REHABILITATION PROGRAM POLICY AND PROCEDURAL MANUAL**

**WHEREAS,** the Township of Lower by resolution authorized the Mayor to apply for a Small Cities Housing Rehabilitation CDBG from the Department of Community Affairs; and,

**WHEREAS,** as a condition of that grant the Department of Community Affairs requires the Township of Lower to develop a policy and procedural manual that will delineate the activities of the program and will describe the manner in which the grant funds are to be expended; and,

**WHEREAS,** approval of the governing body is required for final approval of the policy and procedural manual by the Department of Community Affairs; and,

**WHEREAS,** final approval of said policy and procedural manual will permit the Grants Office of the Township of Lower to proceed with the required activities to fulfill the stipulations of the Department of Community Affairs Small Cities Housing Rehabilitation Program grant.

**NOW THEREFORE, BE IT RESOLVED,** by the Township of Lower Council that they reviewed the particulars of the policy and procedural manual of said grant; and,

**BE IT FURTHER RESOLVED** that the said policy and procedural manual is approved to be enacted by the Township Council of the Township of Lower, New Jersey.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on August 20, 2012.

Claudia R. Kammer, Township Clerk

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**TOWNSHIP OF LOWER**

**NJ DEPARTMENT OF COMMUNITY AFFAIRS  
SMALL CITIES COMMUNITY DEVELOPMENT  
BLOCK GRANT PROGRAM**

**HOMEOWNER-BASED REHABILITATION**

**POLICY AND PROCEDURAL MANUAL**

**AUGUST 2012**

# INTRODUCTION

## **Purpose**

The purpose of this document is to provide the Guidelines and Administrative Procedures by which the Housing Rehabilitation Grant Project will be carried out in Township of Lower, Cape May County. This manual is intended to be used by Township officials in administering the program, by applicants participating in the program, and by the NJ Department of Community Affairs (DCA) staff in evaluating program performance. This document will give all program participants a clear understanding of the program and how it will operate.

## **Legal Authority**

The Townships of Lower Rehabilitation Grant Program was established, and is being carried out, under the following legal authority:

Title I, Housing and Community Development Act of 1974 (42 U.S.C. 5301, et seq.);

Title I, Housing and Community Development Act of 1977 (Pub. Law 95-128);

Section 7 (d), Department of Housing and Urban Development Act(42 U.S.C. 3535 (d));

Housing and Urban-Rural Recovery Act of 1983 (Pub. Law 98-181).

By resolution, the lead applicant the Township of Lower authorized an application to be submitted to the NJ Department of Community Affairs to participate in the Small Cities Community Development Block Grant Program and to specifically apply for aid for home rehabilitation assistance.

## **Description of Program**

The Township has elected to employ its existing staff to operate this project. The program will be operated within Lower Township. The area is shown on the map included in Attachment E.

The project is designed to address substantial code deficiencies in homes owned by low and moderate income persons. An estimated 10 families will be provided assistance to correct dangerous conditions, code violations, and reverse blight in these neighborhoods. Funds will be used to repair mechanical systems, structural deficiencies, exterior deterioration, and improve energy conservation.

No-interest, deferred loans will be made available to owner occupants determined to have incomes qualifying them as low and moderate income. Those income levels are defined for the Township by the U.S. Department of HUD.

1. The Conditions Of Eligibility For Financial Assistance

- a. Applicant must reside, year-round, in Lower Township.
- b. Applicant must have title to the property in which he resides, as evidenced by property deed.
- c. Applicant's property taxes must be paid up-to-date.
- d. Applicant must have homeowners insurance on property.
- e. Applicant must have flood insurance, if applicable.
- f. Applicant's property must have serious code deficiencies.
- g. Applicant's total household income must be under the applicable ceilings set forth on the following table. (HUD Income Guidelines are effective as of 12/01/2011. Guidelines may change annually).<sup>\*1</sup>

HOUSEHOLD SIZE	LOW INCOME (50%)	MODERATE INCOME (80%)
1	24,900	39,850
2	28,450	45,550
3	32,000	51,250
4	35,550	56,900
5	38,400	61,500
6	41,250	66,050
7	44,100	70,600
8	46,950	75,150

Low and Moderate Income Households are funded on a first-come, first-served basis. The loan must be repaid if the homeowner(s) intends to profit from the increased equity in the home, sells the property, or title is transferred because of the death of all the owners.

<sup>1</sup> Attachment A

2. Criteria Which Will Govern The Manner In Which Rehabilitation Will Be Undertaken

The primary purpose of the Community Development funds as part of the Neighborhood Revitalization Program is to arrest the spread of physical decline of owner-occupied properties within the designated target neighborhood. Therefore, Small Cities Community Development Neighborhood Revitalization Funds will be available to correct existing and incipient code violations and weatherization deficiencies.

In order to determine the extent of code and weatherization deficiencies, the Township will perform an inspection of the applicant's property and will prepare a detailed Work Write-Up and Cost Estimate. The Work Write-Up and Cost Estimate will serve as a basis for monitoring rehabilitation construction activities and issuance of a Certificate of Completion for disbursement of Small Cities funds.

3. The Establishment Of A Revolving Loan Fund

Any loans that are recovered by the Township in accordance with the terms specified in the grant contract will be placed in a single Revolving Loan Account. Funds will be retained by Lower Township in an interest-bearing account for reuse in assisting qualified owner occupants of one to four family dwelling units within the Township with emergency problems. The criteria established in this procedural manual would continue to apply to those funds, which are recaptured and placed in the Revolving Loan Account, including meeting one of the national objectives of the CDBG Program.

The emergency loans for low/moderate income residents will be no-interest loans, and repayment terms, depending on income levels, will either be monthly or payable upon death from the estate. Any repayment adjustments are subject to Council approval.

The Lower Township's Grants Coordinator will administer the Revolving Loan Account. Program goals and objectives will be adhered to and loan funds will be disbursed in accordance with this procedural manual. An annual report will be prepared and submitted to NJDCA on or before August 1 of each year. This report will include, but not limited to, the activities supported with revolving loan funds, amount of funds disbursed, amounts of repayment received, activities proposed for coming year, etc.

4. Manner In Which Cost Estimates Will Be Developed

A Building Inspector will contract to perform technical services. Services will include preparation of a detailed Work Write-Up and Cost Estimate that will serve as a basis for receipt of rehabilitation bids. Interim and final inspections of the property will be undertaken in order to verify that work is completed in accordance with applicable Codes and Construction Standards.

5. The Procedures For Selecting Rehabilitation Contractors

All contractors participating in the program are required to register with the Lower Township Grants Office. All contractors are required to be licensed, insured. Contractors who work in a home with a lead environment are required to complete a HUD approved course about "Safe Work Practices" and "Interim Controls". Contractors must also comply with the EPA's Renovation, Repair and Painting (RRP) Rule. Whereas, the contractor must have a certified renovator available to be on site and the business is required to be registered with the EPA.

The Township of Lower, on behalf of property owners, will solicit bids from licensed and approved Rehabilitation Contractors. Bids will be received on a date and at a time specified, in the Lower Township Clerk's Office, publicly opened, and dutifully recorded and certified. Bids will usually be solicited in batches of 6 or more projects at a time.

The Township of Lower will review the proposals and recommend awards to the responsible low bidders. Cost will be the primary factor considered, with the ability of the Contractor to perform the designated tasks within a reasonable period of time, as is specified in the Contract Documents, as a secondary factor.

Upon determination of the responsible low bidder by the Township of Lower, the property owner will be notified but will given an opportunity to select a responsible bidder with a higher quotation, so long as the differential in cost between the responsible low bidder and the Contractor selected is borne by the homeowner. The homeowner will be required to execute the Contract Documents with the Contractor.

It should be noted that the Township of Lower will consult the Debarred Contractors list provided by the State of New Jersey, Department of Community Affairs, prior to final recommendation of a responsible low bidder.

No more than two (2) contracts may be awarded to any single contractor newly participating in the Program from one bid batch, and the Township of Lower reserves the right to limit that to one (1), if there is reason to suggest caution.

No Contracts will be awarded to any successful low-bid Contractors unless all contracts previously awarded to him have been completed as of a given bid-opening date. The Township of Lower reserves the right to determine which three- (3) contracts will be so awarded, and whether the successful low bidder can reasonably assume the workload of three contracts.

6. Manner In Which The Township of Lower Inspects And Monitors Rehabilitation Construction

The Township will perform interim inspections of the work performed by Contractors and will be responsible for issuing a Certificate of Completion as a result of a satisfactory final inspection.

7. Manner In Which The Township of Lower Will Insure The Repayment Of Loans Provided Under This Agreement Through Appropriate Security Devices

The Township of Lower will enter into an Agreement with the borrower that specifies the purpose for the Funds to be made available through the Loan Program, including reference to a Work Write-Up and Cost Estimate, which will be attached and made part of the Borrower's Agreement. Embodied in the Borrower's Agreement will be the requirement that the Borrower sign a Note and a Mortgage, which will be recorded with the Clerk of Cape May County. The Homeowner will enter into a contract between said homeowner and contractor which will embody the work write-up and contractor bid.

Copies of the Borrower's Agreement, Homeowner/Contractor Contract and Form of Mortgage and Note to be used in implementing the Program are attached and made part of this procedural manual.<sup>2</sup>

8. Manner In Which Appraisals Of The Properties May Be Undertaken

In determining whether the rehabilitation work on a particular structure will cost 75% or more of the value of the structure after rehabilitation, the services of the Township of Lower Tax Assessor may be utilized.

9. Servicing Of Loans

This Section is not applicable because any transfer of title triggers loan repayment.

10. Establishment Of A Ratio Of Private Funds To Small Cities Funds

This section is not applicable, as the Township will provide loans directly to the property owners, without need for additional private financing. This strategy was established in the application, due to the fact that the low income of residents would likely discourage that participation of private lenders in financing of some or the entire project.

11. Manner In Which The Township Will Maintain Its Books And Records

The Township of Lower shall maintain its books and records in a manner that is consistent with the requirements set forth in the New Jersey Small Cities Community Development Block Grant Program Handbook. All records will be maintained in the office of the Lower Township Grants Coordinator. All payments will be made utilizing the Township's current financial procedures, as approved by the State of New Jersey. All Rehabilitation Loans will be issued through Township Checks, which will be approved by the Lower Township Grants Coordinator and Lower Township Treasurer. The same principles will apply for all other payments.

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<sup>2</sup> Attachment B

12. Manner In Which The Township Will Insure That Each Loan Will Be Repaid In Full Should The Borrower Sell His Residence Prior To The Final Scheduled Payment Of The Loan

The Note and Mortgage provide for repayment of the loan upon sale or transfer of title. The repayment is activated as a result of transfer of title or sale of the property. The issuance of a Mortgage and recording of same in the County records will insure that the Township is aware of said transactions and will be able to exercise the provisions of the Mortgage and Note which are required to be executed by the Borrower at the time of closing. The mortgage will name the Township as the secured party for this loan transaction.

13. Manner In Which Applications For Assistance Under The Rehabilitation Program Are To Be Received, Evaluated, Approved Or Disproved

Prior to initiating the Neighborhood Revitalization Program in the target neighborhood, the Township will provide notification to residents within the target area of the availability of financial assistance for housing rehabilitation. Written notification will be given to those on the Township waiting list. The information provided will apprise residents that applications for financial assistance are available at the Township Offices.

The Grants Coordinator whose Office is located in the township building, will receive applications on a first-come, first-served basis, and will process applications in the order received. Each application will be evaluated in order to establish eligibility, including ownership status, occupancy of the property, satisfaction of township obligations, and income.

Once an application is approved, the owner will be notified and an inspection ordered on the property, in order to determine the total cost of improvements required. Subsequently, a fund reservation will be made for the approved applicant.

The Lower Township Council will be apprised on a monthly basis of the status of Grant Application received and processed. At such time that rehabilitation work is completed, and a certification of completion is issued, the Grants Coordinator and the Township Treasurer will approve a voucher for payment of loan proceeds to the contractor.

The Townships will maintain a record that indicates the date applications are received and approved for final processing. This record will be open to the public and available for review by the public upon request.

In event that an application is reviewed by the Township and is subsequently disapproved, the Township will provide in writing a letter to the applicant, stating the reason for disapproval. In the event that the applicant wishes to challenge the determination of the Grants Coordinator, the applicant will be given opportunity to approach the Township Manager who will evaluate and make a final determination on the issues in question.

14. Manner In Which The Township Will Insure The Value Of Real Property Being Provided As Security

This section is not applicable, as the Township's primary objective in executing a security instrument is to deter spendthrift actions on the part of the applicant. The Township's position is subordinate to other encumbrances. The program's primary intent is to rehabilitate homes of low and moderate income residents.

15. Manner In Which The Disbursement Of Funds And The Payment For Work Performed By The Contractor Is To Be Made

Funds will be disbursed to Contractors upon conclusion of all rehabilitation work on the property. Contractor will be required to sign a release of liens form. The Building Inspector will issue a certificate of completion, and the homeowner will be requested to sign a statement of satisfaction with regard to the work performed on his/her property. In this way, the Township will be insured that the work was performed in accordance with local codes and weatherization standards, and, furthermore, that the property improvements meet with the satisfaction of the homeowner who is borrowing funds to effect the rehabilitation. Therefore, funds will be disbursed on a lump sum basis.

Exceptions to this rule will apply to those instances where the amount of work required to be performed is of a significant dollar value, which without interim payments would create a severe hardship to the Contractor. An additional exception would permit a progress payment to the Contractor if it can be demonstrated that certain material required to complete the project would not be available for an extended period of time and would cause a financial hardship to the contractor who has performed a majority of the improvements called for in a timely manner. Other exceptions will be considered on a case-by-case basis.

16. Manner In Which The Township Will Monitor Rental Levels And Income Levels Of Occupants Of Rental Units.

This Section is not applicable. Program funds are available only to owner occupants.

17. Manner In Which The Township Will Advertise And Otherwise Disseminate Information As To The Availability Of Loans And Grants.

The Township will advertise this program by fliers in the project neighborhood and (if necessary) newspapers of general local circulation using ads and feature articles.

Area residents are already aware of the program, as a result of a waiting list compiled from requests for grants/loans from homeowners who did not qualify at the time of their inquiry, (either there were no funds available or they were not located in a specific target area). The Grants Office plans to notify the residents on the waiting list by direct mail.

Bid advertising will be through legal ads and via direct mail to interested contractors.

18. A. Definition Of Applicable Terminology

1. Low/Moderate Household: A household whose income is less than 80% of the median income of the MSA and which is classified in accordance with HUD published Section 8 Income Guidelines, as determined by family size.
2. HUD: The United States Department of Housing and Urban Development.
3. EPA: The United States Environmental Protection Agency
4. Rehabilitation: The repair of housing units according to published program specifications in order to comply with current housing, health and safety codes.
5. The Township: The Township of Lower, Cape May County, New Jersey.

B. Description Of Manner In Which Program Will Be Administered

Project Director

Michael Voll, Township of Lower Manager, will act as the Project Director. He will be responsible for overseeing all grant activities and will certify that the monthly fiscal and program progress reports are accurate.

Project Coordinator

The Township of Lower Grants Coordinator, Colleen Crippen, will act as the Project Coordinator. Ms. Crippen will be the person directly responsible for the implementing and administrating this project, including record keeping, compliance with Federal requirements and regular project oversight. Ms. Crippen handles all citizen inquiries, is responsible for the Citizen Participation Plan, has been appointed the Fair Housing Officer and is the project liaison for the Council and Township Manager.

Ms. Crippen will intake applications for Lower Township, process and certify completeness of all applications, contact homeowners, solicit contractors, prepare bid packages, monitor projects, obtain all sign-offs from inspectors, homeowners and contractors, prepare final invoices, complete fiscal monitoring reports and program progress reports, and maintain all records. Ms. Crippen anticipates spending 33% of her time on this project.

Fiscal Management

Lower Township's Chief Financial Officer, Lauren Read, will be responsible for the fiscal management and maintaining financial records of the Grant Program. While

Ms. Crippen will prepare all disbursement reports, Ms. Read will control the record keeping as a separate project and certify the in-kind salary reports. Ms. Read is responsible for signing the state invoice.

### Inspector

This project will retain Michael Reardon as its program inspector for Lower Township. He will be responsible for initial inspections, specification preparation, interim inspections during construction, and a final inspection. In addition, Mr. Reardon will provide a written Certificate of Completion, Payment Request, proof of permit approvals, and a signed owner's approval. Mr. Reardon is an independent inspector who also works with Middle Township's rehabilitation program.

### Lead Inspections

Lead Inspections, risk assessments and clearance will be performed by Cyrus Environmental Consultants, PO Box 28, Pomona, NJ 08240-0028.

### C. A Copy Of All Forms Applicable To The Program

Attached to this procedural manual are all applicable forms, i.e. application form<sup>3</sup> borrower's agreement, note, mortgage, etc.

### 19. Adjustments To The Maximum Loan

The maximum loan allowed under the Small Cities Program is \$24,999. During the implementation of the Rehabilitation Program and the rehabilitation construction activities on individual properties, unforeseen conditions may be discovered. When the inspector identifies such conditions and are deemed necessary to be corrected, the Grants Coordinator will, with the advice of the Township Building Inspector, prepare a change order to identify the additional improvements, which are necessary to correct previously unforeseen deficiencies.

The change order will attempt to delete other improvements of a lesser priority, which have not been constructed. If, however, it is determined that all improvements identified in the Work Write-Up are required, or if a majority of the improvements have been completed to the extent that there are no alternatives but to increase the scope of work, then the Grants Coordinator will have the opportunity to review on a case-by-case basis the need to exceed the maximum loan by not more than 20%. This action will only be taken where it is deemed necessary to remove serious code deficiencies from an eligible property. The Grants Coordinator will report to the Township Manager the actions required, and will document the Community Development file for the individual property.

---

<sup>3</sup> Attachment C

20. Emergency Procedures

The Program Administrator shall determine that an emergency situation exists based on the following:

- The repair problem is an immediate and serious threat to the health and safety of the building's residents;
- The problem has been inspected and the threat verified by the appropriate local construction and/or health official; and
- The building is owner occupied and the residents are determined to be income eligible.

All income qualified home-owners of the municipality are eligible for this assistance. Only those repairs necessary to correct the emergency situation are eligible for this priority assistance.

Examples of emergency conditions that may arise include failure of a heating system, deteriorated leaking roofs, hazardous electrical systems, non-functioning plumbing systems, collapsing roofs or porches or foundation damage. This list is provided as examples of the types of conditions that would be life or health threatening to the occupants of the property, but is not considered all-inclusive.

21. Delineation Of The Primary Target Areas

The primary target area is all of Lower Township.

22. Unfeasibility Of Rehabilitation

In the event that the property inspection reveals an extraordinary degree of property deficiencies and weatherization deficiencies that are of a serious nature, an evaluation will be made as to the feasibility of investing Small Cities Community Development Funds into the property, in light of the relative impact of the improvements when measured against the total deficiencies in the structure and value of the structure after rehabilitation. In the event that this evaluation reveals that the amount of rehabilitation required on the property exceeds 75% of the value of the property after rehabilitation, the Program Director will have the discretion to disqualify the applicant, and, therefore, target limited Small Cities resources to other qualified properties.

This determination is based on the criteria established in the Environmental Review Regulations. The Township will receive a release of funds for implementation of rehabilitation activities on the premise that the cost of rehabilitation of qualified properties will not exceed 75% of the property value after rehabilitation. To fund a project of this nature would, therefore, be in violation of the findings and conclusions established in the environmental assessment. Furthermore, the project is designed to rehabilitate existing structurally sound properties and is not designed to reconstruct substandard properties.

23. Management of Disputes

Should any dispute arise respecting the true meaning of the Work Write-Up, or should any dispute arise respecting the true value of the extra work or the work omitted, or of improper workmanship or materials, or of any loss sustained by the Owner, the Owner may request a hearing before the Townships. Such request must be made in writing and shall state the nature of the dispute. All parties to the dispute shall be notified in writing of the date and location of the hearing. The Townships representative, (Colleen Crippen), shall appoint an arbitration committee, consisting of three Township Officials. The ultimate decision rests with the arbitration committee, with no further recourse on the part of the property owner.

24. Lead Compliance

In accordance with HUD regulations 24 CFR Part 35, and the EPA Lead-Based Paint Renovation, Repair and Painting Program (RRP), See attached "Small Entity Compliance Guide to Renovate Right" for EPA's Lead-Based Paint Renovation, Repair and Painting Program guidelines. All Program assisted homes constructed prior to 1978 will be tested for lead based paint, and if applicable, be inspected by a risk assessor.

Housing rehabilitation exemptions from lead based paint regulations are as follows:

- Residential structures built after January 1, 1978
- Properties found not to have lead-based paint during earlier testing that meets the requirements of prior evaluations
- Properties where all lead-based paint has been identified and removed using approved methods
- Rehabilitation that does not disturb paint

At the appropriate time, the Program will provide homeowner with copies of the following:

- Lead Hazard Information Pamphlet
- Homeowner signed confirmation of receipt of lead pamphlet.
- Property Owner Disclosure (distributed to owners of a unit known to contain lead-based paint or lead based paint hazards for disclosure to tenants or prospective purchasers)
- Notice of Lead Hazard Evaluation
- Notice of Lead Hazard Reduction Activity
- Clearance Test
- Notice of Clearance

Both Notices of Lead Hazard Evaluation and Lead Hazard Reduction will be provided to the occupants within 15 calendar days of the date the Program receives the evaluation report or the date the lead hazard reduction work is completed. The type of evaluation and reduction activities required depends on the level of Federal assistance as defined by Federal regulations for HUD programs and the . The level is determined by taking the lower of the per unit rehabilitation hard costs or the per unit Federal assistance. Once calculated, the cost determines the level of assistance as exhibited in the table below.

HUD Regulations 24 CFR Part 35 Subpart J : Required Housing Rehabilitation Activities			
Amount of Program Assistance	< \$5,000	>\$5,000 < \$25,000	>\$25,000
Approach to Lead Hazard Evaluation and Reduction	Do no harm	Identify and control lead hazards	Identify and abate lead hazards
Notification	Yes	Yes	Yes
Lead Hazard Evaluation	Paint Testing of surfaces to be disturbed by rehabilitation and a Risk Assessment of entire unit including maintenance plan	Paint Testing of surfaces to be disturbed by rehabilitation and a Risk Assessment of entire unit including maintenance plan	Paint Testing of surfaces to be disturbed by rehabilitation and a Risk Assessment of entire unit including maintenance plan
Lead Hazard Reduction	Repair surfaces disturbed during rehabilitation. Safe work practices Clearance of work site	Interim Controls Safe work practices Clearance of unit	Abatement Safe work practices Clearance of unit

Note: The amounts in the table above refer only to the amount of rehabilitation and do not include lead work.

A lead hazard evaluation will consist of one or more of the following:

- Visual Assessment performed by a HQS Inspector
- Paint Testing performed by a Certified Inspector
- Risk Assessment performed by a Certified Risk Assessor
- Maintenance plan

The lead hazard reduction will always include safe work practices and clearance and will also include one or more of the following:

- Paint Stabilization
- Interim Controls (or Standard Treatment)
- Abatement

The appropriate professional to identify and evaluate lead hazards will inspect any properties not inclusive of the aforementioned exemptions and applying for program assistance. If hazards are identified, the program will then determine the following:

- Required level of lead hazard reduction
- What methods will be used to reduce or eliminate the hazards
- Whether or not relocation of occupants is necessary

The occupants will be notified of the Program's determination. The decision to relocate occupants during work construction is determined by the extent of the rehabilitation and lead hazard reduction work as outlined in HUD Regulations 24 CFR Part 35.1345 under Subpart R. The HUD Handbook 1378 requirements apply for any occupants who are to be temporarily relocated during the construction period.

Prior to the rehabilitation and lead based paint hazard work going out to bid, the Program will determine the type of contractor needed to complete the work required. The Program staff, homeowner and contractor(s) awarded the job will review the key aspects of the lead hazard reduction during the pre-construction conference. Only State certified lead abatement contractors shall conduct abatement.

The awarded contractor(s) will perform safe work practices at all times which includes but is not limited to:

- Occupant protection
- Worksite preparation
- Daily cleanup
- Safe work practices
- Worker protection

Occupants will be notified of any lead-hazard reduction measures that were taken. Subsequent to the program's final inspection, the Lead Based Paint Inspector will conduct a clearance examination including dust samples to confirm the unit is safe for occupancy and that lead hazard reduction was performed according to the Program's work specifications. Notice will be provided to the homeowner within 72 hours of the lead clearance test.

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

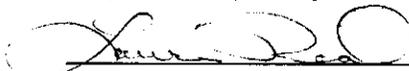
RESOLUTION #2012-213

**TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR ENGINEERING SERVICES RELATED TO THE RECONSTRUCTION OF CLUBHOUSE DRIVE**

WHEREAS, Hatch Mott MacDonald is currently serving as the Municipal Engineer (the "Engineer") based upon a Contract For Services which sets forth their standard hourly rates as approved by the Township Council and executed by the Mayor and Clerk (the "Engineer's Contract");

WHEREAS, the Engineer has provided a separate fee proposal for engineering services related to the **Reconstruction of Clubhouse Drive** which is set forth on EXHIBIT A attached hereto (the "Project Proposal"); and

WHEREAS, the Township Council desires to approve the Project Proposal and the CFO has certified the availability of funds by her signature in the budget as follows:

  
\_\_\_\_\_  
Lauren Read, CFO

C 04 55 - 384 - 103  
Account

NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower, County of Cape May, State of New Jersey, that:

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for a total amount of \$2,200 is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Project Proposal on behalf of the Township of Lower, and to take any and all other actions necessary to effectuate the purposes thereof.
3. All of the terms and conditions of the Engineer's Contract except for the specific terms and conditions of the Project Proposal shall continue in full force and effect and the Project Proposal shall be deemed a supplement thereto.

I hereby certify the foregoing to be an original resolution adopted by the Township Council of the Township of Lower at a meeting held on August 20, 2012.

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						



**Hatch Mott  
MacDonald**

**Hatch Mott MacDonald**  
833 Rt 9 North  
PO Box 373  
Cape May Court House, NJ 08210  
T 609.465.9377 www.hatchmott.com

August 14, 2012  
Via email at gdouglasslowertownship@comcast.net

Mr. Gary Douglass, CPWM  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

**RE: Application for NJDOT Municipal Aid FY2013  
Reconstruction of Clubhouse Drive  
MA-2013-Lower Township-00039  
Township of Lower, Cape May County**

Dear Mr. Douglass:

The New Jersey Department of Transportation (NJDOT) has issued its annual solicitation letter for applications for funding under the Municipal Aid Program for Fiscal Year 2013.

As requested, we will submit an application for FY2013 Municipal Aid for the reconstruction of Clubhouse Drive from Town Bank Road (County Road No. 648) to Pinewood Drive. This roadway consists of widespread alligator cracking, weathering, drainage problems, and utility main and service trenches in various degrees of deterioration. Due to its function as a minor collector, its existing condition and the importance of the roadway to the general public, it is a good candidate for funding under the Municipal Aid Program.

Hatch Mott MacDonald will be able to prepare and submit an application to the NJDOT for a lump sum amount of **\$2,200** upon your authorization to proceed. As part of the application process the Township Council will also have to adopt a resolution in the format of the attached NJDOT sample resolution. The application is due on or before October 16, 2012.

Should you have any questions or require additional information, please feel free to contact our office.

Very truly yours,

Hatch Mott MacDonald

Mark R. Sray, PE, CME  
Senior Associate  
T 609.465.9377 F 609.465.5270  
mark.sray@hatchmott.com

Steven C. Morey, CEP  
Associate  
T 609.465.9377 F 609.465.5270  
steven.morey@hatchmott.com

encl.

cc (via e-mail): Michael Voll, Township Manager  
Claudia R. Kammer, Township Clerk  
Colleen Crippen, Coordinator of Federal & State Aid

1<sup>st</sup> 8-6-12  
2<sup>nd</sup> 8-20-12

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

**ORDINANCE #2012-19**

**BOND ORDINANCE PROVIDING FOR VARIOUS ROAD AND DRAINAGE IMPROVEMENTS IN AND BY THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,790,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,700,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Lower, in the County of Cape May, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,790,000, including a Small Cities Grant in the amount of \$75,000 expected to be received (the "Grant") and further including the sum of \$90,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment and in anticipation of receipt of the Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,700,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various road and drainage improvements, consisting of evaluating, maintaining, correcting/and or repairing various issues regarding roads, drainage and outfalls, all as set forth on a list in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of

the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,700,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$140,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such

undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

\_\_\_\_\_  
Thomas Conrad, Councilmember

\_\_\_\_\_  
Walt Craig, Councilmember

\_\_\_\_\_  
Glenn Douglass, Councilmember

\_\_\_\_\_  
Kevin Lare, Council At Large

\_\_\_\_\_  
Michael E. Beck, Mayor

Adopted: \_\_\_\_\_

Attest: \_\_\_\_\_  
Claudia R. Kammer, Clerk

CERTIFICATE OF DETERMINATION AND AWARD

I, Lauren Read, Chief Financial Officer of the Township of Lower, in the County of Cape May, New Jersey (hereinafter referred to as the "Township"), HEREBY CERTIFY as follows:

1. I hereby determine to issue the Bond Anticipation Note (the "Note") hereinafter described by virtue of the authority conferred upon me by the bond ordinances of the Township referred to in the attached chart by reference to number, date of adoption and amount of bonds or notes authorized, such notes to be issued in the amounts indicated in the chart.

<u>TOTAL</u> <u>PRINCIPAL</u> <u>AMOUNT:</u>		<u>NUMBER</u>	<u>DENOMINATION</u>
	\$3,325,000	2012-1	\$3,325,000
<u>DATE:</u>	8/9/12		
<u>MATURITY:</u>	8/9/13		
<u>INTEREST</u> <u>RATE PER</u> <u>ANNUM:</u>	1.25%, payable at maturity		
<u>PLACE OF</u> <u>PAYMENT:</u>	Township of Lower, New Jersey		

2. Pursuant to the authority so conferred upon me, I have awarded and sold the Note to Oppenheimer & Co., Inc., Philadelphia, Pennsylvania, at the price of \$3,336,575.00.

3. No bonds of the Township have heretofore been issued pursuant to the bond ordinances referred to in Section 1 hereof, except as set forth in the attached chart.

4. The date of the first note or other obligation issued in anticipation of the issuance of the bonds that the Note is issued in anticipation of, whether or not now outstanding, is as stated in the attached chart.

5. No grants have been received, no paydowns have been made and no cancellations have been enacted that would reduce the debt authorization below the amount of notes outstanding under the bond ordinances described in the attached chart except as set forth therein.

6. No notes or other obligations in anticipation of the issuance of bonds have heretofore been issued pursuant to the bond ordinances referred to in the attached chart and now remain outstanding and unpaid except as set forth in the attached chart.

## ANIMAL CONTROL MONTHLY REPORT

MONTH OF July 202012

ACO steve parker DATE 7/31/2012

	<b>DOGS</b>	<b>CATS</b>	<b>WILDLIFE</b>
<b>TOTAL CALLS</b>	20	8	7
<b>TO SHELTER</b>	4	2	
<b>RETURNED</b>	6	0	
<b>TO VET</b>	0	1	
<b>DOA</b>	1	0	rabbit-1
<b>WARNINGS</b>	0	0	
<b>TICKETS</b>	0	0	
<b>BITES</b>	0	0	
<b>QUARANTINES</b>	0	0	
<b>OTHER</b>	1	0	

\*OTHER includes complaints of barking dogs ,dogs left outside too long ,other disturbances and reports of animal abuse or neglect.

**Additional Comments**

**OFFICE OF CONSTRUCTION OFFICIAL**

**Construction Permit Activity Report**

RANGE: 07/01/2012 To 07/31/2012

August 07, 2012 4:07:49PM

**SUMMARY**

**CONSTRUCTION COSTS**

**COUNT**

Cost Of Construction:	\$13,500.00	Cubic Footage:	3410 Cu.ft	Permit Issued:	5
Cost Of Alteration:	\$17,435.00	Square Footage:	440 Sq.ft	Updates Issued:	1
Cost Of Demolition:	\$0.00			All Fees Waived:	0
Total Cost:	\$30,935.00			Municipal Fees Waived:	0

**PERMIT FEES**

**ADMIN FEES**

**WAIVED FEES**

**TOTAL FEES**

Building:	\$324.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$324.00
Electrical:	\$148.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$148.00
Fire :	\$0.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$0.00
Plumbing:	\$345.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$345.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$0.00	Technical Fees:	\$817.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$11.00	\$0.00	\$11.00
Alteration Training Fee:	\$30.00	\$0.00	\$30.00
DCA Minimum Fee:	\$0.00	\$0.00	\$0.00
Sub total Training Fee:	\$41.00	\$0.00	\$41.00

**TECHNICAL ISSUES**

Building Technical:	3
Electrical Technical:	3
Fire Protection Technical:	
Plumbing Technical:	2
Elevator Technical:	
Mechanical Technical:	

Certificate of Occupancy Fee:	\$35.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$35.00

**CERTIFICATE ISSUES**

Certificate of Occupancy:	1
Certificate of Approval:	1
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$817.00
FEES:	\$41.00
CERTIFICATE FEES:	\$35.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$893.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$893.00

**OFFICE OF THE CONSTRUCTION OFFICIAL**

**Account Summation-Summary**

Report Run from 07/01/2012 To 07/31/2012

August 7, 2012 4:08:14PM

<b>ACCOUNT:</b>		<b>Cash Amount</b>	<b>Check Amount</b>	<b>Credit Card Amount</b>	<b>Total Fee</b>
PERMIT FEES	Sub Totals:	\$59.00	\$834.00	\$0.00	\$893.00
LICENSE FEES	Sub Totals:	\$0.00	\$300.00	\$0.00	\$300.00
<b>GRAND TOTALS:</b>		\$59.00	\$1,134.00	\$0.00	\$1,193.00

Township of Lower  
 2600 Bayshore Road  
 Villas, NJ 08251  
 609-886-1455

**OFFICE OF CONSTRUCTION OFFICIAL**

**Construction Permit Activity Report**

RANGE: 07/01/2012 To 07/31/2012

August 07, 2012 4:08:40PM

**SUMMARY**

**CONSTRUCTION COSTS**

**COUNT**

Cost Of Construction:	\$145,650.00	Cubic Footage:	59782 Cu.ft	Permit Issued:	75
Cost Of Alteration:	\$272,388.00	Square Footage:	5346 Sq.ft	Updates Issued:	8
Cost Of Demolition:	\$6,900.00			All Fees Waived:	3
Total Cost:	\$424,938.00			Municipal Fees Waived:	0

**PERMIT FEES**

**ADMIN FEES**

**WAIVED FEES**

**TOTAL FEES**

Building:	\$5,900.00	Building:	\$0.00	Building:	\$175.00	Building Fees:	\$5,725.00
Electrical:	\$2,445.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$2,445.00
Fire :	\$916.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$916.00
Plumbing:	\$2,548.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$2,548.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$175.00	Technical Fees:	\$11,634.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$199.00	\$0.00	\$199.00
Alteration Training Fee:	\$464.00	\$59.00	\$405.00
DCA Minimum Fee:	\$7.00	\$0.00	\$7.00
Sub total Training Fee:	\$670.00	\$59.00	\$611.00

**TECHNICAL ISSUES**

Building Technical:	41
Electrical Technical:	35
Fire Protection Technical:	13
Plumbing Technical:	34
Elevator Technical:	
Mechanical Technical:	

Certificate of Occupancy Fee:	\$244.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$244.00

**CERTIFICATE ISSUES**

Certificate of Occupancy:	2
Certificate of Approval:	16
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$11,634.00
DCA FEES:	\$611.00
CERTIFICATE FEES:	\$244.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$12,489.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$12,489.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 07/01/2012 To 07/31/2012

August 7, 2012 4:09:02PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$590.00	\$11,899.00	\$0.00	\$12,489.00
Copies	Sub Totals:	\$27.40	\$0.00	\$0.00	\$27.40
LICENSE FEES	Sub Totals:	\$0.00	\$350.00	\$0.00	\$350.00
<b>GRAND TOTALS:</b>		\$617.40	\$12,249.00	\$0.00	\$12,866.40





## TOWNSHIP OF LOWER

### Engineer's Report

Meeting Date: August 20, 2012

➤ 2011 Delaware Bay Shore Outfalls

The USACE permit was issued 12/21/11. The NJDEP permits were issued 3/30/12 and received by our office on 4/11/12. The NJDEP Bureau of Tidelands Management will issue a single license that will cover all of the outfalls. The license is under final review by the NJDEP and is expected to be issued this month.

The Delaware Bay Shore Outfall project was advertised on July 11, 2012 and bids were received on August 8, 2012. The bids are currently being reviewed by the Township.

➤ Bayshore West Stormwater Management Improvements

The diving contractor completed the underwater evaluation of the main storm sewer line in Roseann Avenue at the end of February/beginning of March. HMM presented the findings of the underwater evaluation to the Township at the June 4<sup>th</sup> Council meeting. As per the Township's request HMM is preparing a proposal to map and evaluate the existing drainage system in the Bayshore Estates and Schooner Landing developments, perform a hydraulic study of the contributory watershed to the Roseann Avenue outfall to determine alternatives to alleviate the flooding and perform material testing of the sediment within the stormwater trunk line.

➤ Lower Township UST Compliance Assistance

HMM has reviewed existing UST closure documents for two sites as requested by the Township in response to recent correspondence from the NJDEP. Initial forms have been completed and submitted to the NJDEP. Initial site investigations at the Township's Department of Public Works and the former Police Station sites have been completed and copies of the NJDEP files for both projects have been requested.

➤ Beach Drive Access Improvements

HMM has completed the field survey of the project area and the base mapping is 95% complete. HMM met with the Township on August 8<sup>th</sup> to review the existing conditions plan and to discuss the design going forward.



## BUREAU OF FIRE SAFETY - TOWNSHIP OF LOWER

Public Safety Building  
1389 Langley Road  
Cape May County Airport  
Phone: (609) 889-0404  
Fax: (609) 889-8876

Mailing Address:  
407 Breakwater Road  
Erma, NJ 08204

**For the month of July 2012, the Lower Township Bureau of Fire Safety made deposits of \$20,862.50 in the Lower Township Tax office.**

**Sincerely,**

**David P. Perry  
Fire Official**

**cc: file  
Board Members  
Lauren Read  
Mike Voll**

## MUNICIPAL CLERKS

## Register Report

7/1/2012 Through 7/31/2012

8/1/2012

Page 1

Account	Description	Memo	Category	Amount
<b>INCOME</b>				
	TOTAL Business Mercantile 2012-2013			38,335.50
	TOTAL Business Mercantile One Day Event			60.00
	TOTAL Campgrounds & Trailers			118.00
	TOTAL Gravel Pit			450.00
	TOTAL Rental Merc 2012-2013			36,825.00
	TOTAL Street Openings			440.00
	TOTAL Yard Sales			390.00
	<b>TOTAL INCOME</b>			<b>76,618.50</b>
<b>TRANSFERS</b>				
	TOTAL Council Checking			-76,618.50
	<b>TOTAL TRANSFERS</b>			<b>-76,618.50</b>
			<b>OVERALL TOTAL</b>	<b>0.00</b>

**LOWER TOWNSHIP MUNICIPAL COURT**

**MONTHLY DISBURSEMENTS**

TRAFFIC (All fines split w/ County)	\$ 5,003.00
TRAFFIC COSTS (We receive all costs)	\$ 3,295.00
CRIMINAL FINES (We receive both Criminal & Local Ordinance fines)	\$ 3,106.00
CRIMINAL COSTS	\$ 1,416.50
REINSTATED BAILS	\$ -
LOCAL PARKING	\$ 29.00
CONTEMPT CHARGES	\$ 190.00
PUBLIC DEFENDER FEES	\$ 140.00
MISCELLANEOUS FEES (Spinal & Overpayments)	\$ 28.70
DWI SURCHARGE	\$ 192.73

**JULY 2012 DISBURSEMENTS**

JULY 2012 COMPLAINTS ISSUED	CRIMINAL IND.	CRIMINAL DP	TRAFFIC	DUI	TOTAL
	25	92	140	8	265

TOTAL RECEIPTS	TOWNSHIP SHARE
\$28,613.00	\$13,400.93

COMPLAINTS IN WARRANT STATUS	CRIMINAL	TRAFFIC	TOTAL
	208	150	358



Lower Township Police Department  
Monthly Activity Report

2012

	July	Total:	
<b>General Complaints and Service Calls</b>	3,581	18397	
<b>Emergency Medical Calls with L. T. Rescue</b>	230	1241	
<b>Fire Alarm Call Outs (Total)</b>	53	325	
	<b>Villas Fire Company</b>	11	100
	<b>Town Bank Fire Company</b>	31	128
	<b>Erma Fire Company</b>	20	106
<b>Assaults</b>	5	52	
<b>Robbery</b>	0	3	
<b>Domestic Violence Complaints</b>	41	226	
<b>Domestic Violence with Assaults</b>	6	55	
<b>Motor Vehicle Accidents</b>	62	303	
<b>Traffic Warnings</b>	15	209	
<b>Traffic Summons</b>	124	873	
<b>Motor Vehicle Stops</b>	481	2510	
<b>Local Ordinance Warnings</b>	23	52	
<b>Local Ordinance Complaints</b>	3	25	
<b>Assaults on Police Officers</b> (UCR Report Return "A")	1	6	
<b>Residential and Commercial Alarm Calls</b>	62	433	
<b>Property Checks</b>	987	6357	
<b>Death Investigations</b>	5	15	
<b>Burglaries</b>	32	130	
<b>Thefts</b>	54	361	
<b>Criminal Mischief Complaints</b>	38	262	
<b>Disorderly Conduct Complaints</b>	89	498	
<b>Animal Control Complaints</b>	269	2046	
<b>Adult Arrests</b> (UCR Report Return "A")	34	323	
<b>Juvenile Arrests</b> (UCR Report Return "A")	21	68	
<b>D.W.I. Arrests</b> (UCR Report JV & Adult Arrests Combined)	6	30	
<b>Drug Possession Arrests</b> (UCR Report JV & Adult Arrests Combined)	11	51	
<b>Investigation Reports Completed</b>	139	769	
<b>Supplemental Investigation Reports Completed</b>	36	267	
<b>Total Value Property Stolen</b> (UCR Report Return "A")	\$65,445.00	\$274,823.00	
<b>Total Value Property Recovered</b> (UCR Report Return "A")	\$12,257.00	\$64,098.00	



**Lower Township Police Department  
Monthly Activity Report**

2012

	<b>July</b>	<b>Total:</b>
<b>Man Power Loss in Hours</b>		
<b>Union</b>	0	0
<b>Suspended</b>	264	1088
<b>Vacation</b>	1008	5616.5
<b>Personal</b>	139	585
<b>Comp Hours</b>	86	460
<b>Sick Hours</b>	321	1802.5
<b>Injury Hours</b>	0	0
<b>Training Hours</b>	252	3292
<b>Military Training</b>	0	1644
<b>Police Department Overtime in Hours</b>		
<b>Operations Overtime</b>	235.5	1323
<b>Operations Comp Time</b>	25	564
<b>Investigation Division Overtime</b>	55.75	286.25
<b>Investigation Division Comp Time</b>	5	83.25
<b>Court Overtime</b>	16	154.5
<b>Court Comp Time</b>	0	0
<b>Holiday Overtime</b>	107.5	583
<b>Holiday Comp Time</b>	21	107
<b>Government/Grant Funding Overtime in Hours</b>		
<b>Click It or Ticket</b>	0	92
<b>Cops n Shops</b>	0	0
<b>JV Curfew</b>	0	0
<b>DWI Patrol</b>	0	0
<b>Other</b>	88.5	110.5
<b>Private Funding Overtime in Hours</b>		
<b>Special Detail</b>	136.75	978.5

Prepared by:

Chief Brian Q. Marker

Date:

*Brian Q. Marker*  
8/13/12

**2012 CASH RECEIPTS  
JULY**

Township of Lower  
Office of the Tax Collector

	<b>MONTH TO DATE</b>	<b>YEAR TO DATE</b>
<b>Receipts</b>		
Preliminary taxes (2013)	379,079.60	379,079.60
Current year taxes (2012)	6,231,676.70	31,087,899.24
Prior year taxes (2011)	995.11	1,084,166.17
Arrears (2010)		1,468.08
6% Penalty		5,370.98
Municipal Service Fees		42,900.00
Tax Search Fees		40.00
Interest	4,552.26	120,538.35
Lot clearing		5,236.70
Returned Check Fees	20.00	260.00
Duplicate Bills	90.00	435.00
Duplicate Certificate	100.00	100.00
Trash	2,377.12	51,605.37
Tax Sale Cost		15,878.79
MUA		143,466.56
PREMIUM		261,400.00
<b>TOTAL</b>	<b>6,618,890.79</b>	<b>32,820,765.24</b>
<b>DEPOSITED COUNCIL CHECKING</b>	<b>6,531,475.79</b>	<b>32,742,596.54</b>
<b>DEPOSITED TO WIPP ACCOUNT</b>	<b>87,415.00</b>	<b>195,848.30</b>
<b>PREMIUM ACCOUNT</b>		261,400.00
<b>TOTAL DEPOSITS</b>	<b>6,618,890.79</b>	<b>33,199,844.84</b>
NSF Reversals	(934.32)	-17,545.36
<b>TOTAL</b>	<b>6,617,956.47</b>	<b>33,182,299.48</b>

Prepared by Susan Jackson



OUTSTANDING CHECKS

JULY 2012

<u>PRIOR</u>		<u>JULY</u>		<u>DIT'S</u>	
12/10/10	43930	26.25	47841	30.00	4,070.00 DUE FROM DOG 8/6/12
	44435	17.16	47891	30.00	7,133.46 ONLINE TAX DIT
	45910	30.00	47919	10.00	8,527.55 ONLINE TAX DIT
	45943	115.40	47939	1,288.60	795.60 tax deposit
	46104	20.00	47941	9.08	
	47658	225.00	47943	1,300.00	
	47711	54.00	47944	1,000.00	1,780.00
	47804	50.00			56.00
			47974	1,495,251.40	1,170.00
			47992	65.00	75,794.24
			48006	15.00	97,656.31
			48013	120.00	120,083.98
					23,082.61
		due to payroll-dcrp	1,395.49	57,458.68	
		due trust-fireworks	500.00	7,452.39	
				14,730.85	
				618.00	
				350.25	
				108,223.14	
				11,282.92	
				957.90	
				5,989.72	
				820.00	
				300.00	
				75.00	
				168.00	

537.81

1,501,014.57

TOTAL OUTSTANDING CHECKS

1,501,552.38 548,576.60

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

**RESOLUTION # 2012-214**

**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.

\_\_\_\_\_ (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 August 20, 2012 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 a resolution adopted by the Township Council on August 20, 2012.

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

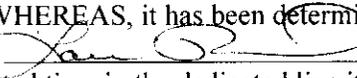
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
RESOLUTION # 2012 -215**

**Title: Authorizing Pay Out of Terminal Leave**

WHEREAS, the employee listed below has resigned in good standing from the Township effective August 17, 2012 and is entitled to payment for accumulated vacation, 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 Christian Lambert in the amount of \$ 20,431.50 is authorized and chargeable to the Reserve for Accumulated Absences.

**I hereby certify the foregoing to be a resolution adopted by the Township Council on Aug 20, 2012**

\_\_\_\_\_  
Claudia R. Kammer, RMC, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

Lambert (per PBA contract)

TOWNSHIP OF LOWER  
 RETIREMENT PAYOUT ANALYSIS  
 DATE:

EMPLOYEE: Lambert, Christian

DATE OF RESIGNATION: 8/17/2012

DATE OF PAYMENT:

RESOLUTION #:

Annual Salary:	\$87,232.71
Longevity	\$5,233.96
Hourly Rate:	\$42.34

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	67.50	42.34	2,857.83
Police Comp	30.00	42.34	1,270.20
Personal	3.69	42.34	156.33
Sick*	0.00	0.00	0.00
Vacation	325.38	42.34	13,776.21
Holidays	56.00	\$42.34	\$2,370.94
<b>Terminal Leave Payout</b>			<b>\$20,431.50</b>

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)
	Carryover	Annual Accrual	30 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp	175.50	12.00		12.00	120.00	67.50
Police Comp 2010*	30.00	0.00		30.00	0.00	30.00
Personal	0.00	48.00	0.58	27.69	24.00	3.69
Sick**	1,396.25	128.00	0.58	73.85	85.50	0.00
Vacation	316.00	200.00	0.58	115.38	106.00	325.38
Holidays (7)	0.00	120.00	7 holidays	56.00		56.00
<b>Total</b>	<b>1,917.75</b>	<b>508.00</b>		<b>258.92</b>	<b>335.50</b>	<b>482.58</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: \_\_\_\_\_

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

\*In 2010 PBA agreed that all overtime was to be earned as compensatory time and never to be paid.

\*\*Max. of 180 days (2160 hours) to be paid in regular retirement. There is no allowance for sick time with a resignation.