

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

August 15, 2011 - 7:00 P.M.

### Meeting called to order.

Opening Announcement  
Pledge of Allegiance & Moment of Silence  
Roll Call & Determination of Quorum

### Work Session

Review of Municipal Best Practices Checklist  
Solicitor's Report Re: Collective Bargaining Agreements & 3<sup>rd</sup> party input  
Manager's Report  
Review of Consent & Regular Agenda Items

### Consent Agenda

Approval of Minutes August 1, 2011  
Res. #2011-225 Payment of Vouchers, \$3,999,764.18  
Res. #2011-226 Authorization to Cancel General Ledger Balances (cancelling Smart Growth Grant Receivable balance of \$22,500 - does not impact budget)  
Res. #2011-227 Renewal of Commercial Excavation (Gravel Pit) Licenses for A & H Mining & Recycling LLC (Annual renewal 3 existing licenses - Cape Atlantic Soil Conservation Certification received)  
Res. #2011-228 Cancellation of 2011 Property Tax (2 applicants approved as 100% totally disabled - eligible for tax exemption - 1 applicant being refunding 1<sup>st</sup> half taxes paid)  
Res. #2011-229 Refund of Taxes (2 properties with overpayments requested to be refunded)  
Res. #2011-230 Resolution Approving Project Proposal Between Hatch Mott MacDonald and the township of Lower for Engineering Services Related to Beach Drive Public Access Improvements (\$1750 - Request & coordinate NJDEP Pre-application meeting at the project site - prepare photos, concept plan with general location of proposed access and discuss meeting results with Township)  
Res. #2011-231 Authorization for Number One Taxi, LLC to Transfer Taxi License To Another Vehicle (replaced one vehicle with another)  
Res. #2011-232 Approval of Change Order #1 for S.J. Energy Plus (Increase due to prevailing wage corrections, omission of gas line installation pricing and various sensors by S.J. Energy Plus, total increase of \$11,016.78)  
Res. #2011-233 Issuance Ice Cream Salesman License for the Year 2011 to Fudgy Wudgy Ice Cream (Issuance of additional salesman's license)  
Res. #2011-234 Joining the National Moment of Remembrance of the 10<sup>th</sup> Anniversary of September 11<sup>th</sup>  
Res. #2011-235 Resolution Amending Resolution #2011-10, Entitled "Confirmation of Officials for Joint Insurance Fund and Municipal Excess Liability Fund" (Resolution replacing Brian Marker with Jason Dilworth as the Township's Safety Coordinator for the Joint Insurance Fund.)  
Res. #2011-236 Resolution Opposing S-2795 and A-3835, Concerning Enforcement Responsibility of State Housing Code under the "Hotel and Multiple Dwelling Law" (The bill, if enacted, would decrease municipal revenues and take away local control over inspection of multiple dwellings.)  
Res. #2011-237 Authorizing Personnel Policy Manual Update (Updating Use of Township Vehicle Policy to ensure compliance with IRS publication 15B, requiring the Twp. establish a daily commute value to be included on the W-2 for those employees assigned to take a Township home)  
Res. #2011-238 Certification of Best Practices Inventory (Resolution stating the Council has reviewed the Best Practices Checklist prepared by the CFO & authorizing it's submission to the State)  
Res. #2011-239 Approval of Cold Spring Presbyterian Church's Application to Conduct a Flea Market (September 3, rain date Sept. 10)

Ord. #2011-15 An Ordinance Amending Chapter Seven Entitled "Traffic" of the Code of the Township of Lower, 1<sup>st</sup> rdg. - (Ordinance to include both sides of Seashore Road Beginning at the point 725 feet north of Tabernacle and continue 765 feet northerly therefrom (the area of the curve near Sunset Towing & S & E Auto Repair) and the southbound side of Town Bank Road along St. John of God to the No Stopping/Standing on Saturdays & Sundays schedule of the Traffic) 2<sup>nd</sup> rdg. & public hearing Sept. 7

### Regular Agenda

Ord. #2011-16 An Ordinance Authorizing Execution of a Conveyance by Quit Claim Deed of Certain Potential Property Interests to the Lower Township Rescue Squad in Connection With Providing Emergency First Aid Services to the Township of Lower, 1<sup>st</sup> rdg. (This ordinance allows for execution of a quit claim deed of certain land & conveying any Township interest to the Lower Twp. Rescue Squad to be used in connection with the provision of emergency first aid service to the citizens of the township.) 2<sup>nd</sup> rdg. & public hrg Sept. 7<sup>th</sup>

### Administrative Reports

Tax Collector	Certification of Mailing of Tax Bills
Bond Counsel	Certificate of Determination & Award - Note Sale \$2,125,000.00 @ 1.01%
July Reports	Animal Control, Construction Official, Dog Licensing, Municipal Clerk, Municipal Court, Police, Tax Collector, Treasurer/CFO, Vital Statistics

### Council Comments

### Call to the Public

### Adjournment

## PUBLIC INFORMATION

**Family Movie Nights begins Wednesday August 10 and continues each Wednesday through August - 8 p.m. outside of the Recreation Center - (inside if weather is bad) bring a blanket or chair - refreshments available for purchase)**

**Movie schedule: August 17 Toy Story, August 24 Tangled & August 31 Megamind**

**Community Blood Drive - August 22<sup>nd</sup> - 10 a.m. to 4 p.m.- Township Hall - Please take an hour of your time to come in, be cool, help save a life. All presenting donors will receive a coupon for a free box of chocolates.**

**LOWER TOWNSHIP BLOOD DRIVE - MONDAY AUGUST 22, 2011 - 10 AM TO 4 PM - Sign up at Township Hall or call 886-2005 ext. 113**

**ANNUAL DOG LICENSES DUE.** Any dog over 6 months, must be licensed. Proof of rabies vaccination required. If spayed/neutered, vet certificate required. Fee \$7.20 if not spayed/neutered and \$4.20 if spayed/neutered

**YARD SALE LICENSES** - Required for all yard, sales, attic sales, garage sales etc. Permit fee \$5.00 for two consecutive days and choice of rain date. Three permits permitted per year to a residence/person.

**ALL RENTAL PROPERTIES REQUIRE LICENSE** - All rentals, commercial or residential, whether yearly, seasonal or weekly require a mercantile license and registration and inspection by the Bureau of Fire Safety. For more information or applications call 886-2005 or 889-0404.

**Best Practices Worksheet CY 2012**

<b>Lower Township (Cape May)</b>			
0505			
	<b>Question</b>	<b>Answer</b>	<b>Comments</b>
<b>General Management</b>			
1	Has your municipality adopted a pay-to-play ordinance pursuant to N.J.S.A. 40A:11-51? This law allows the municipality and its agencies to prohibit the award of public contracts to business entities that have made certain campaign contributions exceeding \$300 and to limit the contributions that the holders of a contract can make during the term of a contract to \$300. A model ordinance concerning pay-to-play can be found at: <a href="http://www.nj.gov/dca/lgs/muniaid/pay_to_play_ordinance-contractor.doc">www.nj.gov/dca/lgs/muniaid/pay_to_play_ordinance-contractor.doc</a>	Yes	
2	Did your municipality evaluate and/or enter into at least one new shared service or cooperative agreement in 2010, outside of joining cooperative purchasing system?	Yes	
3	Does your municipality maintain an up-to-date municipal website containing, but not limited to: past three years adopted budgets; and the current year proposed budget including the full adopted budget for current year when approved by the governing body; most recent annual financial statements and audits; notification(s) for solicitation of Bids and RFPs; employee contact information; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	Yes	
4	Does your municipality's legal counsel review procurement specifications and sign off on all major professional service contracts before the documents are signed?	N/A	QPA reviews all contracts. Solicitor reviews when necessary, also
5	Does your municipality have an ongoing policy cross referencing the submittal of Certificates of Occupancy from the Construction Official to the Tax Assessor?	Yes	
6	Is your municipality's computer information backed up regularly, pursuant to a written backup policy and is data stored offsite?	Yes	
7	Does your municipality require its elected officials to attend basic courses on responsibilities and obligations in local government (i.e. budgeting, policy setting, local government contracting, risk management, and compliance with the Open Public Records Act)?	No	
8	If your municipality assigns employees with vehicles that can be taken home after work hours, is there a written policy in place to prohibit personal use and does that policy ensure that the commuting miles are reflected in employee W-2s?	Yes	

**Best Practices Worksheet CY 2012**

<b>Lower Township (Cape May)</b>			
0505			
	<b>Question</b>	<b>Answer</b>	<b>Comments</b>
9	Does your municipality sell personal property (fire trucks, road equipment, confiscated items, etc.) through an approved online auction system to broaden the market area for increased revenue?	Yes	
10	Are ordinances codified on an annual basis and made available electronically and/or in an existing ordinance book for the public?	Yes	
11	Has your municipality established an "Absence from Meetings Policy" for elected officials and appointed board members?	Prospective	
<b>Financial Standards</b>			
1	Does your municipality's newly (within the last six months) negotiated public employee contracts refrain from increasing base salary items by more than an average of two (2%) percent annually over the aggregate amount expended in the final year of the previous contract?	N/A	All contracts expire 12/2011
2	Is there a system of checks and balances over the purchasing and disbursement functions, including payroll (e.g., the same employee who prepares the checks also reconciles the bank account would not be a proper system of checks and balances)?	Yes	
3	Does your municipality have written procedures pertaining to cash receipts and cash disbursements including but not limited to: receiving, recording and preparing deposits for cash receipts; and processing, reviewing, and approving disbursements?	Yes	
4	Does management (department heads) review and approve all payroll disbursements, invoices, and purchase orders before final approval of the governing body by resolution?	Yes	
5	Are bank statements and related canceled checks and validated deposit slips, reviewed and reconciled monthly to the general ledger balances?	Yes	
6	Are contracts for services over the pay-to-play threshold of \$17,500 awarded using bids or a fair and open process?	Yes	Exception: Professional Services
7	Does your municipality maintain all documentation regarding bids including but not limited to: notices to potential bidders that include the plans, specifications, and contracts; documentation that the bids were properly advertised; and bid opening documentation that include the submitted bids, bid tabulation sheet, and indication of which bid was accepted?	Yes	

Best Practices Worksheet CY 2012

<b>Lower Township (Cape May)</b>			
0505			
	<b>Question</b>	<b>Answer</b>	<b>Comments</b>
8	Does your municipality perform an audit of your utility (telephone, fax, electric meters) accounts at least once every three years to ensure that inactive accounts are cancelled?	Yes	

**Best Practices Worksheet CY 2012**

<b>Lower Township (Cape May)</b>			
0505			
	<b>Question</b>	<b>Answer</b>	<b>Comments</b>
<b>Budget Preparation &amp; Presentation</b>			
1	Has your governing body reviewed the municipality's annual financial statement with particular emphasis on surplus generation and usage, tax collection rates (including the status of tax liens), and delinquent tax collection statements?	Yes	
2	Did your municipality prepare a five (5) year summary showing the amount of surplus anticipated and the percentage of the budget that this represents?	Yes	
3	Does your municipal CFO or auditor evaluate your capital balances annually to review and cancel unspent funds at the closure of capital projects?	Yes	
4	Do elected officials receive quarterly (or more frequent) reports on the status of all budget revenues and appropriations as they correspond to the annual adopted budget?	Yes	
5	Was a budget history and projection showing three years of history prepared in a "Viewer Friendly" style for public use?	Yes	
<b>Health Insurance</b>			
1	If your municipality does not participate in the State Health Benefits Plan (SHBP), a joint insurance fund (JIF), or a healthcare insurance fund (HIF), have competitive proposals for insurance been solicited in the last three years?	N/A	Member NJSHB
2	If your municipality is a member of the SHBP, have you transitioned from Chapter 88 (lifelong retirement benefits & Medicare Part B payouts) to Chapter 48 (healthcare cafeteria and select cost-saving provisions for all current and future employees)? N.J.S.A. 52:14-17.38(b1) to 52:14-17.38 (b2)	Yes	
3	Does your municipality perform an annual review of health benefit covered lives in an effort to delete employees, spouses or dependents who should no longer be receiving coverage?	Yes	
4	Do your municipal firefighters receive annual heart screening in conformance with NFPA Standard 1582, Chapter 7.4-7.7?	N/A	All firefighters are volunteer.

**Best Practices Worksheet CY 2012**

<b>Lower Township (Cape May)</b>			
0505			
	<b>Question</b>	<b>Answer</b>	<b>Comments</b>
<b>Personnel</b>			
1	Does your municipality make available to the public free of charge, either through an internet posting or on-site review, documents that show the current salaries of all personnel and additional documents that would allow the public to understand how your municipality's aggregate salaries have changed over a three year period?	Yes	
2	Has your municipality, consistent with N.J.S.A. 34:13A-8.2, filed a copy of all negotiated public employee contracts with the Public Employment Relations Commission, or will your municipality bring itself into compliance by having all contracts emailed to <a href="mailto:contracts@perc.state.nj.us">contracts@perc.state.nj.us</a> .	Yes	
3	Are all applicants and employees hired, promoted and retrained in accordance with established equal employment opportunity (EEO) and non-discrimination policies?	Yes	
4	Does your municipality limit health benefits to full-time (35 or more hours weekly), employees and exclude from coverage all part-time employees, elected or appointed officials?	Yes	
5	Are standardized absentee forms completed and filed for all employee absences?	Yes	
6	Are formal records maintained by your Personnel Department (Human Resources office) to account for vacation and sick leave earned and taken by all employees?	Yes	
7	Does supervisory staff review and approve employee time and attendance reports before submitting to management?	Yes	
8	Does your municipality limit the carry forward of accrued vacation time to no more than one year's worth of such time (meaning no employee hired after the effective date of the limitation policy can have more than two (2) years of vacation time on the books in any given year)?	Yes	
9	Does the municipal governing body approve all payments of accumulated/uncompensated absence benefits?	Yes	
10	Does your municipality's personnel manual include policies covering the use of municipal computers, including internet/e-mail use?	Yes	
11	Does your municipality have a transitional duty program (light duty) to encourage employees out on workers compensation to return to work?	Yes	
12	Does your municipality provide annual employment practice liability training for elected officials, managers, administrators, department heads and supervisors?	Yes	

**Best Practices Worksheet CY 2012**

<b>Lower Township (Cape May)</b>			
0505			
	<b>Question</b>	<b>Answer</b>	<b>Comments</b>
<b>Public Safety</b>			
1	Does your municipality have an emergency management plan that is updated bi-annually and verified yearly through practical exercises and written reports distributed to all affected parties (police, fire, OEM, etc.) as required pursuant to L.1989, c.222, s.20?	Yes	
2	Is your municipality's police department accredited by the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA), or have senior officers had advanced training through professional agencies/academies?	Yes	
3	Are all required hazard-use inspections and reports performed in accordance with state standards, needed-relevant information disseminated to emergency response organizations and a copy of the report sent to local fire and police agencies?	Yes	
4	Does your municipality have formal written mutual aid agreements for all emergency response organizations?	Yes	
5	Does your municipality have a formal procedure to ensure that all park and recreation facilities are inspected/assessed periodically to determine whether proper maintenance is being done to ensure the safety of the using public?	Yes	
<b>Energy</b>			
1	Has your municipality conducted an energy audit within the last three years to evaluate whether the energy consumption (i.e. heating, lighting, ventilation and air conditioning) of municipal facilities can be reduced?	Yes	
2	If your municipality issues published or posted newsletters to its residents, did such publications promote recycling efforts and solid waste management in compliance with the storm water regulations? N.J.A.C. 7:8 et seq.	Yes	

**Best Practices Worksheet CY 2012**

<b>Lower Township (Cape May)</b>			
0505			
	<b>Question</b>	<b>Answer</b>	<b>Comments</b>
<b>Municipal/School Relations</b>			
1	Has your municipality held or scheduled a "Joint Yearly Open Public Meeting" between the local school board(s) and the governing body to discuss community needs, shared services, and the school and municipal budgets?	No	
2	Do you share playing fields, recreation services, and/or equipment with the local board(s) of education?	Yes	
3	Has your municipality entered into any shared services with local board(s) of education pertaining to maintaining of fields, sharing of equipment, purchasing of gasoline, snow plowing, etc.?	Yes	
	Select	0	
	Yes	43	
	No	2	
	N/A	4	
	Prospective	1	
	<b>Total Answered:</b>	<b>50</b>	
	Score (Yes + N/A + Prospective)	<b>48</b>	
	Score %	96%	
	Percent Withheld	0%	
	Chief Financial Officer Completion Certification:		

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**  
**ORDINANCE #2011-17**

**AN ORDINANCE AMENDING CHAPTER 3, ADMINISTRATION OF  
GOVERNMENT, OF THE CODE OF THE TOWNSHIP OF LOWER**

WHEREAS, the Council has determined it would be appropriate and in the best interest of good government to formally establish policies for the governing body which may be amended from time to time as necessary.

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION 1. Section 3-8, Powers and duties of Township Council, B (4) Policy is hereby amended with the following addition.

(d) Attendance Policy

a. The Mayor & Councilmembers are expected to attend regular and special meetings at the time and place where said meetings are held and for the entirety of each meeting. If attendance is not possible, notification is to be made to the Township Manager and the Township Clerk prior to the scheduled meeting.

b. Attendance shall be taken at all meetings and reflected in the minutes of all meetings which will subsequently be posted to the Township's website.

(e) Training

a. Newly elected members of Council are strongly encouraged to complete the Rutgers University Course for Newly Elected Officials during the first year of their term and all members of Council are encouraged to continue their municipal government education by completing the courses necessary to complete the Municipal elected Officials Certificate Program offered by the Edward J. Bloustein School of Planning & Public Policy at The Rutgers Center for Government Service or any comparable program offered through the New Jersey League of Municipalities.

b. Records of all courses taken shall be furnished to the Municipal Clerk and shall be available for public inspection. The Township shall pay for all tuition costs and travel expense incurred by the member of Council in completing these courses upon providing adequate documentation to substantiate the expenses.

(f) Email Communications

a. Email communications should, as far as practicable, not include an effective majority of the governing body and should never include an effective majority of the governing body where discussion of information related to the business of the Township is involved.

b. Where email communications do include an effective majority of the governing body, such communications should almost universally not include any request for information in response. The provision of information to the entire governing body (e.g. copies of agendas, etc.) should specifically indicate that there should be no email reply or other communication contrary to the OPMA.

DRAFT

- c. In the rare instance where a response is requested, such request must not involve any decision making or deliberative function of the governing body or otherwise address Township business that is subject to the OPMA and shall not be made to the entire list of email addressees, so that even the appearance of impropriety may be avoided. Instances such as this should be extremely rare and should only be informational. (E.g. "I am attending the seminar on the 21st, if anyone else is going or wants information, please let me know.") Substantive matters of public business must never be the subjects of an email exchange between or among an effective majority of the governing body. Utilizing a third party, such as the Clerk, does not change the requirements of the OPMA.
- d. "Rolling" email conversations must also be avoided. One member of the governing body or a third party may not contact other members via email individually to successively discuss or gain opinions on an item of Township business. This applies to other forms of electronic communications as well.

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

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

SECTION 4. Upon final passage and publication according to law, a copy of this Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower.

SECTION 5. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law provided.

\_\_\_\_\_  
Thomas Conrad, Councilman

\_\_\_\_\_  
Erik K. Simonsen, Councilman

\_\_\_\_\_  
Glenn Douglass, Councilman

\_\_\_\_\_  
Kevin Lare, Deputy Mayor

\_\_\_\_\_  
Michael Beck, Mayor

Attest: \_\_\_\_\_

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

DRAFT

DRAFT

## Regular & Work Session Meeting Minutes - August 1, 2011

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on August 1, 2011 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

Councilmember Thomas Conrad  
Councilmember Erik Simonsen  
Councilmember Glenn Douglass  
Deputy Mayor Kevin Lare  
Mayor Michael Beck

Also present: William Blaney, Solicitor, Michael Voll, Manager and Asst. Clerk Horwath

### Work Session

#### Retirement of Officer Art Mason

Mayor Beck said Officer Mason was retiring and congratulated him. He asked the Chief to say a few words.

Chief Marker said he had served the community well and was proud he could now retire and enjoy the things he like to do. He had been with the department since 1988 and worked his way to the detective bureau. He said he would be missed by the department as well as the community.

#### Review of Consent and Regular Agenda Items

Councilmember Conrad said Resolution #2011-217 would be tabled; it needed to be approved by the Fire Bureau Commissioners. Councilmember Simonsen seconded the motion. The resolution was tabled by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

#### Public Questions on Consent Agenda and/or Regular Agenda Items

There was no public comment on the consent agenda.

#### Consent Agenda

Approval of Minutes	July 18, 2011
Res. #2011-205	Payment of Vouchers, \$1,846,968.89
Res. #2011-206	Ratification of Addendum to Contract Between Lower Township Supervisor's Union & the Township of Lower (This resolution adds the title of General Supervisor of Public Works to the list of positions covered by the Supervisor's Union in accordance with the Salary Ord. adopted July 6)
Res. #2011-207	Purchase of Off- Duty Weapon (Ed Donohue) (Authorizing the retired Chief to purchase his handgun based on the fair market value of \$200 as quoted by

Regular & Work Session Meeting Minutes - August 1, 2011

- Lawman Supply Co.)
- Res. #2011-208 Authorization for Aart's Transportation Services to Transfer Taxi License From 2001 Dodge Caravan to 2001 Grand Dodge Caravan (replacing one vehicle with another vehicle)
- Res. #2011-209 Resolution Rescinding Resolutions #2011-194 and Authorizing Public Facilities Grant Application for \$400,000, Various ADA Improvements (Original resolution was for wrong amount, applying for \$400,000 instead of \$500,000)
- Res. #2011-210 Authorizing Pay Out of Terminal Leave (E. Christensen resigned - pay for unused vacation & personal time prorated to date of resignation)
- Res. #2011-211 Authorizing Pay Out of Terminal Leave (A. Mason retiring from Police - \$38,618.14)
- Res. #2011-212 Cancellation of 2011 Taxes (Applicant approved as 100% totally disabled by Dept of Veteran's Affairs which now exempts them from property taxes)
- Res. #2011-213 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (\$4,400.00 Over the Limit Under Arrest)
- Res. #2011-214 Application for 2012 Drug Enforcement and Demand Reduction (DEDR) Grant Funds (Annual application for Municipal Alliance Committee)
- Res. #2011-215 Authorization for Waiver of Fees for Good Samaritan Baptist Church Associated With Their Use Variance & Minor Site Plan Applications (The church is seeking the variance to allow them to sell a residential dwelling located on their church campus)
- Res. #2011-216 Certification of Lot Clearing Charges to the Tax Collector (resolution authorizing the cost of clearing/cleaning properties and administration fee (\$500 each) not in compliance with the Property Maintenance Code to be placed as a lien against the property - Total for all 21 properties - \$16,793.57)
- Res. #2011-218 Resolution Approving Project Proposal Amendment Between Hatch Mott Macdonald and the Township for Additional Engineering Services Roof Replacement and Related Work at the Recreation Center (Adding up to an additional \$7000 in engineering services fees to be deducted from the final payment to the contractor doing the roof replacement at the Recreation Center.
- Res #2011-219 Approval of Change Order No 2 for Roof Replacement & Related Work at the Recreation Center (Reducing contract amount by \$2,084 for clean up and lost wages due to water damage sustained during project. This is in addition to the reduction for additional engineering costs)

Councilmember Douglass motioned to adopt the consent agenda, seconded by Councilmember Conrad. The consent agenda was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

Regular Agenda

- Res. #2011-220 Authorization for Waiver of Fees for Lower Township Rescue Squad Associated with Minor Site Plan, Use Variance & Hardship Variance (Estimated application fees to be waived \$1200)

## Regular & Work Session Meeting Minutes - August 1, 2011

Maureen Cerrato of Cardinal Avenue said in this economic climate couldn't the Township use the \$1,150.00 fee they were waiving. She said other institutions in the past had received a waiver. She said she wondered if those other institutions had received the same consideration as the Rescue Squad had. Mrs. Cerrato asked when was enough for the Rescue Squad that was a paid organization. She said the letter Mr. Corrado presented to Council was filled with untruths. She said the lot was never a parking lot and where was the variance to show that it was a parking lot. She said why was the Township showing favor to an organization that consistently did what they wanted to do.

Deputy Mayor Lare motioned to adopt the resolution, seconded by Councilmember Douglass. The resolution was adopted by the following roll call vote: Councilmember Conrad, "abstain", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

Res. #2011-221            Payment of Voucher, \$60.00 (LT Rescue - CPR Certification Class - S Davis, Police Dispatcher)

Councilmember Douglass motioned to adopt the resolution, seconded by Councilmember Simonsen. The resolution was adopted by the following roll call vote: Councilmember Conrad, "abstain", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

Res. #2011-222            Payment of Voucher, \$1,500.00 (for clean up of 5 properties with cost to be placed as lien on each property)

Councilmember Conrad motioned to adopt the resolution, seconded by Deputy Mayor Lare. The resolution was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "abstain", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

Ord. #2011-13,            Ordinance Appropriating \$26,142 From the Capital Surplus Fund for the Acquisition of Two Vehicles, 2<sup>nd</sup> rdg. & public hearing (Purchase of 2 Ford Focuses - fuel efficient 28/38 mpg to replace 3 high mileage 4WD vehicles)

The Clerk announced the ordinance was post and published according to law and copies were available in the Clerk's office.

Mayor Beck opened the meeting for comment on the ordinance.

There were no comments on the ordinance.

Councilmember Douglass motioned to adopt the ordinance, seconded by Councilmember Conrad. The ordinance was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

Ord. #2011-14,            Bond Ordinance Providing for Various Capital Improvements of the Township of Lower, in the County of Cape May, New Jersey, Appropriating the Aggregate Amount of \$440,000 Therefor and Authorizing the Issuance of \$400,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof, 2<sup>nd</sup> rdg & public hearing

The Clerk announced the ordinance was post and published according to law and copies were available in the Clerk's office.

Mayor Beck opened the meeting for comment on the ordinance.

There were no comments on the ordinance.

## Regular & Work Session Meeting Minutes - August 1, 2011

Councilmember Douglass motioned to adopt the ordinance, seconded by Councilmember Simonsen. The ordinance was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

### Administrative Reports

#### Personnel Action Report

### Council Comments

Councilmember Conrad said for everyone to enjoy the summer. He thanked the Manager and Clerk for the explanations of the resolutions on the agenda. He said National Night Out would be the following night.

Councilmember Simonsen said thank you to his special needs kids who worked on cleaning up the Cox Hall Creek Management Wildlife Area. He said they did a great job.

Deputy Mayor Lare said after Council received the confidential memo from the Solicitor regarding several items he had a thought he would like Council to consider regarding the publication of the Collective Bargaining Agreements and how they handled it. He said he would like the Solicitor to expand his scope in research and when they had Collective Bargaining Agreements to approve them in ordinance form.

Deputy Mayor Lare said it would allow for public comment on second reading. He said it wouldn't be made public until passage after first reading so the union agreements wouldn't be made public until after a vote. He said it would also give a two week review period.

Mayor Beck said he spoke to the Solicitor and it may be put on a work session to discuss it. He said it had been his feeling to let the public see what was about to be approved. He said he was willing to look at any suggestions from Council. He mentioned having a work session before the negotiations.

Deputy Mayor Lare said the Manager could work with the Solicitor on it.

Mayor Beck mentioned the tax bills were mailed out and mentioned some of the upcoming activities in the Township were National Night Out, Farmers Market, Coombs - Douglass run and Family Movie Night.

### Call to the Public

#### Request to Change the Ordinance Regarding Farm Animals

Clare Nagel of 101 Shore Drive said she wanted to propose a change in the ordinance regarding farm animals. She reviewed the current ordinance and said she would like to see a certain lot size for a small flock of chickens. She said she modeled her suggested changes according to the current Middle Township Ordinance.

Mayor Beck said they would look it over and get back to her. He said there may be a reason for the lot sizes.

Manager Voll said he visited her home and she had six chickens kept in a clean environment and there were no odors.

Mayor Beck said his concern was the next person that had them on a small lot size and didn't take care of them.

### Traffic Regulations

## Regular & Work Session Meeting Minutes - August 1, 2011

Bob Walter of Florida Avenue said he had some safety concerns. He said the bikes along the road were not peddling with traffic and he believed it was State law they should. He said he was behind a police officer and he did nothing about it and there were three bikes going against traffic. He said also when people were walking they should be walking against traffic and they weren't.

### Township Parking Lot

He questioned about exiting onto Bayshore Road. He said allowing people to exit North and South onto Bayshore Road was creating a liability for the Township for allowing people to cross traffic.

Mr. Walter said it would be safer to bring them in from Bayshore Road and exit out the back of the lot. Manager Voll said he would mention it to the engineer.

### Rescue Squad

Bob Weber of Cardinal Avenue said the last meeting the five minute rule was brought up and he might have been some of the cause of that. He said he had been coming back to the meetings and in May his wife had put in an OPRA Request for correspondence between the Code Enforcement and Rescue Squad. He explained what he received were nine instances where Code Enforcement had gone out in ten days and the matter was resolved and no further complaints were made.

Mr. Weber said that didn't seem to be the case with the issue he complained about. He reviewed how the issue was handled and it took longer than it should have to get Code Enforcement out to the property. He said a memo had gone to the Manager from Code Enforcement outlining seven violations and Manager Voll made a phone call instead of having violation notices sent. He said three of the issues hadn't been resolved.

Mayor Beck said he thought a letter had gone out Friday.

Councilmember Douglass asked what were the three things that had not been resolved.

Mr. Weber said there was a fence in the yard that was over 4' tall, the shed wasn't allowed to be there and there was a trailer there as well.

Mayor Beck said they couldn't argue about the letter that's why it was sent Friday.

### Five Minute Rule

Councilmember Simonsen said Mr. Weber had the right at every meeting to say what he felt. He said it didn't pertain to him or just this issue it was any issue and it just gave everyone a chance to speak. He said in his opinion the issue got heated and people felt passionate about it and that was understandable. He said as far as the five minute rule the idea was to just keep the meetings in a more orderly fashion.

### Rescue Squad

Mrs. Weber said now the letter had been sent what about the hole they dug that hadn't been addressed. Manager Voll said there would be a ten-day reinspection. He said he took offense at Mr. Weber's comments. He said he had been there since the situation first started and had been monitoring it and the Rescue Squad had been treated like any other citizen in trying to resolve the issues. He said as it had been said at a prior meeting they had kicked the horse enough, it was dead; let it go.

Deputy Mayor Lare said he had been in the previous Manager's Office when she made a call to the Rescue Squad on a prior issue. He felt the goal was to leave the emotion out of it. He said in his opinion the issue was not to solve the problem but to penalize them. He said Mr. Weber's started off the first night by saying "nothing personal against the Rescue Squad" and he would hate to see if he did have a personal issue with them. He said everyone in the room should work together to resolve the issue.

## Regular & Work Session Meeting Minutes - August 1, 2011

Deputy Mayor Lare said with 95% of the code violations they contact the people and tell them to cut their grass.

Mayor Beck said there had been nine different issues with the Rescue Squad and within ten days it had been resolved. He said how did they get to discussing the same issue for three months. He felt they had created some of the problem.

The discussion continued on how it could have been handled.

### Council Policy

Fred Long of Cold Spring said in the Solicitor's response to the Prosecutor's letter it was mentioned that formal guidelines would be set up. He wanted to know what the status of the guidelines were?

Mayor Beck said he didn't know of any area where they had been incorporated and asked was he referring to the policy manual?

Mr. Long said "yes", were they going to be policies and did it require they be in resolution form.

Mr. Blaney said the Prosecutor's Office said if they didn't follow those guidelines they would be prosecuted.

Mayor Beck said they may need to do that. He said the State Checklist also asked if Council had an absentee policy and he said they may also need to address that. He said there should be a section in the Personnel Manual for Council.

### Township Manager

John O'Rourke of Main Street said the Manager had been out of order. He said it had been said they were asking questions to stump the Manager. He said the Manager was paid \$85,000.00 and if he couldn't answer a question, shame on them for appointing him. He said Council had been out of order at the meetings more than the residents.

### Redwood Avenue

Kathleen Gulla of Redwood Avenue said by the next meeting the horseshoe crabs should be gone and wanted to thank Council in advance. She said regarding how long it took the Rescue Squad with the work it had taken her about a month to get a permit for work at her home.

Bob Rizzo of Mickles Run said he liked the explanations on the agenda and it eliminated a lot of questions. He asked if the Manager could give a report each month of what was going on in the Township. He said the Ponder Lodge fence along Bayshore Road needed to be fixed. He said the parking lot at Township Hall looked great.

Mr. Rizzo asked Council to do what was right for everyone involved and finish the Rescue Squad issue. Manager Voll agreed 100% it was a great community.

### Cox Hall Creek Management Wildlife Area

He said he had called weekly to Lee Widjeskog from Fish and Wildlife about the broken fence. He said the only improvements there had been the sign was put up and Councilmember Simonsen and his students had been cleaning it up. He hoped to have a better report about the fence at the next meeting.

Ruthie Dillon was thinking of moving here and as an observer nothing got resolved when adults acted very childish.

Regular & Work Session Meeting Minutes - August 1, 2011

Closed Session

Res. #2011-223

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. (Labor Relations - Chief's Contract, Land Acquisition - Report & Personnel - Police)

Councilmember Conrad motioned to adopt the resolution, seconded by Councilmember Douglass. The resolution was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

Reopen

Councilmember Conrad motioned to return to open session, seconded by Councilmember Douglass. Council agreed to the motion by verbal "ayes".

Res. #2011-180

Resolution Ratifying the Agreement Between the Township of Lower and Brian Marker, Chief of Police (July 1 2011 through June 30, 2014 - withdrawn from June 20<sup>th</sup> agenda)

Councilmember Conrad motioned to adopt the resolution, seconded by Councilmember Douglass. The resolution was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

Res. #2011-224, Appointment of Special Prosecutor For Police Disciplinary Matters

Deputy Mayor Lare motioned to adopt the resolution, seconded by Councilmember Douglass. The resolution was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

There being no further comment, Deputy Mayor Lare motioned to adjourn the meeting, seconded by Councilmember Douglass the meeting unanimously adjourned by verbal "ayes" at 9:00 p.m.

---

Mayor

---

Township Clerk

Approved: August 15, 2011

08/11/11  
13:41:32

**RESOLUTION #2011-225**  
Lower Township  
Bill List By Vendor Id

P.O. Type: A77  
Range: First to Last  
Format: Condensed

Include Project Line Items: Yes

Open: N Rcvd: Y Paid: N  
Held: Y Aprv: N Void: N  
Bid: Y State: Y Other: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00028 ACTION SUPPLY*								
	11-01985	07/11/11	STONE & BLOCK/TWP HALL PRK LOT	Open	983.23	0.00		
00086 AMERICAN PLANNING ASSOCIATION								
	11-01860	06/27/11	MEMBERSHIP FEES	Open	434.00	0.00		
00089 ARTHUR AMONETTE								
	11-02167	08/01/11	CONTRACT REIMB V	Open	329.96	0.00		
00110 ANCO HOME CENTER*								
	11-00324	02/03/11	ANCO MONTHLY EXPENSES	Open	56.51	0.00		
	11-01228	05/05/11	JULY 2011	Open	77.00	0.00		
	11-01931	07/05/11	MISC. SUPPLIES FOR JULY	Open	217.13	0.00		
	11-02048	07/18/11	MISC. SUPPLIES FOR REC.	Open	25.51	0.00		
	11-02078	07/20/11	ADDITIONAL SUPPLIES FOR JULY	Open	307.85	0.00		
					-----			
					684.00			
00140 ATHLETE'S KORNER SPORTS*								
	11-00176	01/21/11	BAYRUN TIMERS	Open	1,010.00	0.00		
00153 ATLANTIC CITY ELECTRIC*								
	11-02207	08/03/11	JULY, 2011	Open	9,381.71	0.00		
	11-02209	08/03/11	STREET LIGHTS - JULY, 2011	Open	20,951.87	0.00		
					-----			
					30,333.58			
00189 AUSTINS SPORTS CENTER								
	11-00174	01/21/11	DRAWSTRING BAGS	Open	150.00	0.00		
00195 B.F. MOLZ, INC*								
	11-01770	06/15/11	SHELVING UNITS	Open	3,970.70	0.00		
00257 BAYSHORE LANDSCAPING INC*								
	11-00944	04/12/11	2011 GROUNDS/PARKS MAINT BID	Open	9,290.00	0.00		B
	11-01519	06/01/11	LOT CLEARING	Open	1,500.00	0.00		B
					-----			
					10,790.00			
00301 BELMONT AND CRYSTAL SPRINGS*								
	11-02219	08/04/11	BOTTLED WATER - BOCA	Open	23.83	0.00		
	11-02251	08/09/11	BOTTLED WATER - COURT	Open	7.21	0.00		
	11-02272	08/10/11	BOTTLED WATER FOR REC.	Open	98.45	0.00		
	11-02275	08/10/11	BOTTLED WATER - FIRESAFETY	Open	12.15	0.00		
	11-02281	08/10/11	BOTTLED WATER - TOWNHALL	Open	28.72	0.00		
					-----			
					170.36			

08/11/11  
13:41:32

Lower Township  
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00348 BENNETT BATTERIES, LLC*								
	11-01602	06/08/11	SUPPLIES FOR DPS/POLICE	Open	573.40	0.00		
	11-01969	07/08/11	PARTS FOR COUNTY VEH/SC1971	Open	356.70	0.00		
					930.10			
00365 BLUE STAR*								
	11-01952	07/08/11	SUPPLIES FOR GARAGE/DPW	Open	1,974.00	0.00		
00616 ANIMAL ALLIANCE OF CAPE								
	11-02214	08/04/11	TNR AND SPAY/NEUTER PROGRAM	Open	560.00	0.00		
	11-02215	08/04/11	2010 PETSMAST GRANT	Open	215.00	0.00		
					775.00			
00652 CAPE COUNTY CLIPPERS LLC*								
	11-01517	06/01/11	LOT CLEARING	Open	1,500.00	0.00		B
00739 CAPE MAY VETERINARY HOSPITAL								
	11-02247	08/08/11	TNR PROGRAM	Open	18.55	0.00		
00784 CAPE MAY STAR & WAVE								
	11-02191	08/03/11	NOTICE OF DECISION 7/27/11	Open	28.52	0.00		
	11-02246	08/08/11	NOTICE OF ADOPTION - 8/3/11	Open	19.22	0.00		
					47.74			
00786 HAROLD CARTY								
	11-02223	08/05/11	CONTRACTUAL REIMBURSEMENTS	Open	212.62	0.00		
00807 CDW-GOVERNMENT INC*								
	11-01972	07/08/11	#1494308 VERBATIM USB 1 TB	Open	98.93	0.00		
00825 COMCAST*								
	11-02274	08/10/11	MONTHLY INTERNET ACCESS	Open	60.02	0.00		
	11-02280	08/10/11	INTERNET ACCESS - TOWNHALL	Open	95.11	0.00		
					155.13			
00851 CHEMSEARCH CORP.*								
	11-01934	07/06/11	SUPPLIES FOR GARAGE/DPW	Open	1,289.20	0.00		
00870 CHURCH'S GARDEN CENTER AND*								
	11-01559	06/02/11	MISC. SUPPLIES MONTH OF JUNE	Open	129.59	0.00		
00940 COASTAL BROADCASTING*								
	11-01466	05/23/11	ADVERTISING FOR FARMERS MARKET	Open	1,000.01	0.00		
01139 CORELOGIC								
	11-02216	08/04/11	RESOLUTION 2011-212 & 2011-229	Open	1,892.86	0.00		
01170 VERIZON WIRELESS* F/S								
	11-02248	08/08/11	CELL SERVICE - FIRE SAFETY	Open	98.41	0.00		

08/11/11  
13:41:32

Lower Township  
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01171 VERIZON WIRELESS - TOWNHALL								
	11-02208	08/03/11	CELL SERVICE	Open	1,128.80	0.00		
	11-02278	08/10/11	CELL SERVICE	Open	149.49	0.00		
					-----			
					1,278.29			
01201 DELL CORPORATION*								
	11-01757	06/13/11	LAPTOP FOR GARAGE/DPW	Open	1,149.77	0.00		
01245 G & K SERVICES CO*								
	11-02039	07/18/11	TEE-SHIRTS FOR DPW	Open	1,362.17	0.00		
	11-02152	08/01/11	UNIFORM RENTALS/DPW	Open	779.28	0.00		
					-----			
					2,141.45			
01265 BRIAN DONAHUE								
	11-02212	08/03/11	CONTRACTUAL REIMBURSEMENT - V	Open	104.00	0.00		
01492 F THOMAS HILLEGASS								
	11-02100	07/25/11	DWI SPECIAL SESSION 7/11/11	Open	300.00	0.00		
01502 PAMELA FELDER								
	11-02159	08/01/11	MEDICAL CLAIMS	Open	49.06	0.00		
01519 TOM FOLS ELECTRICALCONTRACTOR*								
	11-02156	08/01/11	LABOR/MATERIALS/DPS BLDG.	Open	1,000.00	0.00		
	11-02204	08/03/11	LABOR/MATERIALS/WASH BAY/DPW	Open	2,250.00	0.00		
	11-02226	08/08/11	TELEPHONE ELECTRIC/BOARD	Open	225.00	0.00		
	11-02234	08/08/11	MISC. ELECTRICAL REPAIRS	Open	175.00	0.00		
					-----			
					3,650.00			
01535 CHARLES F BURKE JR								
	11-02217	08/04/11	REF 2011 1ST/2ND QTR 2011 TAX	Open	1,281.02	0.00		
01598 DEARBORN NATIONAL								
	11-02188	08/03/11	AUGUST, 2011 LIFE INSURANCE	Open	539.65	0.00		
01734 CHURCH'S SEASHORE NURSERY INC*								
	11-02047	07/18/11	12 HUNTER I-25 SPRINKLER HEADS	Open	600.00	0.00		
	11-02169	08/01/11	MISC. PARTS FOR SPRINKLER	Open	332.00	0.00		
					-----			
					932.00			
01771 HD SUPPLY WATERWORKS LTD*								
	11-01752	06/13/11	PIPE FOR PRK LOT/TWP HALL	Open	9,400.00	0.00		
01774 FRANK'S MASONRY*								
	11-02056	07/20/11	CONCRETE REPAIRS @ POOL	Open	300.00	0.00		
01781 HATCH MOTT MACDONALD, LLC*								
	10-03145	12/08/10	ROOFING SYSTEM - REC CENTER	Open	10,472.00	0.00		B

08/11/11  
13:41:32

RESOLUTION #2011-225

Lower Township  
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-00781	03/25/11	ENGINEERING SERVICES/OUTFALLS	Open	12,005.38	0.00		B
	11-01395	06/07/11	ENG SVCS DOUGLASS MEM PARK	Open	2,500.00	0.00		
	11-01456	05/20/11	PKG LOT/STATION RD PHASE 3	Open	5,435.82	0.00		
					-----			
					30,413.20			
01785	ROBERT HARTMAN SR							
	11-02172	08/01/11	CONTRACT REIMB 2011	Open	230.80	0.00		B
01797	GROVE SUPPLY INC*							
	11-01856	06/27/11	IRRIGATION SYSTEM/BENNETT CRSN	Open	1,638.33	0.00		
01806	ANTHONY J HARVATT, II, ESQ							
	11-01283	05/06/11	BOARD SOLICITOR SALARY	Open	383.33	0.00		
	11-02190	08/03/11	LEGAL SERVICES - L.ALTOBELLI	Open	390.00	0.00		
					-----			
					773.33			
01824	ROBERT J. HERITAGE							
	11-02189	08/03/11	MEDICAL SUPP OVER 65 FOR 2011	Open	720.00	0.00		
01859	HESS CORPORATION							
	11-02210	08/03/11	ELECTRICITY 6/20/11-7/20/11	Open	9,841.82	0.00		
01912	GRUCCIO, PEPPER, DESANTO&RUTH PA							
	11-00157	01/14/11	2011 CONTRACT EXPENSES DNE	Open	575.00	0.00		B
01973	LOGIN INC.							
	11-02071	07/20/11	ANNUAL FEE	Open	800.00	0.00		
02004	KML TECHNOLOGY INC*							
	11-02072	07/20/11	ANNUAL CONTRACT	Open	8,210.85	0.00		
02140	KINDLE FORD LINC/MERC., INC.*							
	11-01962	07/08/11	PARTS FOR DPS/POLICE VEH.	Open	735.44	0.00		
02223	LANDSMAN UNIFORMS*							
	11-01356	05/16/11	UNIFORMS	Open	1,128.00	0.00		
02320	LOWER TOWNSHIP BRD OF EDUCATN							
	11-01282	05/06/11	SCHOOL TAX DUE 1ST OF MONTH	Open	1,451,560.80	0.00		
02417	MAGELLAN HILL TECHNOLOGIES*							
	11-02211	08/03/11	PHONE SERVICE	Open	532.97	0.00		
02541	ROBERT D. MARTIN, JR							
	11-02224	08/05/11	CONTRACTUAL REIMBURSEMENT	Open	176.90	0.00		
03022	PRICE CHOPPER, INC*							
	11-01288	05/09/11	POOL WRISTBANDS	Open	385.56	0.00		
03090	NJSACOP - ALUMNI ASSOC							
	11-02076	07/20/11	TRAINING	Open	1,000.00	0.00		



08/11/11  
13:41:32

Lower Township  
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-01852	06/27/11	BAGGED ICE FOR DPW	Open	189.00	0.00		
03659 SOUTH JERSEY WIPING CLOTH*	11-02103	07/25/11	WIPING RAGS FOR SHOP/DPW	Open	360.00	0.00		
03663 SOUTH JERSEY AUTO SUPPLY*	11-01968	07/08/11	PARTS FOR COUNTY VEHICLE	Open	40.40	0.00		
03683 SNAP-ON TOOLS*	11-01248	05/05/11	SUPPLIES FOR GARAGE SHOP/DPW	Open	446.30	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	11-02092	07/25/11	ONE-CALL MESSAGES/DPW	Open	146.72	0.00		
03831 TREASURER, COUNTY TAXES	11-02192	08/03/11	3RD QTR 2011 - DUE 8/15/2011	Open	2,358,944.32	0.00		
03932 REEL FIRE PROTECTION*	11-02145	08/01/11	10 LB. ABL FIRE EXTINGUISHER	Open	79.80	0.00		
03935 STAPLES BUSINESS ADVANTAGE*	11-01576	06/06/11	OFFICE SUPPLIES	Open	870.83	0.00		
	11-02053	07/20/11	OFFICE SUPPLIES	Open	139.66	0.00		
					-----			
					1,010.49			
03953 VESPIA TIRE CENTERS, INC.*	11-00605	03/04/11	TIRES FOR DPS/POLICE MAR,2011	Open	843.36	0.00		
03963 US LUBES, LLC *	11-02068	07/20/11	BULK OIL/ATF FLUID/DPW	Open	2,634.46	0.00		
03967 SHORE VETERINARIANS PA*	11-02213	08/04/11	FERAL SPAY/NEUTER	Open	100.00	0.00		
03971 VERIZON WIRELESS	11-02233	08/08/11	MDT	Open	644.16	0.00		
03985 VILLAS NAPA AUTO PARTS	11-01967	07/08/11	PARTS FOR COUNTY VEHICLES	Open	539.31	0.00		
	11-01987	07/11/11	PARTS FOR RDS/POLICE/DPW	Open	651.36	0.00		
					-----			
					1,190.67			
03992 VAL-U AUTO PARTS LLC*	11-01986	07/11/11	PARTS FOR RDS/POLICE	Open	1,028.46	0.00		
	11-02050	07/18/11	TIRES FOR MOWERS	Open	87.92	0.00		
					-----			
					1,116.38			
03995 VITAL COMMUNICATIONS, INC.*	11-01929	07/05/11	MODIV UPDATE TO EDMUNDS 2011	Open	100.00	0.00		



08/11/11  
13:41:32

Lower Township  
Bill List By Vendor Id

Page No: 8

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-02271	08/10/11	CHEERLEADING REFUND	Open	15.00	0.00		
FBINA	FBINAA		NJ CHAPTER*					
	11-02077	07/20/11	TRAINING	Open	300.00	0.00		
G-YAP			CENTER FOR COMMUNITY ARTS					
	11-01595	06/08/11	PAYMENT FOR YOUTH SUMMER ART	Open	3,250.00	0.00		B
GRIFFI			GRIFFIN AUTO-MANUAL SALES,INC*					
	11-02062	07/20/11	MED/HVY TRUCK SOFTWARE/GARAGE	Open	2,900.00	0.00		
IDEA			IDEARC MEDIA CORP					
	11-01793	06/16/11	CUMBERLAND COUNTY PHONE BOOKS	Open	115.24	0.00		
JAJAS			JAJA'S PONY RIDES					
	11-02283	08/11/11	NATIONAL NIGHT OUT	Open	300.00	0.00		
LEMMON			ALLEN LEMMON					
	11-02186	08/03/11	RELEASE DUMPSTER BOND	Open	500.00	0.00		
MATTERA			MICHAEL J MATTERA					
	11-02168	08/01/11	FARMERS MARKET REFUND	Open	450.00	0.00		
SAMARTIN			MARCIE SAMARTINO					
	11-02170	08/01/11	ENTERTAINMENT THE GROOVE	Open	200.00	0.00		
SUSANWAL			SUSAN WALSH					
	11-02171	08/01/11	MUSIC ENTERTAINMENT 7/22/11	Open	200.00	0.00		
Total Purchase Orders: 139				Total P.O. Line Items: 315	Total List Amount: 3,987,060.55	Total Void Amount: 0.00		

**Lower Township  
Bill List  
08/15/2011**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
NJ State Treasurer	11-02193	CAFRA Permit	45634	08/05/11	12,583.63
NJ Motor Vehicle Comm	11-02255	Veh Registrations	45637	08/09/11	120.00
Total Manual Checks					\$ 12,703.63
Total brought forward from computer generated bill list					\$ 3,987,060.55
TOTAL BILL LIST					<u>\$ 3,999,764.18</u>

I certify the foregoing to be a Resolution adopted by the Township Council on August 15, 2011.

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

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYES					
NAYS					
ABSTAIN					
ABSENT					

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

**RESOLUTION #2011-226**

**Title: AUTHORIZATION TO CANCEL GENERAL LEDGER BALANCES**

**WHEREAS**, it has been determined that there are receivable balances in the general ledger that are no longer viable; and

**WHEREAS**, it has been determined by an internal audit that these balances should be cancelled to properly reflect the financial position of the Township; and

**WHEREAS**, it is necessary to formally authorize cancellation of said balances so that they can be adjusted to show a true reflection of the financial position of the Township;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that the following cancellation is authorized:

<u>FUND</u>	<u>DESCRIPTION</u>	<u>G/L LINE</u>	<u>AMOUNT</u>
F/S GRANT	Smart Growth Grant Receivable	1-02-104-03-700-011	22,500.00

**I hereby certify the foregoing to be a resolution adopted by the Township Council on August 15, 2011.**

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

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYES					
NAYS					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-227

**TITLE: RENEWAL OF COMMERCIAL EXCAVATION (GRAVEL PIT) LICENSES FOR A & H MINING & RECYCLING LLC**

**WHEREAS**, A & H Mining & Recycling LLC has made application for renewal of commercial excavation (gravel pit) licenses, and

**WHEREAS**, the applicant has paid the appropriate fees and is currently in compliance with the regulations of the Cape Atlantic Conservation District, and

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

1. That the renewal of the commercial excavation license for the following are hereby approved:

<b>Block 410.01</b>	<b>Lots 89, 93 - 98</b>
<b>Block 410.01</b>	<b>Lots 99.01 &amp; 99.02</b>
<b>Block 410.01</b>	<b>Lot 92</b>

2. That all such licenses shall remain in full force and effect through July 15, 2012.

3. That the renewal of such license shall be conditioned on there being no further commercial activity conducted on the licensed premises without first obtaining all required Township and/or State licenses and permits and that a violation of this condition shall be grounds for revocation of the license.

4. The issuance of the licenses is further conditioned on the licensee's compliance with all applicable Federal, State and local laws and that a conviction of any Federal, State or local law shall be grounds for revocation of the license.

I hereby certify the foregoing to be a resolution adopted by the Township Council on August 15, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-228

TITLE: CANCELLATION OF 2011 PROPERTY TAX

WHEREAS, Block 494.21 lot 12, assessed to Charles F Burke Jr. was changed to property class 15F as of January 1, 2011, and Block 48 lot 1.02, assessed to Robert J Walsh was changed to property class 15F as of June 15, 2011 due to being 100% disabled veterans: and

WHEREAS, Charles Burke paid the first and second quarter taxes.

NOW, THEREFORE, BE IT RESOLVED that the 2011 taxes be canceled and \$1,280.02 be refunded to the Charles Burke.

I hereby certify the foregoing resolution was adopted by the governing body at a Council meeting held on August 15, 2011.

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

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-229

TITLE: AUTHORIZATION FOR REFUND OF TAXES

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

WHEREAS, refunds have been requested.

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

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>	<u>Interest</u>
411	48	Corelogic	Lot combined	461.99	
496.01	9.05	Joseph & Mary Coyle	Appeal	640.81	1.72

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on August 15, 2011.

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

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					





**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 3, 2011  
Via email: mvoll@townshipoflower.org

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

**RE: Proposal for Engineering Services  
Beach Drive Public Access Improvements  
Township of Lower, Cape May County, New Jersey**

Dear Mr. Voll:

As requested, the following is Hatch Mott MacDonald's (HMM) proposal to complete the professional engineering services required to prepare the information and documents requested by the NJDEP for their initial review of the above referenced project. The NJDEP has indicated that they want to have and review this information before they attend the meeting that is currently scheduled for August 23, 2011 in Lower Township.

Colleen Keller, NJDEP has agreed to meet with the Township to discuss the proposed public access improvements along Beach Drive. The purpose of the meeting is to get a positive response and or guidance from the NJDEP regarding the construction of sidewalks and crosswalks along the bay side of Beach Drive. If the NJDEP is favorable to these improvements the Township can consider applying for grant funds from the NJDOT Municipal Aid Program to fund the project. The NJDOT FY2012 grant applications must be submitted before September 23, 2011.

In order to establish the preliminary scope of this project, HMM will contact your office in the upcoming week to discuss the project in more detail so we can provide the NJDEP with a concept plan, photos and a brief narrative explaining the project.

The following outlines our proposed scope of services for work included in this proposal:

- Request and coordinate a NJDEP pre-application meeting at the project site in Lower Township;
- In support of the formal request for the meeting HMM will prepare and forward project documents to the NJDEP for review prior to the site meeting including:
  1. Prepare photographs of existing conditions along Beach Drive;
  2. Consult with the Township and prepare a concept plan showing the general location of proposed public access improvements;
  3. Prepare a narrative description of the purpose and scope of the project; and
  4. Discuss meeting results with the Township.



Hatch Mott  
MacDonald

Design and Construction phase services have not been included within this proposal. Should these services be required at a later date, HMM would be pleased to provide a separate scope of work and cost proposal to cover these additional services.

We propose to complete the scope of work outlined above for the lump sum amount of \$1,750.

Upon your authorization of this scope of work we will prepare and forward the project information to the NJDEP in time for their review prior to our August 23<sup>rd</sup> meeting.

Compensation for this project shall be on a lump sum basis and the Township shall be invoiced on a percent complete basis. We thank you for the opportunity to provide this Scope of Work for this 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  
Associate  
T609.465.9377 F 609.465.5270  
steven.morey@hatchmott.com

cc: Robert C. Mainberger, PE, CME, Hatch Mott MacDonald  
File: 287118CM10-III-3

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

RESOLUTION #2011-231

**TITLE: AUTHORIZATION FOR NUMBER ONE TAXI, LLC TO TRANSFER TAXI LICENSE FROM 1999 PLYMOUTH GRAND VOYAGER SE TO 1998 PLYMOUTH GRAND VOYAGER SE**

WHEREAS, Number One Taxi, LLC (#1 Taxi) service applied for and received a taxi license for a 1999 Plymouth Grand Voyager SE, Vin #2P4GP44GXR270161, and

WHEREAS, the above vehicle has been replaced with a 1998 Plymouth Grand Voyager SE, VIN #2P4GP44G3WR524651 and has requested the license be transferred to the new vehicle, and

WHEREAS, the applicant has paid the required Twenty Five Dollar (\$25) transfer fee and provided the required insurance certificate showing the new vehicle.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the license transfer is hereby approved.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on August 15, 2011.

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

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

**2011 TAXI/LIMOUSINE & OPERATOR APPLICATION**

**LIMOUSINES**     **\$50 per vehicle**  
**Insurance not less than \$1,500,000**

**TAXI CABS**     **\$250.00 per vehicle**  
**Insurance not less than \$300,000**

**NAME OF OWNER/APPLICANT\* for Taxi/Limo License**  
(Licenses will be issued to the name listed below.)

NUMBER ONE TAXI LLC

**Daytime Phone #** 609 827 3200

**Alt. Phone #** 609 889 9595

\*If owner is corporation or other business entity licensed in State of New Jersey, include name of representative of such entity. All applicants & principals owning 5% or more must apply for a Criminal Background check, list all names below.

**Name & Address of all principals owning 5% or more.** (If necessary, attach a separate sheet)

ROBERT WHITE 100%

**Address of Principal Place of Business** of applicant as listed in local telephone directories, if no place is listed in local phone directory, principal place of business address as shown on Federal & State tax forms.

459 SHUNPIKE RD, CAPE MAY COURT HOUSE, NEW JERSEY 08210

**VEHICLE #1**

Year/Make of Vehicle 1998 PLYMOUTH

Model of Vehicle GRAND VOYAGER SE

**Type of Lic**  
Taxi or Limo

VIN # 2P4GP44G3WR524651

License Plate # \_\_\_\_\_

**VEHICLE #2**

Year/Make of Vehicle \_\_\_\_\_

Model of Vehicle \_\_\_\_\_

**Type of Lic**  
Taxi or Limo

VIN # \_\_\_\_\_

License Plate # \_\_\_\_\_

**VEHICLE #3**

Year/Make of Vehicle \_\_\_\_\_

Model of Vehicle \_\_\_\_\_

**Type of Lic**  
Taxi or Limo

VIN # \_\_\_\_\_

License Plate # \_\_\_\_\_

**VEHICLE #4**

Year/Make of Vehicle \_\_\_\_\_

Model of Vehicle \_\_\_\_\_

**Type of Lic**  
Taxi or Limo

VIN # \_\_\_\_\_

License Plate # \_\_\_\_\_

**VEHICLE #5**

Year/Make of Vehicle \_\_\_\_\_

Model of Vehicle \_\_\_\_\_

**Type of Lic**  
Taxi or Limo

VIN # \_\_\_\_\_

License Plate # \_\_\_\_\_

2011-231

8/5/11 Pd. \$25.00 Vehicle transfer CASH

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

RESOLUTION #2011-232

TITLE: APPROVAL OF CHANGE ORDER #1 FOR S.J. ENERGY PLUS

WHEREAS, South Jersey Energy Plus, was previously awarded a contract in the amount of \$55,546.32 for the Township's Direct Install Program, and

WHEREAS, during the course of the work on this project certain changes to the original contract were necessary and are outlined below, and

Building	Original Cost	Revised Cost	Reason
Recreation	2,674.95	2,679.71	Contractor failed to use Prevailing Wage and occupancy sensors were omitted from the gym, (ceiling is too high for use).
DPW	2,316.13	3,542.30	Contractor failed to use Prevailing Wage and two sensors were omitted for two offices.
Municipal Building	23,002.01	23,002.01	No Revision
Planning/Zoning	16,887.77	18,862.76	Fuel line installation not included in original scope of work.
Millman	10,665.46	18,476.32	Fuel line installation not included in original scope of work.
Total	55,546.32	66,563.10	Within the 20%

WHEREAS, the CFO has certified the availability of funds as evidenced below:

  
 Lauren Read, CFO

Ord #011-14 C 04-55-391-595  
 Budget Account

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, that Change Order No. 1 for the is hereby approved and that the total contract amount for this project is amended to \$66,563.10.

BE IT FURTHER RESOLVED that South Jersey Energy Plus is authorized to proceed with the changes and to complete them in accordance with the terms of the Revised Contract Documents.

I hereby certify this is the original resolution adopted by the Township Council on August 15, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

**RESOLUTION #2011-233**

**TITLE: ISSUANCE ICE CREAM SALESMAN LICENSES FOR THE YEAR 2011 TO FUDGY WUDGY ICE CREAM**

WHEREAS, Casimir L. Czworkowski t/a has submitted an Ice Cream Salesman Applications for Fudgy Wudgy Ice Cream for the year 2011, and

WHEREAS, the applicant has paid the required fee & completed all necessary paperwork.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the Clerk be authorized to issue the following salesman license for the year 2011.

**Ice Cream Peddling Salesman License**

Casimir L. Czworkowski

I hereby certify the foregoing resolution was adopted by the Township Council on August 15, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

**RESOLUTION # 2011-234**

**TITLE: Joining the National Moment of Remembrance of the 10<sup>th</sup> Anniversary of September 11<sup>th</sup>**

**WHEREAS**, the governing body of Lower Township expresses their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

**WHEREAS**, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

**WHEREAS**, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

**WHEREAS**, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

**WHEREAS**, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

**WHEREAS**, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

**WHEREAS**, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

**WHEREAS**, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

**WHEREAS**, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

**WHEREAS**, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

**WHEREAS**, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

**WHEREAS**, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

**WHEREAS**, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

**WHEREAS**, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

**WHEREAS**, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

**WHEREAS**, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

**WHEREAS**, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

**WHEREAS**, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

**WHEREAS**, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

**NOW, THEREFORE BE IT RESOLVED** that the governing body of *Lower Township*

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

**BE IT FURTHER RESOLVED** that on the 10th anniversary of this tragic day in United States history the governing body of the *Lower Township* calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi)

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

**RESOLUTION #2011-235**

**TITLE: RESOLUTION AMENDING RESOLUTION #2011-10 ENTITLED  
“CONFIRMATION OF OFFICIALS FOR JOINT INSURANCE FUND  
AND MUNICIPAL EXCESS LIABILITY FUND”**

WHEREAS, Resolution #2011-10 confirmed certain appointments of officials for the Joint Insurance Fund, and

WHEREAS, the Brian Marker had been designated as the Safety Coordinator for the Township and has now been promoted to Police Chief, and

WHEREAS, Chief Marker no longer has the time necessary to devote to the position of Safety Coordination and the Township has chosen Jason Dilworth to replace Mr. Marker.

NOW, THEREFORE, BE IT RESOLVED by the Township Council the following change is made:

<u>Position</u>	<u>Name of Person Appointed</u>
Safety Coordinator	Jason Dilworth (replacing Brian Marker)

FURTHER RESOLVED a copy of this resolution be sent to the ACMJIF.

I hereby certify the foregoing to be a resolution adopted by the Township Council on August 15, 2011.

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

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

**RESOLUTION #2011-236**

**TITLE: RESOLUTION OPPOSING S-2795 AND A-3835, CONCERNING ENFORCEMENT RESPONSIBILITY OF STATE HOUSING CODE UNDER THE "HOTEL AND MULTIPLE DWELLING LAW"**

WHEREAS, on June 29<sup>th</sup> S-2795 passed the State Senate by a vote of 23-13-4, and now rests with its Assembly companion, A-3835, with the Assembly Housing and Local Government Committee: and

WHEREAS, S-2795 and A-3835 would prohibit municipalities from adopting ordinances requiring periodic inspections of multiple dwellings other than those conducted by the State under the "Hotel and Multiple Dwelling Law", and

WHEREAS, S-2795 and A-3835 would prohibit municipalities from charging separate fees for the registration of multiple dwellings; and

WHEREAS, according to a fiscal estimate prepared by the non-partisan Office of Legislative Services S-2795 and A-3835 will decrease municipal revenues and potentially decrease municipal expenditures; and

WHEREAS, S-2795 and A-3835 would eliminate local control over the inspection of multiple dwelling which is not in the public's best interests; and

WHEREAS, landlord registration of any rental unit, regardless of whether a portion is owner-occupied could continue but a municipality would be prohibited from charging a registration fee thereby raising cost without any revenue off-set; and

WHEREAS, municipalities could continue to issue "Continuing Certificates of Occupancy" upon an inspection following termination of occupancy in a rental unit, but would be preempted by the bill from having or adopting ordinance under which periodic inspections of multiple dwellings would be made; and

WHEREAS, such landlord registrations and "Continuing Certificates of Occupancy" are conducted for the public safety and welfare of the citizens of our municipality;

NOW, THEREFORE, BE IT RESOLVED by the Township of Lower that enactment of S-2795 and A-3835 will decrease municipal revenues and place yet another financial burden on already strained New Jersey Municipalities, and will take away local control over the inspection of multiple dwellings, which is not in the best interest of our residents.



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

RESOLUTION #2011- 237

TITLE: AUTHORIZING PERSONNEL POLICY MANUAL UPDATE

WHEREAS, the Township of Lower is required to review and update the personnel policy manual every two years and/or as needed; and

WHEREAS, it is necessary to update the policy on the Use of Township Vehicles to include language ensuring compliance with IRS publication 15-B;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the attached policy is authorized to be included in the personnel policy manual and will be distributed to employees and forwarded to the Atlantic County Joint Insurance Fund.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a public meeting held on August 15, 2011.

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

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYES					
NAYS					
ABSTAIN					
ABSENT					

## USE OF TOWNSHIP VEHICLES POLICY

Township vehicles shall be used only on official business and all passengers must be on Township business. Personal use of Township vehicles is strictly prohibited.

The Township Manager may assign vehicles to employees to facilitate responses during after-hours for storms or other Township emergencies. Assignment of vehicles to employees is the sole discretion of the Township and a unilateral right that can be withdrawn at any time. Employees assigned a vehicle will maintain a log detailing all responses after normal business hours. The log will include the date, time and a brief description of the incident. Any violation will result in the loss of the privilege to use a vehicle.

For employees who use a non-tax exempt Township vehicle to commute to work, the Township will compute a daily value for the commuting. This will be calculated according to IRS publication 15-B and the amount will be included on the employee's W-2 form at the end of the calendar year.

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

RESOLUTION #2011- 238

TITLE: CERTIFICATION OF BEST PRACTICES INVENTORY

WHEREAS, the New Jersey State Appropriations Act (P.L. 2011, c85) requires the Division of Local Government Services (DLGS) to determine the payment amount for each municipality's final share of State Aid based upon the results of the Best Practices Checklist; and

WHEREAS, the purpose of the Best Practices Checklist is to promote and improve financial accountability and transparency by withholding some or all of the final payment of State Aid unless the municipality certifies a minimum of 41 out of 50 best practices; and

WHEREAS, the attached 2011 Best Practices Inventory for the Township of Lower shows that the Township qualifies to receive 100% of the final payment of State Aid;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the 2011 Best Practices Inventory has been reviewed and may be forwarded to the State of New Jersey Department of Community Affairs.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a public meeting held on August 15, 2011.

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

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYES					
NAYS					
ABSTAIN					
ABSENT					

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

**RESOLUTION #2011-239**

**TITLE: APPROVAL OF COLD SPRING PRESBYTERIAN CHURCH'S APPLICATION TO CONDUCT A FLEA MARKET**

WHEREAS, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13b, and

WHEREAS, Section 359-13 of the General Ordinances of the Township of Lower permits non-profit, charitable, civic and religious organizations to conduct four (4) outdoor flea markets within the confines of the Township if approved by the Township Council.

WHEREAS, the Township Council has reviewed the application of Cold Spring Presbyterian Church to conduct a flea market on September 3, 2011 with a rain date of September 10, 2011, and

WHEREAS, the Council has determined the applicant meets the ordinance requirements of a non-profit, charitable, civic and/or religious organization.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that approval is hereby granted.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on August 7, 2011.

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

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

RECEIVED  
8-10-11

APPLICATION FOR OUTDOOR FLEA MARKET  
NO FEE LICENSE

Name of Organization: COLD SPRING PRESBYTERIAN CHURCH

Name of Applicant (Responsible Party): ELAINE M. JORDAN  
Address & Phone Number: \_\_\_\_\_

Location of Event: ACADEMY + SEASHORE RDS.

Proceeds to Benefit: ACTIVITIES FUND

Dates of Flea Market: 8/3/2011 (Sept 3, 2011)  
(Two Days Only)

Rain Date: 8/10/2011 (Sept. 10, 2011)

State Applicable Status: Non-Profit  Civic \_\_\_\_\_  
Charitable \_\_\_\_\_ Religious

Marilyn J. Merkle  
Signature of Person in Charge

FOR TOWNSHIP USE ONLY

Date Approved by Council: Marilyn J. Merkle

465-3411  
442-5865

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

**ORDINANCE #2011-15**

**AN ORDINANCE AMENDING CHAPTER SEVEN ENTITLED "TRAFFIC" OF THE CODE OF THE TOWNSHIP OF LOWER**

BE IT ORDAINED by the Township Council of the Township of Lower that Chapter 7, Traffic of the General Ordinances of the Township of Lower is hereby amended and supplemented as follows:

SECTION 1. Ordinance #95-1 adopted March 6, 1995 is hereby repealed in its entirety.

SECTION 2. Chapter 7-3.5, Schedule III entitled No Stopping or Standing, of the Code of the Township of Lower is hereby amended to include the following:

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
Seashore Road	Both	All	Beginning at the point of 725 feet north of the north curb line at Tabernacle Road & continuing 765 feet northerly therefrom
Town Bank Road	South side	Saturday/Sunday	Beginning at the intersection of Wakefield Place and continuing east approximately 800 feet

SECTION 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 4. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

SECTION 5. This Ordinance shall become effective immediately upon final passage and publication, according to law.

\_\_\_\_\_  
THOMAS CONRAD, COUNCILMEMBER

\_\_\_\_\_  
ERIK SIMONSEN, COUNCILMEMBER

\_\_\_\_\_  
GLENN DOUGLASS, COUNCILMEMBER

\_\_\_\_\_  
KEVIN LARE, DEPUTY MAYOR

\_\_\_\_\_  
MICHAEL E. BECK, MAYOR

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

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

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

ORDINANCE #2011-16

**AN ORDINANCE AUTHORIZING EXECUTION OF A CONVEYANCE BY QUIT CLAIM DEED OF CERTAIN POTENTIAL PROPERTY INTERESTS TO THE LOWER TOWNSHIP RESCUE SQUAD IN CONNECTION WITH PROVIDING EMERGENCY FIRST AID SERVICES TO THE TOWNSHIP OF LOWER**

Section 1. In accordance with N.J.S.A. 40A:12-21, this special ordinance is introduced to be adopted for the purpose of allowing the execution of a quit claim deed of certain land conveying any interest the Township of Lower may have in such land to the Lower Township Rescue Squad to be used in connection with the provision of emergency first aid service to the citizens of the Township of Lower.

Section 2. The aforementioned deed is on file with the Township Clerk and is hereby incorporated herein by reference. As may be required by N.J.S.A. 40A:12-21, the following findings of fact are made by the governing body:

- a. The Township of Lower may or may not have an interest in the real property by operation of law as a result of certain language in a prior deed of conveyance to the Lower Township Rescue Squad;
- b. The Township of Lower finds that, to the extent the Township may have obtained some interest in the property, there is no public need for same.
- c. Consideration for the provision of the quit claim deed, as allowed by N.J.S.A. 40A:12-21, shall be \$1.00 per year as set forth in the deed;
- d. The deed furthers the important public purpose of providing volunteer rescue squad services to the citizens of the Township of Lower;
- e. The entire citizenry and visitors to the Township benefit from the granting of this conveyance to the Rescue Squad;
- f. The conveyance comes under the provisions of N.J.S.A. 40A:12-21 and is authorized by that statute for conveyance to the rescue squad with the conditions of said statute contained in the deed.

Section 3. Upon final adoption and approval of this Ordinance, the Mayor and Clerk shall be and hereby are authorized and directed to execute and record the aforementioned quit claim deed on behalf of the Township of Lower for the purposes aforesaid and to provide a copy of same to the Lower Township Rescue Squad.

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 5. This Ordinance shall take effect after final passage and publication as provided by law.

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

\_\_\_\_\_  
Erik Simonsen, Councilmember

Attest: \_\_\_\_\_  
Claudia Kammer, Township Clerk

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

\_\_\_\_\_  
Kevin Lare, Councilmember

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

\_\_\_\_\_  
Michael Beck, Mayor

Prepared by:

FRANK L. CORRADO, ESQUIRE

## **DEED**

This Deed is made on \_\_\_\_\_, 2011,

**Between** the TOWNSHIP OF LOWER, whose address is 2600 Bayshore Road, Villas, New Jersey 08251 referred to as the Grantor,

**AND** the LOWER TOWNSHIP RESCUE SQUAD, whose address is P.O. Box 89, Villas, New Jersey 08251, referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

**Transfer of Ownership.** Upon the authority of N.J.S.A. 40A:12-21, the relevant provisions of which are incorporated herein by reference, and duly adopted Ordinance of the Township of Lower in accordance therewith, The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of ONE DOLLAR (\$1.00). The Grantor acknowledges receipt of this money.

**Reverter.** In accordance with N.J.S.A. 40A:12-21, such lands shall be used only for the purposes of the Lower Township Rescue Squad and to render such services or to provide such facilities as may be agreed upon by and between the Township of Lower and the Lower Township Rescue squad, and except as provided in subsection (n) of 40A:12-212, not for commercial business, trade or manufacture, and that, unless waived, released, modified, or subordinated pursuant to N.J.S.A. 40:60-51.2, if said lands or buildings are not used in accordance with said limitation, title thereto shall revert to the Township of Lower without any entry or reentry made thereon on behalf of the Township of Lower.

**Tax Map Reference.** (N.J.S.A. 46:15-2.1) Municipality of Township of Lower, Block 233.01, Lot 1.

**Property.** The property consists of the land and all the buildings and structures on the land in the Township of Lower, County of Cape May and State of New Jersey. The legal description is:

ALL that certain plot or parcel of land situate; lying and being in the Township of Lower, County of Cape May, and State of New Jersey bounded and described as follows, to wit:

BEGINNING at the point of intersection of the Southwesterly side line of Cardinal Road with the Southeasterly boundary line of Skill's Beach, said boundary line being also the Northwesterly side line of Main Street as laid out on a map of Wildwood Villas Section 7; and extending thence

(1) Along the aforementioned Southeasterly boundary line of Skill's Beach, being also the Northwesterly side line of Main Street, South 20 degrees 08 minutes West, a distance of One hundred twenty four and forty-one-hundredths (124.40) feet to the Northeasterly side line of Georgia Avenue: thence

(2) Along the Northeasterly side line of Georgia Avenue, North 60 degrees 00 minutes 30 seconds West, a distance of Sixty-six and fifty-four one-hundredths (66.54) feet, to the point of intersection with the Southeasterly side line of Yuma Avenue, said side line being 10 feet Northwestwardly from the division line between Lot No. 1 and Lot No. 2 when measured at right angles thereto; thence

(3) Along the Southeasterly side line of Yuma Avenue, through Lot No. 2 (said side line being 10 feet Northwestwardly of the division line between Lot No. 1 and Lot No. 2 when measured at right angles thereto), and continuing along Southeasterly side line of Yuma Avenue through Lot No. 23, (said side line being 10 feet Northwestwardly from the division line between Lot No. 23, and Lot No. 24, when measured at right angles' thereto), North 32 degrees 09 minutes 30 seconds East, a distance of One hundred twenty-six and eighty one-hundredths (126.80) feet to the Southwesterly side line of Cardinal Road; thence

(4) Along the Southwesterly side line of Cardinal Road, South 57 degrees 50 minutes 30 seconds East, a distance of Fifty-nine and ninety-two one-hundredths (59.92) feet, to the point and place of beginning.

Containing within the above described bounds Seven thousand nine hundred thirty seven and thirty-nine one-hundredths (7937.39) square feet of land to be the same more or less. Comprising all of Lot No. 24, the Southeasterly 10 feet of Lot No. 23, and portions of Lots No. 1 and No. 2, of Block No. 5, as laid out on a map of "Skill's Beach, Delaware Bay; Lower Township, Cape May County, New Jersey, C.B. Middleton, C. E., December 18, 1946, duly filed.

NOW KNOWN as Block 233.01, Lot 1 on the current tax map of the Township of Lower.

BEING the same lands and premises which Charles Buddy Lewis Veterans Home Association granted and conveyed unto Lower Township Rescue Squad, by deed dated February 28, 1961, and recorded March 2, 1961 in Deed Book 1042, page 309 in the Cape May County Clerk's Office.

UNDER AND SUBJECT to valid covenants, conditions, restrictions and reservations of record.

THIS DEED PREPARED WITHOUT BENEFIT OF A TITLE REPORT.

**Type of Deed.** This Deed is called a Quitclaim Deed. The Grantor makes no promises as to ownership or title, but simply transfers whatever interest the Grantor has to the Grantee.

**Signatures.** The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

TOWNSHIP OF LOWER

\_\_\_\_\_

\_\_\_\_\_  
MICHAEL BECK, MAYOR (SEAL)

STATE OF NEW JERSEY :  
                                  : ss  
COUNTY OF CAPE MAY :  :

I am \_\_\_\_\_, an officer authorized to take acknowledgements and proofs in this State.

On \_\_\_\_\_, 2011, CLAUDIA KAMMER (from now on called the "Witness") appeared before me in person. The Witness was duly sworn by me according to law under oath and stated and proved to my satisfaction that:

1. The Witness is the Clerk of the Township of Lower, which is the Grantor in this Deed.
2. MICHAEL BECK, the officer who signed this Deed, is the Mayor of the Township of Lower.
3. The making, signing, sealing, and delivery of this Deed have been duly authorized by a proper resolution of the Township of Lower.
4. The Witness knows the seal of the Township. The seal affixed to this Deed is the seal of the Township of Lower. The seal was affixed to this Deed by Mayor Michael Beck. Mayor Michael Beck

signed and delivered this Deed as and for the voluntary act and deed of the Township of Lower. All this was done in the presence of the Witness, who signed this Deed as attesting witness. The Witness signs this proof to attest to the truth of these facts.

The Witness also acknowledged that the full and actual consideration paid or to be paid for the transfer of title to realty evidenced by this Deed, as such consideration is defined in P.L. 1968, c. 49, §1(c), is \$1.00.

Sworn to and subscribed  
before me on the     day  
of                     , 2011.

\_\_\_\_\_  
CLAUDIA KAMMER, RMC

\_\_\_\_\_  
NOTARY PUBLIC OF NEW JERSEY

---

---

**DEED**

Dated: \_\_\_\_\_, 2011

---

---

TOWNSHIP OF LOWER,

Grantor,

TO

LOWER TOWNSHIP RESCUE  
SQUAD,

Grantee.

---

---

August 3, 2011

New Jersey Department of Community Affairs  
Division of Local Government Services  
101 South Broad Street  
P.O. Box 803  
Trenton, NJ 08625-0803

Certification of Mailing of Tax Bills

I do hereby certify as follows:

1. I am the Tax Collector of the Township of Lower, in the County of Cape May, State of New Jersey.
2. The mailing or other delivery of all original tax bills for the third and fourth installments for the year 2011 was completed on August 2, 2011.
3. Pursuant to N.J.S.A. 54:4-66 et seq., payment of the third installment will bear no interest if received by August 29, 2010. After August 29<sup>th</sup> all receipts shall be deemed delinquent, with interest accruing from August 1, 2010.

  
\_\_\_\_\_  
Susan Jackson, Tax Collector  
CTC#1395

cc: Township Clerk  
File

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>
	\$2,125,000	2011-1	\$2,125,000
<u>DATE:</u>	8/11/11		
<u>MATURITY:</u>	8/10/12		
<u>INTEREST</u> <u>RATE PER</u> <u>ANNUM:</u>	1.01%, 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 Valley National Bank, Wayne, New Jersey, at the price of \$2,125,000.00.

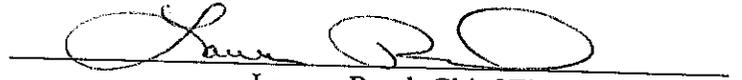
3. No bonds of the Township have heretofore been issued pursuant to the bond ordinances referred to in Section 1 hereof, except as set forth in the attached chart.

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.

IN WITNESS WHEREOF, I have hereunto set my hand as of August 11, 2011.

  
Lauren Read, Chief Financial Officer

**\$2,125,000 Bond Anticipation Notes**  
**Township of Lower,**  
**in the County of Cape May, New Jersey**

Dated: August 11, 2011  
 Maturing: August 10, 2012

BOND ORDINANCE NUMBER	DESCRIPTION OF IMPROVEMENT AND DATE OF ADOPTION OF BOND ORDINANCE	ORIGINAL BOND AUTHORIZATION	PERIOD OF USEFULNESS	NEW MONEY	REIMBURSEMENT AMOUNT (Date of the First Expenditure)	PROCEEDS TO BE USED FOR CONSTRUCTION PURPOSES	AMOUNT TO BE ISSUED
2007-14	Various capital improvements, finally adopted July 2, 2007.	\$2,173,000	7.20 years	\$375,000	\$0	\$0	\$375,000
2008-20	Various capital improvements, finally adopted October 6, 2008.	\$755,000	7.32 years	\$755,000	\$337,500 (10/31/08)	\$0	\$755,000
2009-11	Installation of stormwater outfall extensions for various roads, finally adopted August 17, 2009.	\$245,000	40 years	\$245,000	\$155,000 (10/6/09)	\$245,000	\$245,000
2009-12	Various capital improvements, finally adopted August 17, 2009.	\$335,000	7.66 years	\$335,000	\$131,000 (1/22/10)	\$0	\$335,000
2010-09	Road and drainage improvements, finally adopted September 8, 2010.	\$415,000	10 years	\$415,000	\$314,000 (10/19/10)	\$415,000	\$415,000
<b>TOTAL:</b>				<b>\$2,125,000</b>	<b>\$937,500</b>	<b>\$660,000</b>	<b>\$2,125,000</b>

## ANIMAL CONTROL MONTHLY REPORT

MONTH OF July 2011

ACO Steve Flitcroft DATE 8/1/2011

	<b>DOGS</b>	<b>CATS</b>	<b>WILDLIFE</b>
<b>TOTAL CALLS</b>	68	56	46
<b>TO SHELTER</b>	12	27	0
<b>RETURNED</b>	22	10	18
<b>TO VET</b>	0	0	0
<b>DOA</b>	0	7	12
<b>WARNINGS</b>	2	0	0
<b>TICKETS</b>	0	0	0
<b>BITES</b>	0	0	0
<b>QUARANTINES</b>	0	0	0
<b>OTHER</b>	32	12	16

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

### Additional Comments

Through the TNR program we prevented unchecked cat reproduction which could have yielded anywhere from 40 to 400 kittens in future years. This month with the heat wave we picked up more deceased animals and had an increase in calls for dogs left outside. Upon arrival and investigation of each and every call all were found to be provided with food ,water and a shelter to escape the heat or were warned to comply. All that were warned followed through or brought the animal inside.

## ANIMAL CONTROL MONTHLY REPORT

MONTH OF July 2011

ACO Steve Parker DATE 8/1/2011

	<b>DOGS</b>	<b>CATS</b>	<b>WILDLIFE</b>
<b>TOTAL CALLS</b>	20	3	8
<b>TO SHELTER</b>	7	2	0
<b>RETURNED</b>	5	0	2
<b>TO VET</b>	0	0	0
<b>DOA</b>	1	0	1
<b>WARNINGS</b>	0	0	0
<b>TICKETS</b>	0	0	0
<b>BITES</b>	1	0	0
<b>QUARANTINES</b>	1	0	0
<b>OTHER</b>	5	1	5

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

**Additional Comments**

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

**OFFICE OF CONSTRUCTION OFFICIAL**

**Construction Permit Activity Report**

RANGE: 07/01/2011 To 07/31/2011

August 04 , 2011 12:14:52PM

**SUMMARY**

**CONSTRUCTION COSTS**

**COUNT**

Cost Of Construction:	\$404,960.00	Cubic Footage:	71880 Cu.ft	Permit Issued:	107
Cost Of Alteration:	\$498,252.00	Square Footage:	7932 Sq.ft	Updates Issued:	6
Cost Of Demolition:	\$5,000.00			All Fees Waived:	4
Total Cost:	\$908,212.00			Municipal Fees Waived:	0

**PERMIT FEES**

**ADMIN FEES**

**WAIVED FEES**

**TOTAL FEES**

Building:	\$11,306.00	Building:	\$0.00	Building:	\$1,950.00	Building Fees:	\$9,356.00
Electrical:	\$4,578.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$4,578.00
Fire :	\$2,124.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$2,124.00
Plumbing:	\$2,843.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$2,843.00
Elevator:	\$204.00	Elevator:	\$0.00	Elevator:	\$204.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$239.00	\$0.00	\$239.00
Alteration Training Fee:	\$852.00	\$156.00	\$696.00
DCA Minimum Fee:	\$18.00	\$0.00	\$18.00
Sub total Training Fee:	\$1,109.00	\$156.00	\$953.00

**TECHNICAL ISSUES**

Building Technical:	58
Electrical Technical:	62
Fire Protection Technical:	23
Plumbing Technical:	37
Elevator Technical:	1
Mechanical Technical:	

**CERTIFICATE ISSUES**

Certificate of Occupancy:	3
Certificate of Approval:	3
Certificate of Continued Occupancy:	0

Certificate of Occupancy Fee:	\$726.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$726.00

PERMIT FEES:	\$18,901.00
DCA FEES:	\$953.00
CERTIFICATE FEES:	\$726.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$20,580.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$50.00
GRAND TOTAL FEES:	\$20,630.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 07/01/2011 To 07/31/2011

August 4, 2011 12:15:23PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$748.00	\$19,882.00	\$0.00	\$20,630.00
LICENSE FEES	Sub Totals:	\$350.00	\$450.00	\$0.00	\$800.00
Copies	Sub Totals:	\$0.05	\$0.00	\$0.00	\$0.05
DUMPSTER	Sub Totals:	\$0.00	\$10.00	\$0.00	\$10.00
<b>GRAND TOTALS:</b>		\$1,098.05	\$20,342.00	\$0.00	\$21,440.05

**Construction Permit Activity Report**

**SUMMARY**

**CONSTRUCTION COSTS**

**COUNT**

Cost Of Construction:	\$19,843.00	Cubic Footage:	0 Cu.ft	Permit Issued:	5
Cost Of Alteration:	\$15,500.00	Square Footage:	0 Sq.ft	Updates Issued:	2
Cost Of Demolition:	\$0.00			All Fees Waived:	1
Total Cost:	\$35,343.00			Municipal Fees Waived:	0

**PERMIT FEES**

**ADMIN FEES**

**WAIVED FEES**

**TOTAL FEES**

Building:	\$330.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$330.00
Electrical:	\$231.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$231.00
Fire :	\$45.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$45.00
Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$0.00
Elevator:	\$204.00	Elevator:	\$0.00	Elevator:	\$204.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$204.00	Technical Fees:	\$606.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$0.00	\$0.00	\$0.00
Alteration Training Fee:	\$27.00	\$0.00	\$27.00
DCA Minimum Fee:	\$0.00	\$0.00	\$0.00
Sub total Training Fee:	\$27.00	\$0.00	\$27.00

**TECHNICAL ISSUES**

Building Technical:	3
Electrical Technical:	3
Fire Protection Technical:	1
Plumbing Technical:	
Elevator Technical:	1
Mechanical Technical:	

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

**CERTIFICATE ISSUES**

Certificate of Occupancy:	3
Certificate of Approval:	1
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$606.00
FEES:	\$27.00
CERTIFICATE FEES:	\$0.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$633.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$633.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 07/01/2011 To 07/31/2011

August 4, 2011 12:22:25PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$0.00	\$633.00	\$0.00	\$633.00
	<b>GRAND TOTALS:</b>	\$0.00	\$633.00	\$0.00	\$633.00

New Jersey State Department of Health and Senior Services  
 Infectious and Zoonotic Disease Program  
 PO Box 369  
 Trenton, New Jersey 08625-0360

FOR STATE USE ONLY	
Check # _____	Amount _____
Date of check _____	_____
Trans. Number _____	_____
Date of Trans. _____	_____

**Monthly Dog License Report**

**A: IDENTIFICATION**

Municipality : TOWNSHIP OF LOWER County: CAPE MAY Date: 8/ 8/2011

**B: LICENSE DATA**

1. Period Covered	From: 07/01/2011	To: 07/31/2011
2. First License # of this report .....	1536	
3. Last License # of this report .....	1569	
4. Last License # of last report .....	1535	
5. Total Licenses issued this report ....	34	

**C: LICENSES ISSUED FOR WHICH NO MONEY IS SUBMITTED**

List individually all licenses issued for which no fee is submitted.

**D: PILOT CLINIC FUND**

Surcharge for all licenses issued except for seeing eye & hearing ear .

Numbers: 34 Amount : \$6.80

**E: ANIMAL POPULATION CONTROL FUND**

Additional surcharge for licenses issued for non-spayed & non-neutered dogs except for seeing eye and hearing ear.

Number: 2 Amount: \$6.00

**F: FEE DATA**

1. Total licenses reported with registration fee : .....	\$34.00
2. Total Amount due for pilot clinic fund ( sec. D) : .....	\$6.80
3. Total Amount due for Animal population control fund ( sec. E) : .....	\$6.00
4. Total Amount due for this report : .....	\$46.80

**G: CERTIFICATION**

I certify this report is a true and complete statement of licenses issued during the period indicated above.

Officer Name : Claudia Kammer

Title : TownshipClerk

Signature : *Claudia R Kammer*

Date: 8/8/11

Phone : 609-886-2005



Municipal Clerk  
 Register Report  
 7/1/2011 Through 7/31/2011

8/8/2011

Account	Description	Memo	Category	Amount
<b>INCOME</b>				
	TOTAL Business Mercantile 2010-2011			18,787.00
	TOTAL Business Mercantile One Day Event			15.00
	TOTAL Campgrounds & Trailers			152.00
	TOTAL Gravel Pit			795.00
	TOTAL Ice Cream License			20.00
	TOTAL Rental Merc 2011-2012			35,625.00
	TOTAL Searches			20.00
	TOTAL Street Openings			340.00
	TOTAL Taxi & Limo			25.00
	TOTAL Yard Sales			380.00
	<b>TOTAL INCOME</b>			<b>56,159.00</b>
<b>TRANSFERS</b>				
	TOTAL Council Checking			-56,159.00
	<b>TOTAL TRANSFERS</b>			<b>-56,159.00</b>
			<b>OVERALL TOTAL</b>	<b>0.00</b>

**LOWER TOWNSHIP MUNICIPAL COURT  
MONTHLY DISBURSEMENTS**

<b>TRAFFIC (All fines split w/ County)</b>	<b>\$ 4,615.54</b>
<b>TRAFFIC COSTS (We receive all costs)</b>	<b>\$ 2,438.50</b>
<b>CRIMINAL FINES (We receive both Criminal &amp; Local Ordinance fines)</b>	<b>\$ 2,406.00</b>
<b>CRIMINAL COSTS</b>	<b>\$ 739.50</b>
<b>REINSTATED BAILS</b>	<b>\$ -</b>
<b>LOCAL PARKING</b>	
<b>CONTEMPT CHARGES</b>	<b>\$ 149.00</b>
<b>PUBLIC DEFENDER FEES</b>	
<b>MISCELLANEOUS FEES (Spinal &amp; Overpayments)</b>	<b>\$ 1.86</b>
<b>DWI SURCHARGE</b>	<b>\$ 223.98</b>

**JULY 2011 DISBURSEMENTS**

<b>JULY 2011 COMPLAINTS ISSUED</b>	<b>CRIMINAL IND.</b>	<b>CRIMINAL DP</b>	<b>TRAFFIC</b>	<b>DUI</b>	<b>TOTAL</b>
	28	71	140	5	244

**TOTAL RECEIPTS**      **TOWNSHIP SHARE**  
**\$23,867.14**            **\$10,574.38**

<b>COMPLAINTS IN WARRANT STATUS</b>	<b>CRIMINAL</b>	<b>TRAFFIC</b>	<b>TOTAL</b>
	190	145	335



**Lower Township Police Department  
Monthly Activity Report**

2011

	June	Total:
<b>General Complaints and Service Calls</b>	2574	15650
<b>Emergency Medical Calls with L. T. Rescue</b>	145	742
<b>Fire Alarm Call Outs (Total)</b>	62	311
<b>Villas Fire Company</b>	12	93
<b>Town Bank Fire Company</b>	32	110
<b>Erma Fire Company</b>	18	108
<b>Assaults</b>	6	32
<b>Robbery</b>	1	3
<b>Domestic Violence Complaints</b>	30	189
<b>Domestic Violence with Assaults</b>	7	27
<b>Motor Vehicle Accidents</b>	56	248
<b>Traffic Warnings</b>	18	164
<b>Traffic Summons</b>	148	724
<b>Motor Vehicle Stops</b>	317	2022
<b>Local Ordinance Warnings</b>	0	9
<b>Local Ordinance Complaints</b>	4	18
<b>Assaults on Police Officers</b>	0	3
<b>Residential and Commercial Alarm Calls</b>	61	319
<b>Property Checks</b>	673	5348
<b>Death Investigations</b>	3	25
<b>Burglaries</b>	8	61
<b>Thefts</b>	28	208
<b>Criminal Mischief Complaints</b>	39	207
<b>Disorderly Conduct Complaints</b>	89	411
<b>Animal Control Complaints</b>	168	864
<b>Adult Arrests</b>	51	217
<b>Juvenile Arrests</b>	2	36
<b>D.W.I. Arrests</b>	8	32
<b>Drug Possession Arrests</b>	6	25
<b>Investigation Reports Completed</b>	80	573
<b>Supplemental Investigation Reports Completed</b>	48	269
<b>Total Value Property Stolen</b>	\$14,944.00	\$290,626.00
<b>Total Value Property Recovered</b>	\$2,436.00	\$55,687.00



**Lower Township Police Department  
Monthly Activity Report**

2011

	June	Total:
<b>Man Power Loss in Hours</b>		
Union	0	0
Suspended	0	0
Vacation	870	4805
Personal	205	476
Comp Hours	60	1392.75
Sick Hours	260	1467
Injury Hours	0	24
Training Hours	264	2268
Military Training	288	1032
<b>Police Department Overtime in Hours</b>		
Operations Overtime	166.5	847.25
Operations Comp Time	25.5	230.75
Investigation Division Overtime	16.25	151
Investigation Division Comp Time	1.5	53
Court Overtime	16	166
Court Comp Time	2	7
Holiday Overtime	6	494
Holiday Comp Time	0	85.25
<b>Government/Grant Funding Overtime in Hours</b>		
Click It or Ticket	24	72
Cops n Shops	8	8
JV Curfew	0	0
DWI Patrol	0	0
Other	0	6
<b>Private Funding Overtime in Hours</b>		
Special Detail	560	1750

Prepared by:

Chief Brian Q. Marker

*Brian Q. Marker*

Date: 7/28/11

**2011 CASH RECEIPTS  
JULY**

Township of Lower  
Office of the Tax Collector

	<b>MONTH TO DATE</b>	<b>YEAR TO DATE</b>
<b>Receipts</b>		
Current year taxes (2011)	370,930.71	25,551,179.89
Prior year taxes (2010)	250.00	1,188,547.22
ARREARS (2009)		19,233.17
BANKRUPTCY (2010)		2,380.21
BANKRUPTCY (2009)		4,760.41
BANKRUPTCY (2007)		2,524.12
BANKRUPTCY (2006)		60.95
6% Penalty		6,683.79
Tax Search Fees	30.00	160.00
Interest	7,175.30	144,975.05
MUNICIPAL LIEN	21.64	641.56
MUNICIPAL RECORDING	12.00	32.00
DEMOLITIONS		9,085.50
Lot clearing		6,230.00
Returned Check Fees		260.00
Duplicate Bills		405.00
Tax Sale Costs		17,909.83
Municipal Service Fees		41,610.00
SEWER/WATER		177,870.29
Trash	2,091.00	45,197.75
<b>DEPOSITED COUNCIL CHECKING</b>	<b>380,510.65</b>	<b>27,219,746.74</b>
<b>PREMIUM ACCOUNT</b>		<b>217,100.00</b>
<b>TOTAL DEPOSITS</b>	<b>380,510.65</b>	<b>27,436,846.74</b>
NSF Reversals	-2,947.17	-11,121.91
<b>TOTAL</b>	<b>377,563.48</b>	<b>27,425,724.83</b>

Prepared by Susan Jackson

VITAL STATISTICS  
AUGUST DEPOSIT  
2011

Marriage License Total	10
C.U. Lic. Total	0
D.P. Lic. Total	0
Total Burial Permits	0

State Marriage Fee	\$ 250.00
Twp. Marriage Fee	\$ 30.00
State C.U. Fee	\$ -
Twp. C.U. Fee	\$ -
State D.P. Fee	\$ -
Twp. D.P. Fee	\$ -
State Burial Permit Fee	\$ -
Twp. Burial Permit Fee	\$ -
Twp. Cert. Copy Fee	\$ 1,130.00

<b>TOTAL</b>	<b>\$ 1,410.00</b>
--------------	--------------------