

OCTOBER 17, 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 Consent & Regular Agenda Items

Consent Agenda

- Approval NJ State Firemen's Association Erma Volunteer Fire Co. - Eric D. Hansen, Tino A. Leao, Michael S. Taylor and Richard A. Simon II
- Approval of Minutes October 3, 2011
- Res. #2011-273 Payment of Vouchers, \$1,697,218.39
- Res. #2011-274 A Resolution Requesting Release of Revegitation and Restoration Guarantee for Dune Site Plan; Block 512.14, Lot 28, Escrow #P09-08-03 (Project completed)
- Res. #2011-275 Authorization: Determination of Municipal Service Fees for 2012 (Annual resolution determining tax amount for owners of mobile homes - \$120 annual fee)
- Res. #2011-276 Cancellation and Refund of 2011 Property Taxes (3 properties granted 100% disabled vet status - taxed paid)
- Res. #2011-277 A Resolution Requesting Release of Demolition Bond for Block 53, Lots 14 & 15, 503 East Tampa Avenue, Villas (Work completed)
- Res. #2011-278 Acceptance of Bid & Contract Award for One (1) 2012 4 Wheel Loader (Award to Jesco Inc., \$120,977 inc. 5 yr 2500 hr PT & H Warranty- funds from 2007 & 2008 bond ordinances)
- Res. #2011-279 Acceptance of Bid & Contract Award for One (1) 2012 4 Wheel Drive Loader Backhoe (Award to Jesco Inc., \$83,677.00 inc. 5 yr 2500 hr PT & H Warranty - funds from 2008 bond ordinance)
- Res. #2011-280 A resolution requesting RELEASE of Performance Guarantee for AABA Medical Supply; Block 259, Lots 3-5, Escrow #Z08-12-02 (Work completed - bond released & maintenance guarantee being held)
- Res. #2011-281 Certification of Lot Clearing Charges to the Tax Collector (3 properties)
- Res. #2011-282 A Resolution Authorizing Release of Payment to T & C Sports Inc. (Authorizing Asst. Sup't. of Recreation to release check for new hockey surface upon completion of job)
- Res. #2011-283 Authorization for Payout of Accumulated Compensatory Time (M. Biersbach - \$12,014)
- Res. #2011-286 Resolution Approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for Engineering Services Related to 2011 Delaware Bay Outfall Extension (\$2,500 for additional work needed to move the outfall to Township property)

Regular Agenda

- Res. #2011-284 Payment of Voucher, \$35,000 (Required payment to Rescue Squad to be paid upon receipt of audit)

Reports

Personnel Action Report
September Reports Animal Control, BOCA, Dog Licensing, Engineer, Fire Bureau, Municipal Clerk, Municipal Court, Police, Tax Collector and Vital Statistics

Council Comments

Call to the Public

Closed Session

Adjournment

PUBLIC INFORMATION

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

Regular & Work Session Meeting Minutes – October 3, 2011

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on October 3, 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: Michael Donohue, Solicitor, Michael Voll, Manager and Recording Clerk Julie Picard.

WORK SESSION

Proclamation - Put the Brakes on Fatalities Day - October 10, 2011

Work Session

Review of Consent & Regular Agenda Items

Council Comments on Consent Agenda

Resolution 2011-271 - Appointment to the Planning Board; Councilmember Conrad nominated John McNulty to the Planning Board

Public Comments on Consent Agenda

Joe Winters, Florida Ave addressed Council regarding Resolution 2011-266 and questioned if all easements were obtained and if there was any possible litigation. Solicitor Donohue replied everything was in place and he did not foresee any litigation.

Consent Agenda

Approval of Minutes	September 19, 2011
Res. #2011-217	Resolution Authorizing the Township to Auction Equipment or Supplies No Longer Needed for the Bureau of Fire Safety (Resolution would permit Twp. to auction through Gov Deals on behalf of the Fire Bureau items no longer needed with proceeds going to Fire Bureau Misc. line item - tabled Aug. 1)
Res. #2011-262	Approval of Change Order No. 3 for Station Road Improvements, Contract M-6 (Reducing contract by \$13,900.80 - leaving final adjustment including all 3 change orders at overall increase of \$8,091 - tabled Sept 19)

Regular & Work Session Meeting Minutes – October 3, 2011

- Res. #2011-263 Payment of Vouchers, \$1,529,561.60
- Res. #2011-264 Approving Seashore Church of Nazarene=s Application to Conduct a Flea Market (October 8)
- Res. #2011-265 A Resolution Requesting Release of Performance Guarantee for Sea Bay Estates; Block 753.04, Lot 10, Escrow #P04-04-13 (Improvements installed - maintenance guarantee being held)
- Res. #2011-266 Resolution Approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for the Engineering Services Related to Additional Work for 2011 Delaware Bayshore Outfall Extensions (Additional work required for easements & permits for Tweed property not originally included)
- Res. #2011-267 Authorization for Refund of Taxes (1 property granted disabled veteran=s status)
- Res. #2011-268 Resolution Issuing License to Anthony Natale t/a We Buy Gold, LLC (New license, fee & bond posted)
- Res. #2011-269 Resolution Supporting Lower Township Independence Day Festival and Fireworks for 2012 & Authorizing Donations Be Put Into a Reserve Account for the Event (Event date July 3, 2012)
- Res. #2011-270 Resolution Approving Purchase of One 2001 Freightliner Tractor From the Cape May County MUA (Purchase tractor deemed surplus by CMC MUA for Public Works Dept. for \$9,500)
- Res. #2011-271 Appointment to Planning Board (Appt. of Class IV member - term exp June 2015 - formerly held by R. Imler)

Motion to adopt the consent agenda moved by Councilmember Douglass, seconded by Councilmember Lare. 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

- Ord. #2011-17 An Ordinance Amending Chapter 230 of the Revised General Ordinances of the Township of Lower 2004 (Amending Article II, Chap. 230, Disorderly Conduct by expanding the prohibition of offensive products of combustion or fumes and allowing for enforcement by Township officials) was presented for second reading and final adoption. The Clerk announced the ordinance was posted and published according to law and copies were available in the Clerk's Office.

Mayor Beck opened the meeting for comment on the ordinance. No Comments.

Motion to adopt Ordinance 2011-17 moved by Councilmember Conrad, seconded by Councilmember Douglass. 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,

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“yes”.

Administrative Reports

Mayor's Appointment to Environmental Commission - Robert Rizzo - 3 yr. term

Council Comments

Councilmember Conrad thanked everyone who came out to the “Run for the Fallen” and stated it was a wonderful event.

Councilmember Simonsen thanked Eileen Kreis for all her work on the “Run” and also thanked all who attended.

Councilmember Douglass also thanked all involved with the event and stated how emotional the event was.

Councilmember Lare reiterated Council's sentiments regarding the “Run”.

Councilmember Lare spoke of the need for Council to have committees of 2 to act as liaisons and work closely with the departments. Councilman Lare requested Council allow him along with Councilman Douglass to meet with the manager to establish a path to proceed. Mayor Beck requested a report from the Solicitor outlining which municipalities under the Faulkner Act currently had the process and how the process worked. Council could then discuss and act upon the recommendations. Councilmember Lare stated the concept was not for executive powers, it was more of a liaison between Council and the departments.

Mayor Beck also thanked everyone involved with the “Run for the Fallen” and stated what a great job Townbank Fire Company did with the dinner.

Public Comments

Council Committees

Colleen Hughes, Villas, questioned the solicitor regarding the names of municipalities that would be researched. Solicitor Donohue replied there was a website that provides the information.

Joe Winters, Florida Ave, stated he believed the manager handled the day-to-day operations of the Township under the supervision of Council and questioned what was trying to be accomplished. Councilmember Douglass replied it was more of a communication issue, nothing could be done without Council's approval.

Louis Grimes, Francis Ave, addressed Council and stated “too many cooks spoil the broth”.

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Contract Negotiations

Tom Frisoli, Villas, addressed Council and questioned if anyone read the article from the publisher in The Herald last week and questioned where the writer got the incorrect information.

Outside Wood Burners

Dianne Martin, Andrielle, thanked Council for amending Chapter 230 and questioned if the information had gone to Planning. Manager Voll replied it was on the Planning Board agenda and would be discussed in detail. The board had been made aware of the neighbors' concerns.

Res. #2011- 272 A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12 (Labor Relations; Discussion on Possible Litigation re: Recreation Roof Contractor)

Motion to approve Resolution 2011-272 moved by Council member Conrad, seconded by Councilmember Simonsen. 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".

Council returned to open session and there being no further comment, Councilmember Conrad motioned to adjourn the meeting, seconded by Councilmember Douglass. The meeting unanimously adjourned by verbal ayes at 8:53 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-02567	09/14/11	PARTS FOR DPS VEHICLES/DPW	Open	369.07	0.00		
00616	ANIMAL ALLIANCE OF CAPE							
	11-02770	10/06/11	TNR AND SPAY/NEUTER PROGRAM	Open	120.00	0.00		
	11-02771	10/06/11	2010 PETSMAST GRANT	Open	387.00	0.00		
	11-02797	10/11/11	TNR AND SPAY/NEUTER PROGRAM	Open	375.00	0.00		

					882.00			
00651	MUNICIPAL UTIL AUTH DUMP FEES							
	11-02808	10/12/11	DUMPING FEES/DPW/SEPT 2011	Open	70,309.81	0.00		
00739	CAPE MAY VETERINARY HOSPITAL							
	11-02772	10/06/11	TNR PROGRAM	Open	40.00	0.00		
00775	CAPRIONI PORTABLE TOILETS, INC*							
	11-02773	10/07/11	STANDARD PORTABLE TOILET WITH	Open	236.00	0.00		
00784	CAPE MAY STAR & WAVE							
	11-02712	10/03/11	NOTICE TO BIDDERS	Open	68.20	0.00		
	11-02713	10/03/11	LEGALS - ONE INSERTION 9-21-11	Open	219.48	0.00		
	11-02802	10/12/11	LEGALS	Open	94.86	0.00		

					382.54			
00825	COMCAST*							
	11-02793	10/11/11	MONTHLY INTERNET ACCESS - HALL	Open	95.11	0.00		
	11-02816	10/13/11	MONTHLY INTERNET ACCESS	Open	60.02	0.00		

					155.13			
00852	CHERRY VALLEY TRACTOR CO.*							
	11-02552	09/14/11	PARTS FOR RDS VEHICLES/DPW	Open	590.58	0.00		
00991	COLONIAL ELECTRIC SUPPLY*							
	11-02687	09/28/11	SYLLU70MED CLR BH MED HPS LAMP	Open	51.00	0.00		
01130	GAYLE HADLEY							
	11-02741	10/05/11	ZUMBA INSTRUCTOR	Open	65.00	0.00		
01139	CORELOGIC							
	11-02788	10/07/11	REFUND OVERPYMT OF TAX	Open	1,737.46	0.00		
01170	VERIZON WIRELESS* F/S							
	11-02768	10/06/11	CELL SERVICE - FIRE SAFETY	Open	82.86	0.00		
01171	VERIZON WIRELESS - TOWNHALL							
	11-02745	10/05/11	CELL SERVICE	Open	1,100.28	0.00		
	11-02767	10/06/11	CELL SERVICE - ACCT723051842	Open	161.39	0.00		

					1,261.67			
01196	H A DEHART & SON*							

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-02549	09/14/11	PARTS FOR SWEEPER/DPW	Open	274.06	0.00		
01239	DIANA L DeNOTE							
	11-02696	09/30/11	TRAINING REIMBURSEMENT	Open	13.35	0.00		
	11-02744	10/05/11	CONTRACTUAL REIMBURSEMENT	Open	263.72	0.00		

					277.07			
01241	BRIAN MCEWING							
	10-01762	07/06/10	2010 EQUIP ALLOW	Open	60.00	0.00		
01245	G & K SERVICES CO*							
	11-02751	10/06/11	UNIFORM RENTALS/SEPT. 2011/DPW	Open	982.09	0.00		
01250	SCOTT DOUGLASS							
	11-02775	10/07/11	SHOE ALLOWANCE FOR 2011/DPW	Open	94.40	0.00		
01403	ENFORSYS FIRE SYSTEMS, INC*							
	11-02548	09/14/11	MAINT - INSPECTION SYSTEM	Open	500.00	0.00		
01480	E-Z PASS							
	11-02787	10/07/11	EZPASS - ACCT#200 1152-17226	Open	400.00	0.00		
01519	TOM FOLS ELECTRICALCONTRACTOR*							
	11-02670	09/27/11	ELECTRIC - WASH BAY DPW	Open	350.00	0.00		
	11-02671	09/27/11	ELECTRICAL WORK	Open	3,200.00	0.00		
	11-02795	10/11/11	WIRING FOR FRONT SIGN/PHOTO CE	Open	450.00	0.00		
	11-02796	10/11/11	REWIRE CEILING - RECEPTION ARE	Open	125.00	0.00		

					4,125.00			
01577	MIKE FLINN**							
	11-02743	10/05/11	REIMB LIABILITY INSURANCE	Open	345.00	0.00		
01641	GALL'S INC*							
	11-02410	08/30/11	GALL'S WOMEN'S ATHLETIC OXFORD	Open	58.98	0.00		
	11-02452	09/02/11	NEW VEHICLE OUTFITTING	Open	761.00	0.00		

					819.98			
01655	GANN LAW BOOKS*							
	11-02582	09/19/11	NJ COURT RULES	Open	111.00	0.00		
01703	HARBOR SALES COMPANY*							
	11-02666	09/27/11	SIGN MATERIALS/DPW	Open	187.36	0.00		
01781	HATCH MOTT MACDONALD, LLC*							
	10-03145	12/08/10	ROOFING SYSTEM - REC CENTER	Open	1,848.00	0.00		B
	11-01456	05/20/11	PKG LOT/STATION RD PHASE 3	Open	3,850.00	0.00		
	11-01974	07/11/11	TAX MAP REVISIONS AND UPDATES	Open	1,456.00	0.00		B
	11-02326	08/17/11	BEACH DRIVE PUBLIC ACCESS PROP	Open	1,750.00	0.00		B
	11-02798	10/11/11	ESCROW BILLING	Open	990.10	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
					9,894.10			
01785 ROBERT HARTMAN SR	11-02817	10/13/11	CONTRACTUAL REIMBURSEMENT	Open	607.99	0.00		
01805 HERTRICH FLEET SERVICES INC*	11-01755	06/13/11	POLICE CHARGERS	Open	25,073.00	0.00		B
01806 ANTHONY J HARVATT, II, ESQ	11-01283	05/06/11	BOARD SOLICITOR SALARY	Open	383.33	0.00		
01807 MARLIN HEDUM	11-02720	10/03/11	TRAINING MEALS REIMBURSEMENT	Open	157.32	0.00		
01866 HOUPERT TRUCK SERVICE*	11-02203	08/03/11	OFF SITE DIESEL EMISSION TEST	Open	1,795.50	0.00		
01912 GRUCCIO, PEPPER, DESANTO & RUTH PA	11-00157	01/14/11	2011 CONTRACT EXPENSES DNE	Open	3,243.50	0.00		B
02027 JESCO INC*	11-02543	09/14/11	PARTS FOR COUNTY ZIPPER MACH.	Open	1,323.99	0.00		
02035 MEDIA IN MOTION, INC*	10-03231	12/17/10	lamininate triangles	Open	64.00	0.00		
02140 KINDLE FORD LINC/MERC., INC.*	11-02550	09/14/11	PARTS FOR POLICE VEH/DPS	Open	75.96	0.00		
02183 KLENSWITE POOL SPA SUP.CO INC*	11-02440	09/01/11	MISC. POOL SUPPLIES	Open	69.40	0.00		
02213 LAB SAFETY SUPPLY, INC.*	11-02647	09/26/11	SMOKE ALARM TESTER SPRAY	Open	100.29	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		
02331 LOWER TOWNSHIP ROTARY CLUB	11-02781	10/07/11	ANNUAL CONTRIBUTION	Open	800.00	0.00		
02541 ROBERT D. MARTIN, JR	11-02786	10/07/11	CONTRACTUAL REIMBURSEMENT	Open	409.00	0.00		
02585 WILLIAM MASTRIANA	11-02697	09/30/11	LUNCH REIMBURSEMENT	Open	36.10	0.00		
	11-02821	10/13/11	CONTRACTUAL REIMBURSEMENT - V	Open	330.28	0.00		
					----- 366.38			
02652 MCMANIMON & SCOTLAND L.L.C.*	11-02721	10/03/11	PROFESSIONAL SERVICES	Open	2,016.81	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract PO Type

	11-02742	10/05/11	SEPTEMBER, 2011	Open	500.77	0.00	
03727	EDWARD STRING						
	11-02700	09/30/11	SHOE ALLOWANCE FOR 2011/DPW	Open	99.99	0.00	
03820	MUNICIPAL UTIIL. AUTH ON CALL						
	11-02555	09/14/11	ONE-CALL MESSAGES/DPW	Open	123.03	0.00	
03863	TREASURER, STATE OF NEW JERSEY						
	11-02799	10/11/11	STATE 3RD QTR - WCM BOCA	Open	358.00	0.00	
	11-02800	10/11/11	STATE 3RD QTR - BOCA	Open	3,821.00	0.00	

					4,179.00		
03894	SHERWIN WILLIAMS						
	11-02667	09/27/11	MARKING PAINT FOR PRK LOTS/DPW	Open	243.46	0.00	
03898	STATE OF NJ DIV OF PENSIONS						
	11-02810	10/12/11	DELINQUENT PERS APRIL & MAY	Open	94.43	0.00	
	11-02812	10/12/11	DELINQUENT PFRS APRIL & MAY	Open	565.90	0.00	

					660.33		
03902	DONALD VANAMAN JR						
	11-02801	10/11/11	CONTRACTUAL REIMBURSEMENT - V	Open	423.00	0.00	
03904	LOWE'S HOME CENTER INC*						
	11-02746	10/06/11	MISC. SUPPLIES FOR HAYRIDE	Open	230.34	0.00	
03917	STATE OF NJ DEPT OF CHILD/FAML						
	11-02791	10/11/11	QUARTERLY MARRIAGE LIC FEES	Open	1,300.00	0.00	
03935	STAPLES BUSINESS ADVANTAGE*						
	11-02585	09/19/11	CAMERA GOVDEALS	Open	199.95	0.00	
	11-02622	09/21/11	OFFICE SUPPLIES	Open	109.88	0.00	
	11-02626	09/21/11	VACUUM CLEANER	Open	356.93	0.00	
	11-02630	09/26/11	OFFICE EQUIPMENT	Open	671.07	0.00	
	11-02714	10/03/11	OFFICE SUPPLY	Open	47.78	0.00	

					1,385.61		
03960	VECTOR SECURITY*						
	11-02542	09/14/11	LOCKS FOR FILING CABINET	Open	25.00	0.00	
03971	VERIZON WIRELESS						
	11-02726	10/04/11	VERIZON MDT'S	Open	644.12	0.00	
03995	VITAL COMMUNICATIONS, INC.*						
	11-02656	09/27/11	SEND MODIV UPDATE TO EDMUNDS	Open	100.00	0.00	
04059	THOMAS WILL						
	11-02785	10/07/11	CONTRACTUAL REIMBURSEMENT	Open	31.00	0.00	

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04075 BARBER CONSULTING SERVICES LLC	11-02662	09/27/11	IT TECHNICAL/NETWORK SUPPORT	Open	789.99	0.00		
04097 CINTAS FIRST AID AND SAFETY*	11-02809	10/12/11	FIRST-AID KIT SUPPLIES/DPW	Open	196.50	0.00		
	11-02811	10/12/11	FIRST AID SUPPLIES - TOWNHALL	Open	99.02	0.00		
					----- 295.52			
04150 BARRY, CORRADO, GRASSI &	11-02573	09/19/11	RECORDS REQUEST	Open	5.00	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	11-02769	10/06/11	STATE DOG LICENSE FEES	Open	60.00	0.00		
04300 W B MASON CO INC*	11-02516	09/13/11	SUPPLIES	Open	667.22	0.00		
04301 SEASHORE ASPHALT CORPORATION*	11-02571	09/14/11	PATCH FOR ROADS/DPW	Open	219.00	0.00		
04320 PREMIER OFFICE SUPPLY*	11-02650	09/26/11	OFFICE SUPPLIES	Open	184.09	0.00		
BAYSHORE BAYSHORE MALL 1A LLC	11-02747	10/06/11	RETURN UNUSED ESCROW	Open	3.00	0.00		
BLAUE BLAUER ASSOCIATES INC*	10-02446	09/29/10	SCPF APPLICATION & ADMIN	Open	150.00	0.00		B
	11-02587	09/21/11	PREP OF PROGRAM YR 2012 DCA AP	Open	1,500.00	0.00		
					----- 1,650.00			
COMMSERV COMMERCIAL SERVICES, INC	11-02813	10/13/11	RELEASE OF DEMO BOND	Open	1,500.00	0.00		
DEENIS NICHOLAS DEENIS, ESQ	11-02765	10/06/11	RETURN UNUSED ESCROW	Open	851.00	0.00		
DUFFYJ JOHN DUFFY	11-02789	10/07/11	REFUND OVERPYMT OF TAX	Open	184.80	0.00		
HOFFA ASHLEY HOFF	11-02723	10/04/11	REIMBURSEMENT FOR BACKGROUND	Open	51.25	0.00		
HOLLANDJ HOWARD & JUDY HOLLAND	11-02790	10/07/11	REFUND OVERPYNT OF TAX	Open	2,644.79	0.00		
NEWBY MATTHEW NEWBY	11-02718	10/03/11	REIMBURSEMENT FOR BACKGROUND	Open	66.25	0.00		
NORBECK STACY NORBECK	11-02774	10/07/11	REIMBURSEMENT FOR BACKGROUND	Open	51.25	0.00		

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

RESOLUTION #2011-274

TITLE: A resolution requesting release of Revegetation and Restoration Guarantee for Dune Site Plan; Block 512.14, Lot 28, Escrow #P09-08-03

WHEREAS, Richard W. Strauss & Lorraine J. Strauss, JTEN posted a bond for the revegetation and restoration of dune grass with the Township of Lower, in the amount of \$10,690.80; and

WHEREAS the Township Planning Director recommends that the required restoration and revegetation of dune grass has been properly completed;

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

AND HEREBY BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$10,690.80 plus any accrued interest for payment of the above released Guarantee.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held October 17, 2011

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

MEMORANDUM

TO: Mayor Michael Beck &
Council members

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

DATE: October 4, 2011

RE: Release of Bond for Restoration
and Revegetation of Dune Grass;
Strauss Dune Review
2805 Shore Drive
Block 512.14, Lot 28
Escrow #P09-08-03
Resolution #2011-274

Richard W. Strauss & Lorraine J. Strauss, posted a bond for the restoration and revegetation of Dune grass, on July 1, 2010 per Planning Board Resolution #09-31. A site inspection by Hatch Mott MacDonald revealed that all the required work was complete. Therefore, I recommend return of the above referenced bond for revegetation of dune grass by Township Council.

Thank you.

c: Claudia R. Kammer,
Township Clerk

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

RESOLUTION #2011-275

TITLE: AUTHORIZATION: DETERMINATION OF MUNICIPAL SERVICE FEES FOR 2012

WHEREAS, the Township of Lower has by Ordinance no. 2003-12 provided for the imposition of an annual municipal service fee on manufactured homes installed in mobile home parks within the confines of the Township of Lower; and

WHEREAS, section 2A-9.2 states that the municipal service fee shall be determined by resolution each year by the Township Council on or before November 1 of the pre-tax year; and

WHEREAS, the Tax Collector and CFO have established the annual fee based on the established formula.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Tax Collector is hereby authorized to bill the owners of the mobile home parks within the confines of the Township of Lower \$120.00 per each manufactured home for the year 2012 to be paid quarterly on March 15, June 15, September 15 and December 15.

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on October 17, 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 #2011-276

TITLE: CANCELLATION AND REFUND OF 2011 PROPERTY TAX

WHEREAS, the owners of the following properties were granted 100% disabled veteran exemption, Class 15F status:

<u>Owner</u>	<u>Block & Lot</u>	<u>Effective Date of Class 15F</u>
Howard & Judy Holland	Block 451.01, Lot 12.02	January 1, 2011
T. John Duffy	Block 494.23, Lot 7	January 1, 2011
James Gannone & Christine Cote	Block 512.21, Lot 11	October 1, 2011

and,

WHEREAS, taxes paid on the properties by the owners and/or mortgage company as of the effective date of the Class 15F status are to be refunded.

NOW, THEREFORE, BE IT RESOLVED that the 2011 taxes be cancelled as of the effective dates noted above and the appropriate refunds, if any, be made to the payees below:

<u>Owner</u>	<u>Refund to</u>	<u>Total Amount Refunded</u>
Howard & Judy Holland	Owner & Corelogic	\$2,644.79
T. John Duffy	Owner & Corelogic	\$1,737.46

I hereby certify the foregoing resolution was adopted by the governing body at a Council meeting held on October 17, 2011.

Claudia R. Kammer, Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

MEMORANDUM

TO: Mayor Michael Beck &
Council Members

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

DATE: October 11, 2011

RE: Release of Demolition Bond
Commercial Services, Inc.
503 East Tampa Avenue
Villas, NJ 08251
Block 53, Lots 14 & 15
Resolution #2011-277

Please release to the applicant the demolition bond that the Township is hold in trust, to assure the required demolition. A certificate of occupancy was issued October 4, 2011. Thank you.

WJG:las

att.

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

RESOLUTION #2011-278

TITLE: ACCEPTANCE OF BID AND CONTRACT AWARD FOR ONE (1) 2012 4 WHEEL LOADER

WHEREAS, bids were advertised on September 28, 2011 and due on October 12, 2011 at 9:00 a.m. for One (1) 2012 4 Wheel Loader, and

WHEREAS, one (1) proposal was submitted and reviewed by the QPA and Gary Douglas, CPWM, and

WHEREAS, Jesco, Inc. has supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Budget Appropriation C-04-55-391-220 (Ord. 2007-14) \$111,650.01
C-04-55-394-220 (Ord. #08-20) \$9326.99

CFO Signature



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

AWARD TO: Jesco Inc.
TOTAL: \$120,977.000 (included 5 yr 2500 hour PT & H Warranty)

BE IT FURTHER RESOLVED, upon approval of the resolution, the fully executed Purchase Order together with the official bid documents shall serve as the Contract for the award of the bid.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on October 17, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

2011-16 One (1) 2012 4 Wheel Loader

BID PROPOSAL FORM

The undersigned proposes to furnish and deliver the above goods/services pursuant to the bid specification and made part hereof:

\$ 118,777.00
Amount in numbers

ONE HUNDRED EIGHTEEN THOUSAND SEVEN HUNDRED SEVENTY SEVEN DOLLARS AND ZERO CENTS
Amount in words

Warranty Options:

1. 4 Year 2000 hour PT & H Warranty \$ 1,800.00
Amount in numbers

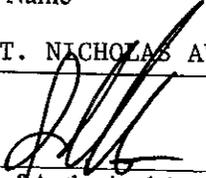
2. 5 Year 2500 hour PT & H Warranty \$ 2,200.00
Amount in numbers

Delivery Time in Days from receipt of Order 60 Days

EXCEPTIONS:
NONE

JESCO, INC. 22-1979549
Company Name Federal I.D. # or Social Security #

118 ST. NICHOLAS AVENUE, SOUTH PLAINFIELD, NJ 07080
Address


Signature of Authorized Agent JONATHAN ROBUSTELLI
Type or Print Name

Title: PRESIDENT

908 753-8080
Telephone Number OCTOBER 6, 2011
Date

The Township of Lower reserves the right to reject any or all bids if it deems it in the best public interest to do so.

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

RESOLUTION #2011-279

TITLE: ACCEPTANCE OF BID AND CONTRACT AWARD FOR ONE (1) 2012 4 WHEEL DRIVE LOADER BACKHOE

WHEREAS, bids were advertised on September 28, 2011 and due on October 12, 2011 at 9:00 a.m. for One (1) 2012 4 Wheel Drive Loader Backhoe, and

WHEREAS, one (1) proposal was submitted and reviewed by the QPA and Gary Douglas, CPWM, and

WHEREAS, Jesco, Inc. has supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Budget Appropriation C-04-55-394-220 (Ord. #08-20)

CFO Signature



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

AWARD TO: Jesco Inc.
TOTAL: \$83,677.000 (included 5 yr 2500 hour PT & H Warranty)

BE IT FURTHER RESOLVED, upon approval of the resolution, the fully executed Purchase Order together with the official bid documents shall serve as the Contract for the award of the bid.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on October 17, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

PRICE PAGE

One New (1) 2012 Wheel Loader Backhoe

Make and Model: JOHN DEERE 310SJ Price \$ 81,477.00

EIGHTY ONE THOUSAND FOUR HUNDRED SEVENTY SEVEN DOLLARS AND ZERO CENTS

Amount in Words

Delivery time in Days from receipt of Order 60 Days

OPTIONS:

A. 4 Year 2000 hour PT & H Warranty.....Price\$ 1,600.00

B. 5 Year 2500 hour PT & H Warranty.....Price\$ 2,200.00

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

RESOLUTION #2011-280

TITLE: A resolution requesting **RELEASE** of Performance Guarantee for AABA Medical Supply; Block 259, Lots 3-5, Escrow #Z08-12-02

WHEREAS, FLCH, LLC posted a Performance Guarantee with the Township of Lower, in the amount of \$69,123.79 ; and

WHEREAS, the Township Engineer has recommended the improvements having a total value of \$69,123.79 have been properly installed and are presently acceptable; and

WHEREAS, the Township of Lower Land Development ordinance requires the posting of a fifteen percent (15%) Maintenance Guarantee prior to the complete release of the original Performance Guarantee; and

WHEREAS, fifteen percent (15%) of the original Performance Guarantee equals \$8,640.47

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the Performance Guarantee be and hereby is **released** leaving a balance of \$8,640.47 on account as Maintenance Guarantee.

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

Claudia R. Kammer, Township Cler

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

MEMORANDUM

TO: Mayor Michael Beck &
Council members

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

DATE: October 12, 2011

RE: FLCH, LLC - AABA Medical Supply
1638 Bayshore Road, Villas
Block 259, Lots 3, 4, & 5
Resolution # 2011-280

The Land Development Ordinance of the Township of Lower, Chapter, XVI, Subsection 400-81E, requires that, "The governing body shall by resolution, release or declare in default each Performance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution # 2011-280 is required to **release** the Performance Guarantee held in trust by the Township of Lower for FLCH, LLC, AABA Medical Supply, Block 259, Lots 3-5. The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer Hatch Mott MacDonald.

The Township Engineer recommends **release** of the retained \$69,123.79.

The inspection and construction costs of the bonded improvements have been paid for by the developer. All mandated improvements must be completed for the project's final approval.

Subsection 400-81F(3) of the Land Development Ordinance of the Township of Lower requires that a Maintenance Guarantee, in an amount equal to not more than fifteen percent (15%) of the original estimate of the cost of improvements, shall be filed by the owner. Therefore, \$8,640.47, which is fifteen percent, shall be retained as the Maintenance Guarantee.

cc: financial file

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

RESOLUTION #2011-281

TITLE: CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR

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

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

WHEREAS, the properties listed below contained conditions which violated Section 302 of the Property Maintenance Code; and notice was duly sent to the property owners to abate the conditions and such conditions were not abated; and

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

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

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

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 17, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

Resolution #2011-281

SCHEDULE A

BLOCK	LOT	NAME	LOCATION	AMOUNT	ADMIN FEE	LIEN AMT
166	17	Gibboni, Ronald G & Anne	24 E. New York Ave	\$219.35	\$500.00	\$719.35
247	11	Winnans, Geraldine & Nordgren, Nicole	11 W. Drumbed Rd.	\$222.35	\$500.00	\$722.35
329	36.02	Kosak, Imogene	131 Kentucky Ave.	\$205.00	\$500.00	\$705.00

Memo

To: Claudia R. Kammer, Clerk
From: Walter Fiore, Code Enforcement Officer
Subject: Liens for Lot Clearings
Date: October 12, 2011
CC: File

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

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

BLK/LOT	Name (As Assessed)	Amount	Property Location
166 / 17	GIBBONI, RONALD G & ANNE	\$219.35	24 E NEW YORK AVE
247 / 11	WINNANS, GERALDINE & NORDGREN, NICOLE	\$222.35	11 W DRUMBED ROAD
329 / 36.02	KOSAK, IMOGENE	\$205.00	131 KENTUCKY AVE



**Township of Lower
Code Enforcement
2600 Bayshore Road
Villas NJ 08251
(609)-886-2624**

*No
Change
7-27-11*

*Go to
State Court
Case*

**NOTICE OF VIOLATION AND ORDER TO CORRECT
IDENTIFICATION**

Reference Number: 10010739	Notice Date: 06/10/2011	Comply Date: 06/24/2011
Name: GIBBONI, RONALD G & ANNE Address: PO BOX 493 CAPE MAY, NJ 08204 Phone:	Block: 166 Site Address: 24 E NEW YORK AVENUE LOWER TOWNSHIP	Lot: 17 Qual: 24 E NEW YORK AVENUE LOWER TOWNSHIP

PLEASE TAKE NOTICE that as a result of an inspection of the above referred property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exist. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624 ext.154. Thank you for your cooperation

VIOLATION LISTINGS

Violation No.	Violation Date	Corrected Date	Violation Description
302.4	06/10/2011		High grass & weeds on property need to be cut

Sincerely,

Walter Fiore

Walter Fiore, Code Enforcement

Date 6-10-11

*1-800-852-8306 ext 2173
(Violations)
No longer handle property
8-1-2011*



Township of Lower
Code Enforcement
2600 Bayshore Road
Villas NJ 08251
(609)-886-2624

*Speak to them about
 Pool,
 leaving cat food*

609-827-3465

NOTICE OF VIOLATION AND ORDER TO CORRECT - IDENTIFICATION

*gone to
 Star lawn
 care*

Reference Number: 10010807	Notice Date: 07/06/2011	Comply Date: 07/16/2011
Name: WINNANS,GERALDINE & NORDGR EN,NICOLE	Block: 247	Lot : 11 Qual :
Address: 11 W DRUMBED RD VILLAS, NJ 08251	Site Address:	11 W DRUMBED ROAD LOWER TOWNSHIP
Phone:		

PLEASE TAKE NOTICE that as a result of an inspection of the above refernced property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below wthin the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exist. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624 ext.154. Thank you for your cooperation

VIOLATION LISTINGS

Violation No.	Violation Date	Corrected Date	Violation Description
302.1	07/06/2011		PM-302.1 Sanitation: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
<i>all debris on property must be removed</i>			
302.4	07/06/2011		High grass & weeds on property need to be cut

Sincerely,

Walter Fiore

Walter Fiore, Code Enforcement

Date 7-6-11



Township of Lower
Code Enforcement
2600 Bayshore Road
Villas NJ 08251
(609)-886-2624

*NO
 charge
 8-5-11
 ADD to pen
 list*

**NOTICE OF VIOLATION AND ORDER TO CORRECT
 IDENTIFICATION**

Reference Number: 10010773	Notice Date: 06/22/2011	Comply Date: 07/03/2011
Name: KOSAK, IMOGENE Address: 131 KENTUCKY AVE VILLAS, NJ 08251 Phone:	Block: 329 Site Address:	Lot: 36.02 Qual : 131 KENTUCKY AVENUE LOWER TOWNSHIP

PLEASE TAKE NOTICE that as a result of an inspection of the above referenced property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exist. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624 ext.154. Thank you for your cooperation

VIOLATION LISTINGS

Violation No.	Violation Date	Corrected Date	Violation Description
Violation Comments.			
302.4	06/22/2011		High grass & weeds on property need to be cut

Sincerely,

Walter Fiore
 Walter Fiore, Code Enforcement

Date 6-22-11

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

RESOLUTION #2011-282

TITLE: A RESOLUTION AUTHORIZING RELEASE OF PAYMENT TO T & C SPORTS INC.

WHEREAS, Resolution #2011-252 awarded the bid for a Suspended Modular Tile Sports Floor System (MS3 Outdoor Tiles) to T & C Sports Inc. in the amount of \$35,632.00 which included delivery and installation supervision, and

WHEREAS, T & C Sports Inc. requires payment upon delivery & installation of said materials which will be completed after this meeting but prior to the next regular meeting, and

WHEREAS, installation is scheduled for Tuesday, October 25, weather permitting.

NOW, THEREFORE, BE IT RESOLVED that Mitchell Plenn, Assistant Recreation Superintendent shall be authorized to release the check to T & C Sports Inc. upon his certification that all work has been satisfactorily completed in accordance with the bid.

I hereby certify the foregoing resolution was adopted at the Township Council meeting held on October 17, 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 # 2011-283**

**Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED
COMPENSATORY TIME**

WHEREAS, the employee listed below has accrued compensatory time due from the Township and has requested payment for this time, and

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

WHEREAS, it has been determined by the Township Treasurer as evidenced by signature  that adequate funding is available for such payment in the prior year's budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Martin Biersbach in the amount of **\$12,104** is authorized and chargeable to the 2011 Budget account 1-01-25-240-120.

**I hereby certify the foregoing to be a resolution adopted by the
Township Council on _____.**

Claudia R. Kammer, RMC, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
INTRODUCED					
SECONDED					
AYE					
NAY					
ABSTAIN					

51.6713

E Employee Maintenance - General Data

Add Edit Close Delete << >> Detail Notes

Employee Id: **BIERSWOL** Previous Next Notes Exist

First Name: **MARTIN** Middle Init: **R** Last Name: **BIERSBACH** Suffix

Main Classification Dates Salary/Rates Hrs/Days Pension Emergency Demographics

	YTD As Of	Carryover	YTD Accrued	YTD Used	Available	Max Allowed	Payroll YTD Hours Used
Sick (Hours):	04/22/11	171.00	128.00	228.00	71.00	.00	.00
Vacation (Hours):	07/19/11	162.75	320.00	368.00	114.75	.00	.00
Admin (Hours):	07/28/11	.00	48.00	24.00	24.00	.00	.00
Comp (Hours):	07/25/10	114.25	120.00	.00	234.25	.00	.00
Other (Hours):	06/02/05	.00	.00	.00	.00	.00	.00

12,104

**Lower Township
Bill List II
10/17/2011**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
Lower Twp Rescue Squad	11-01579	2011 Contribution due 11/4/2011	\$ 35,000.00
TOTAL BILL LIST			<u>\$ 35,000.00</u>

I certify the foregoing to be a Resolution adopted by the Township Council on October 17, 2011.

Claudia R. Kammer, RMC, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYES					
NAYS					
ABSTAIN					
ABSENT					

ANIMAL CONTROL MONTHLY REPORT

MONTH OF September 2011

ACO Steve Flitcroft DATE 10/3/2011

	DOGS	CATS	WILDLIFE
TOTAL CALLS	77	24	26
TO SHELTER	8	10	0
RETURNED	25	1	9
TO VET	0	0	0
DOA	1	3	5
WARNINGS	0	0	0
TICKETS	1	0	0
BITES	1	0	0
QUARANTINES	1	0	0
OTHER	40	10	12

*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: 09/01/2011 To 09/30/2011

October 07 , 2011 9:13:00AM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$244,452.00	Cubic Footage:	242146 Cu.ft	Permit Issued:	119
Cost Of Alteration:	\$472,695.00	Square Footage:	15475 Sq.ft	Updates Issued:	7
Cost Of Demolition:	\$35,300.00			All Fees Waived:	4
Total Cost:	\$752,447.00			Municipal Fees Waived:	0

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$15,636.00	Building:	\$0.00	Building:	\$60.00	Building Fees:	\$15,576.00
Electrical:	\$3,892.00	Electrical:	\$0.00	Electrical:	\$45.00	Electrical Fees:	\$3,847.00
Fire :	\$3,649.00	Fire :	\$0.00	Fire :	\$232.00	Fire Fees:	\$3,417.00
Plumbing:	\$3,636.00	Plumbing:	\$0.00	Plumbing:	\$45.00	Plumbing Fees:	\$3,591.00
Elevator:	\$408.00	Elevator:	\$0.00	Elevator:	\$408.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$790.00	Technical Fees:	\$26,431.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$810.00	\$0.00	\$810.00
Alteration Training Fee:	\$802.00	\$134.00	\$668.00
DCA Minimum Fee:	\$16.00	\$0.00	\$16.00
Sub total Training Fee:	\$1,628.00	\$134.00	\$1,494.00

TECHNICAL ISSUES

Building Technical:	69
Electrical Technical:	54
Fire Protection Technical:	39
Plumbing Technical:	52
Elevator Technical:	2
Mechanical Technical:	

CERTIFICATE ISSUES

Certificate of Occupancy:	1
Certificate of Approval:	12
Certificate of Continued Occupancy:	0

Certificate of Occupancy Fee:	\$583.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$583.00

PERMIT FEES:	\$26,431.00
DCA FEES:	\$1,494.00
CERTIFICATE FEES:	\$583.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$28,508.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$50.00
GRAND TOTAL FEES:	\$28,558.00

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 09/01/2011 To 09/30/2011

October 07, 2011 9:17:41AM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$26,500.00	Cubic Footage:	7560 Cu.ft	Permit Issued:	6
Cost Of Alteration:	\$23,500.00	Square Footage:	680 Sq.ft	Updates Issued:	0
Cost Of Demolition:	\$0.00			All Fees Waived:	0
Total Cost:	\$50,000.00			Municipal Fees Waived:	0

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$845.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$845.00
Electrical:	\$90.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$90.00
Fire :	\$348.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$348.00
Plumbing:	\$153.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$153.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$0.00	Technical Fees:	\$1,436.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$25.00	\$0.00	\$25.00
Alteration Training Fee:	\$40.00	\$0.00	\$40.00
DCA Minimum Fee:	\$0.00	\$0.00	\$0.00
Sub total Training Fee:	\$65.00	\$0.00	\$65.00

TECHNICAL ISSUES

Building Technical:	4
Electrical Technical:	2
Fire Protection Technical:	2
Plumbing Technical:	2
Elevator Technical:	
Mechanical Technical:	

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

CERTIFICATE ISSUES

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

PERMIT FEES:	\$1,436.00
FEES:	\$65.00
CERTIFICATE FEES:	\$35.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$1,536.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$1,536.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 09/01/2011 To 09/30/2011

October 7, 2011 9:18:16AM

ACCOUNT:	Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES				
Sub Totals:	\$418.00	\$1,118.00	\$0.00	\$1,536.00
GRAND TOTALS:	\$418.00	\$1,118.00	\$0.00	\$1,536.00

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: 10/3/2011

B: LICENSE DATA

1. Period Covered	From: 09/01/2011	To: 09/30/2011
2. First License # of this report	1596	
3. Last License # of this report	1626	
4. Last License # of last report	1595	
5. Total Licenses issued this report	31	

C: LICENSES ISSUED FOR WHICH NO MONEY IS SUBMITTED

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

Replace License # 955 [1606]

D: PILOT CLINIC FUND

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

Numbers: 30 Amount : \$6.00

E: ANIMAL POPULATION CONTROL FUND

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

Number: 8 Amount: \$24.00

F: FEE DATA

1. Total licenses reported with registration fee :	\$30.00
2. Total Amount due for pilot clinic fund (sec. D) :	\$6.00
3. Total Amount due for Animal population control fund (sec. E) :	\$24.00
4. Total Amount due for this report :	\$60.00

G: CERTIFICATION

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

Officer Name : Claudia R. Kammer

Title : Township Clerk

Signature : *Claudia R. Kammer*

Date: 10/3/11

Phone : 609-886-2005

TOWNSHIP OF LOWER

Engineer's Report

Meeting Date: October 17, 2011

➤ Municipal Parking Lot Improvements – Phase 3

The Station Road Improvement Project was publicly advertised on May 11, 2011 and bids were received on June 1, 2011. Five contractors picked up bid documents with two contractors submitting a bid for the project. The low bid of \$119,361 by Charles Marandino LLC was approximately 6% below the Engineer's Estimate. The Township authorized a contract with Charles Marandino LLC on June 6, 2011. Construction began on July 12, 2011 and as of September 23, 2011 the improvements have been completed. Final punchlist items have been addressed and final payment has been made to the Contractor.

➤ Lower Township Recreation Center Roof Replacement

Construction commenced on the week of June 6, 2011. The project is approximately 90% complete. The original contract period ending on September 8, 2011 was extended for 21 days with Council approval on September 7, 2011. The Contractor has exceeded the extended contract period. The Contractor was notified by HMM that the Contractor is subject to liquidated damages until completion of the Contract. The contractor has indicated completion of the project by the middle of this week.

➤ 2011 Delaware Bay Shore Outfalls

On June 14, 2011, HMM met with the Manager, Public Works Superintendent and Township Solicitor to coordinate site investigations, permitting and the acquisition of access easements. Preliminary investigation and topographic surveys have been completed for each existing outfall. Permit applications were forwarded to the USACE and NJDEP on August 9, 2011. Acquisition of easements continues to be coordinated with the Township Solicitor. The NJDEP application review is on hold until easements and other requested items are submitted. We are awaiting NJDEP's determination on development activities on adjoining property at the Whittier Avenue outfall.

➤ Beach Drive Pedestrian Safety Improvements – NJDOT FY2012 Grant Application

The NJDOT FY2012 Grant Application for the Beach Drive Access Improvement project was submitted to the NJDOT on September 22, 2011 along with letters of support from the Recreation Advisory Board and the Lower Township Police Department.

➤ Bayshore West Stormwater Management Improvements

On August 18, 2011 HMM, along with Township Public Works, performed a preliminary site investigation at the Roseanne Avenue outfall to determine the stormwater pipe size, material and invert elevation. Due to conflicting information regarding the size and composition of the existing stormwater infrastructure in the area, HMM is coordinating additional



Hatch Mott
MacDonald

investigations of the upstream infrastructure in support of the design of a replacement system to relieve local flooding issues in the community. HMM is currently soliciting proposals from diving firms to assist the Township in the underwater evaluation of the stormwater main in Roseann Avenue.



BUREAU OF FIRE SAFETY - TOWNSHIP OF LOWER

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

Mailing Address:
407 Breakwater Road
Erma, NJ 08204

For the month of September 2011, the Lower Township Bureau of Fire Safety made deposits of \$9115.00 in the Lower Township Tax office.

Sincerely,

**David P. Perry
Fire Official**

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

municipal Clerk's
Register Report
9/1/2011 Through 9/30/2011

10/3/2011

Page 1

Account	Description	Memo	Category	Amount
INCOME				
	TOTAL Business Mercantile 2011-2012			2,085.00
	TOTAL Campgrounds & Trailers			147.00
	TOTAL Licenses & Permits			50.00
	TOTAL Rental Merc 2011-2012			3,400.00
	TOTAL Street Openings			420.00
	TOTAL Yard Sales			300.00
	TOTAL INCOME			6,402.00
TRANSFERS				
	TOTAL Council Checking			-6,402.00
	TOTAL TRANSFERS			-6,402.00
			OVERALL TOTAL	0.00

LOWER TOWNSHIP MUNICIPAL COURT

MONTHLY DISBURSEMENTS

TRAFFIC (All fines split w/ County)	\$ 4,590.00
TRAFFIC COSTS (We receive all costs)	\$ 1,510.50
CRIMINAL FINES (We receive both Criminal & Local Ordinance fines)	\$ 2,290.00
CRIMINAL COSTS	\$ 466.50
REINSTATED BAILS	\$ -
LOCAL PARKING	
CONTEMPT CHARGES	\$ 64.12
PUBLIC DEFENDER FEES	
MISCELLANEOUS FEES (Spinal & Overpayments)	\$ 35.73
DWI SURCHARGE	\$ 295.61

SEPTEMBER 2011 DISBURSEMENTS

SEPTEMBER 2011 COMPLAINTS ISSUED	CRIMINAL IND.	CRIMINAL DP	TRAFFIC	DUI	TOTAL
	27	54	118	5	204
TOTAL RECEIPTS	TOWNSHIP SHARE				
\$22,027.50	\$9,252.46				

COMPLAINTS IN WARRANT STATUS	CRIMINAL	TRAFFIC	TOTAL
	195	128	323



Lower Township Police Department
Monthly Activity Report

2011

	September	Total:
General Complaints and Service Calls	2,709	24542
Emergency Medical Calls with L. T. Rescue	156	1273
Fire Alarm Call Outs (Total)	62	513
Villas Fire Company	16	141
Town Bank Fire Company	26	190
Erma Fire Company	20	182
Assaults	19	75
Robbery	0	4
Domestic Violence Complaints	37	300
Domestic Violence with Assaults	9	54
Motor Vehicle Accidents	51	441
Traffic Warnings	10	210
Traffic Summons	106	1090
Motor Vehicle Stops	262	3090
Local Ordinance Warnings	1	31
Local Ordinance Complaints	5	42
Assaults on Police Officers	0	9
Residential and Commercial Alarm Calls	50	512
Property Checks	753	7943
Death Investigations	3	34
Burglaries	21	104
Thefts	43	344
Criminal Mischief Complaints	29	305
Disorderly Conduct Complaints	75	650
Animal Control Complaints	175	1445
Adult Arrests	46	336
Juvenile Arrests	4	48
D.W.I. Arrests	4	49
Drug Possession Arrests	4	35
Investigation Reports Completed	123	901
Supplemental Investigation Reports Completed	50	408
Total Value Property Stolen	\$38,260.00	\$429,610.00
Total Value Property Recovered	\$11,855.00	\$114,476.00



**Lower Township Police Department
Monthly Activity Report**

2011

	September	Total:
Man Power Loss in Hours		
Union	0	0
Suspended	0	0
Vacation	804	6937
Personal	42	935.5
Comp Hours	89	1595.25
Sick Hours	371	2590
Injury Hours	0	36
Training Hours	212	2680
Military Training	60	1512
Police Department Overtime in Hours		
Operations Overtime	187.75	1603.75
Operations Comp Time	27	316.75
Investigation Division Overtime	22	261
Investigation Division Comp Time	0	55.5
Court Overtime	30.75	246.75
Court Comp Time	4	11
Holiday Overtime	71.5	648.75
Holiday Comp Time	30.5	162.25
Government/Grant Funding Overtime in Hours		
Click It or Ticket	0	72
Cops n Shops	0	24
JV Curfew	0	0
DWI Patrol	0	0
Other	44	167
Private Funding Overtime in Hours		
Special Detail	141.5	2225.25

Prepared by:

Chief Brian Q. Marker

Date:

10/07/11

**2011 CASH RECEIPTS
SEPTEMBER**

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Preliminary (2012)	31,711.04	486,785.90
Current year taxes (2011)	770,001.56	39,225,229.48
Prior year taxes (2010)	250.00	1,189,803.69
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	20.00	180.00
Interest	11,023.84	163,017.13
MUNICIPAL LIEN		641.56
MUNICIPAL RECORDING		32.00
DEMOLITIONS		9,085.50
Lot clearing		18,663.57
Returned Check Fees	40.00	340.00
Duplicate Bills	5.00	1,050.00
Tax Sale Costs		17,909.83
Municipal Service Fees	6,810.00	49,650.95
SEWER/WATER		177,870.29
Trash	14,240.75	61,641.25
DEPOSITED COUNCIL CHECKING	834,102.19	41,437,543.80
PREMIUM ACCOUNT		217,100.00
TOTAL DEPOSITS	834,102.19	41,654,643.80
NSF Reversals	-1,620.33	-20,494.21
TOTAL	832,481.86	41,634,149.59

Prepared by Susan Jackson

VITAL STATISTICS
SEPTEMBER DEPOSIT
2011

COPY

Marriage License Total	15
C.U. Lic. Total	0
D.P. Lic. Total	0
Total Burial Permits	0

State Marriage Fee	\$ 375.00
Twp. Marriage Fee	\$ 45.00
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	\$ 3,360.00

TOTAL	\$ 3,780.00
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PERSONNEL ACTIONS

Report for Council Meeting of 10/17/11

<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
Manager	Dougherty, Mark	9/29/11	Christensen, Ed	new hire	temp bldg srvc wrkr	yes
Public Safety	Gipple, Laura	10/3/11		new hire	relief dispatcher	yes
DPW	Muller, Warner	10/3/11		new hire	temp laborer	yes

Date of report: 10/12/11

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

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

RESOLUTION # 2011-285

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on October 17, 2011 that an Executive Session closed to the public shall be held on this date at approximately _____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

I hereby certify the foregoing to be a resolution adopted by the Township Council on October 17, 2011.

 Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					