

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

September 19, 2011 - 7:00 P.M.

Meeting called to order.

Opening Announcement

Pledge of Allegiance & Moment of Silence

Roll Call & Determination of Quorum

Proclamation – Constitution Week September 17, 2011 - September 23, 2011

Proclamation - Supporting NJ Run for the Fallen - September 24 & September 25

Work Session

Update of Cox Hall Creek Restoration Project - Brian O'Connor, CMC Planning Department

Shared Services Discussion - Deputy Mayor Lare

Review of Consent & Regular Agenda Items

Consent Agenda

Approval of Minutes September 7, 2011

Res. #2011-259 Payment of Vouchers, \$2,194,429.10

Res. #2011-260 Resolution Approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for Engineering Services Related to Bayshore Estates Stormwater Investigation (\$2250 to prepare RFP for diving firms to investigate evaluate Roseanne Ave. trunkline)

Res. #2011-261 Approval to Submit a Grant Application and Execute Grant Agreement with the New Jersey Department of Transportation for the Beach Drive Pedestrian Access Improvement Project (Rescinding Res. 2011-250 adopted Sept 7 and replacing it to change roadway improvement to pedestrian access improvements)

Res. #2011-262 Approval of Change Order No. 3 for Station Road Improvements, Contract M-6 (\$13,900.80 Reduction to original contract with net change of contract after all change orders being increase of \$8,091.00)

Regular Agenda

Administrative Reports/Filings

Recreation Advisory Board Recommendation _ Beach Drive Pedestrian Safety Improvements

Departments Reports - Animal Control, Construction, Dog Licensing, Engineer, Municipal Clerk, Municipal Court, Police, Tax Collector, Vital Statistics

Certificate of Delivery & Payment for Refunding Bonds Aug. 31, 2011

Council Comments

Call to the Public

Adjournment

PROCLAMATION

Constitution Week September 17, 2011-September 23, 2011

WHEREAS, It is the privilege and duty of the American people to commemorate the two hundred twenty-third anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I Michael E. Beck by virtue of the authority vested in me as Mayor of Lower Township do hereby proclaim the Week of September 17 through 23 as Constitution Week and urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

In Witness Whereof, I have hereunto set my hand and caused the Seal of Lower Township to be affixed this 19th day of September 2011.



Michael E. Beck

Mayor

PROCLAMATION

SUPPORTING NJ RUN FOR THE FALLEN

WHEREAS, the NJ Run for the Fallen has been established to honor and remember the new Jersey Soldiers, Sailors, Airmen and Marines Killed in Iraq and Afghanistan, and

WHEREAS, the NJ Run for the Fallen will kick off on Friday, September 23 with a 2 mile run/walk from Cape May Lighthouse to Sunset Beach where there will be a "Sunset Flag Ceremony", and

WHEREAS, at 6:30 a.m. on September 24 the run team will begin their two day 154 mile run, finishing at the NJ Vietnam Veterans' Memorial in Holmdel on National Gold Star Family Day September 25, 2011, and

WHEREAS, every mile of the 154 mile run is dedicated to an individual NJ Hero and the run team will stop, place a flag and a biographical card to create a 154 mile memorial trail through New Jersey, and

WHEREAS, this year's run team in Cape May will be joined by Team Hope, a team of wounded service members who will be on foot or adaptive wheelchairs and in their honor the Friday 2 mile Run/Walk has been named "NJRFTF Hope for the Warriors Lighthouse Run/Walk.

NOW, THEREFORE BE IT PROCLAIMED the Mayor & Council urge all Lower Township residents and visitors to show their support by attending any of the functions dedicated to this worthwhile cause, making a personal donation or volunteering their time.

BE IT FURTHER PROCLAIMED the Mayor and Council extend their heartfelt thanks and appreciation to all the veterans, their families, the many volunteers and the Armed Forces men and women who continue to serve our great nation.

Signed this 19th day of September, 2011.

Michael E. Beck, Mayor

Regular & Work Session Meeting Minutes - September 7, 2011

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on September 7, 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

PRESENTATION

Chief Marker highlighted Sgt. Thomas Keywood's career with the Township prior to the presentation of a retirement plaque by the Mayor and Council.

Mayor Beck and Council thanked Sgt. Keywood for his 21 years of service to the Township and wished him well in his future endeavors. A round of applause was given.

OATH OF OFFICE - POLICE DEPARTMENT

Mayor Beck with Council in attendance, administered the Oath of Office to Sgt. Patrick Greene while his wife held the Bible. Chief Marker then asked Sgt. Greene's wife to pin on his new badge, after which he received a round of applause & congratulations from the Mayor, Council and public.

Mayor Beck, with Council in attendance, administered the Oath of Office to Sgt. Ernest Macomber while his son held the Bible. Chief Marker then asked Sgt. Macomber's wife to pin on his new badge, after which, he received a round of applause & congratulations from the Mayor, Council and public.

Mayor Beck, with Council in attendance, administered the Oath of Office to Lt. Thomas Beeby while his children and his father held the Bible. Chief Marker then asked Lt. Beeby's fiancée to pin on his new badge, after which, he received a round of applause & congratulations from the Mayor, Council and public.

Mayor Beck, with Council in attendance, administered the Oath of Office to Lt. Martin Biersbach while his wife held the Bible. Chief Marker then asked Lt. Bierbach's father to pin on his new badge, after which, he received a round of applause & congratulations from the Mayor, Council and public.

Mayor Beck, with Council in attendance, administered the Oath of Office to Captain William Mastriana while his two children held the Bible. Chief Marker then asked Captain Mastriana's wife to pin on his new badge, after which, he received a round of applause & congratulations from the Mayor, Council and public.

Pastor Michael Smith gave a prayer for the new Police Administration. Chief Brian Marker congratulated the new Police Administration and thanked the Mayor, Council and Manager for the opportunity to continue providing service to Lower Township and for their continued support.

WORK SESSION

Outdoor Wood Boilers

Solicitor Donohue provided Council with regulations from the DEP regarding outdoor wood boilers. He said the Township Code Section # 230-8 contained a provision dealing with smoke and fumes. The Solicitor said he believed the best thing to do, if the governing body decided to, was to clarify the Ordinance and add a specific provision for outdoor wood burning boilers, making it clear the units had to stick to the DEP standards. If they did not, and the neighbors wanted to sign a complaint, they were entitled to do that. If an official of the township visited the site and made sufficient observation that they were in violation of this ordinance, then that official could sign a local ordinance complaint as well as the neighbor. The Solicitor stated the ordinance before the governing body was a proposed Ordinance that would clarify the Code Book section and expand it a little bit to specifically include the outdoor wood burning boilers and include a provision that a Township Official, in addition to a private citizen, after proper observation, could sign a summons.

Councilman Douglass questioned if that was what the neighbors were looking for.

Deputy Mayor Lare asked was the Township to enforce this ordinance according to the DEP regulations or the Ordinance ?

The Solicitor replied in accordance with the ordinance. If there was a complaint, an official could go out and observe it for a sufficient period of time and draw a conclusion.

Michael Hecko of 2 South Andrielle Lane addressed Council and stated the neighbors had been living with the situation for the last 15 months and he thought Council was making a mistake by letting the neighbor keep the boiler.

The Solicitor replied they met the zoning requirements and received a permit for the boiler.

Mayor Beck stated it was a good idea to refer this to zoning and require additional acreage.

Nick Thompson of Andrielle Lane stated the smoke was impacting the neighbors in a detrimental way and he was very disappointed with the ordinance. He asked who to call when his house was filling up with smoke.

Mayor Beck replied the police had the power to enforce any township ordinance.

Deputy Mayor Lare stated it should be treated like a nuisance issue between neighbors.

John Flemming of 8 North Andrielle Lane requested and received a copy of the ordinance.

Review of Consent and Regular Agenda Items

Clerk Kammer stated there was a request from the Emergency Management Director to add a Resolution Authorizing the Township of Lower to Make Application for a Sub-Grant of the Federal Fiscal Year 2011 Department of Homeland Security Emergency Management Performance Grant Program Funding. This would provide funds for the Emergency Management Office part of which had been used for the reverse 911 system. Mr. Harron can then file the Resolution with the application by the required deadline.

Council agreed.

Solicitor Donohue stated 2 minor corrections were being made on Ordinance 2011-16. He stated the \$1.00 per year, the "per year" should come out. It was a \$1.00 nominal consideration. Also there was a statutory reference to 4A:12-21A. In one spot it stated "n" and that will be corrected in the deed.

Council Comments on the Consent Agenda: No Comments

Motion moved by Councilmember Conrad, second by Councilmember Simonson to add Resolution 2011-256: Authorization for the Township of Lower to Make Application for a Sub grant of the federal Fiscal Year 2011 of

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Department of Homeland Security Emergency Management Performance Grant Program Funding. **Roll call vote:** Councilmember Conrad "yes", Councilmember Simonsen "yes", Councilmember Douglass "yes", Deputy Mayor Lare "yes", Mayor Beck "yes".

Deputy Mayor Lare asked that Steve Morey's name be inserted in the resolution for the appointment to the Recreation Advisory Board listed in the consent agenda. There was no objection

Public Comment on the Consent Agenda: No Comments

Consent Agenda

- Approval of Minutes August 15, 2011
Approval NJ State Fireman's Association - Scott R. Cooley Jr., Villas Volunteer Fire Company and William G. Wilson III, Townbank Volunteer Fire Company
- Res. #2011-240 Payment of Vouchers, \$1,885,884.25
Res. #2011-241 Authorization for Refund of Taxes (8 refunds -1 disabled vet,1 paid in error & 6 duplicate payments)
Res. #2011-242 Drunk Driving Enforcement Fund Application, \$8,514.15 (Annual application for grant funds)
Res. #2011-243 Adoption of State Model Citizen Participation Plan for DCA Small Cities Program (Required as part of Res. #2011-245)
Res. #2011-244 Identifying Small Cities Fair Housing Officer (Required in connection with grant application - Res. 2011-245)
Res. #2011-245 Approval of Public Facilities Grant Management Plan Removal of Architectural Barriers (Application for \$400,000 to remove barriers for elderly and handicapped at Rec Center and former Fishing Creek Schoolhouse)
Res. #2011-246 Appointment to Recreation Advisory Board (Regular member 3 yr term)
Res. #2011-247 Authorizing Payout of Terminal Leave (T. Keywood \$95,725.80 - Retired)
Res. #2011-248 Authorizing Payout of Terminal Leave (K. McPherson \$52,601 Retired Sept. 1)
Res. #2011-249 Authorizing Payout of Terminal Leave (B. Marker \$29,308.80 pursuant to contract)
Res. #2011-250 Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the Beach Drive Access Improvement Project (Authorizing Hatch Mott to prepare and electronically file grant application)
Res. #2011-251 Resolution approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for Engineering Services Related to Beach Drive Improvement Project \$2500 to prepared and submit the application for construction of pedestrian safety and access improvements to Beach Drive from Lincoln to Pinewood including 6 ft. wide sidewalk for 1.48 miles & ADA improvements at intersections)
Res. #2011-252 Acceptance and Contract Award for Suspended Modular Tile Sports Floor System (\$36,632.00 including supervisor for installation - 2 proposals rec'd.)
Res. #2011-253 Resolution Acknowledging Award of Contract for Natural Gas Services for the South Jersey Power Cooperative (Award to Woodruff Energy for 3 yr term beginning Dec 1, 2011)

Res. #2011-256 Authorization for the Township of Lower to Make Application for a Sub grant of the federal Fiscal Year 2011 of Department of Homeland Security Emergency Management Performance Grant Program Funding

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 - possible 1st rdg.

The Consent Agenda was approved on motion by Councilmember Douglass, seconded by Councilmember Conrad and the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck "yes".

Regular Agenda

Res. #2011-254 Payment of Voucher to Lower Township Rescue Squad \$35,000. 00 (2011 fuel expense)

The resolution was approved on motion by Councilmember Douglass, seconded by Councilmember Simonsen and the following **roll call vote**: Councilmember Conrad, "abstain", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck "yes".

Res. #2011-255 Approval of Change Order No. 3 for the Roof Replacement and Related Work at the Recreation Center.

Mayor Beck opened the meeting for public comment on the resolution.

Joe Winters of Florida Ave asked if the glass was included in the original bid.

Manager Voll replied yes and said the skylights had been delivered yesterday.

Mr. Winters questioned the "capping" and why was rubber placed over metal capping?

Steve Morey from Hatch Mott MacDonald asked for Mr. Winters to put his questions in writing and he would give them to the architect who could provide the answers.

Mr. Winters requested the Resolution not be approved at the present time and that the contract be followed as per spec.

Manager Voll replied the contract would be followed as per spec and extension was necessary. He felt the Township should move forward with the extension, noting all the work would have to be certified and the vendor would not get a payment until the certification was done.

Mayor Beck closed the public portion.

The resolution was approved on motion by Councilmember Conrad, seconded by Councilmember Douglass and the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck "yes".

Ord. #2011-15, An Ordinance Amending Chapter Seven Entitled "Traffic" of the Code of the Township of Lower, 2nd rdg. (Ordinance would prohibit parking on 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)

The Clerk announced the ordinance notice had been published and posted according to law and copies had been made available to the public.

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Mayor Beck opened the meeting to the public for comments on Ordinance #2011-15.

There was no public comment.

The Ordinance was approved on motion by Councilmember Simonsen, seconded by Councilmember Conrad and the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck "yes"

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, 2nd 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.

The Clerk announced the ordinance notice had been published and posted according to law and copies had been made available to the public.

Mayor Beck opened the meeting to the public for comments on Ordinance #2011-16.

Joseph Boyle of Arizona Ave thanked the Emergency Personnel for the response during the Hurricane.

Mayor Beck closed the public portion.

The Ordinance was approved on motion of Councilmember Douglass, seconded by Councilmember Simonsen and the following **roll call vote**: Councilmember Conrad, "abstain", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck "yes".

Council Comments

Councilmember Conrad thanked all the emergency service workers, Public Works, Fire Companies, Police, Rescue, Volunteers, Animal Control, Anco and Acme for all their help and efforts during Hurricane Irene. He said OEM did a great job. He announced on Sept 28th or 30th Lower Township would be having a Flu Clinic at Township Hall. There would be a small cost and more information to follow.

Councilman Conrad stated that he would like to re-visit the contract negotiation discussion.

Councilmember Simonsen reiterated the praise for the emergency service response during the course of the storm.

Councilmember Douglass also thanked everyone for the response to the storm and stated he received so many comments regarding the great job everyone had done.

Deputy Mayor Lare also thanked all the first responders, Public Works, The Township Manager and OEM Coordinator for a job well done. He also thanked Council for the support for the new hockey surface at Douglass Park and said it would be installed with volunteer labor under the supervision of the manufacturer. He noted it would provide a first class hockey surface that will last a minimum of 10 years.

Deputy Mayor Lare stated when the contract process was discussed at the last meeting, the Solicitor stated the unions should be notified. He said It was imperative the council hear all sides and gather as much input as possible prior to making decisions.

Mayor Beck stated the Township was really spared by the storm and Rich Harron, Chief Marker, Gary Douglass and Gary Playford were all instrumental in the success through the storm. He mentioned a 9/11 ceremony would be held on Sunday at 6:00 pm on Sunset Beach and the Fishing Creek School would have a fundraiser on October 2nd from 4-7 pm; tickets would be \$25.00 per person.

Eileen Kreis spoke on the Run For The Fallen and the upcoming events to support the cause.

Public Comments

Hockey Rink

Stig Blomkvist of Mickels Run addressed Council and thanked them for supporting the Hockey Rink resurfacing and thanked all the volunteers who would be helping in the resurfacing.

Reverse 911 System

Bob Walter of West Florida Ave addressed Council and questioned who was responsible for the 911 reverse system and how do we include residents who were not called? Manager Voll replied that everyone who had a "hard line" in their house should already be included. Anyone with a cell phone should go onto our website under global connect and register.

Walkway Between Township Hall & Library

Mr. Walter also requested a pedestrian walkway between the Township building and the library. He also felt he did not feel a left hand turn should be permitted upon exiting the front parking lot on Bayshore Road.

Public Works Director Douglass replied the Township engineers had approved all site angles and county guide lines for the exit. He said the County would stripe the road as soon as they got a chance.

Airport Security

Wayne Weissman from Beachwood Ave addressed Council and questioned if any additional security would be in place at the County Airport for 9/11 and requested all residents fly their flag on September 11th.

Contract Negotiations

Thom Will of North Cape May addressed Council as the Union Representative and a taxpayer to reiterate the union's position on opening up contracts to the public. He stated the unions were against it. He said there was a lot of support at the meeting against opening up the contract to five people. Those five people did not represent the taxpayers of the Township. After a lively discussion, Mayor Beck replied the taxpayers paid the bills and were entitled to see the contracts prior to being passed.

Sue Bailey from Oak Lane addressed Council and stated she was a non-union Township employee and a taxpayer. She stated the taxpayers elect the Council and Mayor to represent them and make decisions for their best interest. She stated it was ridiculous to allow people to view something so sensitive. The taxpayers put their faith in the elected officials and they need to vote on it. After it was voted on, yes, show the people but to open it up during negotiations was wrong.

Bud Bailey, Teamsters Representative, stated getting the public involved prior to the final vote was letting a third party into negotiations.

Mayor Beck stated by a referendum the taxpayers could stop the contract, but by resolution they could not.

Mr. Bailey stated if a third party made any decision which influenced Council's decision and changed things, there would be an unfair labor practice filed.

John Skowronski from 607 Arctic Ave. addressed Council and stated he believed contracts should be made public. He stated we were a free Country and we should be able to see all that went on.

Deputy Mayor Lare stated that every contract that had been ratified was online at the Township's website. He said the conversation was about process, not about open government. He said every contract in the Township was available online and no other community or State could say that. Deputy Mayor Lare quoted the Solicitor from the prior meeting regarding keeping a third party out of negotiations.

Debbie Johns addressed Council and stated the point was no one had a problem with the public seeing the contracts they were online now. Everyone had an opinion on the contracts, but if the union sat and negotiated in good faith, the union should not have to rely on the governing body keeping their word (to ratify) once the proposed contracts were opened to the public.

After a lively discussion, Mayor Beck replied this was something that had been coming for a long time and he had been out in front the entire time about it and believed where they were now was the best possible solution.

Councilmember Douglass stated from the Solicitor's information, the Open Public Meetings Act contained a specific exception for collective bargaining negotiations and it actually went a step further to allow the negotiation committee into a closed session. The Legislature had carved out specific exceptions for negotiations. In the legal interpretation you find a strong legislative intent to provide confidentiality for negotiation. "I will go on record that I oppose the contract going to the public prior to the vote."

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Councilmember Simonsen questioned the Solicitor as to whether it was allowed for a third party to be involved if both parties agreed.

Solicitor Donohue replied in arbitration and mediation, it could be permitted if it was expert on a specific subject matter. Other than an expert, it would be extremely unusual to invite a third party into collective bargaining.

Brian McEwing of Townbank Road addressed Council and stated he had been on both sides of contract negotiations and allowing anything or anyone else into the negotiations would muddy the waters and break down the trust. If anyone didn't like what Council did with a contract, they needed to vote in/out the councilmember.

John Skowronski, of 607 Arctic Ave addressed Council and stated the senior citizens were on limited income and had to pay what Council agreed to, indicating his support for public review before the final vote.

Gayle Crookston of North Cape May addressed Council and stated she understood what Council wanted to do, but everyone could go online and look at the contracts. Nothing was changed in the contracts except for a number here or there. She said anyone could go and look now and then offer their suggestions to Council prior to the negotiations being started. She stated they were putting their faith in Council that if by resolution they provided access to the negotiated contracts and the public opposed, they would not be swayed.

Councilmember Conrad said he would like to put the topic to rest and by offering a motion.

Solicitor Donohue said motions should be made in the affirmative and suggested how the motion should be made.

Councilmember Conrad made a motion, seconded by Deputy Mayor Lare To Release The Proposed Collective Bargaining Units Contracts to the Public Prior To Final Approval By The Governing Body. The motion was reduced to writing and added as Resolution #2011-257.

The following roll call vote was taken: Councilmember Conrad: "no", Councilmember Simonsen "abstain", Councilmember Douglass "no", Councilmember Simonsen "abstain", Councilmember Douglass "no", Deputy Mayor Lare "no", Mayor Beck "yes". Motion defeated.

There was no further public comment.

Res. #2011-258, A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12 (Acquisition of property)

Councilmember Douglass motioned to adopt the resolution, 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 from open session and there being no further comment, Councilmember Douglass motioned to adjourn the meeting, seconded by Councilmember Simonsen. The meeting unanimously adjourned by verbal "ayes" at 9:10 p.m.

Mayor
Approved:

Township Clerk

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00928	CAPE MAY COUNTY CLERK							
	11-02411	08/30/11	RECORD TAX SALE CERTIFICATE	Open	8.00	0.00		
01170	VERIZON WIRELESS* F/S							
	11-02469	09/07/11	CELL SERVICE - FIRE SAFETY	Open	91.96	0.00		
01171	VERIZON WIRELESS - TOWNHALL							
	11-02470	09/07/11	CELL SERVICE - TOWNHALL	Open	984.49	0.00		
	11-02487	09/08/11	CELL PHONE SERVICE	Open	513.79	0.00		

					1,498.28			
01245	G & K SERVICES CO*							
	11-02537	09/14/11	UNIFORM RENTALS/DPW	Open	779.28	0.00		
01519	TOM FOLS ELECTRICALCONTRACTOR*							
	11-02416	08/30/11	VENTILATION UTILITY ROOM TWNHL	Open	350.00	0.00		
01530	FIRE DISTRICT #1							
	11-00887	04/07/11	2011 FIRE DISTRICT TAXES	Open	121,350.75	0.00		
01540	FIRE DISTRICT #2							
	11-00888	04/07/11	2011 FIRE DISTRICT TAXES	Open	262,035.00	0.00		
01550	FIRE DISTRICT #3							
	11-00889	04/07/11	2011 FIRE DISTRICT TAX	Open	170,947.25	0.00		
01641	GALL'S INC*							
	11-02165	08/01/11	NEW VEHICLE OUTFITTING	Open	1,481.00	0.00		
01690	GRANTURK EQUIPMENT CO*							
	11-02319	08/17/11	PART FOR TRASH TRUCK/DPW	Open	337.14	0.00		
01735	MICHAEL GUIFFRIDA							
	11-02538	09/14/11	SHOE ALLOWANCE FOR 2011/DPW	Open	55.99	0.00		
01781	HATCH MOTT MACDONALD, LLC*							
	10-03145	12/08/10	ROOFING SYSTEM - REC CENTER	Open	3,388.00	0.00		B
	11-00665	03/11/11	ENGINEERING SERVICES/HOLMES AV	Open	540.00	0.00		B
	11-00781	03/25/11	ENGINEERING SERVICES/OUTFALLS	Open	9,344.40	0.00		B
	11-01456	05/20/11	PKG LOT/STATION RD PHASE 3	Open	15,482.49	0.00		
	11-02220	08/04/11	RES 11-218 INSPEC GEN II ROOF	Open	4,353.78	0.00		B
	11-02451	09/02/11	ESCROW BILLING	Open	1,256.50	0.00		

					34,365.17			
01806	ANTHONY J HARVATT, II, ESQ							
	11-01283	05/06/11	BOARD SOLICITOR SALARY	Open	383.33	0.00		
	11-02449	09/02/11	ESCROW RESOLUTION FEES	Open	900.00	0.00		

					1,283.33			
01912	GRUCCIO, PEPPER, DESANTO&RUTH PA							

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
11-00157	01/14/11	2011 CONTRACT EXPENSES DNE	Open	3,043.75	0.00			B
02136	TED KINGSTON INC*							
	11-01224	05/05/11	MAY 2011	Open	495.46	0.00		
	11-01225	05/05/11	JUNE 2011	Open	496.94	0.00		

					992.40			
02248	LAWMEN SUPPLY*							
	11-01930	07/05/11	AMMO	Open	7,359.89	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		
02415	STEPHEN FLITCROFT							
	11-02508	09/12/11	SHOE ALLOWANCE FOR 2011/DPW	Open	119.99	0.00		
02417	MAGELLAN HILL TECHNOLOGIES*							
	11-02461	09/07/11	PHONE SERVICE	Open	1,138.35	0.00		
02541	ROBERT D. MARTIN, JR							
	11-02474	09/08/11	CONTRACTUAL REIMBURSEMENT	Open	29.00	0.00		
02811	JAMES MOY							
	11-02473	09/08/11	CONTRACTUAL REIMBURSEMENT	Open	264.00	0.00		
03109	TRU GREEN CHEMLAWN							
	11-02336	08/19/11	X NUT GRASS CONTROL	Open	200.00	0.00		
	11-02357	08/22/11	PLAYGROUND VEGETATION CONTROL	Open	560.00	0.00		

					760.00			
03135	NEXT GENERATION IND, INC*							
	11-01949	07/08/11	SUPPLIES FOR RDS/BLDG/GRNDS	Open	4,040.00	0.00		
03160	OFFICE BASICS, INC*							
	11-02417	08/30/11	PAPER FOR POLICE DEPT	Open	579.80	0.00		
03279	PARDO'S TRUCK PARTS WHSE*							
	11-01607	06/08/11	PARTS FOR RDS/SANT/RECY/DPW	Open	986.29	0.00		
03427	POLAR BEAR*							
	11-02249	08/08/11	2 BRYANT HVAC UNITS MILLMAN	Open	16,000.00	0.00		
03484	LAUREN M. READ							
	11-02517	09/13/11	MEDICAL REIMBURSEMENT	Open	25.00	0.00		
03491	RENTAL COUNTRY*							
	11-02389	08/24/11	PARTS FOR RDS/GARAGE/DPW	Open	997.68	0.00		
03518	RIGGINS, INC.*							
	11-02535	09/14/11	OFF-HIGHWAY DIESEL/DPW	Open	1,393.05	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03573 SAFETY-KLEEN CORP*	11-02327	08/17/11	EQUIPMENT/MAINTENANCE	Open	45.65	0.00		
03607 SEASHORE FOOD SUPPLY*	11-00179	01/21/11	BAYRUN FOOD SUPPLIES	Open	432.00	0.00		
03783 THIS AND THAT UNIFORMS*	11-02437	09/01/11	ACCADEMY UNIFORMS NEW HIRES	Open	1,088.00	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	11-02541	09/14/11	SEWER BILLING - DUE 10-01-11	Open	1,160.00	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	11-02318	08/17/11	ONE-CALL MESSAGES/DPW	Open	122.64	0.00		
03935 STAPLES BUSINESS ADVANTAGE*	11-02366	08/23/11	HP COLOR LASER PRINTER	Open	351.91	0.00		
	11-02415	08/30/11	OFFICE SUPPLIES	Open	778.89	0.00		

					1,130.80			
03960 VECTOR SECURITY*	11-01790	06/16/11	ALARM REPAIR	Open	235.50	0.00		
	11-02354	08/22/11	ANNUAL FIRE INSPECTION	Open	190.00	0.00		

					425.50			
03971 VERIZON WIRELESS	11-02434	09/01/11	MDT	Open	644.12	0.00		
04097 CINTAS FIRST AID AND SAFETY*	11-02536	09/14/11	FIRST-AID KIT SUPPLIES/DPW	Open	184.23	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	11-02463	09/07/11	AUGUST, 2011 DOG LIC	Open	52.20	0.00		
04309 WILLIAM WEISBERG	11-02523	09/13/11	RETURN UNUSED ESCROW	Open	72.64	0.00		
ALBERN ALBERN, GONELLA, COOK	11-02521	09/13/11	RETURN UNUSED ESCROW	Open	120.00	0.00		
BROWNKE KENNETH M BROWN	11-02467	09/07/11	REIMBURSEMENT FOR BACKGROUND	Open	71.25	0.00		
CHURCH ELIZABETH CHURCH	11-02524	09/13/11	RETURN UNUSED ESCROW	Open	3.00	0.00		
CRAB CAPE MAY CRAB CAKES	11-02530	09/13/11	REFUND - FARMERS MARKET	Open	150.00	0.00		
DUFFYL LINDA DUFFY	11-02532	09/14/11	REFUND - REQ FOR VAC STREET	Open	400.00	0.00		

09/14/11
15:32:22

Lower Township
Bill List By Vendor Id

Page No: 5

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GLEASON ROBERT & KARIN GLEASON	11-02527	09/13/11	RETURN UNUSED ESCROW	Open	3.00	0.00		
IDEA IDEARC MEDIA CORP	11-02294	08/12/11	ATLANTIC COUNTY PHONE BOOK	Open	71.80	0.00		
KERR TIM KERR	11-02520	09/13/11	RETURN UNUSED ESCROW	Open	10.37	0.00		
LCMRFOOD LCMR FOOD SERVICE	11-02483	09/08/11	NATIONAL NIGHT OUT	Open	100.80	0.00		
LDTD LDTD DEVELOPERS, LLC	11-02528	09/13/11	RETURN UNUSED ESCROW	Open	3.00	0.00		
	11-02529	09/13/11	RETURN UNUSED ESCROW	Open	139.97	0.00		
					----- 142.97			
OSADC ROMAN OSADCHUK	11-02526	09/13/11	RETURN UNUSED ESCROW	Open	10.88	0.00		
OWENSJ JEANNETTE OWENS	11-02534	09/14/11	REF 3 CERT COPIES - MARRIAGE L	Open	30.00	0.00		
REEVES GAIL & GLENN REEVES	11-02519	09/13/11	RETURN UNUSED ESCROW	Open	10.00	0.00		
SACHARN NEVA & LEONARD SACHAR	11-02522	09/13/11	RETURN UNUSED ESCROW	Open	136.50	0.00		
SEASHORE SEASHORE CAMPSITES INC	11-02525	09/13/11	RETURN UNUSED ESCROW	Open	40.02	0.00		
Total Purchase Orders: 85				Total P.O. Line Items: 177	Total List Amount: 2,194,246.83	Total Void Amount: 0.00		

**Lower Township
Bill List
09/19/2011**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Comcast of Wildwood	11-02177	Intenet Service – DPW	45857	09/08/11	\$ 182.27
Total Manual Checks					\$ 182.27
Total brought forward from computer generated bill list					\$ 2,194,246.83
TOTAL BILL LIST					<u>\$ 2,194,429.10</u>

I certify the foregoing to be a Resolution adopted by the Township Council on September 19, 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 #2011-260

TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR ENGINEERING SERVICES RELATED TO BAYSHORE ESTATES STORMWATER INVESTIGATION

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

WHEREAS, the Engineer has provided a separate fee proposal for engineering services related to Bayshore Estates Stormwater Investigation which is set forth on EXHIBIT A attached hereto (the "Project Proposal"); and

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


Lauren Read, CFO

C-04-55-397-910 Ord. #2010-08
Account

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

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for a total amount of \$2,250 is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Project Proposal on behalf of the Township of Lower, and to take any and all other actions necessary to effectuate the purposes thereof.
3. All of the terms and conditions of the Engineer's Contract except for the specific terms and conditions of the Project Proposal shall continue in full force and effect and the Project Proposal shall be deemed a supplement thereto.

I hereby certify the foregoing to be an original resolution adopted by the Township Council of the Township of Lower at a meeting held on September 19, 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 #2011-261

TITLE: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BEACH DRIVE PEDESTRIAN ACCESS IMPROVEMENT PROJECT

WHEREAS, State Aid to municipalities is available from the New Jersey Department of Transportation (NJDOT) for pedestrian safety improvements; and

WHEREAS, the Township of Lower desires to improve pedestrian safety & access along Beach Drive in North Cape May.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of Lower Township, formally approve the grant application for the above stated project and rescind Res. #2011-250 adopted on September 7, 2011.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-Lower Township-00175 to the New Jersey Department of Transportation on behalf of Lower Township.

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

Certified as a true copy of the Resolution adopted by the Council on this 19th day of September, 2011.

Claudia R. Kammer, Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Claudia R. Kammer, Clerk

Michael A. Beck, Mayor

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-262

TITLE: APPROVAL OF CHANGE ORDER NO. 3 FOR STATION ROAD IMPROVEMENTS, CONTRACT M-6

WHEREAS, Charles Marandino, LLC was previously awarded a contract in the amount of \$119,361.00 for Station Road Improvements, and

WHEREAS, Change Orders #1 and #2 increased the contract by a total of \$21,991.80 and

WHEREAS, Change Order #3, attached hereto decreases the contract by \$13,900.80, and

WHEREAS, the Engineer has reviewed and approved of Changer Order No. 3.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that Change Order No. 3 for Station Road Improvements is approved, resulting in a final contract price of \$127,452.00.

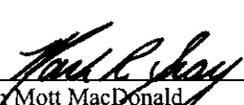
I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on September 19, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

CONTRACT CHANGE ORDER

CHANGE ORDER NO.: 3
DATE: September 16, 2011
PROJECT DESCRIPTION: Station Road Improvements, Contract No. M-6, Township of Lower, Cape May County, New Jersey

REASON FOR CHANGE ORDER: See Below.					
ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	ADDITIONS	DEDUCTIONS
1	Quantity changes to adjust the original contract quantities to match the as-built contract quantities.	See Attach.	See Attach.	\$1,833.00	\$5,233.00
2	Reduction in Contract due to unused portion of \$20,000 that was added to contract under Change Order No. 2				\$10,135.00
3	Addition of Item No. 15 - Reinforced Concrete Driveway Apron, 8" Thick	59 SY	\$70.00	\$4,130.00	
4	Deletion of Item No. CO1-2 - Reinforced High Early Strength Concrete, 8" Thick	59 SY	\$76.20		\$4,495.80
Sub-Total:				\$5,963.00	\$19,863.80
Total Change Order No. 3 Value:					(\$13,900.80)
ACCEPTED:			ORIGINAL CONTRACT BID PRICE:		
Contractor _____ Date _____			\$119,361.00		
APPROVAL RECOMMENDED:			CHANGE ORDER NO. 1: + \$1,991.80		
 Hatch Mott MacDonald, _____ Date 9/16/11			CHANGE ORDER NO. 2: + \$20,000.00		
APPROVED:			CHANGE ORDER NO. 3: - \$13,900.80		
Owner _____ Date _____			NET CHANGE: \$8,091.00		
			REVISED CONTRACT PRICE INCLUDING CHANGE ORDER NOS. 1, 2 & 3:		
			\$127,452.00		

**WORK COMPLETED
STATION ROAD IMPROVEMENTS, CONTRACT M-6
NJDOT FUNDED WORK
TOWNSHIP OF LOWER**

Item	Description	Unit	Quantity	Unit Cost	Total Costs
1	Excavation, Unclassified	CY	225	\$ 9.00	\$ 2,025.00
2	Soil Aggregate Base Course, Type I-5, Var. Thk.	CY	0	\$ 40.00	\$ -
3	NJDOT 57 Stone, If and Where Directed	CY	0	\$ 40.00	\$ -
4	Reconstructed Soil Aggregate Base Course	SY	1,110	\$ 8.00	\$ 8,880.00
5	H.M.A. 19M64 Base Course, 2-1/2" Thick	TON	200	\$ 80.00	\$ 16,000.00
6	H.M.A. 9.5M64 Surface Course, 1-1/2" Thick	TON	120	\$ 80.00	\$ 9,600.00
7	12" Ductile Iron Pipe, Class 56	LF	41	\$ 75.00	\$ 3,075.00
8	Inlet, Type "A"	UNIT	3	\$ 2,000.00	\$ 6,000.00
9	Inlet, Type "E"	UNIT	2	\$ 3,000.00	\$ 6,000.00
10	Reset Inlet and Manhole Casting	UNIT	1	\$ 500.00	\$ 500.00
11	Reset Utility Box / Valve Box	UNIT	4	\$ 50.00	\$ 200.00
12	Concrete Sidewalk, 4" Thick	SY	320	\$ 48.00	\$ 15,360.00
13	Concrete Driveway Apron, 6" Thick	SY	33	\$ 55.00	\$ 1,815.00
14	Reinforced Concrete Driveway Apron, 6" Thick	SY	49	\$ 58.00	\$ 2,842.00
15	Reinforced Concrete Driveway Apron, 8" Thick	SY	59	\$ 70.00	\$ 4,130.00
16	Detectable Warning Surface	UNIT	9	\$ 220.00	\$ 1,980.00
17	8" x 18" Concrete Vertical Curb	LF	627	\$ 24.00	\$ 15,048.00
18	Traffic Stripes, Long-Life, Epoxy Resin, 4" Wide	LF	1,000	\$ 1.50	\$ 1,500.00
19	Traffic Markings, Thermoplastic	SF	484	\$ 3.00	\$ 1,452.00
20	Regulatory and Warning Signs	SF	61	\$ 7.00	\$ 427.00
21	Site Restoration	LS	1.00	\$ 2,800.00	\$ 2,800.00
22	Construction Sign	UNIT	3	\$ 47.00	\$ 141.00
23	Breakaway Barricades	UNIT	11	\$ 100.00	\$ 1,100.00
24	Asphalt Price Adjustment	LS	0	\$ 500.00	\$ -
25	Fuel Price Adjustment	LS	0	\$ 500.00	\$ -
CO1-1	School Signs	LS	1	\$ 1,626.00	\$ 1,626.00
CO2-2	Reinforced High-Early Strength Concrete, 8" Thick	SY	0	\$ 76.20	\$ -
				Total	\$ 102,501.00

Total Work Completed	\$102,501.00
Previous Payments	\$86,844.98
Portion of Pay Application No. 2 - NJDOT Funded Work	\$15,656.02

WORK COMPLETED
STATION ROAD IMPROVEMENTS, CONTRACT M-6
LOWER TOWNSHIP FUNDED WORK
TOWNSHIP OF LOWER

Item	Description	Unit	Contract Quantity	Unit Cost	Total Costs
1	Excavation, Unclassified	CY	241	\$ 9.00	\$ 2,169.00
2	Soil Aggregate Base Course, Type I-5, Var. Thk.	CY	0	\$ 40.00	\$ -
3	NJDOT 57 Stone, If and Where Directed	CY	0	\$ 40.00	\$ -
4	Reconstructed Soil Aggregate Base Course	SY	962	\$ 8.00	\$ 7,696.00
5	H.M.A. 19M64 Base Course, 2-1/2" Thick	TON	0	\$ 80.00	\$ -
6	H.M.A. 9.5M64 Surface Course, 1-1/2" Thick	TON	0	\$ 80.00	\$ -
7	12" Ductile Iron Pipe, Class 56	LF	0	\$ 75.00	\$ -
8	Inlet, Type "A"	UNIT	0	\$ 2,000.00	\$ -
9	Inlet, Type "E"	UNIT	0	\$ 3,000.00	\$ -
10	Reset Inlet and Manhole Casting	UNIT	0	\$ 500.00	\$ -
11	Reset Utility Box / Valve Box	UNIT	0	\$ 50.00	\$ -
12	Concrete Sidewalk, 4" Thick	SY	101	\$ 48.00	\$ 4,848.00
13	Concrete Driveway Apron, 6" Thick	SY	26	\$ 55.00	\$ 1,430.00
14	Reinforced Concrete Driveway Apron, 6" Thick	SY	0	\$ 58.00	\$ -
15	Reinforced Concrete Driveway Apron, 8" Thick	SY	0	\$ 70.00	\$ -
16	Detectable Warning Surface	UNIT	0	\$ 220.00	\$ -
17	8" x 18" Concrete Vertical Curb	LF	367	\$ 24.00	\$ 8,808.00
18	Traffic Stripes, Long-Life, Epoxy Resin, 4" Wide	LF	0	\$ 1.50	\$ -
19	Traffic Markings, Thermoplastic	SF	0	\$ 3.00	\$ -
20	Regulatory and Warning Signs	SF	0	\$ 7.00	\$ -
21	Site Restoration	LS	0	\$ 2,800.00	\$ -
22	Construction Sign	UNIT	0	\$ 47.00	\$ -
23	Breakaway Barricades	UNIT	0	\$ 100.00	\$ -
24	Asphalt Price Adjustment	LS	0	\$ 500.00	\$ -
25	Fuel Price Adjustment	LS	0	\$ 500.00	\$ -
CO-1	School Signs	LS	0	\$ 1,626.00	\$ -
CO-2	Reinforced High Early Strength Concrete, 8" Thick	SY	0	\$ 76.20	\$ -
				Total	\$ 24,951.00

Total Work Completed	\$24,951.00
Previous Payments	\$23,050.58
Portion of Pay Application No. 2 - Lower Township Funded Work	\$1,900.42

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

September 15, 2011

RE: NJDOT FY 2012 Grant Application
New Jersey Department of Transportation Municipal Aid Program
Beach Drive Pedestrian Safety Improvements

Dear Mayor and Council;

As you are aware the existing Beach Drive from Lincoln Drive to Pinewood Avenue along the Township's Delaware Bay waterfront consists of a varied width paved roadway that supports two-way vehicular traffic, with on-street parking on the northbound side only. Portions of the southbound travel lane are partially impeded by drifting sand from the adjoining dunes that form the bay side of the roadway. This side of the roadway is currently utilized in an uncontrolled manner by pedestrians (1) for ingress to and egress from the many beach access paths along the roadway, and (2) as a travel way for recreational purposes along the bay front.

The Recreation Advisory Board was presented with the proposed Beach Drive pedestrian safety improvements project at its September 15, 2011 regular meeting. As presented, the proposed improvements are comprised of an approximate 1.5 mile long six feet wide sidewalk and raised curb along the bay side of Beach Drive with additional ADA improvements at the street intersections. The project will make needed improvements to pedestrian safety and access to the beach from Lincoln Drive to Pinewood Avenue that will relieve pedestrian and automobile conflicts, thus enhance the recreational opportunities along the beach for walking, jogging, sightseeing as well as providing safe ingress and egress to and from existing beach paths. It is our understanding that the Township plans to construct the project with intended funding from NJDOT Local Aid grants through the New Jersey Department of Transportation's (NJDOT) Municipal Aid, Bikeway, and Safe Streets to Transit Programs.

The Township of Lower Recreation Advisory Board hereby supports the proposed Beach Drive pedestrian safety improvements and the Township's application for the NJDOT FY2012 Grant to fund this project.

Sincerely,

Recreation Advisory Board

A handwritten signature in cursive script, appearing to read "Deborah A. Johns".

Deborah A. Johns, Chairperson

cc. Michael Voll, Township Manager

CERTIFICATE OF DELIVERY AND PAYMENT

I, Lauren Read, the duly chosen, qualified and acting Chief Financial Officer of the Township of Lower, a municipal corporation of the State of New Jersey, located in the County of Cape May and herein referred to as the "Issuer", HEREBY CERTIFY that on the 31st day of August, 2011, I delivered to Janney Montgomery Scott, LLC, (the "Underwriter") the \$2,720,000 General Improvement Refunding Bonds, Series 2011 (the "Bonds") of the Issuer, each duly executed by or on behalf of the Issuer, as more specifically described in Schedule A and annexed hereto and by this reference made a part hereof, and that at or before the time of such delivery of the Bonds, I received \$2,833,403.00 from the purchaser, being full payment for the Bonds in accordance with the Bond Purchaser Contract dated August 18, 2011 between the Issuer and the Underwriter, and, computed below.

The purchase price (the "Purchase Price") for the Bonds shall be \$2,833,403.00 (representing the principal amount of \$2,720,000.00, plus net original issue premium in the amount of \$128,363.00, less an Underwriter's discount in the amount of \$14,960.00).

IN WITNESS WHEREOF, I hereunto set my hand as of this 31st day of August 2011.



Lauren Read,
Chief Financial Officer

**LOWER TOWNSHIP
REFUNDING ANALYSIS FOR 2002
BOND ISSUE**

Original Issue 7,000,000.00
Original Rate 4.19%

PRIOR PAYMENT SCHEDULE				
Year	Total	15-Jul		15-Jul Interest
		Principal	Interest	
2012	789,912.50	670,000.00	59,956.25	59,956.25
2013	771,437.50	680,000.00	45,718.75	45,718.75
2014	751,687.50	690,000.00	30,843.75	30,843.75
2015	731,500.00	700,000.00	15,750.00	15,750.00
		<u>3,044,537.50</u>	<u>2,740,000.00</u>	<u>152,268.75</u>

REFUNDING BOND ISSUE PMNT. SCHEDULE				
Year	Total	15-Jul		15-Jul Interest
		Principal	Interest	
2012	756,356.25	685,000.00	35,678.13	35,678.13
2013	742,850.00	675,000.00	33,925.00	33,925.00
2014	727,600.00	680,000.00	23,800.00	23,800.00
2015	707,200.00	680,000.00	13,600.00	13,600.00
		<u>2,934,006.25</u>	<u>2,720,000.00</u>	<u>107,003.13</u>

Savings*
33,556.25
28,587.50
24,087.50
24,300.00
110,531.25

*The refunding bond issue has been completed and will result in a net savings of \$110,531.25 over the next four years.

ANIMAL CONTROL MONTHLY REPORT

MONTH OF August 2011

ACO Steve Flitcroft DATE 8/31/2011

	DOGS	CATS	WILDLIFE
TOTAL CALLS	29	15	29
TO SHELTER	3	2	0
RETURNED	3	5	12
TO VET	0	0	1
DOA	0	1	5
WARNINGS	8	0	0
TICKETS	0	0	0
BITES	0	0	0
QUARANTINES	0	0	0
OTHER	15	7	11

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

Additional Comments

ANIMAL CONTROL MONTHLY REPORT

MONTH OF August 2011

ACO Steve Parker DATE 8/31/2011

	DOGS	CATS	WILDLIFE
TOTAL CALLS	15	8	12
TO SHELTER	4	8	0
RETURNED	5	0	2
TO VET	0	0	0
DOA	1	0	2
WARNINGS	0	0	0
TICKETS	3	0	0
BITES	2	0	0
QUARANTINES	0	0	0
OTHER	0	0	8

*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: 08/01/2011 To 08/31/2011

September 09, 2011 2:37:04PM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$951,480.00	Cubic Footage:	177899 Cu.ft	Permit Issued:	100
Cost Of Alteration:	\$447,743.00	Square Footage:	15216 Sq.ft	Updates Issued:	11
Cost Of Demolition:	\$14,150.00			All Fees Waived:	0
Total Cost:	\$1,413,373.00			Municipal Fees Waived:	0

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$13,486.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$13,486.00
Electrical:	\$4,211.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$4,211.00
Fire :	\$2,832.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$2,832.00
Plumbing:	\$4,887.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$4,887.00
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:	\$25,416.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$598.00	\$0.00	\$598.00
Alteration Training Fee:	\$762.00	\$0.00	\$762.00
DCA Minimum Fee:	\$14.00	\$0.00	\$14.00
Sub total Training Fee:	\$1,374.00	\$0.00	\$1,374.00

TECHNICAL ISSUES

Building Technical:	55
Electrical Technical:	59
Fire Protection Technical:	32
Plumbing Technical:	45
Elevator Technical:	
Mechanical Technical:	

CERTIFICATE ISSUES

Certificate of Occupancy:	4
Certificate of Approval:	25
Certificate of Continued Occupancy:	0

Certificate of Occupancy Fee:	\$1,361.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$1,361.00

PERMIT FEES:	\$25,416.00
DCA FEES:	\$1,374.00
CERTIFICATE FEES:	\$1,361.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$28,151.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$100.00
GRAND TOTAL FEES:	\$28,251.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 08/01/2011 To 08/31/2011

September 9, 2011 2:37:52PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$1,147.00	\$27,104.00	\$0.00	\$28,251.00
DUMPSTER	Sub Totals:	\$0.00	\$10.00	\$0.00	\$10.00
LICENSE FEES	Sub Totals:	\$0.00	\$600.00	\$0.00	\$600.00
GRAND TOTALS:		\$1,147.00	\$27,714.00	\$0.00	\$28,861.00

BOROUGH OF WEST CAPE MAY
 2600 Bayshore Road
 Borough of West Cape May, NJ 08251
 609-886-1455

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 08/01/2011 To 08/31/2011

September 09, 2011 2:43:15PM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$13,000.00	Cubic Footage:	1219 Cu.ft	Permit Issued:	6
Cost Of Alteration:	\$154,923.00	Square Footage:	125 Sq.ft	Updates Issued:	1
Cost Of Demolition:	\$0.00			All Fees Waived:	0
Total Cost:	\$167,923.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>		<u>ADMIN FEES</u>		<u>WAIVED FEES</u>		<u>TOTAL FEES</u>	
Building:	\$3,875.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$3,875.00
Electrical:	\$488.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$488.00
Fire :	\$143.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$143.00
Plumbing:	\$535.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$535.00
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:	\$5,041.00

<u>DCA</u>	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$4.00	\$0.00	\$4.00
Alteration Training Fee:	\$262.00	\$0.00	\$262.00
DCA Minimum Fee:	\$0.00	\$0.00	\$0.00
Sub total Training Fee:	\$266.00	\$0.00	\$266.00

TECHNICAL ISSUES

Building Technical:	5
Electrical Technical:	6
Fire Protection Technical:	2
Plumbing Technical:	4
Elevator Technical:	
Mechanical Technical:	

CERTIFICATE ISSUES

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

Certificate of Occupancy Fee:	\$109.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$109.00

PERMIT FEES:	\$5,041.00
FEES:	\$266.00
CERTIFICATE FEES:	\$109.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$5,416.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$5,416.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 08/01/2011 To 08/31/2011

September 9, 2011 2:44:02PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
Copies	Sub Totals:	\$150.00	\$0.00	\$0.00	\$150.00
PERMIT FEES	Sub Totals:	\$0.00	\$5,416.00	\$0.00	\$5,416.00
GRAND TOTALS:		\$150.00	\$5,416.00	\$0.00	\$5,566.00

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: 9/ 6/2011

B: LICENSE DATA

- | | | |
|---|------------------|----------------|
| 1. Period Covered | From: 08/01/2011 | To: 08/31/2011 |
| 2. First License # of this report | 1570 | |
| 3. Last License # of this report | 1595 | |
| 4. Last License # of last report | 1569 | |
| 5. Total Licenses issued this report | 26 | |

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: 26 Amount : \$5.20

E: ANIMAL POPULATION CONTROL FUND

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

Number: 7 Amount: \$21.00

F: FEE DATA

- | | |
|--|---------|
| 1. Total licenses reported with registration fee : | \$26.00 |
| 2. Total Amount due for pilot clinic fund (sec. D) : | \$5.20 |
| 3. Total Amount due for Animal population control fund (sec. E) : | \$21.00 |
| 4. Total Amount due for this report : | \$52.20 |

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: 9/5/11

Phone : 609-886-2005



TOWNSHIP OF LOWER

Engineer's Report

Meeting Date: September 19, 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. The Contractor is currently addressing minor punchlist items prior to closeout of the project.

➤ Lower Township Recreation Center Roof Replacement

Construction commenced on the week of June 6, 2011. The project is approximately 75% complete. Issues from multiple roof leaks after storm events are being addressed with the contractor as they occur. The original contract period ending on September 8, 2011 was extended for 21 days with Council approval on September 7, 2011. The skylights are being installed this week. The contractor has indicated they will be working 7 days a week through completion of the project.

➤ 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 that will be required prior to construction activities. Preliminary investigation and topographic surveys have been completed for each outfall. Design of the outfall extensions and preparation of the permit plans have been completed and reviewed by the Public Works Dept. Permit applications were forwarded to the USACE and NJDEP on August 9, 2011. Tracking of these applications continues with the agencies. Acquisition of easements continues to be coordinated with the Township solicitor.

➤ Beach Drive Pedestrian Safety Improvements – NJDOT FY2012 Grant Application

On August 23, 2011, HMM met with the NJDEP to present the project and discuss potential permitting issues for the Beach Drive pedestrian safety improvements. The proposed improvements are comprised of an approximate 1.5 mile long six foot wide sidewalk and raised curb along the bay side of Beach Drive with additional ADA improvements at the street intersections. The purpose of the project is to improve pedestrian safety and access to the beach from Lincoln Drive to Pinewood Avenue. The project will relieve pedestrian and automobile conflicts, thus enhance the recreational opportunities along the beach for walking, jogging, sightseeing as well as providing safe ingress and egress to and from existing beach paths. The project will be constructed in phases with intended funding from NJDOT Local Aid grants through the New Jersey Department of Transportation's (NJDOT) Municipal Aid,



Hatch Mott
MacDonald

Bikeway, and Safe Streets to Transit Programs. The Township's NJDOT FY2012 Grant application must be submitted by September 23rd.

➤ 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 investigations of the upstream infrastructure in support of the design of a replacement system to relieve local flooding issues in the community.

MUNICIPAL CLERK'S
Register Report

8/1/2011 Through 8/31/2011

9/2/2011

Page 1

Account	Description	Memo	Category	Amount
INCOME				
	TOTAL Business Mercantile 2010-2011			3,455.00
	TOTAL Business Mercantile 2011-2012			2,660.00
	TOTAL Campgrounds & Trailers			140.00
	TOTAL Copies & Postage			2.20
	TOTAL Reimbursements			380.00
	TOTAL Rental Merc 2011-2012			12,075.00
	TOTAL Street Openings			330.00
	TOTAL Taxi & Limo			25.00
	TOTAL Yard Sales			365.00
	TOTAL INCOME			19,432.20
TRANSFERS				
	TOTAL Council Checking			-19,432.20
	TOTAL TRANSFERS			-19,432.20
			OVERALL TOTAL	0.00

LOWER TOWNSHIP MUNICIPAL COURT

MONTHLY DISBURSEMENTS

TRAFFIC (All fines spllt w/ County)	\$ 4,529.50
TRAFFIC COSTS (We receive all costs)	\$ 1,897.43
CRIMINAL FINES (We receive both Criminal & Local Ordinance fines)	\$ 3,726.15
CRIMINAL COSTS	\$ 646.00
REINSTATED BAILS	\$ -
LOCAL PARKING	
CONTEMPT CHARGES	\$ 75.00
PUBLIC DEFENDER FEES	\$ 25.00
MISCELLANEOUS FEES (Spinal & Overpayments)	\$ 57.49
DWI SURCHARGE	\$ 312.96

AUGUST 2011 DISBURSEMENTS

AUGUST 2011 COMPLAINTS ISSUED	CRIMINAL IND.	CRIMINAL DP	TRAFFIC	DUI	TOTAL
	28	60	139	9	236

TOTAL RECEIPTS	TOWNSHIP SHARE
\$23,141.85	\$11,369.53

COMPLAINTS IN WARRANT STATUS	CRIMINAL	TRAFFIC	TOTAL
	195	134	329

**2011 CASH RECEIPTS
AUGUST**

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Preliminary (2012)	455,074.86	455,074.86
Current year taxes (2011)	12,904,048.03	38,455,227.92
Prior year taxes (2010)	1,006.47	1,189,553.69
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		160.00
Interest	7,018.24	151,993.29
MUNICIPAL LIEN		641.56
MUNICIPAL RECORDING		32.00
DEMOLITIONS		9,085.50
Lot clearing	12,433.57	18,663.57
Returned Check Fees	40.00	300.00
Duplicate Bills	640.00	1,045.00
Tax Sale Costs		17,909.83
Municipal Service Fees	1,230.95	42,840.95
SEWER/WATER		177,870.29
Trash	2,202.75	47,400.50
DEPOSITED COUNCIL CHECKING	13,383,694.87	40,603,441.61
PREMIUM ACCOUNT		217,100.00
TOTAL DEPOSITS	13,383,694.87	40,820,541.61
NSF Reversals	-4,804.80	-11,121.91
TOTAL	13,378,890.07	40,809,419.70

Prepared by Susan Jackson

VITAL STATISTICS
AUGUST DEPOSIT
2011

COPY

Marriage License Total	27
C.U. Lic. Total	2
D.P. Lic. Total	0
Total Burial Permits	0

State Marriage/CU Fee	\$ 725.00
Twp. Marriage/CU Fee	\$ 87.00
State D.P. Fee	\$ -
Twp. D.P. Fee	\$ -
State Burial Permit Fee	\$ -
Twp. Burial Permit Fee	\$ -
Twp. Cert. Copy Fee	\$ 1,680.00

TOTAL	\$ 2,492.00
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