

MARCH 19, 2012 - 7:00 P.M.

**Meeting called to order.**

Opening Announcement

Pledge of Allegiance &amp; Moment of Silence

Roll Call &amp; Determination of Quorum

**Work Session**

Mayor Beck - Discussion on ordinance for in home underage drinking - Cape Assist

Review &amp; discussion on Municipal Public Access Plan

Review of Consent &amp; Regular Agenda Items

**Consent Agenda**

Approval of Minutes March 5, 2012

Res. #2012-81 Payment of Vouchers, \$1,962,121.66

Res. #2012-82 A Resolution Requesting Release of Maintenance Guarantee for Cape Bank, 1899 Bayshore Road, Villas; Block 297, Lots 6-12, 20.02 &amp; 22; Escrow P06-09-07)

Res. #2012-83 Authorizing Pay Out of Terminal Leave (Pay out of 480 sick hours - pursuant to employment contract)

Res. #2012-84 Approval of Holy Sprit Lutheran Church's Application To Conduct Flea Markets (June 9 &amp; Sept. 29)

Res. #2012-85 Resolution Requesting Cape May County Establish a No Parking Zone on a Portion of Seashore Road (Area in front of Seashore Church of the Nazarene)

Res. #2012-86 Approval for Roadside Solicitation by Villas Volunteer Fire Company, Inc. (May 26, June 30 &amp; Sept. 1)

Res. #2012-87 Appointment of Public Defender for the Balance of 2012 (replacing C. Gibson who resigned due to appt. as a Superior Court Judge)

Res. #2012-88 Appointment to Recreation Advisory Board (Regular member position - 3 yr term)

Res. #2012-91 A Resolution Approving the Municipal Public Access Plan (if approved at work session)

**Regular Agenda**

Res. 2012-89 Payment of Voucher, Douglass Landscaping (pursuant to contract)

Ord. #2012-05 An Ordinance Amending Chapter 591 of the Code of the Township of Lower 2004 (to amend current regulations to license up to two additional taxis) 2<sup>nd</sup> rdg.**Administrative Reports**

Personnel Action Report

February Reports Animal Control, Construction, Clerk, Dog Licensing, Engineer, Mun. Court, Police, Public Works, Tax Collector, Vital Statistics

**Council Comments****Call to the Public****Closed Session**

Res. #2012-90 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 - Negotiations Update)

**Adjournment**

## PUBLIC INFORMATION

CHANGE IN COUNCIL MEETING LOCATION - MARCH 19, 2012 - The Council meeting scheduled for March 19, 2012 will be held at the Erma Volunteer Fire Company located on Breakwater Road at the Airport. Meeting time will remain at 7 p.m.

CHANGE IN MEETING TIME FOR APRIL 2 COUNCIL MEETING - The Council meeting scheduled for April 2, 2012 will begin at 6:00 p.m. instead of 7:00 p.m. as originally scheduled.

ANNUAL FREE RABIES CLINIC FOR DOG/CATS - SATURDAY APR. 14 1 - 3 P.M. - Public Works, 771 Seashore Road, Cold Spring. All dogs must be leashed - aggressive dogs should be muzzled. Cats must be in a carrier or enclosure that prevents escape.

ANNUAL DOG LICENSES DUE - LATE FEE AND FINES BEGIN IN MAY 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 AND FIRE INSPECTION - All rentals, commercial or residential, whether yearly or seasonal require a mercantile license and a fire inspection and real estate taxes must be current. Applications for both the required fire inspection and the mercantile license are available at the Municipal Building, 2600 Bayshore Road, Villas and on the Township's website - [www.townshipoflower.org](http://www.townshipoflower.org), under Form Center.

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**ORDINANCE NO. 596 -11  
AN ORDINANCE OF THE BOROUGH OF CAPE MAY POINT,  
COUNTY OF CAPE MAY, STATE OF NEW JERSEY AMENDING  
CAPE MAY POINT ORDINANCES CHAPTER 120 ENTITLED "PEACE AND GOOD  
ORDER"**

**BE IT ORDAINED, by the Board of Commissioners of the Borough of  
Cape May Point, in the County of Cape May and the State of New Jersey that  
pursuant to the provisions of N.J.S.A. 40: 48-1 a. b. c. and d Chapter 120 of the Revised  
Ordinances of the Borough of Cape May Point is hereby amended as follows:**

1. Chapter 120- **"Peace and Good Order"** shall be amended to read as follows:
  - A. Possess or Consume Alcoholic Beverages on Private Property by a minor under the age of 21 years unless a) said minor under the age of 21 years is possessing or consuming alcohol in connection with a religious observance, ceremony or rite, and consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative, who has obtained the legal age to purchase and consume alcoholic beverages b) said minor under the age of 21 years of age is engaged in the performance of employment by a person who is licensed under Title 33 of the Revised Statutes of the State of New Jersey, or while such minor is actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a County or vocational school or post secondary educational institution.
2. The definitions contained in N.J.S.A.40:48-1 (c) are applicable to this Ordinance and are currently as follows:

"Relative" means the underaged person's grandparent, aunt, uncle, sibling, or any other person related by blood or affinity.

"Guardian" means a person who has qualified as a guardian of the underaged person pursuant to testamentary or court appointment.
3. Anyone convicted of a violation of this section shall be subject to a fine of \$250.00 for the first offense and \$350.00 for any subsequent offense. In addition thereto, the sentencing court may, in addition to the fine authorized herein, suspend or postpone for six (6) months, the driving privileges of the defendant. If the defendant, at the time of sentencing, is less than seventeen (17) years of age, the period of license postponement, including a suspension or postponement of the privilege of operating motorized bicycle, shall commence on

the day the sentence is imposed and shall run for a period of six (6) months after the person reaches the age of seventeen (17) year.s

4. All remaining Sections of Article --- shall remain in full force and effect.
5. .All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.
6. This Ordinance will take effect upon adoption and publication in accordance with public law.

Introduced: April 14, 2011

Final Hearing: May 12, 2011

ATTEST:

Constance A Mahon

Constance A.Mahon

John G. N. Henderson

John G. N. Henderson, Commissioner

Anita vanHeeswyk

Anita vanHeeswyk, Commissioner

Carl F. Schupp

Carl F. Schupp, Mayor



## STOP YOUTH ALCOHOL USE ON PRIVATE PROPERTY



NATIONAL COUNCIL ON ALCOHOLISM AND DRUG DEPENDENCE - NEW JERSEY

[www.ncaaddnj.org](http://www.ncaaddnj.org)



**R**aising children is a great challenge. Textbooks and websites offer advice to parents... but when it comes to questions about our children and their use of alcohol, clear answers are hard to find.

**Should you ever serve alcohol to minors? Are you better off hosting a teen party at your house where you can monitor behavior? How do you stop other parents from allowing your children to drink alcohol at their home or holding a teen party with alcohol? How do you stop your own child from drinking?**

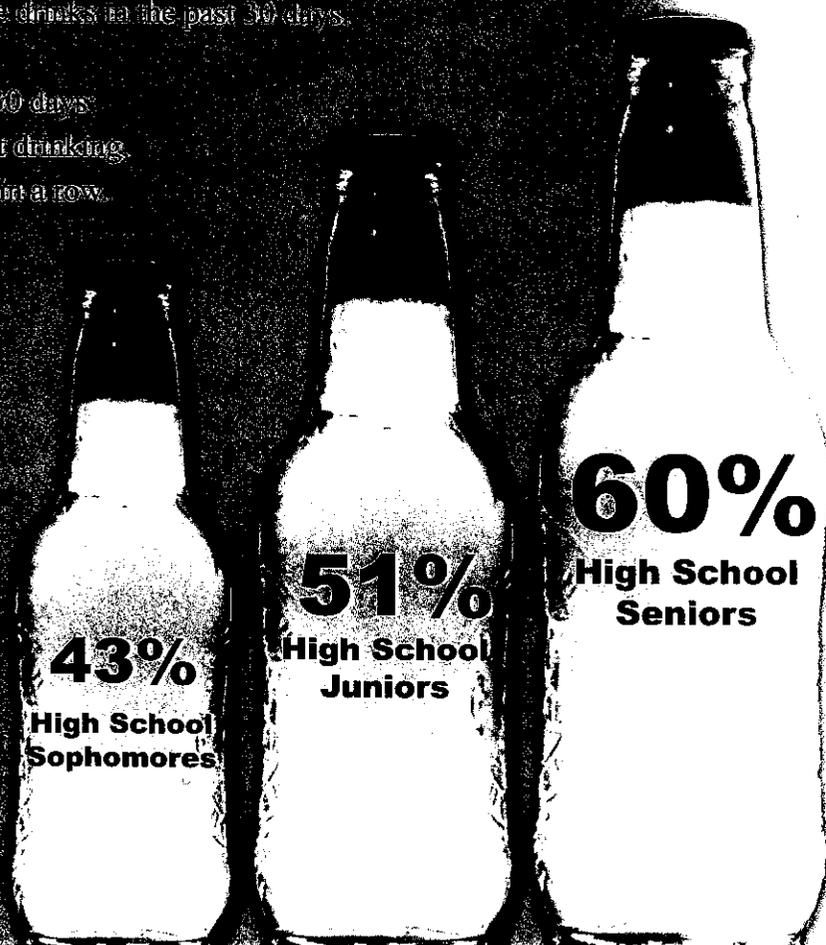
**To find the answers, we need to understand the scope of the problem of underage drinking in New Jersey.**

Every day, our State tackles multiple problems resulting from the use of alcohol by youth, including alcohol-related youth violence, traffic crashes, high risk sex, criminal behavior, injury, medical care, work loss, pain and suffering, poisoning, psychosis, youth suicide and Fetal Alcohol Spectrum Disorders.

In 2007, 44% of New Jersey's 8th grade students have used alcohol, and 14.4% of middle school students drank one or more drinks in the past 30 days.

- This 2009 survey also revealed that within the last 30 days:
- almost half of all high school students report drinking.
  - more than a quarter had five or more drinks in a row.

In New Jersey High Schools, none of the grade levels met the Healthy New Jersey 2010 goal to decrease the percentage of underage drinking in the past 30 days to 37%.



The effects of alcohol on young drinkers can be devastating. Science concludes that the human brain is not fully developed until age 25 and that alcohol can disrupt the normal development of the brain. Alcohol can adversely affect an individual's ability to form new memories and make decisions. Alcohol may cause individuals to lose their inhibitions and be willing to engage in behavior they would normally avoid if they were sober, such as violence, vandalism, sex, date rape, other criminal behavior, or drug use.



In spite of the dangers, public attitudes towards underage drinking often condone alcohol use and portray drinking as a rite of passage, which sends messages to the youth that alcohol consumption is an acceptable behavior. Many young people do not know that consuming too much alcohol can actually be fatal. Binge drinking (consuming five or more drinks on one occasion) is particularly dangerous. Alcohol poisoning is one of the greatest dangers of binge drinking. It is a serious condition that can occur when the blood alcohol concentration rises too high. Symptoms include severe vomiting, depressed respirations and seizures. It can result in coma and even death.

The physical effects of alcohol, coupled with emotional immaturity, compound the danger for young drinkers. Some intoxicated youth have injured or killed themselves in fires, falls, motor vehicle accidents, or other tragedies that might well have been avoided if they were sober. Considering these dangers, 2009 statistics regarding alcohol use among high school students are quite alarming.

### Age

### 2009 Alcohol Use

15 years or younger	64.4%
16-17 years old	78%
18 years old	88%

## What does the law say?

In New Jersey, the act of providing alcohol to a non-relative minor, on an unlicensed premises (such as your home), is illegal under New Jersey state law. As a further deterrent to underage drinking, municipalities in New Jersey have the ability to enact an ordinance making it unlawful for any underage person to possess or consume an alcoholic beverage on private property and hold the youth accountable. Of the municipalities in New Jersey, 32% of them have successfully enacted and enforced such an ordinance to prevent underage drinking from taking place on private property. Visit the Partnership For a Drug-Free New Jersey website ([drugfreenj.org](http://drugfreenj.org)) to view the list of New Jersey municipalities that currently have a private property ordinance.

## Where do they get it?

Among students in New Jersey who drank alcohol in the last 30 days, 32% reported that someone gave it to them. Many underage drinkers obtain alcohol from their parents, in their homes, or from other adults who would rather their children and children's friends drink in their home than somewhere else.

**Many underage drinkers obtain alcohol  
from their parents, in their homes...**



## QUESTIONS FROM PARENTS

### Is a statewide law too harsh?

Minors cited under a statewide law would be found guilty of a violation (not a crime), and the penalties pale in comparison to existing laws preventing youth use of alcohol on public property. Potential punishment for a violation of the state law is reasonable and proportionate, and considerably less than the punishment for a similar violation on public property.

### Current Public Property Law

Current youth use of alcohol on public property is subject to a fine of between \$500 and \$1,000, a maximum of six months in prison, and a mandatory loss of driver's license for six months.

### Proposed Private Property Law

A statewide private property law would limit the fine to the juvenile for a first offense to \$250, and fines for subsequent offenses to \$300. Judges may also, but are not required to, postpone eligibility for or suspend the driving privileges of a juvenile for six months. In lieu of either of the penalties stated, youth and their families can be given the option to participate in an education class on youth use of alcohol.

**\$250**  
FIRST OFFENSE

**PRIVATE  
PROPERTY**

## MORE QUESTIONS FROM PARENTS

### Will police officers have more access to my private property?

Enacting a state law holding youth accountable for drinking under the legal age will not change these underlying requirements or that police must have "probable cause" to suspect a crime before they can act and enter private property and must meet the requirements for a warrant, exigency, consent, search incident to a lawful arrest, plain view or health and safety.

Police may enter private property to protect its residents from danger as long as they are not entering for the purpose of searching for evidence of a crime.

Police are often called to respond to incidents of underage drinking at "house parties" due to fights, sexual assaults, noise disturbances, etc. However, once at the residence, police currently are unable to respond to youth use of alcohol since the law does not specifically prohibit minors to be in possession of alcohol on private property.

Serving alcohol to minors without the permission or presence of a parent is already a disorderly person's offense. What would change under a state law is that it would become a violation for youth to possess or consume alcohol on private property if their parent has not given permission and is not present.

The municipalities that have an ordinance prohibiting youth use of alcohol on private property, have not seen increased interference in the privacy of families. As for concerns related to the abuse of police power and private property rights, the Fourth Amendment of the United States Constitution provides that individuals are free from unreasonable "search and seizure" by the police. This means that police must have "probable cause" to suspect that a crime is happening before they can intervene.



## What happens if I'm NOT even home?

Enacting this state law would not provide additional liability to the parent. It merely enables the police to take action to intervene and hold the children who are in possession and consuming alcohol responsible.

Therefore, if a parent is on vacation and their child invites his/her friends over and they're drinking - the parent would not be found guilty of a disorderly offense as long as the parent did not have "reasonable" control over the private property, or made the property available (or left the property in the care of) another for the purpose of making alcohol available to underage drinkers.

### STATE LAW:

It would become a violation for youth to possess or consume alcohol on private property if their parent has not given permission and is not present.

## Will this law try to tell me how to parent my own children?

No. This law specifically would not change the law regarding parents' authority over their own children. It provides an exception to allow parents or legal guardians to allow their own minor children to possess alcohol if they (parent/guardian) are present and that parent/guardian is over 21 years old. This exception would be extended to house party situations.



The law is only concerned with youth obtaining liquor without their parents' permission or outside the presence of their parent. This also protects parents' and guardians' right to expect that when their child goes to another adult's home, they are safe from alcohol. The other adult doesn't have the right to allow your child to drink or give alcohol to your child.

**PRIVATE  
PROPERTY**

## QUESTIONS FROM THE FIELD

### What is the host's civil liability under current law?

Parents can be civilly liable on a variety of bases if they supply alcohol to minors and it results in injury to the minor, to third parties or causes damage to property. Civil liability can include: negligence, reckless misconduct and failure to exercise reasonable care and diligence. A parent who is found legally responsible under social host, negligence or reckless misconduct liability laws may be accountable for large money damages. The ordinance as authorized under state law to prohibit youth use of alcohol on private property, has no effect on this liability.

The Social Host Law, NJS 2C: 33-17 (availability of alcohol to under-aged) and NJS 2A: 15-5.6 (exclusive Civil Remedy), which are already in existence, address the criminal and civil liability of the adult who provides the alcohol. The youth use of alcohol on private property ordinance does not enhance or detract from laws regarding the adult server.

The penalties are against the underage person, not the adult who served the alcohol.



### Is this a Social Host law?

No, the enactment of a state law will address the youth, not adults, filling a gap to hold youth responsible for possession or consumption of alcoholic beverages on private property. NJS 40:48-1.2 will not increase a person's liability under social host laws.

The penalties listed in NJS 40:48-1.2 are against the underage person, not the adult who served the alcohol. NJS 40:48-1.2 does not apply when a minor's own parent, guardian, or relative is supervising and gives permission for the consumption of alcohol.

## Are college or university dorms "private property?"

Dorm rooms are not the property of the student. They are the property of the college or university and subject to the regulations established by the college or university. At public universities or colleges, law enforcement officers cite college students who are under the legal drinking age and caught drinking in their or a friend's dorm room under 2C:33-15, which prohibits youth use of alcohol on public property or in any school. For private colleges, please refer to the individual college's policies regarding alcohol possession.

A law prohibiting youth use of alcohol on private property provides a less severe alternative under which the police may charge the student. In municipalities that enacted an ordinance prohibiting youth use of alcohol on private property, officers often chose to cite the underage drinker under the less severe ordinance, if private and public property were in close proximity.

## Will a statewide law give police authority to enter dorm rooms?

Generally, college students maintain their Fourth Amendment right to privacy when it comes to their dorm rooms, and therefore if police, including state authorized campus police, want to enter a dorm room, they need to meet the criminal investigation requirements regarding entering a private residence as stated in "questions from parents." (See "Will Police Officers Have More Access to My Private Property?")

However, administrators, resident assistants and dorm supervisors are permitted to enter a dorm room pursuant to provisions in the university/college handbook, or an educational mission, signed housing agreement consenting to health, welfare and safety checks. Most colleges have regulations prohibiting the use of alcohol on campus, including dorms, by students under the legal age to drink. School officials at private colleges are not government actors and thus the Fourth Amendment does not apply to their conduct. In public colleges or universities the Fourth Amendment applies but the signed housing agreements give indirect consent for a school authority to enter the room.

Although the students' indirect consent doesn't transfer to police, the administrator, supervisor, or assistants can turn over their findings and other evidence to the police to be used to prosecute students under state law.

**PRIVATE**

# SUPPORTIVE STEPS

## How do I convince the legislature to pass a statewide law?

### 1 Talk to Others

Find other parents and community members who may also want to see a statewide law prohibiting youth use of alcohol on private property enacted!

### 2 Make a Statement

Develop a unified message regarding youth use of alcohol and the need for a law such as this primer, which can be your guide to help you provide additional information on the need for this bill to your legislators.

### 3 Talk to Your Legislators

Explain to the legislators in your district the need for this law, the consequences of underage drinking, and the loopholes in the current law.

- Let your legislators know that this law has wide public support as evidenced by 52% of New Jersey's municipalities successfully enacting and enforcing ordinances prohibiting youth use of alcohol on private property.
- If you are from a town that has an ordinance prohibiting youth use of alcohol on private property, give them examples and stories about the impact of the ordinance on youth and families.
- Remember, you elect your legislators and they care about your experience and stories on this issue.

### 4 Speak Out!

Hearings will be held where the public can testify about a proposed law. Be prepared to testify and have facts and stories to support the need and benefits of the proposed law. The committees vote to amend, release, or not release the bill. If they vote in favor of the measure, it goes to the governor.

For more guidance, you can contact your local Childhood Drinking (CD) Coalition for additional information on the proposed legislation and the many facts that support the need for it to be enacted. Find your local CD Coalition on [www.starttalkingnj.com](http://www.starttalkingnj.com)

## What can be done to decrease youth use of alcohol and its dangerous consequences?

New Jersey has statewide laws that prevent minors from purchasing alcohol, drinking in public or allowing adults to serve minors on unlicensed premises. However, there are no statewide laws prohibiting the possession or consumption of alcoholic beverages by minors, on private property.



The municipal-level private property ordinances have proven successful in reducing youth use of alcohol within the respective towns, however, sporadic laws enable youth to relocate the "drinking party" to a town that does not have an ordinance prohibiting youth use of alcohol on private property and subjects youth to the dangerous consequences. In order for this law to reach more young people and prevent devastating consequences, it's necessary to enact a uniform statewide law.

A statewide law prohibiting the youth use of alcohol on private property would help protect youth from the dangers of underage use and binge drinking. Youth who drink on private property often leave in a motor vehicle, so this is also an effective tool for combating drunk driving among New Jersey's youth.

### IN CONCLUSION

It's very important that young people learn that drinking under the age of 21 is not only dangerous, but is also illegal. Current state law does not provide any consequences to youth who drink on private property and municipal ordinances are random. Youth may perceive the mixed-message as justification that their drinking is socially acceptable. We are civically responsible to provide statewide safety measures that protect our youth.

There is no one answer, nor is there a single strategy to prevent youth alcohol use to keep them safe. Enacting a state law to prevent youth use of alcohol on private property will help address some of the problems that arise from youth use of alcohol. Prevention efforts are more effective when they are combined with laws that prohibit youth use of alcohol and create norms that let young people know that underage drinking is not acceptable and will not be condoned. It is one tool that may help to prevent young people from hurting themselves or others with alcohol or from potentially enduring a lifetime of alcohol-related problems.

**PRIVATE**  
PROPERTY

**CODIFICATION OF PUBLIC LAWS OF 2000**

<b>Statute</b>	<b>Chapter No.</b>	<b>Effective Date</b>	<b>Description</b>
<b><u>Title 40</u></b>			
40:48-1	33	6/28/00	Permits municipalities to enact ordinances prohibiting minors from consuming alcoholic beverages on private property pursuant to <u>N.J.S.A. 40:48-1.2</u> .
40:48-1.2	33	6/28/00	Permits municipalities to enact ordinances prohibiting minors from possessing or consuming alcoholic beverages on private property; provides for fines and license suspensions for violations; exempts possession or consumption in connection with a religious ceremony, employment at a licensed establishment, or in the presence and with the permission of a parent, guardian or relative.
<b><u>Title 40A</u></b>			
40A:14-178	106	9/8/00	Requires law enforcement agencies other than the State Police to reimburse a county or municipal law enforcement agency for the cost of training an officer hired from that other agency.
40A:14-181.1	164	2/1/01	Defines "citation" and "quota" for purposes of the statute banning ticket quotas.
40A:14-181.2	164	2/1/01	Prohibits State, county and municipal police departments or forces from establishing ticket quotas for motor vehicle violations.

## Regular & Work Session Meeting Minutes - March 5, 2012

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on March 5, 2012 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.

Cub Scout Pack # 63 and Pack # 87 led the Pledge of Allegiance, followed by a moment of silence.

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

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

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

Oath of Office - Sgt. McGurk — Mayor Beck gave the Oath of Office to Sgt. Kenneth McGurk. Linda McGurk, Sgt. McGurk's wife, pinned the new Sergeant badge on while Sgt McGurk's father held the Bible.

Presentation - Certificates for Order of the Arrow – Mayor Beck and Council presented the "Arrow of Flight" awards to members of Cub Scout Pack # 63 and Cub Scout Pack #87. Councilmember Conrad explained the "Arrow of Light" is the highest achievement a cub scout can obtain. It is not easy to obtain. Council is awarding nine certificates tonight. Mayor Beck thanked those who serve as mentors to the children. The following received the award from Pack 87: Aaron Agostini, Quinn Dougherty, Benjamin Miley, Matthew Jeffries and Evan Warborton.

Councilmember Walt Crag stated after the last meeting where Officer Paul Shelton gave a presentation on Project Lifesaver, he reached out to the Manager Voll and requested the Township fund five (5) bracelets for the program. Councilmember Craig stated the idea was so well taken that two of the Township's exceptional employees, Township Manager Michael Voll and Township Clerk Claudia Kammer, both volunteered to purchase an additional bracelet each. Lower Township will be giving the program funding for a total of seven (7) bracelets. Officer Shelton thanked the Mayor and Council and presented Council, the Manager and Clerk with certificates of appreciation for their contributions. Officer Shelton stated all donations are greatly appreciated. Councilmember Craig commended the Citizens Advisory Board for bringing Mr. Shelton to the meeting and making the Township aware of the program.

Solicitor Donohue read Resolution 2012-80 into the record. A Resolution Authorizing Lower Township to Purchase five (5) bracelets for Project Lifesaver. Motion to add Resolution 2012-80 to the consent agenda moved by Councilmember Craig, seconded by Councilmember Conrad.

Regular & Work Session Meeting Minutes - March 5, 2012

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

Manager Voll received a letter from The Lower Township Chamber of Commerce regarding hanging "patriotic flags" in certain areas on Bayshore Road. Manager Voll advised Council that the Chamber has spoken with the electric and phone companies but could not receive permission to place the flags on the utility poles. Manager Voll stated if Council gives permission to move forward with the project, the next step will be to have the County authorize the placement of the poles and flags on Bayshore Road. Motion for the manager to send a letter to the County requesting permission to install the flags moved by Councilmember Conrad, seconded by Councilmember Douglass.

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

Manager Voll gave a brief report of what is going on in the community. Manager Voll commended the Township Department Heads who work hard and how we continually ask them to do more with less to save the taxpayers money. He informed the residents that all the Department Heads will be at the April 2<sup>nd</sup> meeting to answer any budget questions residents may have. Manager Voll stated he has a personal goal to reduce the fuel consumption of the Township by 15% and will have a report for Council on the amount of money saved through the energy efficient projects throughout the Township. He stated we are getting rid of obsolete vehicles, per Council's directive, and are replacing vehicles with more efficient vehicles where ever possible. Manager Voll discussed the illegal dumping in a few locations throughout the Township and met with the Army Corp of Engineers regarding the situation. Gary Douglass lent some of his "clean shore communities" personnel to help with the project. Manager Voll spoke on Ponder Lodge and stated the problems brought up at the last meeting have been resolved and also stated that the lake will be stocked. Manager Voll also discussed the park bench request for Florida Ave and stated the request is included in the Capitol budget and will be purchased after the budget has passed. Manager Voll, Gary Douglass and Matt Ecker met last week regarding an easement area on the unpaved portion on Arizona Ave at Greenwood which will be fenced off to stop access to the woods. Deputy Mayor Lare requested the area behind Lepore's Pit, behind the preserve, be cleaned up. Manager Voll replied he will pass the information on to see if we can get another crew to help with that clean up.

## Regular & Work Session Meeting Minutes - March 5, 2012

### Work Session

Special Committee for Liaison to CMC Freeholders Re: Economic Development (tabled Feb. 22)

Deputy Mayor Lare stated he has given a lot of thought to this committee and believes this issue is bigger than any one member of Council. He stated he shares a lot of optimism about the renewed interest, particularly from Freeholder Morey, who is an outstanding citizen who wants nothing but the best. Deputy Mayor Lare stated no one individual possesses any ideas superior to any other. Deputy Mayor Lare removed his name from consideration to serve on the committee and requested that he be replaced by Ward 1 Councilmember Conrad. Deputy Mayor Lare stated at the last meeting, he was under the impression that the airport encompassed all three wards, but was incorrect. Since the airport is almost entirely in Ward 1, Deputy Mayor Lare requested Councilman Conrad and the Mayor serve on the committee. He said there will be other committee's which will be forthcoming, namely County Wide Dispatch, which Council will need representation on. Councilman Conrad stated he would like to see Council come to a mechanism for agreeing on who will serve on committees. Although we have two at-large wards and three individual wards, to eliminate the ward representatives would be a dis-service to Council. Councilman Conrad suggested Council take turns serving on committees. He stated although Council is a political entity, decisions need to be made which are in the best interest of the Township. Council needs to share the knowledge. Council needs to know relatively soon after a meetings a quick synopsis of what was discussed. Councilman Craig stated he concurs with what has been said. He is willing to serve on any committee that he is requested to serve on. He stated he believes the committee for the airport is a very important committee for the Township, certainly the renewed interest and believes the Mayor should be lead on that committee. Councilman Douglass stated he will accept the Deputy Mayors suggestion on the committee. Mayor Beck stated then the Resolution will reflect the committee being the Mayor and Ward 1 Councilman.

Review of Consent & Regular Agenda Items

### Consent Agenda

Approval of Minutes

Res. #2012-72	Payment of Vouchers, \$2,794,025.98
Res. #2012-73	Issuance of 2012 Limousine, Taxi and Operator Licenses (Annual renewals)
Res. #2012-74	Authorization for Refund of Taxes (1 refund for overpayment)
Res. #2012-75	Resolution Amending Res. 2012-11, Entitled "Establishment of Council Meeting Dates & Times" (changes the starting time to 6 pm for April 2 mtg and mtgs in June - Sept, changes location of meetings on March 19, Sept. 5 and Dec. 17)
Res. #2012-76	Authorizing Pay Out of Terminal Leave (\$2,106.00 T. Keyword, balance due)
Ord. #2012-05	An Ordinance Amending Chapter 591 of the Code of the Township of Lower 2004 (possible 1 <sup>st</sup> rdg. to amend current regulations to license up to two additional taxis)

Council Comment on Agenda Items - None

Public Comment on Agenda Items - None

Motion to approve the consent agenda moved by Councilmember Douglass, seconded by Councilmember Conrad

Regular & Work Session Meeting Minutes - March 5, 2012

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

**Regular Agenda**

Res. #2012-68

Creating a Special Committee for Liaison to the Cape May County Board of Chosen Freeholders with Regard to Economic Development at the Cape May County Airport (tabled Feb. 22)

Council Comments - None

Public Comments - None

Motion to approve Resolution 2012-68 moved by Councilmember Craig, seconded by Councilmember Douglass

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

Res. #2012-77

Resolution Correcting Resolution #2012-70 (Correction on amounts listed for bid award - total decrease of \$3,606)

Council Comments -

Deputy Mayor Lare stated this was on the agenda last meeting, there was a typographical error on the amount of the contract. It is less than was posted on the agenda last month. The contracts are correct.

Public Comment - None

Motion to approve moved by Deputy Mayor Lare, seconded by Councilmember Craig

Regular & Work Session Meeting Minutes - March 5, 2012

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

**Administrative Reports**

Personnel Action Report

Department Report      January - Police

**Council Comments**

Councilman Conrad stated he wants people to look at the place and hearts of this Township. It is a great place to live. One of the best places to live in this State. We have to start focusing on the positive. Look out there, we live in a wonderful Town.

Councilmember Craig stated he concurs with Councilman Conrad, we do live in a wonderful town. We should take advantage, look around and enjoy it.

Councilmember Douglass thanked Council for moving forward on Project Lifesaver. He stated it is a great program which will be very helpful. There are quite a few people in our town that may benefit from the program.

Deputy Mayor Lare echoed Councilman Douglass's thoughts. He Thanked the Citizens Advisory Board for bringing the project to Council's attention. Deputy Mayor Lare reminded everyone that next months meeting will be at the Erma Fire Department. He also reminded everyone that Council is moving the summer meetings to 6:00p.m.

Clerk Kammer stated the new schedules are available in the back of the room on the table

Mayor Beck stated the Adult Health & Safety Fair is scheduled for March 14<sup>th</sup> - here at Township Hall 10:30 - 2:00p.m. Mayor Beck stated we received information from the DCA, who recently announced the Low Income Energy Assistance Program is accepting applications. We are putting a link on our web page for this. Also, the New Jersey Housing Mortgage Finance Agency - New Jersey Home Keeper Program, funded through a grant from the US Treasury, has funding available for people in danger of losing their homes as a result of unemployment or under employment. This program will help keep some of our people in their homes. Anyone who needs assistance can link the page from our Township web-site.

Clerk Kammer stated the Lower Township Rabies Clinic is scheduled for April 14<sup>th</sup> at our Public Works Yard from 1-3p.m.

Regular & Work Session Meeting Minutes - March 5, 2012

**Call to the Public**

Frank Sorocco addressed Council and questioned if Council received an answer from the prosecutor. Solicitor Donohue replied the prosecutor responded that he found no criminal actions, as to any civil violations, that would be for the solicitor or police department to investigate. Solicitor Donohue stated he is not investigating anything, but if the Chief of Police wishes to investigate, that would be up to him. Mr. Sorocco requested the Solicitor read the letter to the public. Solicitor Donohue read the letter. Mr. Sorocco questioned if this situation is complete, is there going to be any apology, will there be a reimbursement for any money spent? Manager Voll replied there was no money spent on this and the matter is over. Mr. Sorocco stated this was an embarrassment to the Township and the people, wasn't it?

Steve Sheftz, Townbank, addressed Council and stated the gentleman from the HMFA will be at the Council meeting scheduled for April 16<sup>th</sup> to talk to anyone who has questions regarding the Lower Township Water Loan Program.

Joe Winters, North Cape May, addressed Council and questioned if Resolution 2012-79 will be discussed after the closed session. Manager Voll replied the solicitor will give a report to Council in closed session on the possible litigation. After Council is briefed, it will go back to open session. Mr. Winters questioned if the \$20,000.00 has already been spent. Manager Voll replied it is for the extra inspections. Mr. Winters questioned we will not spend anymore than an additional \$5,000? Manager Voll replied that is the recommendation. Mr. Winters questioned who will inspect the roof when it is complete? Manager Voll stated because of possible litigation, the solicitor will need to inform Council of the situation, and then a statement can be made.

**Closed Session**

Res. #2012-78

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."(Personnel - Police Internal Affairs Report; Contract Negotiations/Possible Litigation - Recreation Roof Contract)

Motion to approve Resolution 2012-78 moved by Councilmember Douglass, seconded by Councilmember Conrad.

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

Council returned to open session.

**Open Session**

Res. #2012-79

Resolution Approving Project Proposal Amendment Between Hatch Mott Macdonald and the Township for Additional Engineering Services Roof Replacement and Related Work at the

Regular & Work Session Meeting Minutes - March 5, 2012

Recreation Center (Authorizing additional expenses up to \$25,342.50 for additional inspections to be collected from contractor)

Motion to approve Resolution 2012-79 moved by Deputy Mayor Lare, seconded by Councilman Douglass.

Joe Winters, questioned if the Township is going to pursue legal action against the contractor. Solicitor Donohue replied we are not there yet. Mr. Winters questioned who authorized the additional inspections and if the inspection reports are available to be viewed. Manager Voll replied the reports are in his office and Mr. Winters can come in to view them. Deputy Mayor Lare stated all extra inspection fees will be taken out of what is owed to the contractor.

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

**Adjournment**

There being no further business, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. Meeting adjourned at 8:40p.m. by verbal "ayes".

\_\_\_\_\_  
Mayor

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

Approved:

RESOLUTION #2012-81

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

Include Project Line Items: Yes

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

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00047 ALLEN'S OIL & PROPANE*	12-00637	03/06/12	PROPANE FOR CLUBHOUSE	Open	254.43	0.00		
00110 ANCO HOME CENTER*	12-00328	02/01/12	PARTS FOR RDS/SIGNS/BLDG	Open	280.56	0.00		
	12-00388	02/08/12	ANCO	Open	13.74	0.00		
	12-00401	02/08/12	MISC. SUPPLIES FOR FEB.	Open	177.83	0.00		
	12-00527	02/23/12	MISC. SUPPLIES FOR REC.	Open	548.96	0.00		
	12-00578	03/01/12	MISC. ITEMS FOR INSTALLING	Open	340.99	0.00		
					<u>1,362.08</u>			
00153 ATLANTIC CITY ELECTRIC*	12-00616	03/02/12	ELECTRIC MONTH FEBRUARY	Open	23,134.79	0.00		
00190 AMERICAN BUSINESS FORMS, INC*	12-00485	02/17/12	PURCHASE ORDERS	Open	683.84	0.00		
00228 AFFORDABLE FIRE SOLUTIONS LLC*	12-00360	02/03/12	PLASTIC DOME COVERS PULL STNS	Open	200.00	0.00		
00231 HOWARD A BAILEY III	12-00588	03/01/12	SHOE ALLOWANCE FOR 2012/DPW	Open	103.39	0.00		
00301 BELMONT AND CRYSTAL SPRINGS*	12-00695	03/09/12	WATER - DPS	Open	33.44	0.00		
	12-00697	03/12/12	WATER FOR TOWNHALL	Open	28.64	0.00		
	12-00701	03/12/12	WATER FOR FIRE BUREAU	Open	1.27	0.00		
	12-00718	03/14/12	WATER FOR COURT	Open	4.76	0.00		
					<u>68.11</u>			
00323 JOHN BEERS	12-00598	03/02/12	MEDICAL CLAIMS	Open	75.00	0.00		
00348 BENNETT BATTERIES, LLC*	12-00329	02/01/12	PARTS FOR RDS/SANT/RECY/DPS	Open	679.30	0.00		
00367 APM BLAST PEST CONTROL*	12-00594	03/01/12	PEST CONTROL FOR CLEM MULLIGAN	Open	20.79	0.00		
00403 BLUE WAVE EXPRESS CAR WASH*	12-00696	03/09/12	CAR WASH - DPS	Open	187.00	0.00		
	12-00722	03/15/12	FIRE SAFETY- CAR WASH	Open	5.00	0.00		
	12-00723	03/15/12	PLAN/ZONING-CAR WASH	Open	5.00	0.00		
					<u>197.00</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00406	BLANEY & DONOHUE, PA							
	12-00490	02/21/12	EXPENSE 2012	Open	3,675.00	0.00		B
00432	MICHAEL BROGAN							
	12-00585	03/01/12	MEDICAL CLAIMS	Open	213.74	0.00		
00480	BURKE CHEVROLET*							
	12-00330	02/01/12	PARTS FOR POLICE VEH/DPS	Open	54.80	0.00		
00616	ANIMAL ALLIANCE OF CAPE							
	12-00691	03/09/12	TNR SPAY/NEUTER PROGRAM	Open	650.00	0.00		
00776	CAPE MEDIATION SERVICES, INC.							
	12-00200	01/20/12	2012 MEDIATION SERVICES	Open	2,743.92	0.00		
00784	CAPE MAY STAR & WAVE							
	12-00597	03/02/12	LEGAL NOTICES	Open	76.68	0.00		
	12-00698	03/12/12	LEGAL NOTICES	Open	114.70	0.00		
					<u>191.38</u>			
00807	CDW-GOVERNMENT INC*							
	12-00630	03/06/12	PRINTER	Open	373.00	0.00		
00825	COMCAST*							
	12-00644	03/07/12	INTERNET-TOWNHALL	Open	95.18	0.00		
	12-00677	03/09/12	MONTHLY INTERNET ACCESS	Open	67.07	0.00		
					<u>162.25</u>			
00933	CAPE MAY CO.COURT ADMIN. ASSN.							
	12-00524	02/23/12	DUES	Open	200.00	0.00		
01170	VERIZON WIRELESS* F/S							
	12-00671	03/08/12	CELL SERVICE 01/27-02/26/12	Open	94.47	0.00		
01171	VERIZON WIRELESS - TOWNHALL							
	12-00622	03/05/12	CELL PHONE MONTH OF FEBRUARY	Open	1,123.79	0.00		
	12-00662	03/08/12	CELL-MARCH 2012	Open	113.45	0.00		
					<u>1,237.24</u>			
01220	DRAEGER SAFETY DIAGNOSTICS*							
	11-03352	12/05/11	ALCOTEST SOLUTION	Open	278.95	0.00		
01241	BRIAN MCEWING							
	11-01379	05/16/11	2011 EQUIP. ALLOWANCE	Open	45.00	0.00		
	12-00629	03/06/12	2012 EQUIP. ALLOWANCE	Open	110.25	0.00		B
					<u>155.25</u>			
01245	G & K SERVICES CO*							
	12-00586	03/01/12	UNIFORM RENTALS/DPW	Open	740.11	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01365 GARY DOUGLASS	12-00704	03/12/12	MOTOR VEHICLE REIMBURSEMENT	Open	60.00	0.00		
01540 FIRE DISTRICT #2	12-00663	03/08/12	2012 TAXES - FIRE DISTRICT #2	Open	348,717.60	0.00		
01590 FORD, SCOTT & ASSOCIATES*	12-00635	03/06/12	SERVICES THRU DECEMBER 31,2011	Open	5,500.00	0.00		
01641 GALL'S INC*	11-03435	12/12/11	VEHICLE LIGHTS	Open	665.00	0.00		
	12-00481	02/16/12	UNIFORMS	Open	<u>151.00</u>	0.00		
					816.00			
01655 GANN LAW BOOKS*	12-00300	01/27/12	LAND USE BOOK	Open	102.00	0.00		
01703 HARBOR SALES COMPANY*	12-00467	02/16/12	SIGN MATERIALS FOR DPS/POLICE	Open	542.91	0.00		
	12-00530	02/24/12	SIGN MATERIAL FOR POLICE VEHIC	Open	<u>198.52</u>	0.00		
					741.43			
01781 HATCH MOTT MACDONALD, LLC*	12-00619	03/05/12	PROFESSIONAL ENGINEERING	Open	194.99	0.00		
01785 ROBERT HARTMAN SR	12-00690	03/09/12	MEDICAL CLAIMS	Open	199.80	0.00		
01806 ANTHONY J HARVATT, II, ESQ	12-00526	02/23/12	BOARD SOLICITOR SALARY	Open	383.33	0.00		
	12-00620	03/05/12	REOSLUTIONS	Open	<u>600.00</u>	0.00		
					983.33			
01837 ROBERT HODSDEN	12-00716	03/14/12	MEDICAL CLAIMS	Open	1,056.95	0.00		
	12-00717	03/14/12	MEDICAL CLAIMS	Open	<u>34.82</u>	0.00		
					1,091.77			
02016 JERSEY ARCH DOOR & SUPPLY INC*	12-00581	03/01/12	CLOSERS FOR DOORS AT TWP HALL	Open	370.00	0.00		
02108 KEEN COMPRESSED GAS CO*	12-00331	02/01/12	BOTTLED GAS FOR SHOP/DPW	Open	235.90	0.00		
02223 LANDSMAN UNIFORMS*	11-03388	12/06/11	UNIFORMS	Open	951.50	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE	12-00625	03/05/12	CHAMBER LUNCHEON 3/8/12	Open	30.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02349 ROBERT LUBBERMAN	12-00673	03/09/12	BASKETBALL REF FEES BIDDY DIV.	Open	722.00	0.00		
02417 MAGELLAN HILL TECHNOLOGIES*	12-00595	03/02/12	PHONE SERVICE	Open	417.84	0.00		
02541 ROBERT D. MARTIN, JR	12-00641	03/07/12	MEDICAL CLAIMS	Open	82.87	0.00		
02647 KATHLEEN MCPHERSON	12-00584	03/01/12	MEDICAL CLAIMS	Open	68.07	0.00		
	12-00592	03/01/12	MEDICAL CLAIM	Open	<u>23.00</u>	0.00		
					91.07			
02970 KEITH PALEK JR.	12-00675	03/09/12	BASKETBALL REF FEES GIRLS DIV.	Open	68.00	0.00		
02998 NJ DEPT OF TREASURY	12-00482	02/16/12	Notary	Open	25.00	0.00		
03008 NJ DEPT OF TREASURY	12-00357	02/03/12	ENVIRONMENTAL REGULATIONS	Open	5,250.00	0.00		
03075 NEW JERSEY PUBLIC SAFETY	12-00366	02/06/12	AQNNUAL MAINT.	Open	300.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	12-00359	02/03/12	PARTS FOR RDS/DPW	Open	255.12	0.00		
	12-00486	02/17/12	PARTS FOR COUNTY DUMP TRUCK	Open	<u>846.56</u>	0.00		
					1,101.68			
03279 PARDO'S TRUCK PARTS WHSE*	12-00336	02/01/12	PARTS FOR RDS/SANT/RECY/DPW	Open	340.76	0.00		
03284 STEPHEN H. PARKER(REF FEES)	12-00674	03/09/12	BASKETBALL REF FEES BIDDY DIV.	Open	1,228.00	0.00		
03305 PEDRONI FUEL*	12-00589	03/01/12	NO LEAD GAS/DPW	Open	1,015.42	0.00		
03366 AMERI-GAS*	12-00593	03/01/12	PROPANE FOR STORAGE SHED	Open	276.37	0.00		
	12-00678	03/09/12	PROPANE FOR CONCESSION STAND	Open	<u>290.53</u>	0.00		
					566.90			
03476 REMINGTON ARMS CO INC.	12-00460	02/16/12	TRAINING	Open	775.00	0.00		
03478 RED THE UNIFORM TAILOR, INC.*	11-02686	09/28/11	RAIN GEAR	Open	13,323.50	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03518 RIGGINS, INC.*	12-00590	03/01/12	OFF-HIGHWAY DIESEL/DPW	Open	2,257.63	0.00		
03659 SOUTH JERSEY WIPING CLOTH*	12-00580	03/01/12	RAGS FOR GARAGE SHOP/DPW	Open	432.00	0.00		
03691 SJ COURT ADMINISTRATOR'S ASSN*	12-00564	02/28/12	DUES	Open	90.00	0.00		
03717 DEPT OF COMMUNITY AFFAIRS	12-00408	02/08/12	NJ CONSTRUCTION CODE SUBSCRIP	Open	50.00	0.00		
03733 JAMES D. STRICKLAND	12-00711	03/13/12	MEDICAL CLAIMS	Open	650.70	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	12-00576	03/01/12	SEWER CHARGES DUE 04/01/12	Open	1,160.00	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	12-00303	01/27/12	ONE CALL MESSAGES/DPW	Open	75.99	0.00		
03898 STATE OF NJ DIV OF PENSIONS	12-00713	03/13/12	ANNUAL PERS CONTRIBUTION	Open	1,465,047.00	0.00		
	12-00714	03/13/12	PENSION SHORTAGE	Open	12.38	0.00		
					<u>1,465,059.38</u>			
03935 STAPLES BUSINESS ADVANTAGE*	12-00391	02/08/12	CUSTOM STAMP	Open	23.00	0.00		
03969 VERIZON	12-00702	03/12/12	MONTHLY PHONE BILL MARCH 2012	Open	120.98	0.00		
03972 ROBERT THOMAS III	12-00712	03/13/12	MEDICAL CLAIMS-V	Open	167.50	0.00		
03978 USPS ACCT#48503619	12-00724	03/15/12	POSTAGE	Open	4,000.00	0.00		
03985 VILLAS NAPA AUTO PARTS	12-00333	02/01/12	PARTS FOR RDS/SANT/RECY/POLICE	Open	2,149.27	0.00		
04097 CINTAS FIRST AID AND SAFETY*	12-00337	02/01/12	FIRST-AID KIT SUPPLIES/DPW	Open	253.85	0.00		
	12-00415	02/08/12	FIST AID SUPPLIES-TOWNHALL	Open	174.82	0.00		
					<u>428.67</u>			
04105 PITNEY BOWES GLOBAL FINANCIAL	12-00131	01/12/12	2012 POSTAGE EXPIRES 6/01/12	Open	902.00	0.00		B
04266 NJ DEPT OF HEALTH&SENIOR SVCS	12-00699	03/12/12	STATE DOG LICENSE FEES-FEBRUAR	Open	558.00	0.00		

March 15, 2012  
11:50 AM

Lower Township  
Bill List By Vendor Id

Page No: 6

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04276 WPCS INTERNATIONAL- LAKEWOOD*	12-00314	01/30/12	VEHICLE OUTFITTING	Open	284.21	0.00		
04300 W B MASON CO INC*	12-00525	02/23/12	CREDIT CARD PAPER	Open	19.50	0.00		
04301 SEASHORE ASPHALT CORPORATION*	12-00579	03/01/12	PATCH FOR RDS/DPW	Open	252.50	0.00		
04315 GLOBAL CONNECT*	12-00634	03/06/12	2012 REVERSE 911 SERVICE	Open	5,650.00	0.00		
04320 PREMIER OFFICE SUPPLY*	12-00488	02/17/12	OFFICE SUPPLIES	Open	172.76	0.00		
5007 COMMAND CONCEPTS	11-03599	12/29/11	PORTABLE COMMAND CENTER	Open	579.30	0.00		
5021 MICHAEL D. LOPER	12-00700	03/12/12	RETURN OF UNUSED ESCROW	Open	10.00	0.00		
ALPHACAR ALPHA CARD SYSTEMS*	12-00433	02/14/12	ID CARD SYSTEM FOR REC.	Open	2,323.00	0.00		
AMENH TOM AMENHAUSER	12-00676	03/09/12	BASKETBALL REF FEES GIRLS DIV.	Open	68.00	0.00		
CALLINAN JOHN F CALLINAN, ESQUIRE	12-00495	02/22/12	HEARING OFFICER-POLICE DISCIPL	Open	600.00	0.00		
KRICH HARLAN P. KRICHMAN	12-00640	03/07/12	RETURN OF UNUSED ESCROW	Open	9.00	0.00		
MARGATE MARGATE RECREATION	12-00596	03/02/12	YOUTH BASKETBALL TOURNAMENT	Open	150.00	0.00		
MASTJ JAMES W. MASTRIANI, ARBITRATOR	12-00496	02/22/12	TOWNSHIP/PBA MEDIATION	Open	845.00	0.00		
OPTOM OPTIMIST CLUB OF THE WILDWOODS	12-00689	03/09/12	BASKETBALL ENTRY FEE 7/8 BOYS	Open	150.00	0.00		
SIXSM LLOYD SIXSMITH*	11-03562	12/27/11	4 OEM SHIRTS	Open	101.35	0.00		
Total Purchase Orders: 107 Total P.O. Line Items: 260 Total List Amount: 1,912,190.94 Total Void Amount: 0.00								

**RESOLUTION #  
Lower Township  
Bill List  
2012**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
CMC Sheriffs Office	12-00627	5 Project Life Saver Bracelets	047102	03/06/2012	\$1,650.00
Hatch Mott MacDonald	12-00444	Additional Inspections	047101	03/06/2012	\$20,342.50
LTMUA	12-00643	Villas Groundwater	047103	03/07/2012	\$27,938.22

Total Manual Checks	\$ 49,930.72
Total brought forward from computer generated bill list	\$ 1,912,190.94
<b>TOTAL BILL LIST</b>	<b><u>\$ 1,962,121.66</u></b>

I certify the foregoing to be a Resolution adopted by the Township Council on March 19 2012.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

**RESOLUTION #2012-82**

**TITLE:** A resolution requesting release of Maintenance Guarantee for Cape Bank  
1899 Bayshore Road, Villas; Block 297, Lots 6-12, 20.02 & 22;  
Escrow P06-09-07

WHEREAS, Cape Bank posted a Maintenance Guarantee with the Township of Lower, in the amount of \$3,635.70; and

WHEREAS, the Township Engineer has recommended that the improvements have been properly installed and are presently acceptable; and

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

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19 , 2012.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

MEMORANDUM

TO: Township Council

FROM: William J. Galestok, PP,AICP

DATE: March 7, 2012

RE: Cape Bank Villas Branch  
Block 297, Lots 6-12, 20.02 & 22  
Twp. Escrow #P06-09-07  
Resolution #2012-82

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 Maintenance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution #2012-82 is required to release the Maintenance Guarantee held in trust by the Township of Lower for Cape Savings Bank.

The required final inspection report, certifying completion, compliance and condition of work, has been received from the Township Engineer, Hatch Mott MacDonald.

The Township Engineer recommends release of the retained \$3,635.70

WJG:las

att.

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

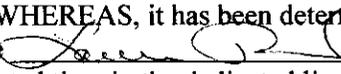
**RESOLUTION # 2012-83**

**Title: AUTHORIZING PAY OUT OF TERMINAL LEAVE**

WHEREAS, the employee listed below has requested that his maximum of 1440 sick hours be paid out in three installments per his employment contract, and

WHEREAS, this pay out constitutes the second of three installments, and

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

WHEREAS, it has been determined by the Township Treasurer as evidenced by signature  that adequate funding is available for accumulated time in the dedicated line item "Reserved for Accumulated Absences".

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a revised payment due to Brian Marker in the amount of \$ 30,000 is authorized and chargeable to the Reserve for Accumulated Absences.

**I hereby certify the foregoing to be a resolution adopted by the Township Council on March 19, 2012.**

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

## Colleen Crippen

---

**From:** Lauren Read <lread@townshipoflower.org>  
**Sent:** Tuesday, March 13, 2012 9:13 AM  
**To:** 'Chief Brian Marker'  
**Cc:** 'Colleen Crippen'; 'Marie LoMonaco (Marie LoMonaco)'  
**Subject:** RE: Request for 2012 accumulated sick day payment

Brian,

I'll copy the payroll office to authorize payment. We'll put a resolution on for the next meeting and process the payment in the following payroll.

Lauren

---

**From:** Chief Brian Marker [<mailto:Marker@LowerTownshipPolice.com>]  
**Sent:** Monday, March 12, 2012 5:59 PM  
**To:** 'Lauren Read'  
**Cc:** 'Michael Voll'  
**Subject:** Request for 2012 accumulated sick day payment

Lauren,  
I respectfully request that my 2012 accumulated sick day (480 hours) benefit be processed.  
Thank You,  
Brian



Brian Q. Marker, Chief of Police  
Lower Township Police Department  
405 Breakwater Road  
Erma, NJ 08204

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

**RESOLUTION #2012-84**

**TITLE: APPROVAL OF HOLY SPIRIT LUTHERAN CHURCH'S  
APPLICATION TO CONDUCT FLEA MARKETS**

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

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

WHEREAS, the Township Council has reviewed the application of Holy Spirit Lutheran Church to conduct flea markets on June 9, 2012 with a rain date of June 16, 2012 and September 29, 2012 with a rain date of October 6, 2012 at 1220 Bayshore Road, and

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

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

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on March 19, 2012

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

RECEIVED  
3-5-12

APPLICATION FOR OUTDOOR FLEA MARKET  
NO FEE LICENSE

Name of Organization: HOLY SPIRIT LUTHERAN CHURCH

Name of Applicant (Responsible Party): FRAN GREEN 609 886 0550  
Address & Phone Number: 8 AVALON RD  
N. CAPE MAY, NJ 08204

Location of Event: 1220 BAYSHORE RD VILLAS

Proceeds to Benefit: HOLY SPIRIT LUTHERAN CHURCH

Dates of Flea Market: 6/9/12 9/29/12  
(Two Days Only)

Rain Date: 6/16/12 10/6/12

State Applicable Status: Non-Profit  Civic   
Charitable  Religious

FRAN GREEN  
Signature of Person in Charge

FOR TOWNSHIP USE ONLY

Date Approved by Council: \_\_\_\_\_

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

RESOLUTION #2012-85

**TITLE: RESOLUTION REQUESTING CAPE MAY COUNTY ESTABLISH A NO PARKING ZONE ON A PORTION OF SEASHORE ROAD**

**WHEREAS**, Seashore Road is a heavily traveled road, especially during summer when tourists, visitors and county residents use it to travel from Route 47 to points south such as Historic Cold Spring Village, the Ferry and Cape May, and

**WHEREAS**, Seashore Church of the Nazarene, 446 Seashore Road, has submitted a letter to the Township voicing their concern over a potentially dangerous condition that exists along the front of their property, and

**WHEREAS**, they have requested the area be designated a No Parking Zone with signs posted and the roadway marked , and

**WHEREAS**, the Lower Township Police Department has investigated the request and deems it an appropriate request for the safety and welfare of residents and visitors.

**NOW, THEREFORE, BE IT RESOLVED** the Township Council, the governing body of the Township of Lower, hereby requests the Cape May County Freeholders consider the attached request of Seashore Church of the Nazarene.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19 , 2012.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						



# LOWER TOWNSHIP POLICE DEPARTMENT

**Brian Q. Marker**  
Chief of Police

**CAPTAIN WILLIAM MASTRIANA**  
Executive Officer/  
Detective Bureau Commander

**LT. MARTIN BIRSCHACH**  
Administrative Services Commander

**LT. THOMAS BEEBY**  
Patrol Bureau Commander

**HEADQUARTERS**  
Cape May County Airport  
405 Breakwater Road  
Erma, NJ 08204

Office: (609) 886-1619  
Fax: (609) 889-6664

Lieutenant Beeby:

In a letter from Pastor Charles Gates to Mr. Voll, it was asked of the township to post a 250ft section of Seashore Road adjacent to 446 Seashore Road as "No Parking". This area would be from the entranceway of 446 Seashore Road going north for 125 feet and also south 125 feet. Attached is the letter sent to Mr. Voll as well as a diagram of the roadway in question.

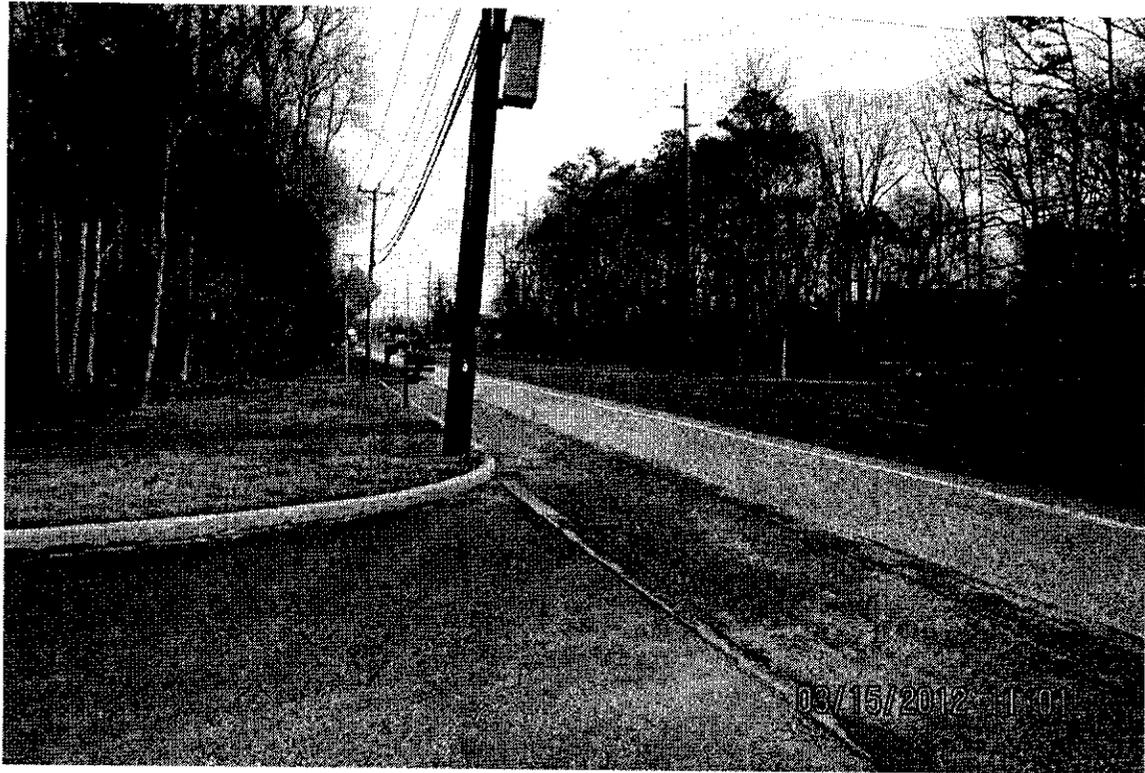
The request appears to be as a result of safety concerns. Vehicles parking in this area of concern potentially create view obstructions for any vehicles exiting onto Seashore Road from the Church of the Nazarene parking area. As the safety of the drivers and their passengers are the foremost concern, this request does not seem unjust or unprecedented.

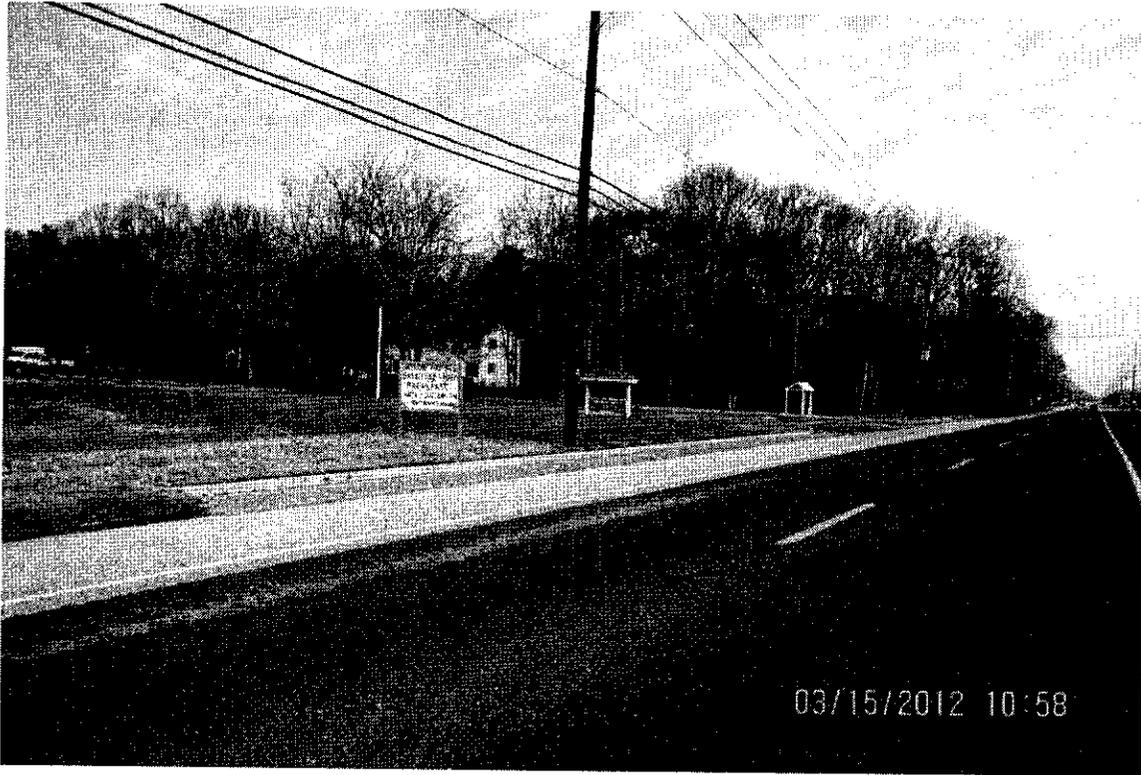
On Wednesday, March 14m 2012, I had personally gone to observe this location. I observed what I deemed to be a consistent flow of traffic passing 446 Seashore Road. I believe the approval of the requested "No Parking" are would lessen the likelihood of motor vehicle collisions thus adding to the safety of the motorists and their passengers.

Respectfully Submitted,

Corporal David J. Fisher #141

DJF/mns







**Dr. Charles Gates**  
Lead Pastor

**Chris Baker**  
Associate Pastor

**Brian Marker Jr.**  
Office Administrator

**Mike Austin**  
Recovery Ministries  
and Small Groups

**David Macomber**  
Worship Arts

**Jim Estill**  
Senior Adult Pastor

**Bill Clark**  
Prayer Coordinator

**Brenda Harrison**  
Seashore Children's  
Learning Center

Mike Voll, Township Manager  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

Re: 446 Seashore Road Acceleration/Deceleration Lane

Dear Mr. Voll:

I hope this letter finds you well! Please allow this correspondence to serve as Seashore Community Church's official request for your assistance with a long standing issue at our above referenced location. As part of our site plan approval during construction, we were required to install an acceleration/deceleration lane along the entrance measuring 12 feet in width by 250 feet in length broken in half by the driveway entrance. Although I was not the Pastor during construction, it is my understanding that the acceleration/deceleration lane was going to be painted (as indicated on attached site plan) and posted as no parking.

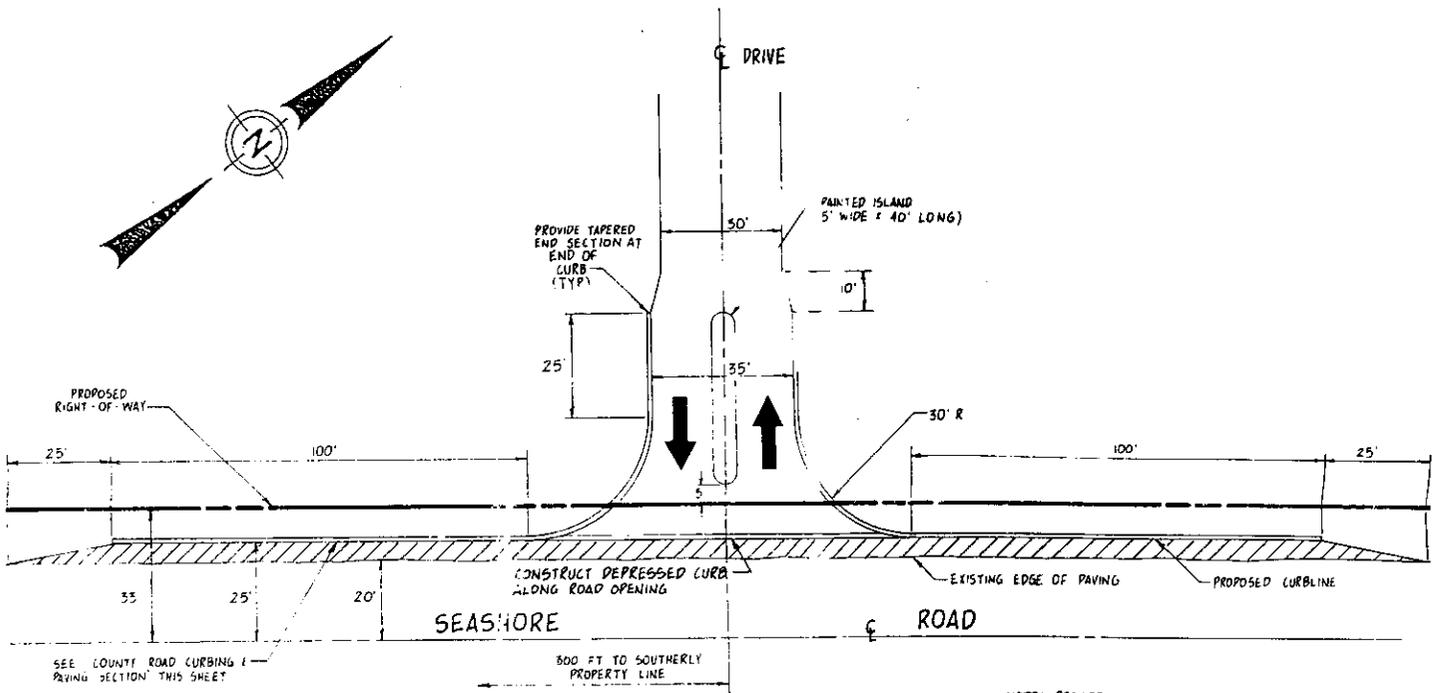
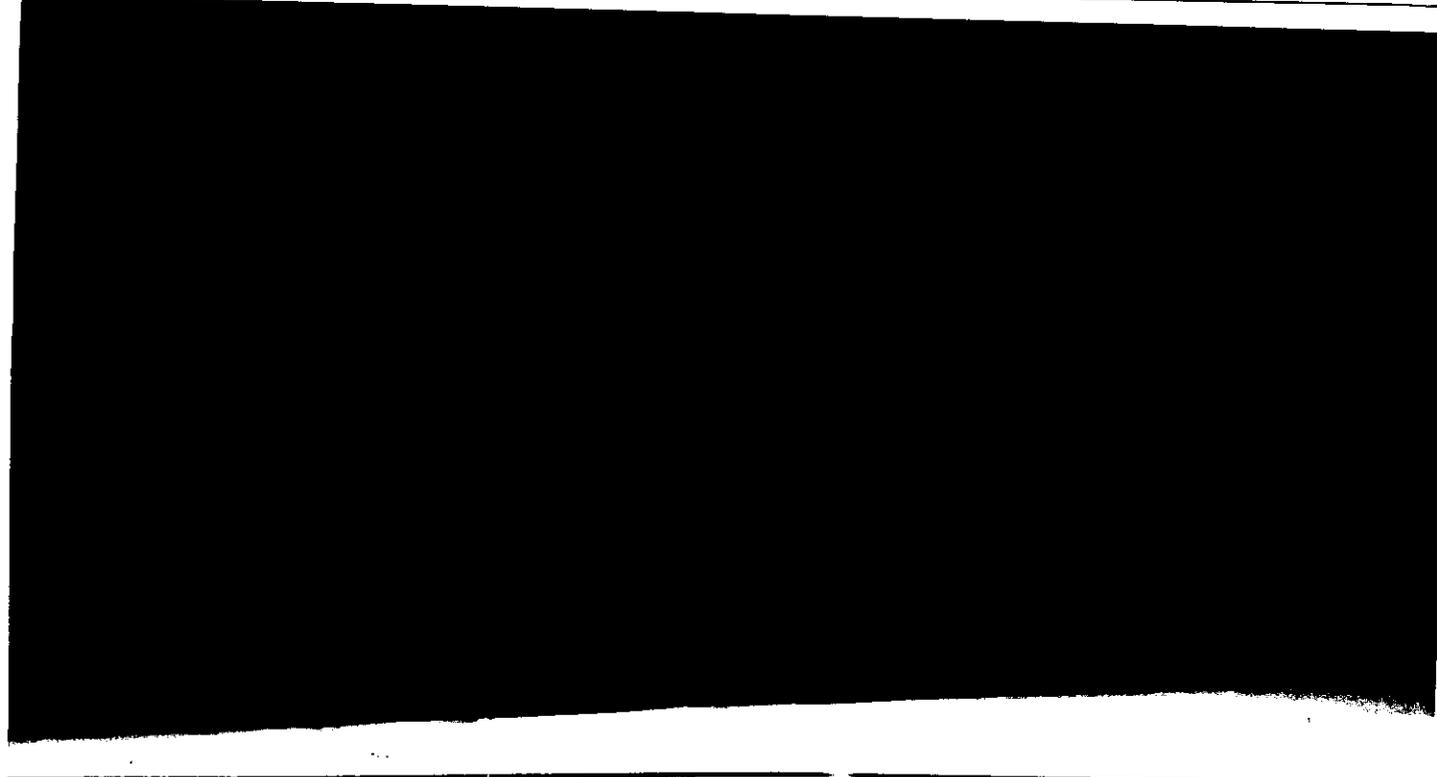
Over various periods of time and more recently, we have had unsafe situations present as vehicles have parked in the acceleration/deceleration lane. I am requesting the assistance of the Township to mark-out the area in question and post it with no parking signs or petition the County to do the same.

I appreciate your consideration and am available to discuss this issue further at your request.

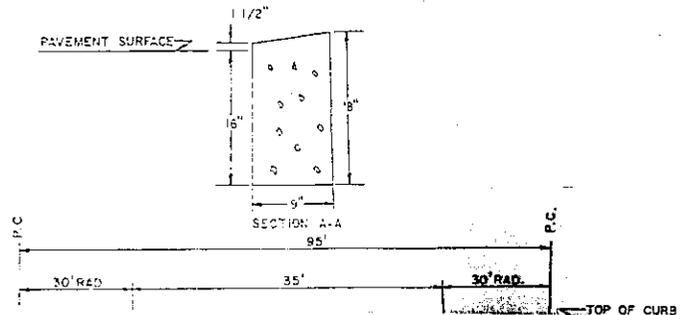
Respectfully,

Dr. Charles Gates

cc: Members of Council



ENTRANCE DRIVE DETAIL  
SCALE 1" = 30'



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

**RESOLUTION #2012-86**

**TITLE: APPROVAL FOR ROADSIDE SOLICITATION BY VILLAS VOLUNTEER FIRE COMPANY, INC.**

WHEREAS, the Villas Volunteer Fire Company, Inc. has requested permission to solicit contributions from the public on Bayshore Road in front of the Fire Company, between Georgia Avenue and East Wilde Avenue, and

WHEREAS, the Lower Township Board of Fire Commissioners have provided the required Certificate of Insurance, and

WHEREAS, the Villas Volunteer Fire Company has also submitted the required paperwork to the County of Cape May for approval, and

NOW, THEREFORE, BE IT RESOLVED by the Township Council, the governing body thereof, that the application for the Solicitation of funds on County Roads #603 (Bayshore Road) in front of the fire company be and is hereby approved upon receipt of the resolution of approval by the Cape May County Board of Chosen Freeholders for **May 26, June 30 and September 1, 2012 with rain dates, if necessary, the following day.**

FURTHER RESOLVED that pursuant to Public Law 1997, C. 82 which provides that the Township "shall not be liable in any civil action for damages for property damage or personal injury resulting from a motor vehicle accident arising out of or in the course of roadway solicitations for the purpose of soliciting contributions, conducted by charitable organizations...".

I hereby certify the foregoing is the resolution adopted by the Township Council at their meeting on March 19, 2012

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						



# Villas Volunteer Fire Company

P.O. Box 99  
Villas, New Jersey 08251

March 3, 2012

To: Board of Chosen Freeholder  
4 Moore Rd.  
Cape May Court House, NJ 08210

Lower Township Council Member  
2600 Bayshore Rd.  
Villas, NJ 08251

Re: Fundraising Street Drive

Dear Sir or Madam,

The Villas Fire Company is requesting permission to conduct our annual fundraising street drive events on May 26, 2012, June 30, 2012 and September 1, 2012 respectively, on Bayshore Rd. in front of our fire station between Georgia Ave. and East Wilde Ave. In the event of rain, we would like to have rain dates set for the days immediately following the designated dates previously stated.

Thank you,

A handwritten signature in cursive script that reads "Michael Brannon".

Michael Brannon

President V.V.F.C.

ACORD™

Client#: 52696

LOWEBOA

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
02/24/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> J. Byrne Agency, Inc. 5200 New Jersey Avenue PO Box 1409 Wildwood, NJ 08260	CONTACT NAME: PHONE (AC, No, Ext): 609 522-3406 FAX (AC, No): E-MAIL: ADDRESS: PRODUCER CUSTOMER ID #:													
	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: Arch Insurance Company</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Arch Insurance Company		INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:
INSURER(S) AFFORDING COVERAGE	NAIC #													
INSURER A: Arch Insurance Company														
INSURER B:														
INSURER C:														
INSURER D:														
INSURER E:														
INSURER F:														
<b>INSURED</b> Lower Twp Board of Fire Commissioners P.O. Box 1 1619 Bayshore Road Villas, NJ 08251														

**COVERAGES**      **CERTIFICATE NUMBER:**      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		MEPK07878200	09/21/2011	09/21/2012	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$10,000,000 PRODUCTS - COM/OP AGG \$10,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		MEPK07878200	09/21/2011	09/21/2012	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$		MEPK07878200	09/21/2011	09/21/2012	EACH OCCURRENCE \$1,000,000 AGGREGATE \$2,000,000 \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			WC STATUTORY LIMITS    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Regarding Fund Raising Activities Throughout the County

<b>CERTIFICATE HOLDER</b>  Cape May County Board of Chosen Freeholders 4 Moore Road Cape May Court House, NJ 08210	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  

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**ACORD**™**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YY)  
9/20/2011**PRODUCER**Conner Strong Companies, Inc.  
MEL/JIF Underwriting Unit  
231 Main Street, CN 2017  
Toms River, NJ 08754**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.****INSURERS AFFORDING COVERAGE**

INSURER A: Atlantic County Municipal Joint Insurance Fund

INSURER B: Municipal Excess Liability Joint Insurance Fund

INSURER C:

INSURER D:

INSURER E:

**INSURED**Member Towns of the Atlantic County Municipal  
Joint Insurance Fund  
PO Box 488  
Marlton, NJ 08053**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR.	ATL120401-87	1/1/2012	1/1/2013	EACH OCCURRENCE	\$ 300,000
	<input type="checkbox"/> GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input type="checkbox"/> LOC				FIRE DAMAGE (Any One Fire)	\$
					MED. EXP. (Any one person)	\$
					PERSONAL & ADV. INJURY	\$
					GENERAL AGGREGATE	\$
					PRODUCTS-COMP/OP AGG.	\$
A	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	ATL120401-87	1/1/2012	1/1/2013	COMBINED SINGLE LIMIT (EA accident)	\$ 300,000
					BODILY INJURY (Per Person)	\$
					BODILY INJURY (Per Accident)	\$
					PROPERTY DAMAGE (Per accident)	\$
	<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	\$
					OTHER THAN AUTO ONLY	EA ACC \$ AGG \$
B	<b>EXCESS LIABILITY</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$	MEL01210187	1/1/2012	1/1/2013	EACH OCCURRENCE	\$ 4,700,000
					AGGREGATE	\$ 4,700,000
A	<b>WORKERS' COMPENSATION AND EMPLOYERS LIABILITY</b>	ATL120401-87	1/1/2012	1/1/2013	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER	
					E.L. EACH ACCIDENT	\$ 2,000,000
					E.L. DISEASE - EA EMPLOYEE	\$ 2,000,000
					E.L. DISEASE - POLICY LIMIT	\$ 2,000,000
	<b>OTHER</b>					

DESCRIPTION OF OPERATIONS: ANY ALTERATIONS WILL VOID THIS CERTIFICATE.  
SEE ATTACHED FOR LIST OF MEMBER TOWNS. KAF**CERTIFICATE HOLDER**

ADDITIONAL INSURED/INSURER LETTER:

**CANCELLATION**County of Cape May  
Attn: Stephen O'Connor, Administrator  
Crest Haven Complex  
4 Moore Road  
Cape May Court House, NJ 08210

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

*Joseph Gaudreault*

Description of Operations Continuation:

The following member municipalities of the Atlantic County Municipal Joint Insurance Fund are Named Insureds and limits shown on this certificate of insurance apply separately to each member municipality and not jointly.

Borough of Avalon	City of Absecon
City of Brigantine	City of Port Republic
Borough of Buena	
City of Cape May	
Cape May Point	
Commercial Township	
City of Corbin City	
Township of Deerfield	
Township of Dennis	
Township of Downe	
Egg Harbor Township	
City of Estell Manor	
Borough of Folsom	
Township of Galloway	
Township of Hamilton	
Hammonton Township	
City of Linwood	
Borough of Longport	
Lower Township	
City of Margate	
Middle Township	
City of Millville	
Mullica Township	
Borough of Newfield	
City of North Wildwood	
City of Northfield	
City of Ocean City	
City of Pleasantville	
City of Sea Isle City	
City of Somers Point	
Borough of Stone Harbor	
Upper Township	
Upper Deerfield Township	
City of Ventnor	
Waterford Township	
Borough of West Cape May	
Borough of West Wildwood	
Weymouth Township	
Wildwood City	
Wildwood Crest	
Borough of Woodbine	
City of Absecon	

Police Professional is included in the General Liability Coverage.

Certificate holder is included as additional insured ATIMA for General and Excess liability pursuant to the terms, conditions, limitations and exclusions of the JIF Casualty Insurance Policy only as respects to street openings, street and road closings, parades, hanging of banners, and use of County premises and facilities by a member of the Atlantic JIF as per the membership listed above.

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

**RESOLUTION #2012-87**

**TITLE: APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER FOR THE BALANCE OF 2012**

WHEREAS, Resolution #2012-06 adopted on January 4, 2012 appointed Christopher Gibson as the Township's Public Defender; and,

WHEREAS, Christopher Gibson has recently been appointed as a Superior Court Judge and has resigned his position as the public defender, and

WHEREAS, the Township Council has reviewed the applications submitted for the Public Defender position for the balance of 2012, and

WHEREAS, the CFO had previously certified the funds for the Public Defender position pursuant to Resolution #2012-06 and no changes are necessary, and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower of Lower in the County of Cape May as follows:

The Mayor and Clerk are hereby authorized and directed to execute an agreement with \_\_\_\_\_.

This contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law as the contract is for a service performed by a person authorized by law to practice a recognized professional that is regulated by law.

A notice of this action shall be printed once in the Township's Official newspaper.

I hereby certify this is the original resolution adopted by the Township Council on March 19, 2012.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						



LAW OFFICES  
**STAGLIANO, DEWEESE & FUSCELLARO, P.A.**

3200 PACIFIC AVENUE  
WILDWOOD, NEW JERSEY 08260  
(609) 522-5599

RONALD J. STAGLIANO, ESQUIRE  
DAVID S. DEWEESE, ESQUIRE  
SETH A. FUSCELLARO, ESQUIRE  
email: seth@sdesq.com  
TONI D. Z. FUSCELLARO, ESQUIRE

FAX (609) 522-3003  
www.sdesq.com

FILE #

March 9, 2012

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

***RE: Township of Lower  
Municipal Court Public Defender***

Dear Mr. Voll:

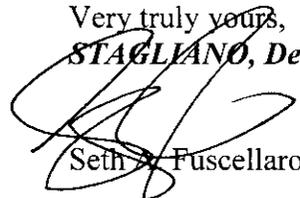
Please accept this correspondence along with the enclosures as a confirmation of my interest in the Township of Lower, Municipal Court Public Defendant position. Enclosed please find my resume listing my qualifications and experience for this position. My office location is as stated above and is fully staffed with the capabilities to handle the position and services to be provided as the Public Defender to the Township of Lower.

I have confirmed with my partner, David S. DeWeese, Esquire of his availability to cover this position for myself should a conflict with my scheduling occur. In addition, I do not foresee any conflicts with my representation of approved clients for a public defender in the Township of Lower. However, my practice is localized and a conflict as to a specific individual may arise due to some prior representations of individuals.

I thank you for giving me your consideration for the position and hope to serve your community in the future.

Very truly yours,

**STAGLIANO, DeWEESE & FUSCELLARO, P.A.**



Seth A. Fuscellaro

Enclosure(s)

# **SETH A. FUSCELLARO**

200 E. Rosemary Road, Wildwood Crest, NJ 08260, (H)609-729-2244, (O)522-5599

---

## **EDUCATION**

---

### **QUINNIPIAC UNIVERSITY SCHOOL OF LAW, HAMDEN, CT.**

*Juris Doctor*, May 1998, Admitted in New York and New Jersey

**Activities:** National ABA Representative, 1997-1998; Organized charity road race, 1997; Created Student Bar Association Charity Fund for Children of the YMCA, 1998; Connecticut National Jurist Representative, 1997-1998; Student Bar Association Executive Board, 1997-1998; Student Bar Association Senator, 1995-1997; Rugby Club, 1995-1998; Italian Law Society, 1995-1998; Brehon Law Society, 1995- 1998.

### **TRINITY COLLEGE, DUBLIN IRELAND**

Law Study Abroad Program (Summer 1997)

### **RUTGERS UNIVERSITY, NEW BRUNSWICK, NJ.**

Bachelor of Science, double major, May 1994

Majors: Administration of Justice, Psychology

Academics: GPA 3.35

**Honors:** Academic Excellence Award in Irish Legal System, 1997; American Cancer Society Scholarship, 1990-1994; Lions Club Scholarship, 1990-1994; Sons of Italy Scholarship, 1990-1994; Elizabeth Schroeder Award, 1990-1994; Dean's List, 1993.

## **EXPERIENCE**

---

**STAGLIANO, DEWEESE & FUSCELLARO, P.A.** *Partner*, 2009- present,  
General Litigation with extensive work in Civil Litigation including Personal Injury Law,  
Matrimonial Law, Commercial and Business Transactions

### **TOWNSHIP OF MIDDLE**

2 South Boyd Street

Cape May Court House, NJ 08210

*Public Defender* – January, 2012 to present

### **CITY OF NORTH WILDWOOD**

901 Atlantic Avenue

North Wildwood, New Jersey 08260

*Public Defender* –February, 2011 to present

### **STAGLIANO & DEWEESE, P.A.** *Associate Attorney*, 2002-2009

General Litigation, extensive work in Matrimonial Law, Personal Injury Law, and Real Estate Law.

### **PARK & WEINSTEIN, LLP**, *Associate Attorney*, 2001-2002

Extensive work in Criminal Law at the Municipal and Superior Court levels, Matrimonial Law and Real Estate Law.

### **SOLOMON LEFKOWITZ, PA**, *Associate Attorney*, 1998-2001

Responsible for all levels of case preparation through trial. Drafted pleadings, discovery motions and notices for appearances in Civil, Criminal, Family and Workers Compensation Courts. Superior background in Personal Injury, Auto Insurance Liability, Criminal, Workers Compensation, and Municipal law.

**MICHAEL A. SORENSEN**

29 Orbit Drive  
Cape May Court House, NJ 08210

Telephone: 609-463-0700

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**EDUCATION****MEMBER:**

Washington College of Law  
The American University  
Washington, D.C.

**PUBLICATION:**

Author, Will the Real Impartial  
Medical Expert Please Stand Up?  
Vol. 12, No. 2; Legal Aspects of  
Medical Practice (Feb. 1984)

**UNDERGRADUATE:**

The University of Delaware  
Newark, Delaware  
B.S., Business Administration 1980  
3.00/4.00 G.P.A.

**EMPLOYMENT:**

Law Offices of Michael A. Sorensen  
207 South Main Street  
Cape May Court House, New Jersey

**ASSISTANT PROSECUTOR:**

Cape May County Prosecutor's Office  
Cape May Court House, New Jersey  
Trial Section  
February 1986 to March 1987

Cumberland County Prosecutor's Office  
Bridgeton, New Jersey  
Trial Section  
September 1984 to February 1986

**MUNICIPAL PUBLIC DEFENDER:**

Borough of West Cape May  
City of Cape May  
Borough of Stone Harbor  
Borough of Avalon

**JUDICIAL LAW CLERK:**

Honorable James O'Neill  
Superior Court Judge, Criminal Division  
Cape May Court House, New Jersey  
September 1983 to September 1984

Honorable John G. Himmelberger, Jr.  
Superior Court Judge, Family Division  
Cape May Court House, New Jersey  
May 1984 to September 1984

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

RESOLUTION #2012-88

**TITLE: APPOINTMENT TO THE RECREATION ADVISORY BOARD**

WHEREAS, Mark DiDonato's Regular Member, term expired on December 31, 2012, and

WHEREAS, he has reapplied for membership and the Chairman has recommended reappointment, and

WHEREAS, Council has reviewed all applications on file with the Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following appointment to the Recreation Advisory Board be made as noted below:

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
	Regular Member	December 31, 2014

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19, 2012.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

Deborah A. Johns  
233 Woodland Avenue  
Villas, NJ 08251

March 15, 2012

Township of Lower  
Attn: Mayor & Council  
2600 Bayshore Road  
Villas, NJ 08251

Re: Recreation Advisory Board Appointment

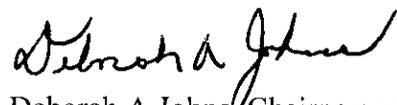
Dear Mayor Beck & Council:

As Chairperson of the Recreation Advisory, I would like to recommend the re-appointment of Mark DiDonato to the Board.

He has been an asset to the Board during his tenure. He attends the meetings faithfully and has many innovative ideas that will benefit the residents of Lower Township.

Thank you for your consideration.

Sincerely,



Deborah A. Johns, Chairperson  
Recreation Advisory Board

FOR TOWNSHIP USE ONLY

Res. # \_\_\_\_\_

Board/Comm./Auth. \_\_\_\_\_

Term Exp. \_\_\_\_\_

Replaced \_\_\_\_\_ or Reappointed

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

RECEIVED  
7/22/11

NAME Robert Lamoreux

CITY AND STATE North Cape May, NJ

YEARS OF RESIDENCY IN TOWNSHIP 9 OCCUPATION Teacher

Please number in order of preference which ones you wish to be considered for.

- Citizen Advisory Board
- Environmental Commission
- Municipal Utilities Authority

- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

- Teacher for 24 years
- High School Football Coach (ASST)
- " " Golf Coach (HEAD)
- " " Track Coach (ASST)
- " " Basketball Coach (ASST)
- Volunteer Coach Rec Basketball and Football

Date: 7/20/11 Signature: [Signature]

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

**Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251**

FOR TOWNSHIP USE ONLY

Res. # \_\_\_\_\_

Board/Comm./Auth. \_\_\_\_\_

Term Exp. \_\_\_\_\_

Replaced \_\_\_\_\_ or Reappointed

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

RECEIVED  
2-23-12

NAME MARK DIDONATO

CITY AND STATE N. CAPE MAY NJ, 08204

YEARS OF RESIDENCY IN TOWNSHIP 35 OCCUPATION PLANT MECHANIC (C.M.C.M.U.A)

Please number in order of preference which ones you wish to be considered for.

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

I HAVE BEEN ON THE REC ADV. BOARD FOR  
2 yrs in good standing

Date 2/22/12

Signature: [Handwritten Signature]

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

**Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251**

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

RESOLUTION #2012-91

**TITLE: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN**

Whereas, the Township of Lower Municipal Access Plan was submitted to the Township Council and reviewed at the regular meeting of March 19, 2012, and

WHEREAS, the governing body has approved the plan as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower the "Township of Lower Municipal Access Plan", a copy of which is attached is hereby approved.

FURTHER RESOLVED a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C. C7.7 and N.J.A.C. 7.7.E.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19 , 2012.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-89

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
DOUGLASS LANDSCAPING	12-00687	LANDSCAPING-1 <sup>ST</sup> PAYMENT	\$6490.63

TOTAL BILL LIST      \$6490.63

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19, 2012.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

ORDINANCE #2012-05

AN ORDINANCE AMENDING CHAPTER 591 OF  
THE CODE OF THE TOWNSHIP OF LOWER 2004

(Adding a Taxi License)

**Section 1.** §591-9(A) of the Code of the Township of Lower is hereby amended as follows:

"No more than ~~six~~ eight taxicab owner's licenses shall be issued annually in accordance with this chapter."

**Section 2.** All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

**Section 3.** The Township Clerk shall effectuate all notices required for issuance of additional taxi license(s).

**Section 4.** This Ordinance shall take effect after final passage and publication as provided by law.

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

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

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

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

\_\_\_\_\_  
Michael Beck, Councilmember

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

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

# ANIMAL CONTROL MONTHLY REPORT

MONTH OF February 2012

ACO Parker DATE 2/29/2012

	<b>DOGS</b>	<b>CATS</b>	<b>WILDLIFE</b>
<b>TOTAL CALLS</b>	7	4	3
<b>TO SHELTER</b>	0	0	0
<b>RETURNED</b>	1	0	0
<b>TO VET</b>	0	1	0
<b>DOA</b>	0	1	2
<b>WARNINGS</b>	0	0	0
<b>TICKETS</b>	0	0	0
<b>BITES</b>	0	0	0
<b>QUARANTINES</b>	0	0	0
<b>OTHER</b>	6	2	1

\*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: 02/01/2012 To 02/29/2012

March 09 , 2012 4:01:10PM

**SUMMARY**

**CONSTRUCTION COSTS**

**COUNT**

Cost Of Construction:	\$61,165.00	Cubic Footage:	29342 Cu.ft	Permit Issued:	61
Cost Of Alteration:	\$518,626.00	Square Footage:	2355 Sq.ft	Updates Issued:	6
Cost Of Demolition:	\$0.00			All Fees Waived:	1
Total Cost:	\$579,791.00			Municipal Fees Waived:	0

**PERMIT FEES**

**ADMIN FEES**

**WAIVED FEES**

**TOTAL FEES**

Building:	\$9,809.00	Building:	\$0.00	Building:	\$60.00	Building Fees:	\$9,749.00
Electrical:	\$3,558.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$3,558.00
Fire :	\$2,206.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$2,206.00
Plumbing:	\$2,025.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$2,025.00
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:	\$60.00	Technical Fees:	\$17,538.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$98.00	\$0.00	\$98.00
Alteration Training Fee:	\$885.00	\$3.00	\$882.00
DCA Minimum Fee:	\$11.00	\$0.00	\$11.00
Sub total Training Fee:	\$994.00	\$3.00	\$991.00

**TECHNICAL ISSUES**

Building Technical:	32
Electrical Technical:	34
Fire Protection Technical:	18
Plumbing Technical:	29
Elevator Technical:	
Mechanical Technical:	

Certificate of Occupancy Fee:	\$70.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$70.00

**CERTIFICATE ISSUES**

Certificate of Occupancy:	7
Certificate of Approval:	3
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$17,538.00
DCA FEES:	\$991.00
CERTIFICATE FEES:	\$70.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$18,599.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$18,599.00

# OFFICE OF THE CONSTRUCTION OFFICIAL

## Account Summation-Summary

Report Run from 02/01/2012 To 02/29/2012

March 9, 2012 4:01:56PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$1,285.00	\$17,314.00	\$0.00	\$18,599.00
LICENSE FEES	Sub Totals:	\$125.00	\$1,825.00	\$0.00	\$1,950.00
homeowners license	Sub Totals:	\$0.00	\$50.00	\$0.00	\$50.00
<b>GRAND TOTALS:</b>		\$1,410.00	\$19,189.00	\$0.00	\$20,599.00

**OFFICE OF CONSTRUCTION OFFICIAL**

**Construction Permit Activity Report**

RANGE: 02/01/2012 To 02/29/2012

March 09 , 2012 4:02:32PM

**SUMMARY**

**CONSTRUCTION COSTS**

**COUNT**

Cost Of Construction:	\$190,700.00	Cubic Footage:	26906 Cu.ft	Permit Issued:	9
Cost Of Alteration:	\$28,250.00	Square Footage:	2424 Sq.ft	Updates Issued:	0
Cost Of Demolition:	\$4,873.00			All Fees Waived:	0
Total Cost:	\$223,823.00			Municipal Fees Waived:	0

**PERMIT FEES**

**ADMIN FEES**

**WAIVED FEES**

**TOTAL FEES**

Building:	\$1,275.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$1,275.00
Electrical:	\$485.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$485.00
Fire :	\$562.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$562.00
Plumbing:	\$913.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$913.00
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:	\$3,235.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$90.00	\$0.00	\$90.00
Alteration Training Fee:	\$48.00	\$0.00	\$48.00
DCA Minimum Fee:	\$0.00	\$0.00	\$0.00
Sub total Training Fee:	\$138.00	\$0.00	\$138.00

**TECHNICAL ISSUES**

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

Certificate of Occupancy Fee:	\$184.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$184.00

**CERTIFICATE ISSUES**

Certificate of Occupancy:	0
Certificate of Approval:	4
Certificate of Continued Occupancy:	1

PERMIT FEES:	\$3,235.00
FEES:	\$138.00
CERTIFICATE FEES:	\$184.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$3,557.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$151.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$3,708.00

**OFFICE OF THE CONSTRUCTION OFFICIAL**

**Account Summation-Summary**

Report Run from 02/01/2012 To 02/29/2012

March 9, 2012 4:08:31PM

<b>ACCOUNT:</b>		<b>Cash Amount</b>	<b>Check Amount</b>	<b>Credit Card Amount</b>	<b>Total Fee</b>
LICENSE FEES	Sub Totals:	\$150.00	\$0.00	\$0.00	\$150.00
PERMIT FEES	Sub Totals:	\$100.00	\$3,457.00	\$0.00	\$3,557.00
CCO FEES	Sub Totals:	\$0.00	\$151.00	\$0.00	\$151.00
<b>GRAND TOTALS:</b>		\$250.00	\$3,608.00	\$0.00	\$3,858.00

Register Report  
2/1/2012 Through 2/29/2012

3/9/2012

Page 1

Date	Num	Description	Memo	Category	Clr	Amount
<b>INCOME</b>						
		TOTAL Business Mercantile 2011-2012				225.00
		TOTAL Campgrounds & Trailers				4,490.00
		TOTAL Rental Merc 2011-2012				825.00
		TOTAL Rental Merc 2012-2013				675.00
		TOTAL Street Openings				390.00
		TOTAL Taxi & Limo				30.00
		TOTAL Yard Sales				15.00
		TOTAL INCOME				6,650.00
<b>TRANSFERS</b>						
		TOTAL Council Checking				-6,650.00
		TOTAL TRANSFERS				-6,650.00
		OVERALL TOTAL				0.00



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: 3/ 2/2012

**B: LICENSE DATA**

1. Period Covered	From: 02/01/2012	To: 02/29/2012
2. First License # of this report .....	576	
3. Last License # of this report .....	901	
4. Last License # of last report .....	575	
5. Total Licenses issued this report ....	326	

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

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

REPLACE LICENSE # 199 / LOST [752]

**D: PILOT CLINIC FUND**

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

Numbers: 325 Amount : \$65.00

**E: ANIMAL POPULATION CONTROL FUND**

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

Number: 56 Amount: \$168.00

**F: FEE DATA**

1. Total licenses reported with registration fee : .....	\$325.00
2. Total Amount due for pilot clinic fund ( sec. D) : .....	\$65.00
3. Total Amount due for Animal population control fund ( sec. E) : .....	\$168.00
4. Total Amount due for this report : .....	\$558.00

**G: CERTIFICATION**

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

Officer Name :

Title :

Signature : *Claudio R. Karaman*

Date: *3-2-12*

Phone : 609-886-2005



## TOWNSHIP OF LOWER

### Engineer's Report

Meeting Date: March 19, 2012

➤ Lower Township Recreation Center Roof Replacement

The Contractor has exceeded the extended contract period. HMM notified the Contractor that they are subject to liquidated/compensatory damages until completion of the Contract. The second manufacturer's warranty inspection and punch-list inspections were performed on 2/6/12 and 2/10/12. All deficient construction items have been completed and the project is substantially complete. The Contractor is currently assembling the final warranty paperwork and submittals and his final payment requisition.

➤ 2011 Delaware Bay Shore Outfalls

The USACE permit was issued 12/21/11. Acquired easements and revised plans were submitted to the NJDEP for final review and issuance of the CAFRA/WFD permit on February 24, 2012. The permit is in for signature and should be issued by the NJDEP within days. The Tidelands License will be issued by the NJDEP Bureau of Tidelands Management upon their receipt of a copy of the WFD permit by the.

➤ 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. The diving contractor completed the underwater evaluation at the end of February and is currently preparing a report on his findings.

**LOWER TOWNSHIP MUNICIPAL COURT  
MONTHLY DISBURSEMENTS**

<b>TRAFFIC (All fines split w/ County)</b>	<b>\$ 3,400.75</b>
<b>TRAFFIC COSTS (We receive all costs)</b>	<b>\$ 1,853.00</b>
<b>CRIMINAL FINES (We receive both Criminal &amp; Local Ordinance fines)</b>	<b>\$ 2,008.50</b>
<b>CRIMINAL COSTS</b>	<b>\$ 404.50</b>
<b>REINSTATED BAILS</b>	<b>\$ -</b>
<b>LOCAL PARKING</b>	<b>\$ 88.00</b>
<b>CONTEMPT CHARGES</b>	<b>\$ 81.00</b>
<b>PUBLIC DEFENDER FEES</b>	<b>\$ 1,883.00</b>
<b>MISCELLANEOUS FEES (Spinal &amp; Overpayments)</b>	<b>\$ 1.46</b>
<b>DWI SURCHARGE</b>	<b>\$ 156.73</b>

**FEBRUARY 2012 DISBURSEMENTS**

<b>FEBRUARY 2012 COMPLAINTS ISSUED</b>	<b>CRIMINAL IND.</b>	<b>CRIMINAL DP</b>	<b>TRAFFIC</b>	<b>DUI</b>	<b>TOTAL</b>
	41	33	93	2	169
<b>TOTAL RECEIPTS</b>	<b>TOWNSHIP SHARE</b>				
<b>\$17,968.50</b>	<b>\$8,176.94</b>				

<b>COMPLAINTS IN WARRANT STATUS</b>	<b>CRIMINAL</b>	<b>TRAFFIC</b>	<b>TOTAL</b>
	200	126	326



**Lower Township Police Department  
Monthly Activity Report**

2012

	<b>February</b>	<b>Total:</b>
<b>General Complaints and Service Calls</b>	2,528	<b>2528</b>
<b>Emergency Medical Calls with L. T. Rescue</b>	150	<b>300</b>
<b>Fire Alarm Call Outs (Total)</b>	44	<b>102</b>
<b>Villas Fire Company</b>	13	<b>37</b>
<b>Town Bank Fire Company</b>	13	<b>34</b>
<b>Erma Fire Company</b>	18	<b>31</b>
<b>Assaults</b>	5	<b>17</b>
<b>Robbery</b>	1	<b>2</b>
<b>Domestic Violence Complaints</b>	24	<b>58</b>
<b>Domestic Violence with Assaults</b>	5	<b>18</b>
<b>Motor Vehicle Accidents</b>	39	<b>78</b>
<b>Traffic Warnings</b>	12	<b>13</b>
<b>Traffic Summons</b>	81	<b>155</b>
<b>Motor Vehicle Stops</b>	275	<b>467</b>
<b>Local Ordinance Warnings</b>	1	<b>15</b>
<b>Local Ordinance Complaints</b>	3	<b>7</b>
<b>Assaults on Police Officers</b> (UCR Report Return "A")	4	<b>4</b>
<b>Residential and Commercial Alarm Calls</b>	47	<b>106</b>
<b>Property Checks</b>	791	<b>1580</b>
<b>Death Investigations</b>	0	<b>1</b>
<b>Burglaries</b>	25	<b>53</b>
<b>Thefts</b>	56	<b>111</b>
<b>Criminal Mischief Complaints</b>	37	<b>90</b>
<b>Disorderly Conduct Complaints</b>	55	<b>76</b>
<b>Animal Control Complaints</b>	180	<b>365</b>
<b>Adult Arrests</b> (UCR Report Return "A")	46	<b>106</b>
<b>Juvenile Arrests</b> (UCR Report Return "A")	12	<b>19</b>
<b>D.W.I. Arrests</b> (UCR Report JV & Adult Arrests Combined)	2	<b>9</b>
<b>Drug Possession Arrests</b> (UCR Report JV & Adult Arrests Combined)	12	<b>17</b>
<b>Investigation Reports Completed</b>	122	<b>225</b>
<b>Supplemental Investigation Reports Completed</b>	37	<b>93</b>
<b>Total Value Property Stolen</b> (UCR Report Return "A")	\$42,742.00	<b>\$48,338.00</b>
<b>Total Value Property Recovered</b> (UCR Report Return "A")	\$2,695.00	<b>\$12,766.00</b>



**Lower Township Police Department  
Monthly Activity Report**

2012

	<b>February</b>	<b>Total:</b>
<b>Man Power Loss in Hours</b>		
Union	0	0
Suspended	0	0
Vacation	626	1415
Personal	31	103
Comp Hours	78	114
Sick Hours	260	590
Injury Hours	0	0
Training Hours	212	432
Military Training	384	828
<b>Police Department Overtime in Hours</b>		
Operations Overtime	140	392.5
Operations Comp Time	46	68.5
Investigation Division Overtime	37.5	78.75
Investigation Division Comp Time	8	24
Court Overtime	27.5	59
Court Comp Time	0	0
Holiday Overtime	100	246
Holiday Comp Time	24	39.5
<b>Government/Grant Funding Overtime in Hours</b>		
Click It or Ticket	0	0
Cops n Shops	0	0
JV Curfew	0	0
DWI Patrol	0	0
Other	0	0
<b>Private Funding Overtime in Hours</b>		
Special Detail	18	35.5

Prepared by:

Chief Brian Q. Marker

Date:

*Brian Q. Marker*  
3/12/12

**Lower Township Public Works  
Superintendent's Report March 2012**

**BRANCH & LEAF PICKUP**

Lower Township Spring and Leaf schedule starts April 9<sup>th</sup>. (schedule attached)

**COUNTY FLEET MAINTENANCE**

The township and county agreed to continue shared service for another year. The county is pleased with our service.

**WHITTIER AVE DRAINAGE**

Completed all pipe installation and paving 3/14/12

**COX HALL CREEK WATERSHED PROJECT**

Almost all material has been delivered. Public Works will start installing pipe approx. 3/26/12

This is a joint project with Cape May County, LTMUA, LTDPW and Ducks Unlimited  
Almost all material is funded through Ducks Unlimited.

Article published is March issue of Ducks Unlimited Magazine. (attached)

## Research Seeks to Unravel Sea Duck Mystery

The 15 species of waterfowl known as sea ducks constitute 42 percent of all duck species breeding in North America. And yet sea ducks are the least understood of all waterfowl. Basic natural history information is lacking for many species of sea ducks, and few reliable population indices or survival estimates exist for most species.

The limited information scientists do have suggests that most sea duck populations are in trouble—severe trouble in some cases. For reasons that remain unknown, 10 of 15 sea duck species are experiencing population declines, and three species (the harlequin duck, spectacled

eider, and Steller's eider) are currently listed as threatened or endangered in all or portions of their range. Understanding the complex connections among breeding, staging, wintering, and molting habitats used by sea ducks is essential to discerning population declines, identifying limiting factors, and evaluating potential impacts from development, offshore wind farm projects, harvest, and climate change.

To answer some of these questions, the Sea Duck Joint Venture has initiated a large-scale, multiyear collaborative research project using satellite telemetry on black scoters, surf scoters, white-winged scoters, and long-tailed ducks wintering on Chesapeake Bay, the St. Lawrence Estuary, Cape Cod, Nantucket, the Restigouche River, and Lake Ontario.

The study calls for a total of 300 sea ducks along the Atlantic coast to be

**New satellite telemetry research will track the seasonal movements of white-winged scoters and other sea ducks.**



CARY/DAMER.NET

*Continued from previous page*

The research will also provide a decision-making tool for assessing the potential tradeoffs associated with allowing impoundments to revert to tidal wetlands. This will allow managers to plan for future impoundment creation and maintenance. Ducks Unlimited's participation in this research was made possible by a generous grant from the Waterfowl Research Foundation.

captured and implanted with satellite transmitters. So far 138 sea ducks have received transmitters: 67 black scoters from 2009 through 2010 in New Brunswick at Baie des Chaleurs and the Restigouche River; 52 long-tailed ducks from 2007 through 2010 in Nantucket Sound, Cape Cod, and Chesapeake Bay; and 19 molting white-winged scoters in 2010 in the St. Lawrence Estuary. Ducks Unlimited's participation in this important research was made possible by a generous grant from the Waterfowl Research Foundation.

## Restoration Under Way on New Jersey's Cox Hall Creek

Cox Hall Creek is an 87-acre tidal basin in Lower Township in New Jersey's Cape May County. In the late 1800s, this tidal bay was disconnected from Delaware Bay for salt hay farming and mosquito control. This resulted in reduced tidal flushing, though a limited amount of tidewater flows into the area through a dilapidated discharge pipe and now-defunct pump house.

The altered hydrological regime has converted the Cox Hall Creek basin into a low-quality freshwater system dominated by invasive phragmites. As a result, this former tidal bay is of minimal value to waterfowl and other wildlife.

The purpose of the Cox Hall Creek restoration is to restore estuarine intertidal emergent wetlands for fish and wildlife by reestablishing tidal inundation. This will be accomplished by installing a large water-control structure and connecting pipe to allow bidirectional flow between the tidal basin and Delaware Bay, which will help control invasive phragmites.

The Cox Hall Creek restoration is a collaborative effort between DU, the Cape May County Planning Department, the Cape May County Department of Mosquito Control, the Corporate Wetlands Restoration Partnership, the Lower Township Municipal



Utilities Authority, the U.S. Fish and Wildlife Service Delaware Bay Estuary Project, and Partners for Fish and Wildlife. With the help of these partners, Ducks

Unlimited received a North American Wetlands Conservation Act grant to help purchase construction materials. All materials were scheduled to be ordered and assembled during winter, with construction expected to start later in 2012.

The restoration of native habitat along the New Jersey coast benefits a variety of wildlife, especially waterfowl and other migratory birds. Both the Cape May Peninsula and Delaware Bay are renowned for supporting an abundance and diversity of shorebirds, wading birds, and waterfowl during migration and winter

**An aerial view of Cox Hall Creek; Delaware Bay is on the right.**



# Spring

## 2012 LEAF AND BRANCH



**STARTING APRIL 09, 2012**

CAPE WOODS - FISHING CREEK ROAD - BAY GARDENS-SCHOONER LANDING  
BREAKWATER ROAD (FISHING CREEK ROAD TO BAYSHORE ROAD)  
MICKLES RUN-BAYSHORE WOODS - BAYWOOD PARK -HOLLY ESTATES -KECHEMECHE 1-  
KECHEMECHE 2-LENNOX ACRES - RABBIT RUN - BAYSHORE EAST-TOWNBANK ROAD  
(SHERRIFF TAYLOR BOULEVARD TO BAYSHORE ROAD).



**STARTING APRIL 23, 2012**

TAHOE DRIVE TO TOWNBANK ROAD - CAPE MAY BEACH - NORTH CAPE MAY -  
BAYSHORE ESTATE- BAYSHORE ROAD (BREAKWATER ROAD TO FERRY ROAD) -  
BAYSHORE WEST-TOWNBANK ROAD (BAYSHORE ROAD TO BEACH DRIVE).

**STARTING MAY 07, 2012**

VILLAS-WEST MIAMI AVE. TO SHADELAND AVE. (BAYSIDE VILLAGE) - SHAWMOUNT AVE.



**STARTING MAY 21, 2012**

VILLAS -EAST - MIAMI AVENUE TO LOWER TOWNSHIP HALL

**STARTING JUNE 04, 2012**



RT #9 (CRESSE AVENUE TO TRANQUILITY PARK) - SCHELLENGER'S LANDING  
DIAMOND BEACH - SOUTH OF CANAL - JONATHAN HOFFMAN ROAD-  
SHAWCREST- BREAKWATER ROAD- (FISHING CREEK ROAD TO SEASHORE ROAD)  
SHUNPIKE ROAD- TABERNACLE ROAD- SEASHORE ROAD  
TOWNBANK ROAD (SHERIFF TAYLOR BOULEVARD TO SEASHORE ROAD)-ERMA PARK-  
ROUTE #9 (CRESSE AVNUE TO CHURCH STREET) COLDSPRINGS

**LEAVES** MUST BE LOOSE AND RAKED TO THE CURB FOR PICK-UP. LEAVES MUST BE FREE OF BRANCHES, TWIGS AND OTHER DEBRIS (DO NOT BAG LEAVES).

**BRANCHES** UP TO 7' IN LENGTH & NO LARGER THEN 6" IN DIAMETER

PLEASE HAVE LEAVES AND BRANCHES TO CURB ONE WEEK BEFORE THE START DATE FOR YOUR ZONE.



**SUBJECT TO CHANGE**

**PUBLIC WORKS 609-884-0898**

**2012 CASH RECEIPTS  
FEBRUARY**

Township of Lower  
Office of the Tax Collector

	<b>MONTH TO DATE</b>	<b>YEAR TO DATE</b>
<b>Receipts</b>		
Current year taxes (2012)	<u>6,387,876.38</u>	<u>11,400,000.26</u>
Prior year taxes (2011)	<u>280,622.42</u>	<u>490,240.63</u>
Arrears (2010)	<u>                  </u>	<u>250.00</u>
6% Penalty	<u>738.42</u>	<u>738.42</u>
Municipal Service Fees	<u>1,680.00</u>	<u>1,680.00</u>
Tax Search Fees	<u>                  </u>	<u>0.00</u>
Interest	<u>22,496.11</u>	<u>32,502.95</u>
Lot clearing	<u>                  </u>	<u>0.00</u>
Returned Check Fees	<u>160.00</u>	<u>160.00</u>
Duplicate Bills	<u>65.00</u>	<u>95.00</u>
Trash	<u>4,570.75</u>	<u>18,566.75</u>
 <b>DEPOSITED COUNCIL CHECKING</b>	 <b>6,698,209.08</b>	 <b>11,944,234.01</b>
 <b>TOTAL DEPOSITS</b>	 <b>6,698,209.08</b>	 <b>11,944,234.01</b>
 NSF Reversals	 -8,921.81	 -9,897.04
 <b>TOTAL</b>	 <b>6689287.27</b>	 <b>11,934,336.97</b>

Prepared by Susan Jackson

**Vital Statistics  
February Deposit  
2012**

**COPY**

Marriage / CU License Total	10
D.P. Lic. Total	0
Total Burial Permits	0

State Marriage / CU Fee	\$ 250.00
Twp. Marriage / CU Fee	\$ 30.00
State D.P. Fee	\$ -
Twp. D.P. Fee	\$ -
State Burial Permit Fee	\$ -
Twp. Burial Permit Fee	\$ -
Twp. Cert. Copy Fee	\$ 1,360.00

<b>TOTAL</b>	<b>\$ 1,640.00</b>
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**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION # 2012-90**

**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. (Contract update - all unions)
- \_\_\_\_\_ (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 March 19, 2012 that an Executive Session closed to the public shall be held on this date at approximately \_\_\_\_\_ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

I hereby certify the foregoing to be a resolution adopted by the Township Council on March 19, 2012.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						