

**WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL  
WEDNESDAY - FEBRUARY 19, 2014 - 6:00 P.M.**

**Meeting called to order.**

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

**Work Session**

Karen Wadding & Lower Cape May Regional Students Presentation: NHTSA (National Highway Traffic Safety Association)  
"You Got Brains" Contest 2014

**Consent Agenda**

Approval of NJ State Fireman's Membership Application - David D Lewis - Villas Volunteer Fire Company  
Ordinance #2014-01 An Ordinance to Exceed the Municipal Budget Appropriations Limits and Establish a Cap Bank (annual ordinance required prior to approval of budget by the Director of Local Government Services) 1<sup>st</sup> reading of Ordinance - 2<sup>nd</sup> reading and public hearing March 17<sup>th</sup>  
Ordinance #2014-02 An Ordinance Establishing Five Year Tax Exemption for Improvements To And Construction Of Commercial and Industrial Structures in the Cape May County Airport Industrial Park 1<sup>st</sup> reading - 2<sup>nd</sup> reading and public hearing March 17<sup>th</sup>  
Approval of Minutes February 3, 2014  
Res. # 2014-64 Payment of Vouchers \$ 1,994,866.43  
Res. # 2014-65 Resolution Requesting Release of Performance Guarantee for Windmill Marina Assoc, LP; Block 763, Lots 9&10 and Block 764, Lots 11&12, Escrow #Z06-12-02 (\$1,469.08)  
Res. # 2014-66 Resolution Requesting Release of Maintenance Guarantee for S.W.Bajus, Ltd, Block 690, Lot 1.01 Escrow P08-04-05 (\$15,004.20)  
Res. # 2014-67 Resolution to Affirm the Township of Lower's Civil Rights Policy with Respect to all Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors and Members of the Public that Come into Contact With Municipal Employees, Officials and Volunteers (JIF requirement)  
Res. # 2014-68 Authorization for Refund of Taxes (one property \$640.04 paid twice)  
Res. # 2014-69 Resolution Supporting the Annual Greater Cape May Elks/Tom Beheler Youth Basketball Tournament (annual resolution providing for donations to ALS Hope of Cape May and Lower Twp traveling basketball team)  
Res. #2014-70 Transfer of 2013 Appropriations (\$17,000)  
Res. #2014-71 Introduction of Budget  
Res. #2014-72 Application for 2014 Drug Enforcement And Demand Reductions (DEDR) Grant Funds (annual)  
Res. #2014-73 Bid Acceptance and Award for One (1) New 2014 Ford F-550 4X4 Chassis with Dump Body, Plow and Spreader or Equal (Kindle Ford \$75,768.15)  
Res. #2014-74 Bid Acceptance and Award for One (1) New 2014 Ford F-350 4X4 Crew Pickup with Snow Plow or Equal (Hertrich Fleet Services \$34,482.)  
Res. #2014-75 Approval of Change Order #1 and Contract Amendment to ADA Upgrades Paul R Will Recreation Complex (net increase of \$9,205. Concrete needed to be ADA compliant)  
Res. #2014-76 Authorization for the Payout of Accumulated Compensatory Time (T Whittington \$9,910.96)

**Regular Agenda**

Res. #2014-77 Amend Resolution #2013-231; Appointment of Special Counsel for the Purpose of Opposing the City of Cape May's Attempt to Withdraw From the Lower Cape May Regional School District (making the total of the contract \$25,000)

**Administrative Reports**

Monthly Reports: Construction, Dog, Municipal Clerk, Tax Collector, Vital Statistics

**Council Comments**

**Call to the Public**

**Adjournment**

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

ORDINANCE #2014-01

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-15.14)

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of Lower in the County of Cape May finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township of Lower hereby determines that a 3.5% increase in the budget for said year, amounting to \$689,925 in excess of the increase in final appropriations otherwise permitted by the Local Government Cape Law is advisable and necessary; and,

**WHEREAS**, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Lower, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2014 budget year, the final appropriation of the Township of Lower shall, in accordance with this ordinance and N.J.S.A. 40A: 4-15.14, be increased by 3.5% amounting to \$689,925, and the CY 2014 municipal budget for the Township of Lower be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinafter that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

\_\_\_\_\_  
James Neville, Councilmember

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

\_\_\_\_\_  
Norris Clark, Deputy Mayor

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

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

Attest: \_\_\_\_\_  
Julie A Picard, Township Clerk

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

**ORDINANCE # 2014-02**

**TITLE: ORDINANCE ESTABLISHING FIVE YEAR TAX EXEMPTION FOR IMPROVEMENTS TO AND CONSTRUCTION OF COMMERCIAL AND INDUSTRIAL STRUCTURES IN THE CAPE MAY COUNTY AIRPORT INDUSTRIAL PARK**

**WHEREAS**, the Township Council of the Township of Lower desires to grant tax exemptions for improvements to and new construction of commercial and industrial structures in the Cape May County Airport Industrial Park in accordance with N.J.S.A. 40A:21-1 et seq. the Five Year Exemption and Abatement Law to promote the improvement, expansion, renovation or construction of new commercial and industrial structures in the Cape May County Airport Industrial Park; and

**WHEREAS**, the Township Council of the Township of Lower, finds that the various statutes authorized by Article VIII, Section I, paragraph 6 of the New Jersey Constitution, the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., permitting municipalities to grant for periods of five years exemptions or abatements, or both, from taxation in areas in need of rehabilitation have proven to be effective in promoting the construction and rehabilitation of commercial and industrial structures in areas threatened with economic and social decline; and

**WHEREAS**, the Township Council has declared the Cape May County Airport Industrial Park an area in need of rehabilitation for the purpose of enacting an ordinance providing for five-year tax exemptions and abatements in accordance with N.J.S.A. 40A:12A-14 of the Local Redevelopment and Housing Law by Resolution # 2014-48 which resolution was approved by the Lower Township Planning Board at a meeting held on January 16, 2014 in accordance with N.J.S.A. 40A:12A-14.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Lower, County of Cape May, State of New Jersey hereby determines and declares as follows:

1. A new chapter, Chapter 592 entitled Taxation, and a new article, Article I, of Chapter 592, entitled Cape May County Airport Industrial Park Five Year Exemption, is hereby added to the Code of the Township of Lower, which shall read as follows:

**§ 592-1. Findings; purpose; determination.**

- A. The Township Council of the Township of Lower, finds that the various statutes authorized by Article VIII, Section I, paragraph 6 of the New Jersey Constitution, the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., permitting municipalities to grant for periods of five years exemptions or abatements, or both, from taxation in areas in need of rehabilitation have proven to be effective in promoting the construction and rehabilitation of commercial and industrial structures.
- B. The Township Council hereby determines that the Cape May County Airport Industrial Park, as delineated on the Zoning Map of the Township of Lower Township, prepared by Remington, Vernick & Walberg Engineers, dated January 2004, last revised January 2007, is in need of rehabilitation as defined in N.J.S.A. 40A:21-1 et seq. and requires an undertaking by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures to eliminate substandard conditions and arrest the deterioration of the Airport Industrial Park.

**§ 592-2. Definitions.**

The following words and terms, when used in this chapter, shall have the following meanings:

**ABATEMENT** means that portion of the assessed value of a property as it existed prior to construction or improvement of a building or structure thereon, which is exempted from taxation pursuant to this article.

**ANNUAL PERIOD** means a duration of time comprising 365 days, or 366 days when the included month of February has 29 days, that commences on the date that an exemption or abatement for a project becomes effective pursuant to section 16 of P.L.1991, c. 441 (C.40A:21-16).

**AREA IN NEED OF REHABILITATION** means a portion or all of a municipality which has been determined to be an area in need of rehabilitation or redevelopment pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c. 79 (C.40A:12A-1 et al.).

**COMMERCIAL OR INDUSTRIAL STRUCTURE** means a structure or part thereof used for the manufacturing, processing or assembling of material or manufactured products, or for research, office, industrial, commercial, retail, recreational, or warehousing purposes, or for any combination thereof, which the governing body determines will tend to maintain or provide gainful employment within the municipality, assist in the economic development of the municipality, maintain or increase the tax base of the municipality and maintain or diversify and expand commerce within the municipality.

**COMPLETION** means substantially ready for the intended use for which a building or structure is constructed, improved or converted as evidenced by issuance of a certificate of occupancy or as deemed complete by the tax assessor or construction official.

**CONDOMINIUM** means a property created or recorded as a condominium pursuant to the "Condominium Act," P.L.1969, c. 257 (C.46:8B-1 et seq.).

**EXEMPTION** means that portion of the assessor's full and true value of any improvement, conversion alteration, or construction not regarded as increasing the taxable value of a property pursuant to this article.

**IMPROVEMENT** means a modernization, rehabilitation, renovation, alteration or repair which produces a physical change in an existing building or structure that improves the safety, sanitation, decency or attractiveness of the building or structure as a place for human habitation or work, and which does not change its permitted use. In the case of commercial or industrial structures, it shall not include ordinary painting, repairs and replacement of maintenance items, or an enlargement of the volume of an existing structure by more than 30%. In no case shall it include the repair of fire or other damage to a property for which payment of a claim was received by any person from an insurance company at any time during the three year period immediately preceding the filing of an application pursuant to this article.

**NEW CONSTRUCTION** means the provision of a new commercial or industrial structure, or the enlargement of the volume of an existing commercial or industrial structure by more than 30%, but shall not mean the conversion of an existing building or structure to another use.

PROJECT means the construction, improvement or conversion of a structure in an area in need of rehabilitation that would qualify for an exemption, or an exemption and abatement, pursuant to P.L.1991, c. 441 (C.40A:21-1 et seq.).

TAX AGREEMENT means an agreement between the project owner and the Township which has been authorized by ordinance for payments in lieu of full property tax.

TAX ASSESSOR means the officer of the Township of Lower taxing district charged with the duty of assessing real property for the purpose of general taxation.

TOWNSHIP means the Township of Lower, Cape May County, State of New Jersey.

TOWNSHIP COUNCIL means the Township Council of the Township of Lower.

**§ 592-3. Eligibility for exemptions; amendments, duration.**

- A. All improvements to, and new construction of commercial and industrial structures are eligible for exemptions from taxation in areas in need of rehabilitation.
- B. This article may be amended from time to time. An amendment to this article shall not affect any exemption, or tax agreement previously granted and in force prior to the amendment.
- C. Tax exemptions shall take initial effect in the tax year in which this article is adopted, and for tax years thereafter as set forth in P.L.1991, c. 441 (C. 40A:21-1 et seq.) and further subject to the provisions of this article, but no application for exemptions shall be filed for exemptions to take initial effect in the eleventh tax year or any tax year occurring thereafter, unless this article is readopted by the Township pursuant to this section.

**§ 592-4. Application required for all projects for improvements and new construction; approval; retroactivity; recording as part of tax record; application Fee.**

- A. No exemption shall be granted pursuant to this article except upon written application on a form prescribed by the Director of the Division of Taxation in the Department of the Treasury. All tax exemptions shall be applied for and granted on a project basis. In addition to the application prescribed by the Director of the Division of Taxation in the Department of the Treasury, applicants shall also provide the tax assessor with the following supplemental information:
  - (1) A general description of a project for which exemption is sought;
  - (2) A legal description of all real estate necessary for the project;
  - (3) Plans, drawings and other documents as may be required by the tax assessor, construction official, or Township Council to demonstrate the improvement or structure and design of the project;
  - (4) A description of the number, classes and type of employees to be employed at the project site within two years of completion of the project;

- (5) A statement of the reasons for seeking tax exemption on the project, and a description of the benefits to be realized by the applicant if a tax agreement is granted;
  - (6) Estimates of the cost of completing such project;
  - (7) A statement showing (1) the real property taxes currently being assessed at the project site; (2) estimated tax payments that would be made annually by the applicant on the project during the period of the agreement, and (3) estimated tax payments that would be made by the applicant on the project during the first full year following the termination of the tax agreement;
  - (8) A description of any lease agreements between the applicant and proposed users of the project, and a history and description of the users' businesses; and
  - (9) Such other pertinent information as the Township may require.
- B. Every application shall be filed with the tax assessor within thirty (30) days, including Saturdays and Sundays, following the completion of the improvement or construction.
- C. Every application for exemption filed within the time specified, and which is deemed complete by the tax assessor, shall be approved and allowed by the tax assessor to the degree that the application, and the improvement, or new construction for which the application is made qualifies as an improvement, or new construction pursuant to the provisions of this article and the tax agreement. The tax assessor shall forward the application and tax agreement to the Township Council for approval by ordinance.
- D. The granting of an exemption shall relate back to, and take effect as of, the date of completion of the project, or portion or stage of the project for which the exemption is granted, and shall continue for five annual periods from that date.
- E. The grant of the exemption shall be recorded and made a permanent part of the official tax records of the Township, which record shall contain a notice of the termination date thereof.
- F. All applications shall be accompanied by a nonrefundable fee in the amount \$500.00.

**§ 592-5. Tax agreements for payments in lieu of full property tax; computation.**

The applicant shall enter into a written tax agreement with the Township for payment to the Township, on a tax phase-in basis in lieu of full property tax payments, an amount equal to a percentage of taxes otherwise due according to the following schedule. The tax agreement shall be subject to approval by ordinance.

- A. In the first full year after completion, no payment in lieu of taxes otherwise due;

- B. In the second full year after completion, an amount not less than 20% of taxes otherwise due;
- C. In the third full year after completion, an amount not less than 40% of taxes otherwise due;
- D. In the fourth full year after completion, an amount not less than 60% of taxes otherwise due;
- E. In the fifth full year after completion, an amount not less than 80% of taxes otherwise due.

**§ 592-6. Duration of tax agreements; application of other laws to projects; valuation of tax-abated property for county tax apportionment; copy of agreement forwarded to director of division of local government services.**

- A. All tax agreements entered into by the Township shall be in effect for no more than the five (5) full years next following the date of completion of the project.
- B. All projects subject to tax agreement as provided herein shall be subject to all applicable federal, State and local laws and regulations on pollution control, worker safety, discrimination in employment, housing provision, zoning, planning and building code requirements.
- C. That percentage which the payment in lieu of taxes for a property bears to the property tax which would have been paid had an exemption not been granted for the property under the agreement shall be applied to the valuation of the property to determine the reduced valuation of the property to be included in the valuation of the Township for determining equalization for county tax apportionment and school aid during the term of the tax agreements covering the properties, and at the termination of an agreement for a property the reduced valuation procedure required under this section shall no longer apply.
- D. Within thirty (30) days after the execution of a tax agreement, the tax assessor shall forward a copy of the agreement to the Director of the Division of Local Government Services in the Department of Community Affairs.

**§ 592-7. Tax payments due upon disqualification of property; termination of tax agreement.**

- A. If during any tax year prior to the termination of the tax agreement, the property owner ceases to operate or disposes of the property, or fails to meet the conditions for qualifying, then the tax which would have otherwise been payable for each tax year shall become due and payable from the property owner as if no exemption had been granted. The Township shall notify the property owner and tax collector forthwith and the tax collector shall within fifteen (15) days thereof notify the owner of the property of the amount of taxes due. If it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, no tax shall be due, the exemption shall continue, and the tax agreement shall remain in effect.
- B. At the termination of a tax agreement, a project shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit a project, at the termination of an agreement, from qualifying for and receiving the full benefits of any other tax preferences provided by law.

**§ 592-8. Exemption for improvements to commercial or industrial structures, determination and duration of exemption.**

In determining the value of real property the Township shall regard up to the tax assessor's full and true value of the improvements as not increasing the value of the property for a period of five (5) years, notwithstanding that the value of the property to which the improvements are made is increased thereby. During the exemption period, the assessment on the property shall not be less than the assessment thereon existing immediately prior to the improvements, unless there is damage to the structure through action of the elements sufficient to warrant a reduction.

**§ 592-9. Additional improvement, or construction; eligibility for exemption.**

An additional improvement or new construction, completed on a property granted a previous exemption pursuant to this article during the period in which such previous exemption is in effect, shall be qualified for an exemption just as if such property had not received a previous exemption. In such case, the additional improvement or new construction shall be considered as separate for the purposes of calculating exemptions pursuant to this article.

**§ 592-10. Annual report; total amounts of tax exempted and abated.**

The tax assessor shall report, on or before October 1 of each year, to the Director of the Division of Local Government Services in the Department of Community Affairs and to the Director of the Division of Taxation in the Department of the Treasury the total amount of real property taxes exempted and the total amount abated within the municipality in the current tax year for all improvements of commercial or industrial structures.

**§ 592-11. Ineligibility of property.**

No exemption shall be granted pursuant to this article with respect to any property for which property taxes are delinquent or remain unpaid, or for which penalties for nonpayment of taxes are due.

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

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

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James Neville, Councilmember

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Erik Simonsen, Councilmember

\_\_\_\_\_  
Norris Clark, Deputy Mayor

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

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

Attest: \_\_\_\_\_  
Julie A Picard, Township Clerk

## COUNCIL MEETING MINUTES – February 3, 2014

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on February 3, 2014 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

Councilmember Thomas Conrad  
Councilmember James Neville  
Councilmember Erik Simonsen  
Deputy Mayor Clark  
Mayor Michael Beck

Also present: Michael Voll, Township Manager, Ron Gelzunas, Township Solicitor and Karen Fournier, Clerk's Office

Swearing in of New Officers:

Michael James Jr., 26, was sworn in by Mayor Beck. Officer James is a lifelong resident of Lower Township and has been a Class II Officer with the Lower Township Police Department since 2006. He was the recipient of the Merit award and third overall in his graduating class. He was accompanied by his wife, Krista James who pinned on his badge, and his son, Easton.

Louis Bartleson Jr., 32, was sworn in by Mayor Beck. Officer Bartleson is a lifelong resident of Lower Township and a US Navy Veteran. His wife, Kelly Bartleson pinned on his badge, accompanied by his daughter, Sophia, and son, Barrett.

Chief Mastriana commended the officers for their hard work and sacrifice at the police academy. He reminded them that being an officer is an honorable job and promised to offer his support.

### **Work Session**

Manager's Budget Message - Michael J Voll

Manager Voll was pleased to report the proposed 2014 annual municipal budget with a zero increase. He summarized the reassessments, resulting in a slight decrease in rates. He pointed out budget highlights, including a record tax collection rate of 98.3% and announced the tax levy for 2014. He stated that this proposed budget falls within the 2 state caps. The introduction of the budget will be February 19, 2014 and the public hearing will be held in April. A brief informational report was given to validate the budget. Manager Voll also commended Sue Jackson, Tax Collector, and her department for their diligence in collections and Lauren Read, CFO, for her frugality.

Councilmember Conrad commented in favor of the proposed budget.

Mayor Beck spoke briefly about the advantages to having done the tax reassessments. He commended Art Amonette, Tax Assessor, and his team for their hard work. He also thanked Lauren Read, CFO, for her diligence with the budget.

### **Consent Agenda**

Ed Butler of Villas addressed Council with a question regarding Resolution #2014-55, Settlement of Tax Appeal Litigation.

Solicitor Gelzunas explained how this figure was obtained.

Mayor Beck informed how the economic hit will be lessened because of the reassessment.

Approval of NJ State Fireman's Membership Application - Robert J Hewitt, Jr. Town Bank Vol Fire Dept  
Approval of Minutes January 22, 2014

Res. #2014-54 Payment of Vouchers \$ 4,421,847.67

Res. #2014-55 Resolution Approving Settlement of Tax Appeal Litigation Known As Town Bank Manor, LLC v. Lower Township (2014 assessment \$3,900,000)

Res. #2014-56 Approval of 2014 Rotary Towing Licenses (Off Shore Getty, Cape May Exxon, Eddie's Auto Body, Cape Harbor Auto Repair)

Res. #2014-57 Issuance of 2014 Limousine, Taxi & Operator Licenses (High Roller Limousine, Aarts Transportation Services, Shore Limousine & Garibaldi Taxi)

Res. #2014-58 Authorization for the Payout of Accumulated Compensatory Time (W.McPherson \$9,591.60)

Res. #2014-59 Authorizing Payout of Terminal Leave (M.Hedum \$74,011.98)

Res. #2014-60 Resolution Calling on the Legislature to Make Permanent the 2% Cap On Interest Arbitration Awards (requested by the State League of Municipalities)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
NEVILLE	X		X			
SIMONSEN			X			
CLARK		X	X			
BECK			X			

### Regular Agenda

Don Embs of North Cape May presented Council and Manager Voll with a petition requesting that existing MUA board members not be reappointed.

Ed Butler of Villas addressed Council to request they consider waiting upon results from the prosecutor's investigations before appointing any new members to the MUA board.

Councilmember Simonson reminded Mr. Butler that investigations can be lengthy and because the term has expired, he believes that Council should take steps to appoint someone new.

Councilmember Conrad expressed his desire to see Ward 3 represented on the MUA board.

Deputy Mayor Clark expressed his intent to appoint the most qualified applicant. He pointed out that he is most impressed with Brian O'Connor's credentials and wishes to consider him for the appointment.

Councilmember Simonson expressed favor with Brian McEwing's resume. He challenged Mr. O'Connor's county position as a possible conflict and referred his series of concerns to the solicitor.

Solicitor Gelzunas refused to comment on the internal structure of the Cape May County Government. He explained that if the County and the County MUA are separate authorities, they would operate independent of one another.

Mayor Beck made a strong appeal on Mr. O'Connor's behalf.

Councilmember Neville made an effort to validate the County Planning Board's funding.

Res. #2014-61                      Appointment to the Municipal Utilities Authority

Deputy Mayor Clark made a motion to nominate Brian O'Connor for the MUA appointment. Councilmember Neville seconded the motion.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD				X		
NEVILLE		X	X			
SIMONSEN				X		
CLARK	X		X			
BECK			X			

Res. #2014-62                      Amending Resolution #2013-286, Award of Contract to Wyns Consulting, LLC  
(total of \$21,500 for School Funding Issue)

Ed Butler of Villas addressed Council for an explanation of Res. #2014-62.

Mayor Beck stated that we only made a partial payment last year.

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
NEVILLE		X	X			
SIMONSEN					X	
CLARK			X			
BECK			X			

**Administrative Reports**

**Council Comments**

Councilmember Conrad voiced his concern about the process of board appointments.

Councilmember Neville agreed and made his argument for the appointment. He commented on a recent article in the Press regarding the school's art and music programs, as well as the significant impact that the funding issues may have on these programs. He announced several upcoming art displays and informed of Matt Sczur's scholarship for the arts.

Councilmember Simonson commented in favor of the arts. He expressed his concern about best practices and recent actions taken by Council.

Deputy Mayor Clark defended Council's intention to do what is right and best for the Township. He acknowledged the loss of Fred Coldren and described him as an example of what we should aspire to be.

Mayor Beck agreed that Mr. Coldren's death was a loss to the entire community. He commented on the MUA appointment and justified his decision. He thanked Cape Assist for their recent drug conference in Avalon and spoke briefly about the drug situation at hand. He also announced a benefit for the NJ Run for the Fallen.

**Call to Public**

Carl Schneckenberger, Strawberry Lane, addressed Council to thank the Township for putting the tax assessments online. He also reminded the public about the medication drop off at the Public Safety Building.

Janet Pitts of Villas addressed Council to inquire about the net equalization value for the county prior to reassessments. Councilmember Conrad stated his belief that the Township was at 80 percent, but should now be at 100 percent. Councilmember Neville corrected him to inform that we were over assessed at 112 percent.

Ed Butler of Villas addressed Council to ascertain if the Council meetings are being broadcast. Manager Voll informed that they are aired on Channel 9 as well as on YouTube.

Mr. Butler also inquired about the tax abatements at the airport. Manager Voll tried to ascertain the issue in question. Deputy Mayor Clark interceded to explain the incentive behind the tax abatement, which led to further discussion on the subject.

**Closed Session**

Res. #2014-63

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.

**Lower Twp v Paul Baldini / Carolyn Grant v James Riddle et al. / MUA, Pending Litigation and Matters falling within Attorney/Client privilege with respect to this subject**

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE			X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

Council returned to open session at approximately 7:50. Motion to proceed as discussed in closed session moved by Councilmember Neville, seconded by Councilmember Conrad. Motion to proceed unanimous.

Adjournment

There being no further business to address, motion to adjourn moved by Deputy Mayor Clark, seconded by Councilmember Simonsen. Motion to adjourn unanimous. Meeting adjourned at 7:51 p.m.

\_\_\_\_\_  
Mayor

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

Approved:



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00820 COMCAST OF WILDWOOD* DPW	14-00314	02/03/14	MONTHLY INTERNET	Open	105.68	0.00		
00825 COMCAST*	14-00425	02/13/14	02/15-03/14 TWNHALL NET/CABLE	Open	131.30	0.00		
00933 CAPE MAY CO.COURT ADMIN. ASSN.	14-00234	01/24/14	JUDGE'S DUES	Open	75.00	0.00		
00940 COASTAL BROADCASTING*	13-02869	10/04/13	HAUNTED TRAILS BROADCAST	Open	550.00	0.00		
01170 VERIZON WIRELESS* F/S	14-00379	02/06/14	12/27/13-01/26/14 CELL FIRE SA	Open	67.52	0.00		
01171 VERIZON WIRELESS - TOWNHALL	14-00354	02/04/14	I PHONE BILL JAN 29-FEB 28	Open	938.17	0.00		
	14-00355	02/04/14	CELL SERVICE 01/24/14-02/23/14	Open	603.58	0.00		
					<u>1,541.75</u>			
01196 H A DEHART & SON*	14-00036	01/07/14	PARTS FOR VEHICLES/DPW/JAN	Open	706.84	0.00		
01200 DELTA DENTAL PLAN OF NJ	14-00325	02/04/14	DENTAL FEBRUARY 2014	Open	17,764.13	0.00		
01241 BRIAN MCEWING	14-00385	02/06/14	MEDICAL CLAIMS- V	Open	80.00	0.00		
01251 BRIAN DICKINSON	14-00326	02/04/14	MEDICAL CLAIMS	Open	2,473.62	0.00		
01500 FEDEX	14-00067	01/08/14	MAIL CHECK FEDEX PRIORITY	Open	48.85	0.00		
01502 PAMELA FELDER	14-00416	02/10/14	MEDICAL CLAIMS	Open	133.16	0.00		
01577 MIKE FLINN**	14-00421	02/13/14	REIM FOR HUDO INSURANCE PAYMEN	Open	605.00	0.00		
01590 FORD, SCOTT & ASSOCIATES*	14-00194	01/16/14	2014-02 PROFESSIONAL SERVICES	Open	6,500.00	0.00		
01653 GENTILINI FORD*	14-00249	01/24/14	DPS PARTS- TRANSMISSION	Open	1,950.78	0.00		
01690 GRANTURK EQUIPMENT CO*	14-00028	01/07/14	PARTS FOR RECYCLING/JAN	Open	541.77	0.00		
01781 HATCH MOTT MACDONALD, LLC*	13-03092	10/17/13	RESOLUTION #2013-268	Open	5,750.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01781 HATCH MOTT MACDONALD, LLC* Continued								
	14-00391	02/07/14	ENGINEERING Z12-10-04	Open	<u>1,794.00</u>	0.00		
					7,544.00			
01806 ANTHONY J HARVATT, II, ESQ								
	14-00309	02/03/14	BOARD SOLICITOR SALARY	Open	550.00	0.00		
01859 HESS CORPORATION								
	14-00303	01/30/14	ELECTRIC 12/17/13-1/20/14	Open	444.66	0.00		
	14-00381	02/06/14	01/01/14-02/01/14 ELECTRIC	Open	<u>5,480.94</u>	0.00		
					5,925.60			
01873 HOME DEPOT*								
	14-00184	01/15/14	SUPPLIES FOR SIGN SHOP	Open	157.99	0.00		
01898 HERITAGE BUSINESS SYSTEMS, INC*								
	14-00071	01/08/14	CONTRACTED COPIER MAINTENANCE	Open	282.76	0.00		
01974 I.A.C.P MEMBERSHIP*								
	14-00201	01/17/14	MEMBERSHIP 01/14-12/14-MASTRIA	Open	120.00	0.00		
02025 HUNTER JERSEY PETERBILT*								
	14-00031	01/07/14	PARTS FOR TRUCKS/JAN	Open	123.85	0.00		
02280 LINDEMON WINCKELMANN & ASSOC.								
	13-01475	05/29/13	ADA 1ST\$41227.00/CO#1DNE45727	Open	4,869.81	0.00		
	14-00300	01/30/14	RES 2014-52 ASBESTOS/LEAD FSHG	Open	<u>600.00</u>	0.00		B
					5,469.81			
02320 LOWER TOWNSHIP BRD OF EDUCATN								
	14-00002	01/07/14	2014 SCHOOL TAXES DUE 1ST	Open	1,525,156.40	0.00		B
02811 JAMES MOY								
	14-00386	02/06/14	MEDICAL CLAIMS	Open	55.00	0.00		
02940 MUNICIPAL RECORD SERVICE*								
	14-00202	01/17/14	SUPPLIES	Open	489.00	0.00		
03008 NJ DEPT OF TREASURY/FEES								
	14-00239	01/24/14	WATER ALLOCATION FEES	Open	205.00	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALI*								
	14-00415	02/10/14	2014 MEMBERSHIP DUES	Open	1,541.00	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*								
	14-00204	01/17/14	MEMBERSHIP/INITIATION FEE-MAST	Open	450.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*								
	14-00025	01/07/14	PARTS/RDS/SANT/RECY/JAN	Open	1,452.05	0.00		
03280 PARAMOUNT SANITARY SUPPLY*								
	14-00279	01/28/14	CLOROX WIPES/WEIGHT ROOM	Open	109.26	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03293 BLAINE PAYNTER	14-00395	02/07/14	MEDICAL CLAIMS	Open	60.00	0.00		
03305 PEDRONI FUEL*	14-00312	02/03/14	NO LEAD GAS	Open	900.00	0.00		
	14-00373	02/05/14	NO LEAD GAS	Open	<u>794.66</u>	0.00		
					1,694.66			
03366 AMERI-GAS*	14-00315	02/03/14	PROPANE - BENNETT'S CONCESSION	Open	734.43	0.00		
	14-00378	02/06/14	PROPANE FOR BENNETTS CROSSING	Open	<u>1,255.26</u>	0.00		
					1,989.69			
03375 SEASHORE SHEDS & GAZEBOS	13-03478	11/25/13	REC CENTER SHED	Open	3,046.00	0.00		
03427 POLAR BEAR*	14-00089	01/08/14	NO HEAT FINANCE OFFICE	Open	65.00	0.00		
	14-00196	01/17/14	HEAT FOR RECREATION CENTER	Open	775.31	0.00		
	14-00197	01/17/14	CONDENSATION LINES	Open	<u>1,351.69</u>	0.00		
					2,192.00			
03435 PUBLIC ENGINES INC*	14-00152	01/13/14	CRIME REPORTS 1/12/14-01/11/15	Open	1,188.00	0.00		
03440 QUALITY COMMUNICATIONS*	14-00151	01/13/14	MDT MAINT.	Open	368.00	0.00		
03518 RIGGINS, INC.*	14-00313	02/03/14	HIGHWAY DIESEL	Open	1,743.01	0.00		
03544 PORTER LEE CORP*	14-00153	01/13/14	EVIDENCE SYSTEM-1/2014-12/2014	Open	882.00	0.00		
03550 JOSEPH REMENTER	14-00339	02/04/14	MEDICAL CLAIMS	Open	370.00	0.00		
03608 SEAWAVE CORPORATION*	14-00273	01/27/14	JOB OPENING ADD	Open	130.74	0.00		
03611 SERVICE TIRE TRUCK CENTERS*	14-00053	01/07/14	TIRES/RDS/SANT/RECY/DPW/JAN	Open	3,523.98	0.00		
	14-00270	01/27/14	FRONT TIRE/BACKHOE/FOAM FILL	Open	<u>848.88</u>	0.00		
					4,372.86			
03678 SMELTZER & SONS INC.*	14-00248	01/24/14	ICE MELT	Open	815.52	0.00		
03723 STAPLES, INC.*	13-03476	11/25/13	MONEY COUNTERFEIT DETECTOR	Open	93.15	0.00		
	14-00302	01/30/14	OFFICE SUPPLIES	Open	<u>127.76</u>	0.00		
					220.91			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03810 MUNICIPAL UTIL AUTH USAGE COST	14-00427	02/13/14	WATER BILL- DUE 3/14/2014	Open	1,043.91	0.00		
03834 CAPE MAY COUNTY TREASURER/HAVE	14-00290	01/29/14	HAVEN HOUSE IN LIEU-DUE COUNTY	Open	508.57	0.00		
03904 LOWE'S HOME CENTER INC*	14-00026	01/07/14	SUPPLIES/DPW/JAN	Open	113.99	0.00		
03971 VERIZON WIRELESS MDT POLICE	14-00352	02/04/14	VERIZON WIRELESS MDT'S	Open	587.28	0.00		
03978 USPS ACCT#48503619	14-00383	02/06/14	POSTAGE	Open	5,000.00	0.00		
03985 VILLAS NAPA AUTO PARTS	14-00052	01/07/14	RDS/SANT/RECY/JAN	Open	3,966.44	0.00		
03992 VAL-U AUTO PARTS LLC*	13-03637	12/20/13	BATTERIES FOR COUNTY VEHICLES	Open	3,375.80	0.00		
	14-00050	01/07/14	RDS/SANT/RECY/DPW/JAN	Open	5,253.33	0.00		
					<u>8,629.13</u>			
03995 VITAL COMMUNICATIONS, INC.*	13-03603	12/11/13	MODIV UPDATE 2014 TAX DUPLICAT	Open	100.00	0.00		
04057 ELLEN WILL	14-00419	02/13/14	MEDICAL CLAIMS-V	Open	219.95	0.00		
04077 RONALD J. GELZUNAS	14-00018	01/07/14	2014 LEGAL SERVICES DNE \$90	Open	6,382.50	0.00		
04085 CHRISTOPHER WINTER (EMPLOYEE)	14-00384	02/06/14	MEDICAL CLAIMS-V	Open	80.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*	14-00372	02/05/14	FIRST AID	Open	339.32	0.00		
04105 PITNEY BOWES GLOBAL FINANCIAL	14-00198	01/17/14	MAIL MACHINE 2014	Open	451.00	0.00		
04261 STATE OF NEW JERSEY	14-00298	01/30/14	4TH QUARTER 2013 UNEMPLOYMENT	Open	33,429.31	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	14-00341	02/04/14	STATE DOG LICENSE FEES-JANUARY	Open	772.20	0.00		
04300 W B MASON CO INC*	13-01802	06/17/13	SUPPLIES	Open	49.57	0.00		
	14-00088	01/08/14	SUPPLIES/DPW OFFICE/GARGE	Open	668.78	0.00		
					<u>718.35</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04320 PREMIER OFFICE SUPPLY*								
	14-00281	01/28/14	CUSTOM X-STAMPER- PERRY	Open	34.61	0.00		
05101 VITELLI ELECTRIC*								
	14-00048	01/07/14	ELECTRIC REPAIRS TO MILLMAN	Open	300.00	0.00		
6004 LERETA, LLC								
	14-00401	02/10/14	RES#2014-68 REFUND 1ST QRT TAX	Open	640.04	0.00		
6061 AMERIHEALTH ADMINISTRATORS								
	14-00324	02/04/14	FEB 3 HEALTH INS & RX	Open	151,819.80	0.00		
	14-00412	02/10/14	FEB 10 HEALTH INS & RX	Open	<u>72,561.39</u>	0.00		
					224,381.19			
7012 Y-PERS, INC*								
	14-00189	01/15/14	SUPPLY OF RAGS/DPW	Open	455.00	0.00		
7044 A SHORE THING CLEANING*								
	14-00227	01/22/14	CLEANING OF MILLMAN CENTER	Open	50.00	0.00		
7098 SHORE VETERINARIAN ANIMAL *								
	14-00157	01/13/14	ANIMAL RES# 2014-36	Open	4,166.67	0.00		
7104 SITE LOCK, LLC								
	14-00282	01/28/14	FIRE WALL PROTECTION/PD&TOWNHA	Open	1,915.98	0.00		
7105 LEE ANN SHAW								
	14-00322	02/04/14	RETURN OF UNUSED ESCROW	Open	2.50	0.00		
7106 JARILYN MORALES								
	14-00358	02/05/14	MILLMAN DAMAGE DEPOSIT	Open	300.00	0.00		
7108 JOSEPH BURCH VP,REAL ESTATE								
	14-00375	02/05/14	RELEASE OF MAINTENANCE BOND	Open	15,070.16	0.00		
7109 COLD SPRINGS CARPENTRY,LLC								
	14-00400	02/10/14	RELEASE OF PERFORMANCE GUARANT	Open	1,469.08	0.00		
7110 DEBORAH QUINN								
	14-00422	02/13/14	MEDICAL CLAIMS	Open	416.70	0.00		
ANZE JENNIFER ANZELONE								
	13-01075	04/16/13	2013 EQUIP. ALLOWANCE	Open	43.86	0.00		B
BLAUE BLAUER ASSOCIATES INC*								
	13-00857	03/26/13	ADA REC/FISHING 12-182\$16k DNE	Open	800.00	0.00		
BOSNA KAREN MANETTE BOSNA								
	14-00305	02/03/14	JANUARY 2014 YOGA 15	Open	75.00	0.00		
COMMSERV COMMERCIAL SERVICES, INC								
	14-00424	02/13/14	RETURN OF UNUSED ESCROW	Open	300.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MARGATE MARGATE RECREATION	14-00323	02/04/14	BASKETBALL TOURNAMENT FEE	Open	150.00	0.00		
NCAA MCAA OF NEW JERSEY	14-00246	01/24/14	DUES-2014 BYRNE/MILBRANDT	Open	90.00	0.00		
Total Purchase Orders: 114				Total P.O. Line Items: 335	Total List Amount: 1,989,216.43	Total Void Amount: 0.00		

<b>Vendor</b>	<b>PO #</b>	<b>Description</b>	<b>CK</b>	<b>Amount</b>
EMERGENCY COMMUN	14-00185	EMERGENCY NOTIFICATION SYS	52015	\$5650.00

<b>Total Manual Checks</b>	<b>\$ 5650.00</b>
<b>Total Computer Generated</b>	<b>\$ 1,989,216.43</b>

**Total Bill List \$ 1,994,866.43**

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on February 19, 2014..

\_\_\_\_\_  
Julie Picard, Township Clerk

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

**RESOLUTION #2014-65**

**TITLE: A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR WINDMILL MARINA ASSOC, LP; Block 763, Lots 9 & 10 & Block 764, Lots 11 & 12, Escrow #Z06-12-02**

**WHEREAS**, Cold Spring Carpentry, LLC posted a Performance Guarantee with the Township of Lower, in the amount of \$1,678.95; and

**WHEREAS**, the Township Engineer has recommended that the improvements having a total value of \$1,678.95 have been properly installed and are presently acceptable; and

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

**WHEREAS**, fifteen percent (15%) of the original Performance Guarantee equals \$209.87,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, the Governing body thereof, that the Performance Guarantee be and hereby is released leaving a balance of \$209.87 on account as Maintenance Guarantee.

**BE IT FURTHER RESOLVED** that the Township Treasurer is granted permission to issue a check in the amount of \$1,469.08 plus any accrued interest for payment of the above released Guarantee.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on February 19, 2014.

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

MEMORANDUM

TO: Mayor Michael Beck &  
Council members

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

DATE: February 4, 2014

RE: Windmill Marina Assoc. LP  
1260 Wilson Drive  
Block 763, Lot 9  
Twp. Escrow #Z06-12-02  
Resolution # 2014-65

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

Pursuant to the above referenced Subsection 400-81E, Resolution # 2014-65 is required to release the Performance Guarantee held in trust by the Township of Lower for Windmill Marina, Assoc., LP, Block 763, Lot 9. The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer, George Curvan.

The Township Engineer recommends release of the retained \$1,678.95.

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

Subsection 400-81F(3) of the Land Development Ordinance of the Township of Lower requires that a Maintenance Guarantee, in an amount equal to not more than fifteen percent (15%) of the original estimate of the cost of improvements, shall be filed by the owner. Therefore, \$209.87, which is fifteen percent, shall be retained as the Maintenance Guarantee.

cc: financial file

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

**RESOLUTION #2014-66**

**TITLE: A RESOLUTION REQUESTING RELEASE OF MAINTTNANCE  
GUARANTEE FOR S. W. BAJUS, Ltd; Block 690, Lot 1.01; Escrow  
P08-04-05**

**WHEREAS**, S. W. Bajus, Ltd, posted a Maintenance Guarantee with the Township of Lower, in the amount of \$15,004.20; 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.

**BE IT FURTHER RESOLVED** that the Township Treasurer be granted permission to issue a check in the amount of \$15,004.20 plus any accrued interest in payment of the released Maintenance Guarantee.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on February 19 , 2014.

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

MEMORANDUM

TO: Township Council

FROM: William J. Galestok, PP,AICP

DATE: February 4, 2014

RE: S. W. Bajus, Ltd.  
Block 690, Lot 1.01  
Twp. Escrow #P08-04-05  
Resolution #2014-66

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 #2014-66 is required to **release** the Maintenance Guarantee held in trust by the Township of Lower for S. W. Bajus, Ltd., site plan.

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

The Township Engineer recommends **release** of the retained \$15,004.20.

WJG:las  
att.

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

RESOLUTION #2014-67

**TITLE: A RESOLUTION TO AFFIRM THE TOWNSHIP OF LOWER'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of Lower Township to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

**WHEREAS**, the governing body of Lower Township has determined that certain procedures need to be established to accomplish this policy

**NOW, THEREFORE BE IT ADOPTED** by the Township Council of the Township of Lower that:

**Section 1:** No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the municipality's business or using the facilities or property of the municipality.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Lower to provide services that otherwise could be performed by the Township.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Township Manager shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Township Manager shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Lower as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Manager shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Manager shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

I hereby certify the foregoing to be the original resolution adopted by Township Council at a meeting held February 19, 2014.

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2014-68

**TITLE:** AUTHORIZATION FOR REFUND OF TAXES

**WHEREAS**, the Township Tax Collector has certified an overpayment due to the reasons listed below:  
and

**WHEREAS**, a refund is due.

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

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
499.10	14	Lereta LLC	paid twice	640.04

I hereby certify the foregoing to be the original resolution adopted by the Township Council body at a meeting held on February 19, 2014.

\_\_\_\_\_  
Julie Picard, Township Clerk

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2014-69

**TITLE: RESOLUTION SUPPORTING THE ANNUAL GREATER CAPE MAY ELK'S/TOM BEHELER YOUTH BASKETBALL TOURNAMENT**

**WHEREAS**, the Lower Township Recreation Center hosts the Annual Greater Cape May Elks/Tom Beheler Youth Basketball Tournament in December every year; and

**WHEREAS**, the tournament will be a field comprised of 3<sup>rd</sup> thru 8<sup>th</sup> grade boys and girls.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Lower that a portion of the proceeds raised through this annual tournament will be dedicated to the ALS Hope of Cape May and the Lower Township traveling basketball team.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on February 19, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

**RESOLUTION #2014-70**

**Title:                   TRANSFER OF 2013 APPROPRIATIONS**

**WHEREAS**, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three months of the succeeding year when it has been determined that any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during the preceding year, which were chargeable to said appropriation, and there is an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Lower, State of New Jersey that the following transfers, and totaling \$17,000.00 be made between the 2013 budget appropriation reserves.

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>TO</u>	<u>FROM</u>
LEGAL	OE	3-01-20-155-299	10,000.00	
POLICE	S&W	3-01-25-240-101	7,000.00	
BUILDINGS AND GROUNDS	OE	3-01-20-310-399		10,000.00
DPW	OE	3-01-26-305-299		7,000.00
			<u>17,000.00</u>	<u>17,000.00</u>

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting on February 19, 2014

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

**RESOLUTION #2014-72**

**TITLE: APPLICATION FOR 2014 DRUG ENFORCEMENT AND DEMAND REDUCTION (DEDR) GRANT FUNDS**

**WHEREAS**, the State of New Jersey has established a Governor's Council on Alcoholism and Drug Abuse to coordinate the State's efforts in regard to the planning and provision of treatment, prevention, research, evaluation, and education services for, and public awareness of alcoholism and drug abuse; and

**WHEREAS**, an Alliance to Prevent alcoholism and Drug Abuse has been created in the Governor's Council to set up a network comprised of all communities in New Jersey, which is dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse; and

**WHEREAS**, a Local Advisory Committee on Alcoholism and Drug Abuse (LACADA) has been established in Cape May County, along with a County Alliance Steering Subcommittee to submit a plan for the expenditure of Drug Enforcement and Demand Reduction Funds through distribution to eligible municipalities; and

**WHEREAS**, the Township of Lower has appointed a Municipal Alliance Committee conjointly with the municipalities of Cape May City, West Cape May and Cape May Point, which Committee will identify local needs, and recommend actions designed to deal with Alcoholism and Drug Abuse; and

**WHEREAS**, the consortium under Lower Township, lead municipality, has received and is administering "DEDR" grants under a subcontract with the County.

**NOW THEREFORE, BE IT RESOLVED**, that the Township of Lower does hereby authorize the Township to continue in a Consortium of Municipalities, namely, Lower Township, Cape May City, West Cape May and Cape May Point, for the purpose of applying for 2014 fiscal year DEDR Grant Funds to serve as the applicant municipality on behalf of the Consortium; to file an application for such grant funds; to execute any contracts or agreements necessary to obtain the funds; contracts/agreements.

**BE IT FURTHER RESOLVED**, that the Lower Cape Municipal Alliance Committee is hereby designated to continue to serve as the Committee required by Section C.26:2BB-9 of the legislation; that the Township of Lower, as lead municipality, is authorized to execute a new service agreement with said Committee on behalf of the Consortium; and that said

Agreement will evidence Consortium approval and acceptance of the Committee's Membership and By-Laws.

**BE IT FURTHER RESOLVED**, that the total amount of the Contract shall be \$62,818, that the total amount of the County Grant shall be \$31,409, that the amount of local in-kind match shall be \$23,557 and that the amount of local cash match shall be \$7,852. Lower Township's cash match shall be \$5,576.

**BE IT FURTHER RESOLVED**, that the Mayor of Lower Township, is authorized to sign the Application for 2014 grant funds, and to execute all contracts and agreements necessary to accept the funds and carry out the program in accordance with the State requirements.

I hereby certify this is the original resolution adopted by the Township Council at a meeting held on February 19, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION # 2014-73

TITLE: **BID ACCEPTANCE AND AWARD FOR (1) ONE NEW 2014 FORD F-550 4x4 CHASSIS WITH DUMP BODY, PLOW & SPREADER OR EQUAL**

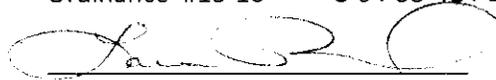
**WHEREAS**, The Notice to Bidders for the 2014-02 (1) One New 2014 Ford F-550 4x4 Chassis with Dump Body, Plow & Spreader or Equal was advertised on January 15, 2014 and accepted on January 28, 2014 at 11:00 a.m.; and

**WHEREAS**, Three (3) sealed bids were submitted and reviewed by the QPA and Gary Douglass the Public Works Director, and

**WHEREAS**, the lowest bidder listed exceptions with delivery and training provided, the next qualified bidder complied with the specifications, delivery and training schedule, supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation # : Ordinance #13-10 C-04-55-414-250

CFO Signature:



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

**AWARD TO: KINDLE FORD**

**TOTAL AWARD: \$75,768.15**

**Includes a 90 Delivery Schedule/ 4 hours of training upon delivery of truck**

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on February 19, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

...IFICATION FOR ONE NEW 2014 FORD F-550 4X4 CHASSIS WITH DUMP BODY, PLOW & SPREADER OR  
APPROVED EQUAL

2600 Bayshore Rd  
Villas, NJ 08204

PUBLIC WORKS

SPECIFICATION FOR ONE NEW 2014 FORD F-550 4X4 CHASSIS WITH DUMP BODY,  
PLOW & SPREADER OR APPROVED EQUAL

All bids must include all cost associated with vehicle and destination charges to the Public  
Works located at:

771 Seashore Road  
Cold Springs, NJ 08204

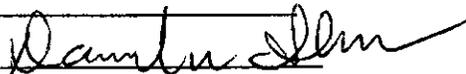
If any clarifications with specifications are needed, please contact Bob Bailey, Fleet Maintenance  
Supervisor at (609) 884-0898.

Any name brands listed can be substituted with as equal material. Ninety Day Delivery  
Requirement.

Total bid price: \$75768.15

COMPANY NAME, Kindle Ford--Lincoln Inc

PRINT AND SIGNATURE, David Sharp



DATE: 1/25/2014

---

## **MANUALS/WARRANTY**

**The end unit will be delivered with the following items:**

- (1) Fire Extinguisher, interior mounted (under Passenger seat)
- (2) Sets of Manufacturers, Line Setting Sheets for chassis, mounted equipment, and optional equipment.

Successful bidder will supply at least 4 hours of operation, maintenance and service training for the engine, transmission, body and related support systems for the vehicle. Training must be completed at delivery of the truck.

**EXCEPTIONS:**

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

RESOLUTION # 2014-74

TITLE: **BID ACCEPTANCE AND AWARD FOR (1) ONE NEW 2014 FORD F-350 4x4 CREW PICKUP WITH SNOW PLOW OR EQUAL**

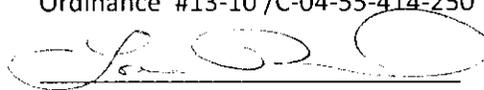
**WHEREAS,** The Notice to Bidders for the 2014-01 (1) One New 2014 Ford F-350 4x4 Crew Pickup with Snow Plow or Equal was advertised on January 15, 2014 and accepted on January 28, 2014 at 11:00 a.m.; and

**WHEREAS,** Four (4) sealed bids were submitted and reviewed by the QPA and Gary Douglass the Public Works Director, and

**WHEREAS,** the lowest qualified bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation # : Ordinance #13-10 /C-04-55-414-250

CFO Signature:



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

**AWARD TO: HERTRICH FLEET SERVICES INC.**

**TOTAL AWARD: \$34,482.00 (1) 2015 Ford F350 Crewcab XL 4WD**

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on February 19, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

**BID 2014-01 PROPOSAL FORM**

**2014 or newer (1) One F-350 4X4 Crew Pickup with Snow Plow or equal:**

The undersigned proposes to furnish and deliver the above goods/services pursuant to the bid specification and made part hereof: (1) 2015 Ford F350 Crew Cab XL 4WD SRW Pickup

\$ 34482.<sup>00</sup>

Amount in numbers

Thirty Four Thousand Four Hundred Eighty Two dollars

Amount in words

Delivery Schedule in Days from receipt of order 90 to 120 days PRO.

EXCEPTIONS:

Vehicle will be a 2015 model. Production begins March, 2014

HATRICH Fleet Services Inc.  
Company Name

510381749  
Federal I.D. # or Social Security #

1427 Bay Rd, Milford DE 19963  
Address

Michael Wright  
Signature of Authorized Agent

Michael Wright  
Type or Print Name

Title: Govt Sales Mgr

800-698-9825  
Telephone Number

1/28/14  
Date

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

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

RESOLUTION # 2014-75

TITLE: APPROVAL OF CHANGE ORDER #1 AND CONTRACT AMENDMENT TO ADA UPGRADES PAUL R. WILLS RECREATIONAL COMPLEX

WHEREAS, Aliano Brothers General Contractors Inc. was originally awarded the contract as per Resolution #2013-309 in the amount of \$92,637.00 for the ADA improvements to Paul R. Wills Recreation Complex on December 2, 2013; and

WHEREAS, Change Order #1 will add additional concrete needed to become ADA compliant. Alternate #3 \$4274.00 for Southeast Side and rear exit of Gymnasium to the front walkway and Alternate #4 \$7,253.00 for Northeast side connecting the rear exit from Corridor B to the front walkways.

WHEREAS, Contract #1 Amendment will decrease the original contract -\$2,322.00 for the items eliminated from the original scope of work. The contract amount including the Change Order #1 and Contract Amendment will be as follows to:

Aliano Brothers General Contractors Inc.

\$92,637.00 Original Contract Resolution #2013-309
-\$2,322.00 Contract Amendment Reduction
\$4,274.00 Alternate #3
\$7,253.00 Alternate #4

TOTAL CONTRACT AMOUNT \$101,842.00

WHEREAS the CFO has determined sufficient funds are available in the budget as follows:

Appropriation # : Ordinance # 08-15 C-04-55-391-530 \$1,963.07
Ordinance #08-20 C-04-55-394-530 \$9,563.93

CFO Signature: [Handwritten Signature]

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Change Order #1 for Aliano Brothers Inc. is hereby approved to increase the contract total to \$101,842.00

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on February 19, 2014.

Julie A. Picard, Township Clerk

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows: CONRAD, NEVILLE, SIMONSEN, CLARK, BECK





CONTRACT AMENDMENT

**Aliano Brothers General Contractors Inc.**

December 17, 2013

LWDMR  
224 N High Street  
Millville, NJ 08332

RE: Lower Township ADA Recreation Center  
Contract Amendment #1

Mr. Lindemon,

Item #1	add	\$ 175.00
Item #2	deduct	\$ 200.00
Item #3	deduct	<u>\$ 2,297.00</u>

TOTAL deduct        \$ 2,322.00

Thank you,



Phil Aliano  
Vice President

## Contract Amendment #1

### General Information

**Item Number One:**  
Eliminate Recreation Room Doors; Frames To Remain And To Be Patched / Repaired As Necessary ( Reference Drawing SK1 ).

**Item Number Two:**  
Credit Required For Not Lowering Existing Fire Alarm Boxes .

**Item Number Three:**  
Leave Doors As Per Original At Front Office ( Reference Drawing SK2 ).

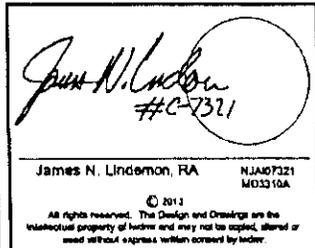


Lindemon Winckelmann Deupree Martin Russell  
& Associates PC

www.lwdmr.com

140 Bay Street, Jersey City, NJ 07302  
Ph 201-333-5016 Fax 201-333-5309

224 N. High Street, Millville, NJ 08332  
Ph 856-293-8554 Fax 856-293-1571



### Contract Amendment #1

#### A.D.A. Improvements

To The

**Paul R. Will**

#### Recreational Complex

Lower Township, Cape May County  
New Jersey 07302

Tax Block Number: 410.01  
Lot Number: 59.02

#### REVISIONS:

Date	Notes

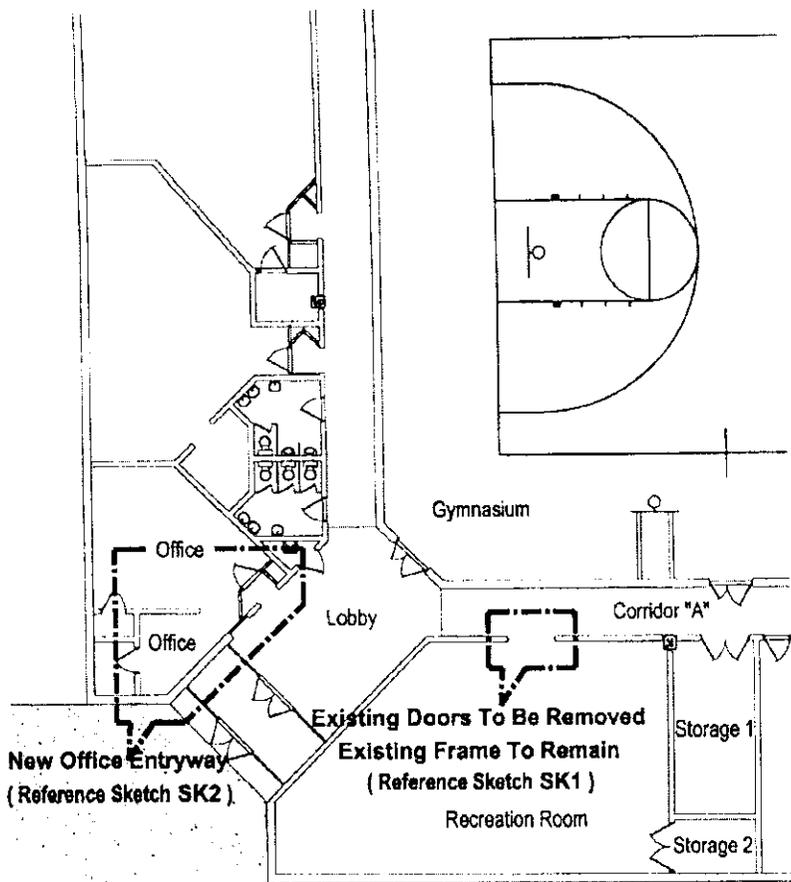
### Contract Amendment #1

#### General Information

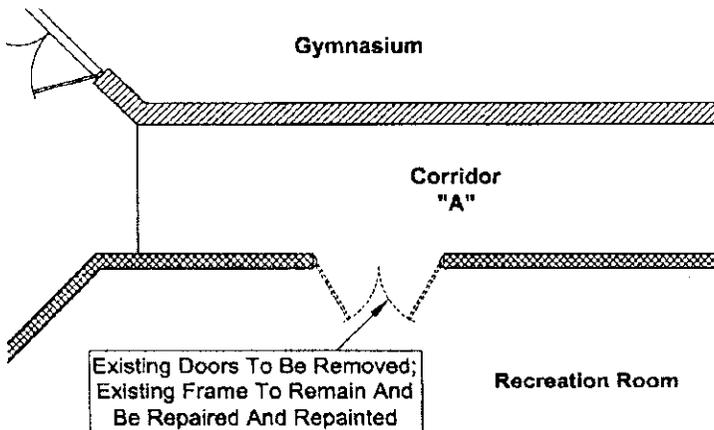
Date: 11/12/11  
Drawn: Hudges, WF Jr  
Checked: Lindemon, JN

**SK0**

1 of 3



**Partial Ground Floor Plan**  
(Renovated Plan; Scale: 1/16" = 1'-0")



**Partial Ground Floor Plan  
@ Recreation Room**  
(Demolition Plan; Scale: 1/8" = 1'-0")

# Iwdm

## ARCHITECTS

ARCHITECTURE ■ ENGINEERING ■ URBAN DESIGN

Lindemon Winckelmann Deupree Nardin Russell  
& Associates PC

www.iwdm.com

140 Bay Street, Jersey City, NJ 07302  
Ph 201-333-5016 Fax 201-333-5309

224 N. High Street, Millville, NJ 08332  
Ph 856-293-9554 Fax 856-293-1571

*James N. Lindemon*  
#C-7321

James N. Lindemon, RA

NJA07321  
M03110A

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### Contract Amendment #1

#### A.D.A. Improvements

To The

**Paul R. Will**

**Recreational Complex**

Lower Township, Cape May County

New Jersey 07302

Tax Block Number: 410.01

Lot Number: 59.02

#### REVISIONS:

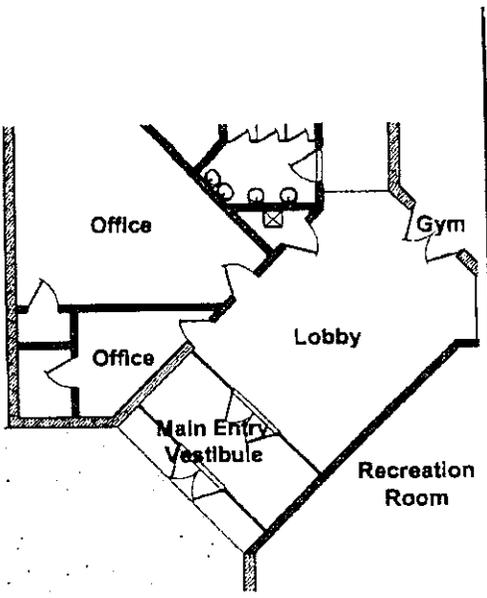
Date	Notes

**Contract Amendment #1**  
Partial Overall Floor Plan  
Partial Recreation Room Floor Plan

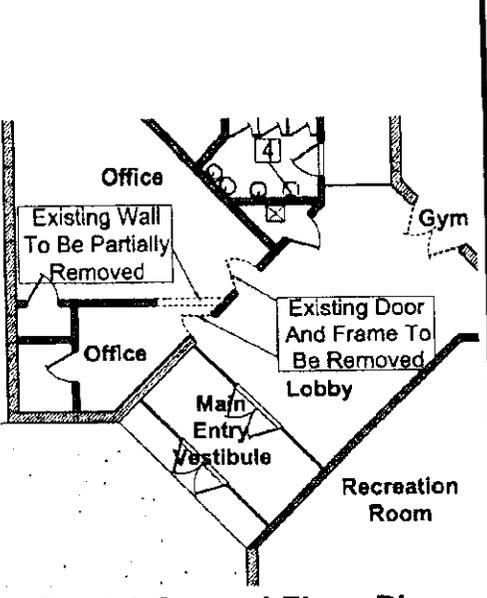
Date: 11/26/13  
Drawn: Hedges, WF Jr  
Checked: Lindemon, JN

**SK1**

2 of 3



**Partial Ground Floor Plan**  
(Existing Plan; Scale: 1/16" = 1'-0")



**Partial Ground Floor Plan**  
(Demolition Plan; Scale: 1/16" = 1'-0")

# Iwdm

## ARCHITECTS

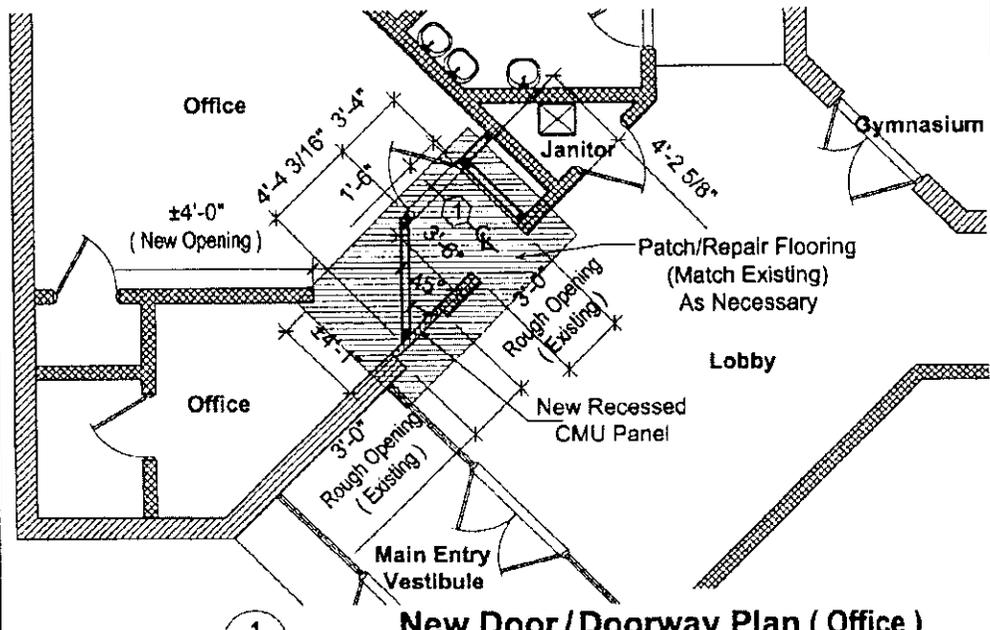
ARCHITECTURE ■ ENGINEERING ■ URBAN DESIGN

Lindeman Winckelmann Deupree Martin Russell & Associates PC

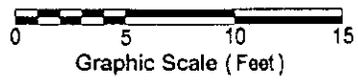
www.iwdm.com

140 Bay Street, Jersey City, NJ 07302  
Ph 201-333-5016 Fax 201-333-5309

224 N. High Street, Millville, NJ 08332  
Ph 856-293-8554 Fax 856-293-1571



**1 SK2** New Door / Doorway Plan (Office)  
Scale: 1/4" = 1'-0"



*James N. Lindeman*  
#C-7321

James N. Lindeman, RA N.J.A.C.7321  
MO3210A

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**Contract Amendment #1**

**A.D.A. Improvements**

To The  
**Paul R. Will**  
**Recreational Complex**  
Lower Township, Cape May County  
New Jersey 07302  
Tax Block Number: 410.01  
Lot Number: 59.02

REVISIONS:	
Date	Notes

**Contract Amendment #1**  
Partial Ground Floor Plans  
New Door / Doorway @ Office

Date: 1/12/13  
Drawn: Hudgins, W.F. Jr.  
Checked: Lindeman, J.N.

**SK2**  
3 of 3

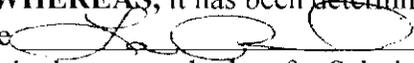
**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION # 2014-76**

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Lower that payment to Timothy Whittington in the amount of **\$9,910.96** is authorized and chargeable to the 2014 Budget account 4-01-25-240-123.

I hereby certify the foregoing to be the original a resolution adopted by the Township Council on February 19, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana  
FROM: Cpl. Shaun Whittington  
DATE: 2/07/2014  
SUBJECT: Comp Time

To Whom It May Concern,  
I'm respectfully submitting a request to cash in comp time that is owed to me. I'm requesting to cash in 225 hours of comp tome. This will be used to buy a new truck. Thank you for your time and consideration on this matter.

Respectfully Submitted,



Cpl. Shaun Whittington  
R-C/O Badge 149

44,0487

9,910.96

C File

Date

Officer

Comments

2/7/14

Chief William Mastriana  
Approved to Township

4.01 25-240-123

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

RESOLUTION #2014-77

TITLE: AMENDING RESOLUTION #2013-231; APPOINTMENT OF SPECIAL COUNSEL FOR THE PURPOSE OF OPPOSING THE CITY OF CAPE MAY'S ATTEMPT TO WITHDRAW FROM THE LOWER CAPE MAY REGIONAL SCHOOL DISTRICT

WHEREAS, the Township of Lower ("Township") adopted Resolution #2013-231 at its Council Meeting of August 19, 2013, awarding a contract to Francis Campbell of Campbell & Pruchnick, LLC at a fee not to exceed \$7,500; and

WHEREAS, Campbell & Pruchnik, LLC, who provided and will continue to provide specific expertise in litigation associated with a constituent municipality's attempt to withdraw from a regional school district or to attempt to modify the school funding formula, has submitted a contract indicating he would provide the goods or services described hereinabove at a rate of \$175.00 per hour for a total price not to exceed \$25,000.; and

WHEREAS, as per N.J.A.C. 5:30-11.9 Procedures for Change Orders which exceed 20% limitation, notice will be sent to the Department of Community Affairs and published in the newspaper; and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation: 3-01-20-155-299 \$ 6,675.

Appropriation: 4-01-20-155-299 \$10,825.

Signature: [Handwritten Signature]

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby amends Resolution #2013-231 to reflect an increase of \$17,500 and approves the contract for the goods and services for a total amount not to exceed \$25,000.

BE IT FURTHER RESOLVED that notice of Award of Professional Contract for the above appointment shall be published in the official Township paper.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on February 19, 2014.

Julie A. Picard, Township Clerk

Table with 7 columns: Name, MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT. Rows include CONRAD, NEVILLE, SIMONSEN, CLARK, and BECK.

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

**OFFICE OF CONSTRUCTION OFFICIAL**

**Construction Permit Activity Report**

RANGE: 01/01/2014 To 01/31/2014

February 06 , 2014 3:41:40PM

**SUMMARY**

**CONSTRUCTION COSTS**

**COUNT**

Cost Of Construction:	\$45,215.00	Cubic Footage:	16592 Cu.ft	Permit Issued:	104
Cost Of Alteration:	\$375,552.00	Square Footage:	1325 Sq.ft	Updates Issued:	4
Cost Of Demolition:	\$600.00			All Fees Waived:	2
Total Cost:	\$421,367.00			Municipal Fees Waived:	0

**PERMIT FEES**

**ADMIN FEES**

**WAIVED FEES**

**TOTAL FEES**

Building:	\$3,863.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$3,863.00
Electrical:	\$3,410.00	Electrical:	\$0.00	Electrical:	\$45.00	Electrical Fees:	\$3,365.00
Fire :	\$2,202.00	Fire :	\$0.00	Fire :	\$58.00	Fire Fees:	\$2,144.00
Plumbing:	\$5,206.00	Plumbing:	\$0.00	Plumbing:	\$45.00	Plumbing Fees:	\$5,161.00
Elevator:	\$68.00	Elevator:	\$0.00	Elevator:	\$68.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$216.00	Technical Fees:	\$14,533.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$56.00	\$0.00	\$56.00
Alteration Training Fee:	\$633.00	\$8.00	\$625.00
DCA Minimum Fee:	\$15.00	\$0.00	\$15.00
Sub total Training Fee:	\$704.00	\$8.00	\$696.00

**TECHNICAL ISSUES**

Building Technical:	33
Electrical Technical:	46
Fire Protection Technical:	31
Plumbing Technical:	77
Elevator Technical:	1
Mechanical Technical:	

**CERTIFICATE ISSUES**

Certificate of Occupancy:	3
Certificate of Approval:	18
Certificate of Continued Occupancy:	0

Certificate of Occupancy Fee:	\$114.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$114.00

PERMIT FEES:	\$14,533.00
DCA FEES:	\$696.00
CERTIFICATE FEES:	\$114.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$15,343.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$15,343.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 01/01/2014 To 01/31/2014

February 6, 2014 12:54:33PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$581.00	\$14,762.00	\$0.00	\$15,343.00
DUMPSTER	Sub Totals:	\$10.00	\$0.00	\$0.00	\$10.00
LICENSE FEES	Sub Totals:	\$0.00	\$75.00	\$0.00	\$75.00
<b>GRAND TOTALS:</b>		\$591.00	\$14,837.00	\$0.00	\$15,428.00

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

**OFFICE OF CONSTRUCTION OFFICIAL**

**Construction Permit Activity Report**

RANGE: 01/01/2014 To 01/31/2014

February 06 , 2014 1:00:08PM

**SUMMARY**

**CONSTRUCTION COSTS**

**COUNT**

Cost Of Construction:	\$218,050.00	Cubic Footage:	46978 Cu.ft	Permit Issued:	9
Cost Of Alteration:	\$41,975.00	Square Footage:	2551 Sq.ft	Updates Issued:	2
Cost Of Demolition:	\$0.00			All Fees Waived:	0
Total Cost:	\$260,025.00			Municipal Fees Waived:	0

**PERMIT FEES**

**ADMIN FEES**

**WAIVED FEES**

**TOTAL FEES**

Building:	\$2,345.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$2,345.00
Electrical:	\$529.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$529.00
Fire :	\$584.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$584.00
Plumbing:	\$933.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$933.00
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:	\$4,391.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$157.00	\$0.00	\$157.00
Alteration Training Fee:	\$70.00	\$0.00	\$70.00
DCA Minimum Fee:	\$0.00	\$0.00	\$0.00
Sub total Training Fee:	\$227.00	\$0.00	\$227.00

**TECHNICAL ISSUES**

Building Technical:	6
Electrical Technical:	6
Fire Protection Technical:	3
Plumbing Technical:	5
Elevator Technical:	
Mechanical Technical:	

**CERTIFICATE ISSUES**

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

Certificate of Occupancy Fee:	\$315.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$315.00

PERMIT FEES:	\$4,391.00
FEES:	\$227.00
CERTIFICATE FEES:	\$315.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$4,933.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$50.00
GRAND TOTAL FEES:	\$4,983.00

**OFFICE OF THE CONSTRUCTION OFFICIAL**

**Account Summation-Summary**

Report Run from 01/01/2014 To 01/31/2014

February 6, 2014 1:00:58PM

<b>ACCOUNT:</b>	<b>Cash Amount</b>	<b>Check Amount</b>	<b>Credit Card Amount</b>	<b>Total Fee</b>
PERMIT FEES				
Sub Totals:	\$0.00	\$4,983.00	\$0.00	\$4,983.00
<b>GRAND TOTALS:</b>	\$0.00	\$4,983.00	\$0.00	\$4,983.00

DOG REGISTER

JANUARY

Date	#s	Void/Dup	# S/N	4.2	7.2	1.2	4.2	\$5.00	\$5.00	Total D	Total E	Total F	Total G	Deposit							
1/2/2014	#1-50			38	9	3				\$159.60	\$64.80	\$3.60	\$0.00	\$228.00							
1/3/2014	#51-54			4						\$16.80	\$0.00	\$0.00	\$0.00	\$16.80							
1/6/2014	#55-88		1	22	5	5	1			\$92.40	\$36.00	\$6.00	\$4.20	\$138.60							
1/7/2014	#89-97			9						\$37.80	\$0.00	\$0.00	\$0.00	\$37.80							
1/8/2014	#98-127			27	3					\$113.40	\$21.60	\$0.00	\$0.00	\$135.00							
1/9/2014	#128-158			21	4	3	3			\$88.20	\$28.80	\$3.60	\$12.60	\$133.20							
1/10/2014	#159-185			21	1					\$88.20	\$7.20	\$6.00	\$0.00	\$101.40							
1/13/2014	#186-211			26						\$109.20	\$0.00	\$0.00	\$0.00	\$109.20							
1/14/2014	#212-226			14		1				\$58.80	\$0.00	\$1.20	\$0.00	\$60.00							
1/15/2014	#227-249			12	3	7				\$50.40	\$21.60	\$8.40	\$4.20	\$84.60							
1/16/2014	#250-270			18	2		1			\$75.60	\$14.40	\$0.00	\$0.00	\$90.00							
1/17/2014	#271-293			13	3	7				\$54.60	\$21.60	\$8.40	\$0.00	\$84.60							
1/21/2014	#294-#322		2	21	6					\$88.20	\$43.20	\$0.00	\$0.00	\$131.40							
1/22/2014	#323-326			3	1					\$12.60	\$7.20	\$0.00	\$0.00	\$19.80							
1/23/2014	#327-346			17	3					\$71.40	\$21.60	\$0.00	\$0.00	\$93.00							
1/24/2014	#347-371			24		1				\$100.80	\$0.00	\$1.20	\$0.00	\$102.00							
1/27/2014	#372-393			17	5					\$71.40	\$36.00	\$0.00	\$0.00	\$107.40							
1/28/2014	#394-417			19	5					\$79.80	\$36.00	\$0.00	\$0.00	\$115.80							
1/29/2014	#418-424			6	1					\$25.20	\$7.20	\$0.00	\$0.00	\$32.40							
1/30/2014	#425-447			14	2	6	1			\$58.80	\$14.40	\$7.20	\$4.20	\$84.60							
1/31/2014	#448-489			34	4	4				\$142.80	\$28.80	\$4.80	\$0.00	\$176.40							
Total licenses collected w/fees											380	57	42	6	0	0	\$1,596.00	\$410.40	\$50.40	\$25.20	\$2,082.00
Total collected											485										
Twp. Fee													\$1,311.00								
State Reg.													\$485.00								
Pilot Clinic													\$97.00								
Anim. Pop.													\$189.00								
Late Fee													\$0.00								
Prior Year													\$0.00								
Total													\$2,082.00								
Pd State													\$771.00								
Twp. Fee													\$1,311.00								
S/N Fund													\$0.00								

DOG REGISTER  
 4/23 not accounted for

JANUARY

*Clerk's*  
Register Report

1/1/2014 Through 1/31/2014

2/3/2014

Page 1

Account	Description	Memo	Category	Amount
<b>INCOME</b>				
	TOTAL Business Mercantile 2013-2014			375.00
	TOTAL Campgrounds & Trailers			104.00
	TOTAL Ice Cream License			250.00
	TOTAL Precious Metals			500.00
	TOTAL Rental Merc 2013-2014			600.00
	TOTAL Rental Merc 2014-2015			450.00
	TOTAL Scrapper			80.00
	TOTAL Street Openings			360.00
	TOTAL Towing			1,000.00
	TOTAL Yard Sales			15.00
	<b>TOTAL INCOME</b>			<b>3,734.00</b>
<b>TRANSFERS</b>				
	TOTAL Council Checking			-3,734.00
	<b>TOTAL TRANSFERS</b>			<b>-3,734.00</b>
			<b>OVERALL TOTAL</b>	<b>0.00</b>

**2014 CASH RECEIPTS  
JANUARY**

Township of Lower  
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
<b>Receipts</b>		
Current year taxes (2014)	5,356,205.97	5,356,205.97
Prior year taxes (2013)	248,492.59	248,492.59
Arrears (2012)	1,516.91	1,516.91
Municipal lien	486.61	486.61
Recording	40.00	40.00
Bankruptcy	29.49	29.49
6% Penalty		0.00
Tax Search Fees		0.00
Interest	13,124.94	13,124.94
Lot clearing		0.00
Returned Check Fees	80.00	80.00
Duplicate Bills	40.00	40.00
Trash	2,195.00	2,195.00
<b>TOTAL DEPOSITS</b>	<b>5,622,211.51</b>	<b>5,622,211.51</b>
<b>DEPOSITED TO COUNCIL CHECK</b>	<b>5,481,520.18</b>	<b>5,481,520.18</b>
<b>DEPOSITED TO WIPP ACCOUNT</b>	<b>140,691.33</b>	<b>140,691.33</b>
<b>TOTAL DEPOSITS</b>	<b>5,622,211.51</b>	<b>5,622,211.51</b>
NSF Reversals	6,430.40	6,430.40
<b>TOTAL</b>	<b>5,615,781.11</b>	<b>5,615,781.11</b>

Prepared by Susan Jackson

# 2014 JANUARY VITAL STATISTICS

Marriages,Civil Unions	7
Domestic Partners	0
Ceritified Copies	164
Certified Copies EDRS	0
Burial Permits	0

Marriages, Civil Unions State	\$175.00
Domestic Partners State	\$0.00
Marriages, Civil Unions Twp	\$21.00
Domestic Partners Twp	\$0.00
Certified Copies	\$1,640.00
Certified Copies EDRS	\$0.00
Burial Permits	\$0.00

**TOTAL** **\$1,836.00**