

# WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

FEBRUARY 20, 2013 - 6:00 P.M.

## Meeting called to order.

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

## Work Session

Budget Message - Manager Michael Voll

## Consent Agenda

Approval of Minutes February 4, 2013  
Res. #2013-71 Payment of Vouchers \$ \$1,633,594.78  
Res. #2013-72 Recycling Tonnage Grant Resolution (annual resolution)  
Res. #2013-73 Recycling Tonnage Grant Certification of Taxes Paid (annual resolution)  
Res. #2013-74 Introduction of 2013 Budget  
Res. #2013-75 A Resolution Confirming Citizen Appointments to the Special Economic Advisory Committee  
Res. #2013-76 A Resolution Confirming the Appointments to the Citizen's Advisory Board  
Res. #2013-77 Resolution Approving An Outdoor Flea Market (Holy Spirit Lutheran Church)

## Regular Agenda

Res. #2013-78 Appointment to the Zoning Board of Adjustment (alternate member)  
Res. #2013-79 Contract Award for Broker of Record for Health Insurance  
Ord. #2013-01 An Ordinance Amending Chapter 90, Article I through III of the Code of the Township of Lower - 1975 As Amended (Restating the Establishment of the Police Department) 2<sup>nd</sup> reading and public hearing  
Ord. #2013-02 An Ordinance Amending Chapter 1 of the Revised General Ordinances of the Township of Lower (setting forth mandatory penalties for non-traffic offenses) 2<sup>nd</sup> reading and public hearing  
Ord. #2013-03 An Ordinance Amending Ordinance #2012-21 Entitled "Salary and Benefit Ordinance for the Township of Lower" (adding Engineer to Ordinance) 2<sup>nd</sup> reading and public hearing  
Ord. #2013-04 An Ordinance Amending Chapter 570 of the Revised General Ordinances of the Township of Lower (setting forth rules and regulations for "scrapping" in the Township) 2<sup>nd</sup> reading and public hearing  
Ord. #2013-05 An Ordinance Amending Chapter 600 of the Revised General Ordinances of the Township of Lower (sets forth rules, regulations and fees for rotary towing within the Township) 2<sup>nd</sup> reading and public hearing  
Ord. #2013-06 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish A Cap Bank (annual ordinance) 2<sup>nd</sup> reading and public hearing

## Administrative Reports

Personnel Action Report  
Monthly Reports: Animal Control, Construction, Dog Licensing, Municipal Clerk, Municipal Court, Tax Collector, Treasurer, Vital Statistics

## Council Comments

## Call to the Public

## Adjournment

## COUNCIL MINUTES – FEBRUARY 4, 2013

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on February 4, 2013 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 Glenn Douglass  
Deputy Mayor Norris Clark  
Mayor Michael Beck

Also present: Charles W. Sandman, III, Solicitor, Michael Voll, Manager and Karen Fournier, Clerk's Office

Swearing in New Police Officers: John T. Armbruster  
Stephen E. Flitcroft  
James P. McNulty

Mayor Beck reminisced about his police academy days, having just attended the graduation of these young officers. He stated that he is proud to welcome them to our police force.

John T. Armbruster was sworn in by Mayor Beck while his mother Kathy held the Bible.  
Stephen E. Flitcroft was sworn in by Mayor Beck while his father Albert held the Bible.  
James P. McNulty was sworn in by Mayor Beck while his father John held the Bible.  
Chief Brian Marker thanked Council for allowing him to replace retired police officers. He gave an overview of the rigorous process involved in becoming an officer and affirmed that the above officers are ready for a challenge. He also announced that our newest officer, Kaitlyn Black attended her first day of the police academy.

Eagle Scout Proclamations: Jackson Sole- not present  
Jackson VonSavage- not present  
Jared Osborn- led us in the flag salute.

Jared Osborne presented before Council to explain his Eagle Scout Project- refurbishing the David C. Douglass Sr. Memorial at the Lower Township Police Station. Mayor Beck declared that becoming an Eagle Scout is a unique and honorable experience. Mayor and Council presented Jared with a Certificate of Recognition for his accomplishments and wished him continued success in the future.

105<sup>th</sup> Birthday Proclamation: Frank Rago  
Mayor Beck invited Wayne Weisman to introduce Lower Township's oldest resident, Frank Rago, accompanied by his two daughters, Irene and Doris. Mr. Rago recently celebrated his 105<sup>th</sup> birthday. He spoke proudly of his life experiences including being a tap dancer, a barber and a shoe designer. Mayor Beck described him as a Township treasure. Mayor Beck and Council congratulated Mr. Rago on his 105<sup>th</sup> birthday and presented him with a Certificate of Recognition.

## **Work Session**

### **FEMA Discussion - Mayor Beck**

Mayor Beck stated that he is working on getting a FEMA representative here, but they are reluctant to do a public meeting until the information on the elevation map is accurate.

### **Special Economic Advisory Committee Discussion - Deputy Mayor Clark**

Deputy Mayor Clark requests to establish a special economic advisory committee, comprised of 10 members – 2 nominees from each Councilmember - in an effort to promote tourism and attract jobs in the Township.

### **Walt Fiore - Code Enforcement Officer**

Walt Fiore, Code Enforcement Officer, gave an explanation of his responsibilities in enforcing the local codes and ordinances in the Township. He handles matters such as high grass, inoperable vehicles on properties, trash being put out too early, zoning violations and mercantile license enforcement.

Mayor Beck stated that the purpose of Code Enforcement is to keep our town clean, presentable and within compliance.

Councilmember Conrad pointed out that Mr. Fiore is the only Code Enforcement Officer in the entire Township, with a 35 hour work week and 1 day in court, so he is a busy man.

Mayor Beck stated that he would like to see repeat offenders published in the newspaper to send a message that we are serious about code enforcement in this Township. He would also like the Township to crack down on yard sale signs. We have an ordinance against signage for good reason.

Councilmember Conrad inquired about having back up reinforcement on the weekends.

Manager Voll replied that he will try to put something in place with a limited budget.

Councilmember Douglass complimented Mr. Fiore for the great job he does and appreciates his work.

Bill Greenfield of Villas asked Mr. Fiore if he accepts anonymous complaints.

Mr. Fiore stated that he prefers a name and phone number of the complainant to keep them informed; however their name will not be given to the violator.

Janet Pitts addressed Council regarding rental property violations.

Mr. Fiore replied that he gives violation notices to both renter and owner when a property is in violation.

### **"Scrappers" Ordinance Discussion**

Solicitor Chuck Sandman gave an update on the Scrappers Ordinance #2013-04, noting amendments to Chapter 570-16 Section C, and the license period to run from January 1 to December 31 of the permit year. Mayor Beck stated that Council is not without compassion and understands the tough economic times. This ordinance will make scrapping legal and will not hurt the Township in any way.

Councilmember Conrad reiterated the importance of the recycling metal rebate in keeping the budget down for taxpayers.

## **Consent Agenda**

Councilmember Neville referenced Res. #2013-54 for further explanation.

Bill Galestock, Township Planning Director, explained that the MUA requested that their property, along with a few others, be put into the resolution to be incorporated into the applicable WQM plan to eliminate future permits and fees from the State.

Tom Frisoli of Villas addressed Council regarding appropriations for Res. #2013-65 – Res. #2013-69 for work on the Millman Center, and hiring local contractors.

Manager Voll stated that Council appropriated \$200,000. last year for Millman Center renovations, and the Township CFO certified that the money is in place from all the different areas. He instructed the QPA to do it in pieces to keep it within the budget.

Deputy Mayor Clark replied that Margaret Vitelli, Township QPA has reached out to local contractors to encourage them to bid, but many of them, for various reasons, do not want to take the business.

Mayor Beck added that the State License fee- just to enable a bid on the Municipal building- cost \$300.00, and that doesn't get them the contract.

Mr. Frisoli, member of MUA, expressed his concerns about the water appropriation mapping system.

Bill Galestock replied that the map has gone back and forth on several occasions and is still not complete.

Frank Seraco of Villas addressed Council regarding Ordinance #2013-06.

Mayor Beck explained that we do this every year.

Manager Voll confirmed that the budget being proposed is within the 2% cap. The Ordinance establishes permission to increase it to 3.5% if necessary.

Ed Butler of Villas addressed Council regarding Res. #2013-55, establishing the bid threshold.

Manager Voll stated that our QPA does a great job analyzing information before it comes to him for approval.

Julie Picard, Township Clerk affirmed that nothing is changing; the resolution is simply reestablishing the bid threshold. Because we have a QPA, the State of NJ sets the bid threshold at \$36,000. Anything over \$17,000 requires a pay to play bid. Anything between \$2,000 and \$17,000 requires 3 quotes.

Mr. Butler also inquired about the adoption of ordinances and requested that they be indicated on the agenda.

Julie Picard explained that anything on the consent agenda is 1<sup>st</sup> reading. Once the 1<sup>st</sup> reading of an ordinance is passed, it is posted, published and made available to the public at no charge.

Membership Applic.	NJ State Fireman's Association - Theodore A. Bohn, Townbank Volunteer Fire Co.
Approval of Minutes	January 23, 2013
Res. # 2013-53	Payment of Vouchers \$2,737,901.45
Res. # 2013-54	A Resolution Consenting to the Proposed Water Quality Management (WQM) Plan Amendment Entitled Cape May County Water Quality Plan (required by the Cape May County Planning Board)
Res. # 2013-55	Resolution Establishing the Bid Threshold Pursuant to NJSA 40A:11-3a (setting the bid threshold at \$36,000 and the bid quotation threshold not to exceed \$4,350.)
Res. # 2013-56	Resolution Supporting the \$20 Million Emergency Supplemental Marketing Funding (A3630/S2435) For the New Jersey Division of Travel and Tourism to

- Address the Negative Image of the Condition of the Jersey Shore in the Aftermath of Hurricane Sandy (requested by the Chamber of Commerce)
- Res. # 2013-57 Creating a Special Economic Advisory Committee
  - Res. # 2013-58 Appointment of Full Time Township Engineer (George Curvan, \$70,000.)
  - Res. # 2013-59 Issuance of 2013 Limousine, Taxi & Operator Licenses (annual renewal)
  - Res. # 2013-60 Renewal of Trailer Park Licenses for the year 2013 (annual renewal)
  - Res. # 2013-61 Authorization for the Township of Lower to Apply For An Emergency Management Agency Assistance Subgrant (\$10,000 grant with \$5,000. match)
  - Res. #2013-62 Appointment of William Blaney, Esq. As Labor Attorney (not to exceed \$25,000.)
  - Res. #2013-63 Transfer of 2012 Appropriations (\$100.)
  - Res. #2013-64 Authorizing Payout of Terminal Leave (B. Marker \$30,000.)
  - Res. #2013-65 Bid Acceptance and Contract Award for Revised Renovation For Millman Community Center (Joseph Poretta Builders Total Award \$190,500.)
  - Res. #2013-66 Award of Supply and Installation of Commercial Ansul Fire System (Don J Urie Assoc. \$19,647)
  - Res. #2013-67 Award of Supply and Installation of Flooring at Millman Senior Center (Huffman's \$31,064.40)
  - Res. #2013-68 Bid Acceptance And Contract Award for HVAC Ductwork Replacement Millman Community Center ( Multi-Temp Mechanical \$44,500.)
  - Res. #2013-69 Bid Acceptance and Contract Award for Fire Suppression System for Millman Community Center (Affordable Fire Protection \$55,000.)
  - Ord. #2013- 03 An Ordinance Amending Ordinance #2012-21, Entitled "Salary and Benefit Ordinance for the Township of Lower" (adding Township Engineer )
  - Ord. #2013-04 An Ordinance Amending Chapter 570 of the Revised General Ordinances of the Township of Lower ( sets forth regulations and fees for "scrapping" in the Township)
  - Ord. #2013-05 An Ordinance Amending Chapter 600 of the Revised General Ordinances of the Township of Lower ( sets forth rules, regulations and fees for rotary towing within the Township)
  - Ord. #2013-06 An Ordinance to Exceed the Municipal Budget Appropriation Limits and Establish A Cap Bank (annual Ordinance)  
This is the first reading of Ordinances 2013-03 thru 2013-06. 2<sup>nd</sup> reading & public hearing has been scheduled for February 20, 2013.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
NEVILLE		X	X			
DOUGLASS			X*			
CLARK			X			
BECK			X			

\*Councilmember Douglass abstained from Res. #2013-62 and approval of minutes.

## **Regular Agenda**

### **Administrative Reports**

Personnel Action

### **Council Comments**

Councilmember Conrad congratulated the new police officers and the Eagle Scouts. He also congratulated George Curvan, Township Engineer and briefly explained the interview process.

Mayor Beck welcomed George Curvan and explained why we hired a full-time Engineer.

Councilmember Neville congratulated the new police officers as well as the new engineer. He reiterated that the Township is going to rely heavily on his expertise when dealing with the DEP and FEMA.

Councilmember Douglass welcomed George Curvan and complimented Chief Marker on the new police officers, describing them as "the cream of the crop".

Deputy Mayor Clark congratulated all the new additions to our team. He announced that Lieutenant Governor Kim Guadagno visited a local antique shop today to help promote and shine the spotlight on Lower Township businesses in an effort to clear up the misconception that Cape May County was washed away by Superstorm Sandy.

### **Call to the Public**

Maryann Rementer of Villas addressed Council regarding drug dealers. She stated that she has made it her mission to get drugs out of this community and would like the public to get more involved. She asked Mayor Beck to touch on their meeting regarding a task force.

Mayor Beck said we recrafted our public safety platform to include an extensive comment on this issue. He tips his hat to the police department for the hit they made at East St. Johns Avenue, along with a few others. He warned anyone involved with drugs in this Township to get out.

Councilmember Conrad reiterated that in order to be successful, we need the community to be involved and work with our police force.

Janet Pitts of Villas addressed Council regarding a resolution from the Keep it Green Coalition. She warned that by passing this resolution, it would usurp the voting rights on ballot initiatives regarding Open Space Allocation.

Ed Butler of Villas addressed Council to suggest more time between the readings of and the passage of ordinances.

Mayor Beck replied that there is always an opportunity for public comment before an ordinance is passed.

Rachel Hansen of Two Mile Crab House addressed Council on behalf of herself, her brother Jason and her father Blair to voice their concerns about trying to obtain permits to expand their business.

Manager Voll explained that our Township Construction Office is a Class 2. The work at Two Mile, because of the type of building it is, requires a Class 1 construction permit.

Bill Galestock, Township Planning Director, said that he spoke with Township Construction Official, Gary Playford, about getting an alternate fire official to review the plans, which he believes were signed off on.

Manager Voll stated that the Department of Community Affairs comes tomorrow. With no anticipated problems, he hopes they get their Certificate of Occupancy.

Mayor Beck offered Council's help if needed.

**Closed Session**

Res. #2013- 70

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.  
(Neighborhood Dispute / possible litigation)

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

**Adjournment**

Council returned to open session and there being no further business, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Neville. Meeting adjourned at 8:15 p.m. by verbal "ayes".

\_\_\_\_\_  
Mayor

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

Approved:



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00616 ANIMAL ALLIANCE OF CAPE								
	13-00455	02/14/13	TNR AND SPAY/NEUTER PROGRAM	Open	350.00	0.00		
	13-00456	02/14/13	TNR AND SPAY/NEUTER PROGRAM	Open	750.00	0.00		
	13-00457	02/14/13	TNR AND SPAY/NEUTER PROGRAM	Open	200.00	0.00		
	13-00458	02/14/13	TNR SPAY AND NEUTER PROGRAM	Open	200.00	0.00		
	13-00459	02/14/13	TNR SPAY/NEUTER PROGRAM	Open	<u>100.00</u>	0.00		
					1,600.00			
00630 CMC CHAMBER OF COMMERCE								
	13-00364	02/04/13	2013 MEMBERSHIP	Open	550.00	0.00		
00739 CAPE MAY VETERINARY HOSPITAL								
	13-00460	02/14/13	TNR PROGRAM	Open	35.00	0.00		
00772 CAPE VETERINARY HOSPITAL								
	13-00414	02/07/13	STRAY SPAY/NEUTER PROGRAM	Open	205.00	0.00		
00784 CAPE MAY STAR & WAVE								
	13-00356	02/01/13	ONE INSERTION 1/30/13	Open	45.82	0.00		
	13-00463	02/15/13	ORDINANCE 2013-03,04,05,06	Open	<u>43.40</u>	0.00		
					89.22			
00807 CDW-GOVERNMENT INC*								
	12-02942	11/09/12	OFFICE EQUIPMENT	Open	515.12	0.00		
	12-03239	11/28/12	REPLACEMENT TO VICTIM	Open	200.00	0.00		
	13-00152	01/14/13	CYBERPOWER 1350VA UPS	Open	<u>143.90</u>	0.00		
					859.02			
00820 COMCAST OF WILDWOOD* DPW								
	13-00352	02/01/13	DPW/INTERNET	Open	102.00	0.00		
00825 COMCAST*								
	13-00442	02/13/13	INTERNET 02/15/13-03/14/13 TOW	Open	87.96	0.00		
00933 CAPE MAY CO.COURT ADMIN. ASSN.								
	13-00310	01/30/13	DUES	Open	200.00	0.00		
01170 VERIZON WIRELESS* F/S								
	13-00401	02/06/13	CELL-FIRE SAFETY 12/27/12-1/26	Open	67.83	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	13-00346	02/01/13	CELL PHONE 12/24/12-1/23/13	Open	521.58	0.00		
	13-00365	02/04/13	CELL PHONE JANUARY 2013-IPHONE	Open	<u>946.85</u>	0.00		
					1,468.43			
01372 GARY PLAYFORD								
	13-00420	02/07/13	REIM FOR POSTAGE OVERNITE PACK	Open	24.10	0.00		
	13-00461	02/14/13	RETURN OF UNUSED ESCROW	Open	<u>21.50</u>	0.00		
					45.60			
01492 F THOMAS HILLEGASS								
	13-00367	02/04/13	DWI SESSION-ST VS CLUFF	Open	300.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01590 FORD, SCOTT & ASSOCIATES*	13-00332	01/31/13	PROGESS BILL AUDIT/BUDGET 2013	Open	5,000.00	0.00		
01653 GENTILINI FORD*	13-00309	01/30/13	PARTS FOR TRUCK RC3	Open	548.14	0.00		
01781 HATCH MOTT MACDONALD, LLC*	12-01983	07/18/12	BEACH DRIVE PEDESTRIAN ACCESS	Open	3,030.00	0.00		B
	12-02197	08/13/12	2011 DEL. BAY SHORE OUTFALL EX	Open	10,174.24	0.00		B
	12-02547	09/20/12	PROFESSIONAL ENGINEERING SERV	Open	798.00	0.00		B
	13-00301	01/29/13	INSPECTION OF OUTFALL	Open	427.80	0.00		
	13-00434	02/13/13	ENGINEERING Z12-10-03	Open	345.00	0.00		
	13-00435	02/13/13	ENGINEERING Z11-11-01	Open	200.00	0.00		
					<u>14,975.04</u>			
01803 HORIZON DENTAL OPTION*	13-00389	02/05/13	COBRA GRP 33-96976	Open	43.30	0.00		
01804 HOLTZ LEARNING CENTERS, LTD*	13-00260	01/23/13	TRAINING	Open	1,120.00	0.00		
01806 ANTHONY J HARVATT, II, ESQ	13-00210	01/18/13	BOARD SOLICITOR SALARY	Open	466.66	0.00		
	13-00436	02/13/13	RESOLUTIONS	Open	300.00	0.00		
					<u>766.66</u>			
01834 RICHARD HOOYMAN	13-00387	02/05/13	MEDICAL CLAIMS- V	Open	135.00	0.00		
01898 HERITAGE BUSINESS SYSTEMS, INC*	13-00329	01/31/13	ANNUAL MAINTENANCE CONTRACT	Open	257.04	0.00		
02025 HUNTER JERSEY PETERBILT*	13-00319	01/30/13	PARTS FOR TRUCK	Open	1,302.92	0.00		
02027 JESCO INC*	13-00306	01/30/13	SEAL KIT/FREIGHT/DPW	Open	241.09	0.00		
	13-00315	01/30/13	FILTERS/DPW	Open	207.94	0.00		
					<u>449.03</u>			
02108 KEEN COMPRESSED GAS CO*	13-00124	01/11/13	BOTTED GAS FOR GARAGE/DPW	Open	225.31	0.00		
02140 KINDLE FORD LINC/MERC., INC.*	13-00128	01/11/13	PARTS FOR POLICE VEHICLE	Open	1,471.49	0.00		
02223 LANDSMAN UNIFORMS*	12-01220	05/14/12	UNIFORMS	Open	1,278.50	0.00		
02247 LAWSON PRODUCTS, INC.*	13-00139	01/11/13	SUPPLIES FOR GARAGE	Open	20.27	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02247 LAWSON PRODUCTS, INC.*			Continued					
	13-00307	01/30/13	SUPPLIES FOR DPW GARAGE	Open	<u>1,048.97</u>	0.00		
					1,069.24			
02320 LOWER TOWNSHIP BRD OF EDUCATN								
	13-00421	02/07/13	SCHOOL TAXES DUE 03/01/2013	Open	1,495,251.40	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE								
	13-00462	02/15/13	MEMBERSHIP LUNCHEON	Open	45.00	0.00		
02349 ROBERT LUBBERMAN								
	13-00388	02/05/13	REF BOYS 7/8 LOWER/LOWER REC	Open	40.00	0.00		
	13-00405	02/06/13	5/6 BBALL OFFICIAL 2/5/2013	Open	40.00	0.00		
	13-00444	02/13/13	BOYS BASKETBALL REF	Open	<u>80.00</u>	0.00		
					160.00			
02715 MODERN HANDLING EQUIP CO*								
	13-00174	01/15/13	SHOCK MOUNT/BELT/DPW	Open	1,476.72	0.00		
03160 OFFICE BASICS, INC*								
	13-00181	01/16/13	STAND AND SHELFING FOR COUNTER	Open	247.98	0.00		
	13-00197	01/17/13	WALL HANGING FILE BINS	Open	97.89	0.00		
	13-00344	02/01/13	3X5 FLAG WITH 8' POLE	Open	<u>186.99</u>	0.00		
					532.86			
03226 OLD DOMINION BRUSH CO.*								
	13-00173	01/15/13	LEAF MACHINE PARTS	Open	3,418.94	0.00		
03305 PEDRONI FUEL*								
	13-00391	02/05/13	FUEL/JAN	Open	560.26	0.00		
03365 LYNN JEFFERIS								
	13-00450	02/13/13	MEDICAL CLAIMS	Open	195.94	0.00		
03427 POLAR BEAR*								
	13-00318	01/30/13	NO HEAT IN TAX OFFICE SERVICE	Open	140.00	0.00		
03435 PUBLIC ENGINES INC*								
	13-00222	01/18/13	ANNUAL SUBSCRIPTION	Open	1,188.00	0.00		
03453 QUILL CORPORATION*								
	13-00202	01/17/13	OFFICE SUPPLIES	Open	137.34	0.00		
03518 RIGGINS, INC.*								
	13-00353	02/01/13	HIGHWAY DIESEL	Open	443.11	0.00		
03544 PORTER LEE CORP*								
	13-00223	01/18/13	ANNUAL CONTRACT	Open	840.00	0.00		
03655 PENN JERSEY MACHINERY*								
	13-00175	01/15/13		Open	208.18	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03723 STAPLES, INC.*	13-00333	01/31/13	OFFICE SUPPLIES	Open	194.58	0.00		
03750 STATE DISTRIBUTION & SUPPLY	13-00284	01/28/13	ARCHIVE BOXES AND PLATES	Open	139.43	0.00		
03765 TAX COLL&TREAS ASSN OF C M C*	13-00412	02/06/13	2013 MEMBERSHIP DUES	Open	200.00	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	13-00443	02/13/13	WATER BILL- DUE 03/04/2013	Open	1,168.87	0.00		
	13-00465	02/15/13	SEWER DUE 03/04/2013	Open	<u>160.00</u>	0.00		
					1,328.87			
03814 UNIVERSAL COMPUTING SERV.,INC*	13-00213	01/18/13	MSILERS	Open	379.65	0.00		
03904 LOWE'S HOME CENTER INC*	13-00131	01/11/13	SUPPLIES/DPW/GARAGE	Open	161.92	0.00		
03985 VILLAS NAPA AUTO PARTS	13-00127	01/11/13	RDS/SANT/RECY	Open	2,397.69	0.00		
03992 VAL-U AUTO PARTS LLC*	13-00122	01/11/13	RDS/SANT/RECY/DPW	Open	3,610.33	0.00		
	13-00141	01/11/13	AUTO PARTS-ROADS AND COUNTY	Open	<u>1,222.37</u>	0.00		
					4,832.70			
04077 RONALD J. GELZUNAS	13-00366	02/04/13	DWI SESSION-ST VS CLUFF	Open	200.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*	13-00416	02/07/13	SUPPLIES FOR LOCKBOX	Open	361.72	0.00		
04123 TAMMY DECKER	13-00337	02/01/13	PAYMENT FOR PILATES INTRUCTOR	Open	55.00	0.00		
04176 CHRISTOPHER J WINTER SR*CALEA	12-02442	09/11/12	CALEA ACCREDITATION CONSULTING	Open	880.00	0.00		B
04266 NJ DEPT OF HEALTH&SENIOR SVCS	13-00386	02/05/13	STATE DOG LICENSE-JAN 2013	Open	978.00	0.00		
04300 W B MASON CO INC*	12-01653	06/13/12	OFFICE SUPPLIES	Open	2,269.75	0.00		
	12-03419	12/20/12	OFFICE SUPPLIES	Open	66.41	0.00		
	13-00273	01/25/13	PLASTIC CHAIR MATS	Open	432.89	0.00		
	13-00280	01/25/13	OFFICE SUPPLIES	Open	<u>193.97</u>	0.00		
					2,963.02			
04301 SEASHORE ASPHALT CORPORATION*	13-00140	01/11/13	HMA 9.5M64 PATCH	Open	900.12	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04301 SEASHORE ASPHALT CORPORATION*			Continued					
	13-00225	01/18/13	HP PATCH	Open	<u>89.10</u>	0.00		
					989.22			
04445 TRICOMM SERVICES CORP*								
	12-03114	11/13/12	CONFERENCE BRIDGE SETUP	Open	127.50	0.00		
	12-03386	12/14/12	MOVE/INSTALL TEL LINES MOVE	Open	<u>1,882.00</u>	0.00		
					2,009.50			
05078 JAY GRESS INC*								
	13-00261	01/23/13	MOTOR OIL/GARAGE	Open	704.35	0.00		
05102 DAVID THOMAS								
	13-00347	02/01/13	CONTRACTUAL REIMBURSEMENT-V	Open	100.00	0.00		
5022 INSTITUTE FOR FORENSIC PSYCHO*								
	13-00354	02/01/13	PSYCHOLOGICAL EXAM	Open	975.00	0.00		
5032 NORTH WILDWOOD \$ CREST SHIRT*								
	13-00227	01/22/13	BASKETBALL SHIRTS	Open	239.00	0.00		
5089 MICHAEL LUCCHESI								
	13-00445	02/13/13	BOYS BASKETBALL REF	Open	80.00	0.00		
5899 JOHN MCCORMACK								
	13-00440	02/13/13	RETURN OF UNUSED ESCROW	Open	327.00	0.00		
6001 JOYCE LASKEY								
	13-00399	02/06/13	DOG SPAY	Open	35.00	0.00		
	13-00400	02/06/13	DOG SPAY	Open	<u>35.00</u>	0.00		
					70.00			
AFISHER ANDREW FISHER								
	13-00340	02/01/13	BACKGROUND FOR WRESTLING COACH	Open	26.00	0.00		
BIRCH BIRCH'S COMMUNICATIONS LLC*								
	12-03349	12/11/12	RADIOS TO MEET NEW FAA	Open	3,145.00	0.00		
BOSNA KAREN MANETTE BOSNA								
	13-00338	02/01/13	PAYMENT FOR YOGA INSTRUCTOR	Open	75.00	0.00		
HOOVER ROBERT HOOVER & SONS INC*								
	13-00176	01/15/13	SUPPLIES FOR GARAGE/DPW	Open	496.77	0.00		
KWISE KELSY WISE								
	13-00339	02/01/13	PAYMENT TO ZUMBA INSTRUCTOR	Open	255.00	0.00		
MARGATE MARGATE RECREATION								
	13-00404	02/06/13	MARGATE MADNESS TOURNAMENT	Open	150.00	0.00		
MCAA MCAA OF NEW JERSEY								
	13-00212	01/18/13	DUES	Open	90.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ROSSIS STEVEN ROSSI	13-00406	02/06/13	5/6 BBALL OFFICIAL- 02/05/2013	Open	40.00	0.00		
TACPR TAC PRINTING & MARKETING SERV*	12-03389	12/14/12	2013 STICKERS CONTRACTOR LICEN	Open	172.92	0.00		
Total Purchase Orders: 122 Total P.O. Line Items: 276 Total List Amount: 1,598,438.03 Total Void Amount: 0.00								

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

**RESOLUTION # 2013-71**

**TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
J BYRNE INSURANCE	13-00423	2013 RECREATION LIABILITY INS	\$12053.00
TREASURER, COUNTY	13-00395	ANIMAL SHELTER	\$23103.75

<b>Total Manual Checks</b>	<b>\$ 35,156.75</b>
<b>Total Computer Generated Bill List</b>	<b>\$1,598,438.03</b>
<b>Total Bill List</b>	<b>\$1,633,594.78</b>

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on February 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013 - 72

TITLE: RECYCLING TONNAGE GRANT RESOLUTION

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, A resolution authorizing this municipality to apply for the **2013 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW ,THEREFORE, BE IT RESOLVED** by the Township Council of Township of Lower that Township of Lower hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Linda Thomas, CRP to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on February 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

**RESOLUTION #2013- 73**

**Title: RECYCLING TONNAGE GRANT CERTIFICATION OF TAXES PAID**

**WHEREAS**, the Recycling Enhancement Act, P.L. 2007, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

**WHEREAS**, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Township hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2012 in the amount of \$34,697.61. Documentation supporting this submission is available at the Municipal Hall located at 2600 Bayshore Road, Villas, NJ 08251 and shall be maintained for no less than five years from this date.

REA Tax certified by: Lauren Read, CFO, Township of Lower  
Date: 01/23/2013

I hereby certify the foregoing to be a resolution adopted by the Township Council on February 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

# MUNICIPAL BUDGET NOTICE

## Section 1.

Municipal Budget of the TOWNSHIP of LOWER, County of CAPE MAY for the Fiscal Year 2013

Be it resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Fiscal year 2013:

Be it Further Resolved, that said Budget be published in the CAPE MAY STAR AND WAVE

In the issue of \_\_\_\_\_, 2013

The Governing Body of the TOWNSHIP of LOWER, does hereby approve the following as the Budget for the Fiscal Year 2013:

### RECORDED VOTE

(Insert last name)

Ayes

Nays

Abstained

Absent

Notice is hereby given that the Budget and Tax Resolution was approved by the TOWNSHIP COUNCIL of the TOWNSHIP of LOWER, County of CAPE MAY, on February 20th, 2013.

A Hearing on the Budget and Tax Resolution will be held at TOWNSHIP HALL MUNICIPAL BUILDING, on APRIL 1st, 2013 at 6:00 o'clock <sup>(A.M.)</sup> <sub>(P.M.)</sub> at which time and place objections to said Budget and Tax Resolution for the year 2013 may be presented by taxpayers or other interested persons.

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

RESOLUTION # 2013-75

TITLE: A RESOLUTION CONFIRMING CITIZEN APPOINTMENTS TO THE SPECIAL ECONOMIC ADVISORY COMMITTEE

WHEREAS, Resolution #2013-57 created a Special Economic Advisory Committee ("committee") effective February 4, 2013 and the committee's existence shall terminate on December 31, 2014; and

WHEREAS, the Committee shall be made up of 10 citizen members selected by two (2) nominations from each councilmember.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the following members are hereby approved to serve on the Special Economic Advisory Committee and shall serve on the committee until the committee's existence terminates on December 31, 2014.

<u>NAME</u>	<u>Appointed By</u>
Curtis Bashaw	Mayor
Daniel Cohen	Mayor
David Craig	Deputy Mayor
Rick Weber	Deputy Mayor
	Ward 1
	Ward 1
John McNulty	Ward 2
	Ward 2
Jay Sporhl	Ward 3
Ernest Utsch III	Ward 3

I hereby certify the foregoing to be a Resolution adopted by the Township Council at a meeting held on February 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION # 2013-76

TITLE: A RESOLUTION CONFIRMING APPOINTMENTS TO THE CITIZEN'S ADVISORY BOARD

WHEREAS, Ordinance #2011-06 created a Citizens Advisory Board; and

WHEREAS, the Board shall be made up of 10 members, selected by two (2) nominations from the Mayor and each Councilmember; and

WHEREAS, the original terms expired 12/31/2012, leaving one appointment per member.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the following members are hereby approved to serve on the Citizen's Advisory Board with the following Term Expiration:

<u>NAME</u>	<u>Appointed By</u>	<u>Term Expiration</u>
Edward Butler	Mayor	12/31/2014
John Campbell	Deputy Mayor	12/31/2014
Colleen Hughes	Ward 1	12/31/2014
	Ward 2	12/31/2014
Jacqueline Henderson	Ward 3	12/31/2014

I hereby certify the foregoing to be a Resolution adopted by the Township Council at a meeting held on February 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

**RESOLUTION #2013-77**

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

**WHEREAS**, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13; 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 a flea market on June 8, 2013 with a rain date of June 15, 2013 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 February 20, 2013

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

**APPLICATION FOR OUTDOOR FLEA MARKET**

Name of Organization HOLY SPIRIT LUTHERAN CHURCH

Name of Applicant (Responsible Party): FRAN GREEN

Address/Phone # of Responsible Party: 8 AVALON RD

N. CAPE MAY, NJ. 08204

Location of Flea Market: 1220 BAYSHORE RD, VILLAS

Proceeds to Benefit: HOLY SPIRIT LUTHERAN CHURCH

Date of Flea Market: SAT. JUNE 8

Rain Date: SAT. JUNE 15

Please check appropriate category for organization

Non-Profit     Civic     Charitable     Religious

*Fran Green*  
Signature of Person in Charge

---

**FOR TOWNSHIP USE ONLY**

Approved by Council on \_\_\_\_\_

Resolution # 2013-77

Notes/Conditions \_\_\_\_\_

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

RESOLUTION #2013- 78

TITLE: APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

**WHEREAS**, Kristine Trusiak, Alternate Member, term expired December 2012 for the Zoning Board of Adjustment; and

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

**NOW, THEREFORE, BE IT RESOLVED** the following appointment to the Zoning Board of Adjustment be made as noted below:

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

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on February 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

FOR TOWNSHIP USE ONLY

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

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

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

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

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

RECEIVED  
1-30-13

NAME Erik Collins

CITY AND STATE North Cape May, NJ

YEARS OF RESIDENCY IN TOWNSHIP 34 OCCUPATION Self Emp - Collins Iron Works  
Dennisville Fence

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.

LCMRHS Graduate / 2 yrs @ ACC /  
Work Exp: All aspects of decks + fences for past 12 yrs.  
Ability to work well with others.

Date: 1/29/13 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

2-6-13

NAME GEORGE DOHERTY

CITY AND STATE 552 SEASHORE RD. ERMA NJ 08204

YEARS OF RESIDENCY IN TOWNSHIP 14 OCCUPATION MAINTENANCE

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 AM A HIGH SCHOOL AND COLLEGE GRADUATE.  
I AM VERY INTERESTED IN THE WELL BEING OF  
MY COMMUNITY, I HAVE SOME KNOWLEDGE OF  
CONSTRUCTION, AND THINK THIS COULD BE HELPFUL.  
ALSO I TAKE ANY RESPONSIBILITY VERY SERIOUSLY  
I HOPE YOU GIVE ME A CHANCE TO HELP OUR TOWN.

Date: \_\_\_\_\_ Signature: George Doherty (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

1-28-13

NAME John Campbell

CITY AND STATE Irma, NJ

YEARS OF RESIDENCY IN TOWNSHIP 44 OCCUPATION Police Officer

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 don't have any education or experience in this particular area but I look forward to the opportunity to learn and gain knowledge from those that do.*

Date: 1/27/13 Signature: John Campbell

(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 #2013-79

**TITLE: CONTRACT AWARD FOR BROKER OF RECORD FOR HEALTH INSURANCE**

**WHEREAS**, a request for proposals for Broker of Record and Risk Management Consultant was advertised on November 21, 2012 and accepted on December 28, 2012 at 11:00 a.m.; and

**WHEREAS**, four proposals were submitted and reviewed by the QPA, and the Insurance Review Committee; and

**WHEREAS**, \_\_\_\_\_ has been selected as the Broker of Record for Health Insurance for the year 2013.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council that \_\_\_\_\_ has been selected as the Broker of Record for Health Insurance and for the year 2013.

I hereby certify the foregoing Resolution was adopted by the Township Council on February 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

1-23-13 - 1<sup>st</sup>  
2-20-13 - 3<sup>rd</sup>

Township of Lower, County of Cape May, State of New Jersey

**ORDINANCE #2013-01**

**AN ORDINANCE AMENDING CHAPTER 90, ARTICLES I THROUGH III OF THE CODE OF THE TOWNSHIP OF LOWER – 1975, AS AMENDED (Restating the Establishment of the Police Department)**

**Section 1. Legislative Intent**

**WHEREAS**, the Township of Lower has established a Police Department pursuant to N.J.SA 40A:14-118, known as Chapter 90, Articles I through III of the Code of the Township of Lower – 1975 as amended; and

**WHEREAS**, recently developments in the law of the State of New Jersey require a restatement of the establishment of the Police Department; accordingly,

**BE IT ORDAINED**, by the Mayor and Council of the Township of Lower that the currently existing Chapter 90, Articles I through III of the Code of the Township of Lower – 1975 as amended, be replaced in full with the sections of this Ordinance.

**Section 2.** All appointments to positions within the Police Department extant prior to the date of final adoption of the within Ordinance shall remain in full force and effect and shall not be in any way impacted by the passage of this Ordinance and shall be modified only upon further appropriate action of the Mayor and Council of the Township of Lower.

**Section 3.** Chapter 90, Articles I through III of the Code of the Township of Lower – 1975 as amended, is hereby supplanted and replaced *in toto* with the following provisions:

**Article I. Establishment; Organization**

**§ 90-1. Creation.**

There is hereby created a Police Department for the Township of Lower, County of Cape May, State of New Jersey, the head of which shall be the Chief of Police, and which may consist of up to two Captains; up to three Lieutenants; up to seven Sergeants; up to 36 full-time Patrolmen; and such number of civilian employees as the Township may designate.

**§ 90-2. Appointing Authority.**

The Chief of Police, other superior officers, police officers and employees shall be appointed by the Township Manager from a list of candidates supplied by the Civil Service Commission.

**§ 90-3. Appropriate Authority, Adoption Of Rules And Regulations.**

The appropriate authority, as said term is used in N.J.SA 40A:14-118, shall be the Township Manager of the Township of Lower. The Chief of Police shall be the head of the Police Department and shall be directly responsible for the efficiency and routine day-to-day operations of the Police Department to the Township Manager. The Township Manager shall be responsible for the overall performance of the Police Department. The

Township Manager, with the advice of the Chief of Police, shall adopt and promulgate rules and regulations for the government of the Police Department and for the discipline of its members. The Township Manager, with the advice of the Chief of Police, may from time to time amend and repeal, such rules and regulations, as he may deem necessary for the government and efficient working of the Police Department. Failure to post rules and regulations shall in no way invalidate such rules and regulations.

#### **§ 90-4. Powers and duties of Chief of Police.**

The Chief of Police shall have the following duties and responsibilities:

- A. Administer and enforce the rules and regulations and special emergency directives for the disposition and discipline of the Department, its officers and personnel.
- B. Have, exercise and discharge the functions, powers and duties of the Police Department.
- C. Prescribe the duties and assignments of subordinates and other personnel.
- D. Delegate such of his authority as may be necessary for the efficient operation of the force to be exercised under his direction and supervision.
- E. Report at least monthly to the Township Manager, in such form as shall be prescribed by the Township Manager, on the operation of the Police Department during the preceding month, and make such other reports as may be requested from time to time by the Township Manager.

The Chief of Police shall be responsible for coordinating all public safety functions in the Township. In this role, he shall coordinate with the local Fire District(s) regarding services and equipment they obtain from the Township to the extent not otherwise provided by law, Resolution or Ordinance. The Chief of Police shall be in charge of the Township's emergency dispatch system and all personnel assigned to the same shall report to him through the Police Department's chain of command.

#### **§ 90-5. Rules and Regulations.**

The Township hereby authorizes and approves the implementation of the attached Lower Township Police Rules and Regulations adopted by the Township Manager for the purpose of providing a general guideline for the Lower Township Police Department. These rules and regulations shall be followed and enforced in accordance with the laws of the State of New Jersey and any Lower Township Police Department policies and procedures consistent therewith.

#### **§ 90-6. Special Officers.**

- A. The regular Police Department may be augmented by resolution of the Mayor and Council by the appointment of special officers, to serve at the will of the Mayor and Council during periods of emergency or public necessity.
- B. During their period of service, such special officers shall serve at a salary determined by

the Mayor and Council and shall be governed by and under the rules and regulations of the Police Department, and under the direction and supervision of the Chief of Police.

**§ 90-7. Temporary and Permanent Appointments.**

- A.** Prior to any permanent appointment for an indefinite term in the Police Department, any appointee except a police officer must serve a four month working test period (probationary term), at the expiration of which the appointment shall either be made permanent or terminated or the working test period extended consistent with the then current New Jersey Civil Service Statute and implementing regulations. Temporary and probationary appointments shall be distinguished as such by a written communication to the person appointed setting forth the classification of the appointment, and a copy of the communication shall be entered in the records of the Chief of Police and the Township Clerk.
- B.** Prior to any police officer receiving a permanent appointment for an indefinite term in the Police Department, an appointee must serve a one year working test period (probationary term), after graduation from an accredited basic police training academy, at the expiration of which the appointment shall either be made permanent or terminated or the working test period extended consistent with the then current New Jersey Civil Service Statute and implementing regulations..

**§ 90-8. Appointment and Promotions.**

All applicants for appointment to or for promotion within the Police Department shall be qualified for appointment or promotion as required by law, ordinance and civil service rules and regulations. All applicants for appointment shall be residents of the Township of Lower and must maintain continuous residency within the Township of Lower until the announced closing date of the Department of Personnel examination.

**Article II. Special Law Enforcement Officers**

**§ 90-9. Creation.**

There is hereby created in the Township of Lower the position of Class 1 and Class 2 special law enforcement officers.

**§ 90-10. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**SPECIAL LAW ENFORCEMENT OFFICER:**

Any person appointed pursuant to the Special Law Enforcement Officers' Act (*N.J.S.A. 40A:14-146.8 et seq.*) to temporarily or intermittently perform duties similar to those regularly performed by the members of the municipal police force or to provide assistance to a police force during seasonal periods or in times of emergency.

**§ 90-11. Designation of Classes.**

There shall be two classes of special law enforcement officers employed by the Township

of Lower, pursuant to the Special Law Enforcement Officers' Act:

- A. Class 1. Officers of this class shall be authorized to perform routine traffic detail, spectator control and similar duties. Class 1 officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class shall be strictly prohibited, and no Class 1 officer shall be assigned any duties which may require the carrying or use of a firearm.
- B. Class 2. Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanent regularly appointed full-time police officer. The use of a firearm by an officer of this class may be authorized only after the officer has successfully completed training as prescribed by the Police Training Commission and has been fully certified.

**§ 90-12. Requirements.**

Each Class 1 and Class 2 special law enforcement officer shall meet, at minimum, the following requirements:

- A. He or she must be a resident of the State of New Jersey during his or her term of appointment.
- B. He or she must be able to read, write and speak the English language with reasonable proficiency.
- C. He or she must have a high school diploma or its equivalent.
- D. He or she must be sound in body and of good health, which must be certified by a physician licensed to practice in the State of New Jersey.
- E. He or she must be of good moral character.
- F. He or she may not have been convicted of any offense involving dishonesty as would make him or her unfit to perform the duties of his or her office.
- G. He or she must successfully undergo the same psychological testing as required of all full-time police officers in the Township of Lower, except officers hired for a seasonal period may alternately undertake a program of psychological testing approved by the Police Training Commission of the State of New Jersey.

**§ 90-13. Appointment and Eligibility.**

The Township Manager of the Township of Lower shall appoint each special law enforcement officer. Prior to each appointment, the Chief of Police must conduct a background investigation in order to ascertain the eligibility of the applicant and must report his findings in writing to the Township Council and the Township Manager. Fingerprints must be taken and filed with the State Police and the Federal Bureau of Investigation.

#### **§ 90-14. Terms of Appointment; Termination.**

All special law enforcement officers shall be appointed for terms not to exceed one year. Any special officer appointed for a term of four months or more may only be terminated for cause and after a public hearing. Any special officer appointed for a term which is less than four months shall serve at the pleasure of the Township Manager and may be terminated by him without cause and without a public hearing.

#### **§ 90-15. Hours of Employment.**

A. No special law enforcement officer may be employed for more than 20 hours per week by the Township of Lower, except that special law enforcement officers may be employed by the Township of Lower for those hours as the Township Council may determine necessary in accordance with the limits prescribed below:

(1) Not to exceed 48 hours per week during any seasonal period. A seasonal period, as defined in N.J.S.A. 40A:14-146.9(g), means one period of six consecutive months during the calendar year. It is understood that the Township of Lower qualifies as a resort municipality as defined in N.J.S.A. 40A:14-146.9(f).

(2) Without limitation as to hours during periods of emergency.

(3) In addition to not more than 20 hours per week, including duties assigned pursuant to provisions of N.J.S.A. 40A:14-146.14, a special law enforcement officer may be assigned for not more than 20 hours per week to provide public safety and law enforcement services to another public entity.

B. The Township of Lower may designate one special law enforcement officer to whom the limitations on hours employed set forth in Subsection A of this section shall not be applicable in accordance with N.J.S.A. 40A:14-146.16(c).

#### **§ 90-16. Restrictions on Appointment.**

No Class 1 or Class 2 special law enforcement officer appointed to serve in the Township of Lower may serve in a similar capacity in any other municipality. No public official with responsibility for setting law enforcement policy or exercising authority over the budget of the Police Department or supervision of the Police Department shall be appointed as a Class 1 or Class 2 special law enforcement officer.

#### **§ 90-17. Supervision.**

All Class 1 and Class 2 special law enforcement officers shall function under the supervision and direction of the Chief of Police or, in the absence of the Chief, such other chief law enforcement officer as may function in his place and stead.

#### **§ 90-18. Replacement of Full-Time Police Officer Prohibited.**

Class 1 and Class 2 special law enforcement officers shall be employed only to assist the regularly employed police officers of the Township of Lower and may not be employed to replace full-time regular police officers or in any way diminish the number of full-time officers employed by the Township of Lower.

**§ 90-19. Number of Special Law Enforcement Officers.**

Not more than 10 Class 1 and 12 Class 2 special law enforcement officers may be employed by the Township of Lower at any given time.

**Article III. Off-Duty Police Services**

**§ 90-20. Terms and Conditions for Performance of Extra-Duty Details.**

All patrol officers, sergeants and superior officers ("Lower Township police officers") employed by the Township of Lower Police Department may be permitted to perform extra-duty details for police-related matters for private or public entities subject to all of the following terms and conditions:

- A. The compensation from the private persons or entities to the Township of Lower police officers shall be fixed at \$60 per hour. In addition, the private person or entity shall also pay the Township of Lower the sum of \$5 per hour worked by each Lower Township police officer to offset the cost of administration. For the use of Lower Township Police Department vehicles, the private person or entity shall pay the Township of Lower the sum of \$50 per day (or fraction thereof), which fee may be waived when vehicles are used by other public entities.
- B. The Township of Lower shall make arrangements with the person or entity for whom such services are to be provided for the collection of amounts on a periodic basis, which may be weekly, biweekly or monthly. All extra details will be covered by contract between the Township of Lower and the requesting party and contracts will be executed by the Chief of Police and the Township Manager or their designees.
- C. The Lower Township Police Department shall submit time reports on a weekly, biweekly or monthly basis, as determined by agreement between the private person or entity and the Township of Lower. The private person or entity shall then validate the time reports and submit copies to the Township of Lower Treasurer for payment. An escrow account shall be established with the Township of Lower for the estimated cost of the services based upon the hourly rate set forth in Subsection A above, and all payments to the Lower Township police officer and reimbursement of administrative costs shall be made from such account. In the event that such account falls below a level which is determined by the Township of Lower Treasurer to be reasonably necessary to insure continued payment, no additional services will be provided.
- D. The Township of Lower shall exercise direction and control over the Lower Township police officers performing work for the private person or entity. The Lower Township police officer assigned to such outside work will remain within the chain of command of the Lower Township Police Department. The Chief of Police shall define the duties to be performed by Lower Township police officers in consultation with the private person or entity and the Lower Township Manager.
- E. The outside work shall not interfere with the regular duties and scheduling of the Lower Township police officers, including any necessary overtime for police matters. No Lower Township police officer shall be scheduled for any outside work on the same day or within 12 hours of any tour of duty.

F. In order to be eligible for off-duty employment, a police employee must be in good standing with the Department.

**§ 90-21. Written Agreement Required.**

The Township of Lower and the private person or entity requesting the services hereunder shall enter into a written agreement, consistent with the provisions of this article, in form and content satisfactory to the Township of Lower Solicitor, prior to the provision of any services hereunder.

**§ 90-22. Right to Reject Assignments; Discontinuance of Policy.**

- A. Both the Township of Lower and each of the Lower Township police officers reserve the right, in their sole and absolute discretion, to reject any and all assignments for outside work by any private persons or entities contemplated by this article.
- B. The Township of Lower further reserves the right, in its sole and absolute discretion, to modify or discontinue this policy at any time, and it shall be deemed an absolute and unilateral right of the Township of Lower and not an established past practice for collective bargaining purposes.

**Section 4.** If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

**Section 5.** All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are hereby repealed.

**Section 6.** This Ordinance shall take effect immediately upon final passage and publication as provided by law.

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

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

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

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

\_\_\_\_\_  
Michael E. Beck, Mayor

Adopted:

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

1-23-13  
2-20-13

**Township of Lower, County of Cape May, State of New Jersey**

**Ordinance # 2013-02**

**AN ORDINANCE AMENDING CHAPTER 1 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER**

**WHEREAS**, Article III Section 1-21 Schedule B of the Revised General Ordinances of the Township of Lower governs general penalties for certain non-traffic violations ; and

**WHEREAS**, the Lower Township Court Administrator and Municipal Prosecutor has recommended to Lower Township Council that said Ordinance be modified to reset certain penalties for non-traffic ordinance violations and those requiring mandatory court appearances.

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

**Section 1.** Section 1-21 Schedule B of the Revised General Ordinance of the Township of Lower is hereby amended as follows:

**Schedule B  
Mandatory Penalties for Non-Traffic Offenses**

<b>Code Section</b>	<b>Description</b>	<b>Penalty</b>
157-1	Possession/consumption of Alcohol in Public	\$ 150.00
166-1b	Dog Running Loose	100.00
166-2A	Dog License Required	100.00
166-4	Defecation on public or private property (Dogs)	100.00
178-2B	Littering on Beach	100.00
178-3C	Changing clothing on beach in motor vehicle	100.00
178-3D	Possession/consumption of alcohol on beach	150.00
178-3G	Sleeping in motor vehicle on beach	100.00
178-5	Operation of motor vehicles on beach prohibited	150.00
351-19C(2)(A)	Illegal passage across sand dune foot or vehicle	200.00
400-57C	Parking of commercial vehicles in residential zone	150.00
419-2	Littering/Rubbish Prohibited	100.00
419-3	Proper placement of litter in receptacles	100.00
419-4	Sweeping of litter restricted clearing of sidewalks	100.00

419-6	Throwing of litter from vehicles prohibited	250.00
419-7	Litter and dirt from vehicles prohibited	250.00
419-8	Distribution of commercial handbills	150.00
419-9	Distribution of non-commercial handbills	150.00
419-10	Commercial handbills in or upon vehicles	150.00
419-11	Distribution of handbills on vacant premises	150.00
419-13	Posting notices on public property prohibited	150.00
441-6B(4)	Loading/unloading boxes, crates, container etc. Between hours of 10:00 PM to 8:00 AM	150.00
570-4A(2)	Trash placed at curb before allowed times	50.00
570-10	Fail to separate recyclable items from trash	150.00
617-2	Storing trailer w/in 6 ft of property line	100.00
617-3	Storing trailer closer to street than house	100.00
617-11	Parking trailer	100.00
302-1	Failure to remove debris	50.00
302-4	Failure to cut grass or weeds	50.00

**PART II  
NON-TRAFFIC SECTION**

<b>Code Section</b>	<b>Description</b>	<b>Penalty</b>
230-2	Loitering in public places	Court Mandatory
230-3	Indecent or profane language	Court Mandatory
230-4	Throwing stones or Missiles	Court Mandatory
230-5	Mutilating property	Court Mandatory
230-6	Indecent exposure	Court Mandatory
230-7	Permitting noisy/disorderly conduct	Court Mandatory
230-8	Permitting smoke or fumes	Court Mandatory
230-9	Obstructing streets or sidewalks	Court Mandatory
230-10	Starting fires	Court Mandatory
230-11	Obstructed view at corners	Court Mandatory

**Section 2.** The above Schedule B penalties and court appearance requirements is intended to replace and supersede all previous penalties and appearance requirements for all cited section violations.

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

**Section 4.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be Declared unconstitutional or invalid for any reason, the remaining portions of this

Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**Section 5.** Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower and filed with the Secretary of State.

**Section 6.** This Ordinance shall take effect twenty (20) days after final passage and Publication as provided by law.

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

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

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

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

\_\_\_\_\_  
Michael E. Beck, Mayor

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

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

1<sup>st</sup> 2/4/13  
2<sup>nd</sup> 2/20/13

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

ORDINANCE #2013-03

AN ORDINANCE AMENDING ORDINANCE #2012-21, ENTITLED "SALARY AND BENEFIT ORDINANCE FOR THE TOWNSHIP OF LOWER"

Be It Ordained by the Township Council, the governing body of the Township of Lower, that Ordinance 2012-21 shall be amended and supplemented to include the following new title and range.

<u>TITLE</u>	<u>RANGE</u>		
Township Engineer	70,000.00	to	100,000.00

Section 1. This ordinance shall take effect immediately upon final passage and publication according to law.

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

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

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

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

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

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

\_\_\_\_\_  
Michael E. Beck, Mayor

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

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

12 2/14/13  
6:40 2/14/13

**Township of Lower, County of Cape May, State of New Jersey**

**Ordinance #2013-04**

**AN ORDINANCE AMENDING CHAPTER 570 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER**

**WHEREAS**, Article II Section 570-15 of the Revised General Ordinances of the Township of Lower governs the handling of material intended for recycling; and

**WHEREAS**, there has been increasing number of non-regulated persons conducting the activity of canvassing the Township in search of certain discarded bulk materials for the purpose of selling same to scrap yards.

**WHEREAS**, there is a need to regulate this activity for the purpose of both protecting the public and accounting to the State of New Jersey for said materials removed from Lower Township for recycling purposes.

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

**Section 1.** Section 570-15 of the Revised General Ordinance of the Township of Lower is hereby enacted as follows:

**A. Title.** The new revised Article II Section 570-15 to be titled "Scrapping".

**B. Definition.** For the purpose of this article Scrapping is hereby defined as any action taken by those independent persons or entities, not associated with the Township of Lower, who engage in the practice of searching and gathering certain discarded bulk materials for the purpose of resale to recycling entities.

**C. Bulk Materials.** Bulk materials are hereby defined as any materials other than those recyclable materials normally picked up by Lower Township on a regular basis (i.e. aluminum, tin, steel cans, glass, plastic, cardboard, paper, etc., hereinafter "normal household recyclables"). Scrappers are hereby specifically prohibited from gathering "normal household recyclables".

**D. Fee.** All such persons described above (hereinafter referred to as "Scrappers") prior to conducting the activities described in Section B above shall first obtain a permit from the Township before conducting any such activity. The Fee for said permit shall be \$10 for the term of one year. Said one year period shall run from January 1 to December 31<sup>st</sup> .

**E. Requirement.** In order to qualify for said permit each applicant must show that he or she is a Lower Township resident; present a valid Driver's License; Registration and valid proof of insurance for any vehicle intended to be used for this activity. Applicant is hereby further required to sign an Indemnification Agreement indemnifying the Township from any liability as a result of applicant or any agents of applicants action while conducting any activities pursuant to this section.

**F. Accounting of Materials Taken.** All persons acting under this article are to provide copies of receipts from the salvage yard to the Township setting forth only the weight and type of material removed from Lower Township.

**G.** All activities under this article are limited to only those areas designated herein for placement of any recyclable materials for pickup by the Township (i.e. curbside) and those specifically authorized by the property owner.

**H.** All persons conducting the activities described herein and are to leave any areas where such activity has been conducted in a neat and orderly fashion.

**I. Storage.** No material gathered pursuant to any activity governed under this article is to be stored anywhere in the Township of Lower, unless stored in an area previously and expressly approved by the Township of Lower as being an appropriate site for the storage of such materials.

#### **§570-16. Enforcement.**

**A.** The Municipal Recycling Coordinator and the following designees, the Public Works Manager, Code Enforcement Officer and the Lower Township Police Department, are hereby individually and severally empowered to enforce the provisions of this article. The enforcers of the article may conduct an inspection at the site of the generator, which consists of sorting

through containers and opening of solid waste bags to detect, by sound or sight, the presence of any designated recyclable material.

**B.** Additionally, the Cape May County Health Department (CMCHD) shall be empowered to enforce the provisions of this article. The municipality shall retain primary enforcement responsibility with the CMCHD serving in a secondary enforcement role which includes inspection of commercial establishments with proof of prior law enforcement actions.

**C.** Any permits issued pursuant to code section §570-15 are hereby revocable for any violations or other cause, at the sole discretion of the Municipal Clerk.

**§570-17. Rules and regulations.**

The governing body is hereby authorized to promulgate, from time to time, additional rules and regulations relating to the source separation, preparation, placement and collection of recyclable materials pursuant to the provisions of this program and subchapter; provided, however, that such rules and regulations shall not be inconsistent with terms and provisions of this article and shall be approved by the governing body. Such rules and regulations shall be duly promulgated subsequent to publication so that the public has had notice thereof.

**§570-18. Violations and penalties.**

Any person or entity violating, or failing to comply with, any of the provisions provided in this article shall, upon conviction thereof, be punishable by a fine of not less than \$50 and not more than \$500 or by imprisonment for a term not to exceed 90 days, or by both such fine and imprisonment, in the discretion of the municipal judge. The continuation of any violation for each successive day shall constitute a separate offense, and the person, persons, or entity allowing or permitting the continuation of the violation may be punished as provided above for each separate offense. Any violation may be afforded one warning at the discretion of the enforcement designees before the issuance of any fines.

**Section 2.** The above revised Ordinances §570-15 through §570-18 are intended to replace and supercede all previous provisions set forth under said code sections.

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

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

**Section 5.** Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower and filed with the Secretary of State.

**Section 6.** This Ordinance shall take effect twenty (20) days after final passage and Publication as provided by law.

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

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

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

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

\_\_\_\_\_  
Michael E. Beck, Mayor

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

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

1st 2/11/13  
2nd 2/11/13

**Township of Lower, County of Cape May, State of New Jersey**

**Ordinance #2013-05**

**AN ORDINANCE AMENDING CHAPTER 600 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER**

**WHEREAS**, Chapter 600 of the Revised General Ordinances of the Township of Lower governs rules and regulations with regard to the practice of automobile towing and storage in the Township of Lower; and

**WHEREAS**, certain code sections of Chapter 600 require updating and amendment to further promote the health, safety and welfare of the Township, persons supplying and those requiring such services and to be consistent with the present value of same.

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

**Section 1.** Section 600-2 Base of Services, is hereby amended to be:

**Base of Service.** For the convenience of the public and the Lower Township Police Department and to reduce excessive mileage charges, any business applying for a towing license shall have a place of business and storing yard located within the confines of the Township of Lower. Any vehicles used to tow vehicles under the provisions of this chapter also must be principally garaged within the confines of the Township of Lower.

**Section 2.** Section 600-2 "Storage Facility" is hereby amended to be:

**Storage Facility.** A lawfully licensed area or lot located within the Township's corporate boundary line. Any storage area or lot located within the Township is subject to any and all provisions contained in this chapter and any and all other ordinances of the Township. Said Storage Facility is subject to inspection by the Police Chief or his designee.

**Section 3.** Section 600-3G is hereby amended as follows:

G. Facilities; hours; transporting vehicles.

(1). Each tow operator shall deposit towed vehicles only at a facility providing personnel on site for the owner to recover his vehicle. Such location shall be open and personnel available to assist customers between the hours of 8:00 a.m. through 5:00 p.m. Monday through Friday, on weekends and holidays, between the hours of 8:00 a.m. and 5:00 p.m. by appointment only. No tow operator shall unreasonably deny access to a vehicle by an owner or his agent for the purposes of removing personal property (i.e. wallet, purse, car seats. The tow operator may deny access to remove fixed objects (i.e. car stereos, speakers, license plates).

(2) Each tow operator shall store each towed vehicle in an area which provided appropriate security and protection for the towed vehicle and which is in compliance with all state and township regulations. Appropriate security and protection shall mean within a locked, 6 ft. high fenced-in area or building.

(3) No tow company or operator will request or demand any person involved in a motor vehicle crash to sign documents requiring the crash victim to have their car repaired at any specific location.

(4) The owner or his designated agent shall make arrangements with the tow firm to make payment or to pick up the motor vehicle by first contacting the affected tow firm in person or by phone in advance.

(5) After normal business hours and on weekends and holidays, the towed vehicle shall be taken to the tow firm's storage yard and arrangements made to have that vehicle transported to the owner's requested designation at the next earliest convenience.

(6) All vehicles towed under the provision of this chapter must be stored in the Township of Lower unless the owner of the vehicle requests otherwise.

(7) All personnel employed or utilized by the tower while engaged in a township requested or authorized tow shall be at least 18 years of age. All such personnel must possess a valid driver's license.

**Section 4.** Section 600-4J is hereby amended as follows:

I. All applications shall be accompanied by a nonrefundable fee of \$500.

**Section 5.** Section 600-6A(1) shall be amended as follows:

A (1) The following is the fee schedule for basic towing services:

- (a) Towing services provided during the day, 8:00 a.m. to 6:00 p.m.: flat fee of \$125.
- (b) Towing services provided at night, 6:00 p.m. to 8:00 a.m., weekends or on New Jersey State holidays: flat fee of \$150.

A (2) The following is the fee schedule for nonbasic towing services:

- (a) Charges for the use of jacks and dollies: \$10 over regular tow.
- (b) Charges for each beach tow: \$25 over regular tow.
- (c) Winching-up-righting: \$2.25 per foot per cable.
  
- (h) Towing of Township vehicles \$50.
- (i) Towing of Motorcycles \$125.
- (j) The fee for hookup (if a vehicle has been hooked up and ready to tow and then claimed by its owner) shall be \$60.
- (k) Standby time. If a tow operator is called to the scene of an accident- or theft-related tow and is required to wait at that scene prior to removing the vehicle, this by direction of the Police Department, a fee to be imposed of \$50.

**Section 8.** The above revised Ordinances are intended to replace and supercede all previous provisions set forth under said code sections.

**Section 9.** All code section 600 provisions not altered or amended, hereby are to remain in full force and effect as if set forth with particularity herein.

**Section 10.** All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 11.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**Section 12.** Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower.

**Section 13.** This Ordinance shall take effect twenty (20) days after final passage and Publication as provided by law.

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

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

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

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

\_\_\_\_\_  
Michael E. Beck, Mayor

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

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

751 2013  
08 23/13

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
ORDINANCE #2013-06

**TITLE: 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 2.0% 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 2013 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 \$677,362.53 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 2013 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 \$667,973.10, and the CY 2013 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

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

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

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

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

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

# PERSONNEL ACTIONS

Report for Council Meeting of 02/20/2013

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<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
Engineering	Curvan, George	2/5/2013		New Hire	Municipal Engineer	Yes

Date of report 2/15/13

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

# ANIMAL CONTROL MONTHLY REPORT

MONTH OF January 20 2013

ACO steve parker DATE 1/31/2013

	<b>DOGS</b>	<b>CATS</b>	<b>WILDLIFE</b>
<b>TOTAL CALLS</b>	12	1	1
<b>TO SHELTER</b>	4	0	0
<b>RETURNED</b>	1	0	0
<b>TO VET</b>	0	1	0
<b>DOA</b>	0	0	0
<b>WARNINGS</b>	0	0	0
<b>TICKETS</b>	0	0	0
<b>BITES</b>	1	0	0
<b>QUARANTINES</b>	0	0	0
<b>OTHER</b>	1	0	0

\*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: 01/01/2013 To 01/31/2013

February 06 , 2013 3:38:21PM

**SUMMARY**

<u>CONSTRUCTION COSTS</u>				<u>COUNT</u>	
Cost Of Construction:	\$614,408.00	Cubic Footage:	100656 Cu.ft	Permit Issued:	84
Cost Of Alteration:	\$960,101.00	Square Footage:	8962 Sq.ft	Updates Issued:	10
Cost Of Demolition:	\$6,500.00			All Fees Waived:	1
Total Cost:	\$1,581,009.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>		<u>ADMIN FEES</u>		<u>WAIVED FEES</u>		<u>TOTAL FEES</u>	
Building:	\$15,542.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$15,542.00
Electrical:	\$9,199.00	Electrical:	\$0.00	Electrical:	\$45.00	Electrical Fees:	\$9,154.00
Fire :	\$2,940.00	Fire :	\$0.00	Fire :	\$58.00	Fire Fees:	\$2,882.00
Plumbing:	\$7,154.00	Plumbing:	\$0.00	Plumbing:	\$45.00	Plumbing Fees:	\$7,109.00
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:	\$148.00	Technical Fees:	\$34,687.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$337.00	\$0.00	\$337.00
Alteration Training Fee:	\$1,623.00	\$4.00	\$1,619.00
DCA Minimum Fee:	\$5.00	\$0.00	\$5.00
Sub total Training Fee:	\$1,965.00	\$4.00	\$1,961.00

**TECHNICAL ISSUES**

Building Technical:	45
Electrical Technical:	53
Fire Protection Technical:	27
Plumbing Technical:	51
Elevator Technical:	
Mechanical Technical:	

**CERTIFICATE ISSUES**

Certificate of Occupancy:	4
Certificate of Approval:	22
Certificate of Continued Occupancy:	0

Certificate of Occupancy Fee:	\$918.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$918.00

PERMIT FEES:	\$34,687.00
DCA FEES:	\$1,961.00
CERTIFICATE FEES:	\$918.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$37,566.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$37,566.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 01/01/2013 To 01/31/2013

February 6, 2013 3:37:42PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$1,060.00	\$36,506.00	\$0.00	\$37,566.00
Copies	Sub Totals:	\$30.00	\$0.00	\$0.00	\$30.00
LICENSE FEES	Sub Totals:	\$0.00	\$400.00	\$0.00	\$400.00
<b>GRAND TOTALS:</b>		\$1,090.00	\$36,906.00	\$0.00	\$37,996.00

**OFFICE OF CONSTRUCTION OFFICIAL**

**Construction Permit Activity Report**

RANGE: 01/01/2013 To 01/31/2013

February 06 , 2013 3:36:37PM

**SUMMARY**

**CONSTRUCTION COSTS**

**COUNT**

Cost Of Construction:	\$752,535.00	Cubic Footage:	92267 Cu.ft	Permit Issued:	21
Cost Of Alteration:	\$95,300.00	Square Footage:	7263 Sq.ft	Updates Issued:	5
Cost Of Demolition:	\$8,400.00			All Fees Waived:	0
Total Cost:	\$856,235.00			Municipal Fees Waived:	0

**PERMIT FEES**

**ADMIN FEES**

**WAIVED FEES**

**TOTAL FEES**

Building:	\$4,247.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$4,247.00
Electrical:	\$1,440.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$1,440.00
Fire :	\$1,702.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$1,702.00
Plumbing:	\$2,045.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$2,045.00
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:	\$9,434.00

**DCA**

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$309.00	\$0.00	\$309.00
Alteration Training Fee:	\$162.00	\$0.00	\$162.00
DCA Minimum Fee:	\$3.00	\$0.00	\$3.00
Sub total Training Fee:	\$474.00	\$0.00	\$474.00

**TECHNICAL ISSUES**

Building Technical:	15
Electrical Technical:	11
Fire Protection Technical:	11
Plumbing Technical:	11
Elevator Technical:	
Mechanical Technical:	

**CERTIFICATE ISSUES**

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

Certificate of Occupancy Fee:	\$648.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$648.00

PERMIT FEES:	\$9,434.00
FEES:	\$474.00
CERTIFICATE FEES:	\$648.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$10,556.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$50.00
GRAND TOTAL FEES:	\$10,606.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 01/01/2013 To 01/31/2013

February 6, 2013 3:37:11PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$34.00	\$10,572.00	\$0.00	\$10,606.00
LICENSE FEES	Sub Totals:	\$0.00	\$300.00	\$0.00	\$300.00
<b>GRAND TOTALS:</b>		\$34.00	\$10,872.00	\$0.00	\$10,906.00

*DOG Licensing*

JANUARY 2013

DOG REGISTER

Date	#s	Void/Dup	# S/N	4.2	7.2	FW S/N	1.2	FW Non S/N	4.2	4.2	\$5.00	\$5.00	Total D	Total E	Total F	Total G	Deposit
1/2/2013	#1-47		39	6	1	1	1	1					\$163.80	\$43.20	\$1.20	\$4.20	\$217.40
1/3/2013	#48-82		22	2	8			3					\$92.40	\$14.40	\$9.60	\$12.60	\$129.00
1/4/2013	#83-111		28	1									\$117.60	\$7.20	\$0.00	\$0.00	\$124.80
1/7/2013	#112-140		27	2									\$113.40	\$14.40	\$0.00	\$0.00	\$127.80
1/8/2013	#141-168		24	4									\$100.80	\$28.80	\$0.00	\$0.00	\$129.60
1/9/2013	#169-197		25	4									\$105.00	\$28.80	\$0.00	\$0.00	\$133.80
1/10/2013	#198-219		12	4			6						\$50.40	\$28.80	\$7.20	\$0.00	\$86.40
1/11/2013	#220-237		16	2			2						\$67.20	\$0.00	\$2.40	\$0.00	\$69.60
1/14/2013	#238-254		14	2			1						\$68.80	\$14.40	\$1.20	\$0.00	\$74.40
1/15/2013	#255-272		12	5				1					\$60.40	\$36.00	\$0.00	\$4.20	\$90.60
1/16/2013	#273-290		15	3									\$63.00	\$21.60	\$0.00	\$0.00	\$84.60
1/17/2013	#291-324		24	3			4	3					\$100.80	\$21.60	\$4.80	\$12.60	\$139.80
1/18/2013	#325-362		26	7			4	1					\$109.20	\$50.40	\$4.80	\$4.20	\$168.60
1/22/2013	#363-384		19	3									\$79.80	\$21.60	\$0.00	\$0.00	\$101.40
1/23/2013	#385-394		9	1									\$37.80	\$7.20	\$0.00	\$0.00	\$45.00
1/24/2013	#395-409		12	3									\$50.40	\$21.60	\$0.00	\$0.00	\$72.00
1/25/2013	#410-434		23	1			1						\$96.60	\$7.20	\$1.20	\$0.00	\$105.00
1/28/2013	#435-483		43	1			2	3					\$180.60	\$7.20	\$2.40	\$12.60	\$202.80
1/29/2013	#484-512		19	4			4	2					\$79.80	\$28.80	\$4.80	\$8.40	\$121.80
1/30/2013	#513-563		31	6			12	2					\$130.20	\$43.20	\$14.40	\$8.40	\$196.20
1/31/2013	#564-605		31	6			5						\$130.20	\$43.20	\$6.00	\$0.00	\$179.40
			471	68			50	16					\$1,978.20	\$489.60	\$60.00	\$67.20	\$2,600.00
Total Licenses Collected w/Fee			605														
Paid to																	
Twp. Fee	\$1,617.00																
State Reg.	\$605.00	State	\$978.00														
Pilot Clinic	\$121.00	Twp. Fee	\$1,617.00														
Anim. Pop.	\$252.00	S/N Fund	\$0.00														
Late Fee	\$0.00																
Prior Year	\$5.00																
Total Collected	\$2,600.00																

JANUARY 2013

DOG REGISTER

CLERK'S  
Register Report  
1/1/2013 Through 1/31/2013

2/4/2013

Page 1

Account	Description	Memo	Category	Amount
<b>INCOME</b>				
	TOTAL Bonds & Escrow			9,000.00
	TOTAL Business Mercantile 2013			75.00
	TOTAL Campgrounds & Trailers			3,160.00
	TOTAL Licenses & Permits			1,000.00
	TOTAL Rental Merc 2012-2013			900.00
	TOTAL Street Openings			520.00
	TOTAL Taxi & Limo			560.00
	TOTAL Yard Sales			5.00
	<b>TOTAL INCOME</b>			<b>15,220.00</b>
<b>TRANSFERS</b>				
	TOTAL Council Checking			-15,220.00
	<b>TOTAL TRANSFERS</b>			<b>-15,220.00</b>
			<b>OVERALL TOTAL</b>	<b>0.00</b>

## LOWER TOWNSHIP MUNICIPAL COURT

### MONTHLY DISBURSEMENTS

TRAFFIC (All fines split w/ County)	\$ 3,371.50
TRAFFIC COSTS (We receive all costs)	\$ 1,740.50
CRIMINAL FINES (We receive both Criminal & Local Ordinance fines)	\$ 1,294.00
CRIMINAL COSTS	\$ 278.50
REINSTATED BAILS	\$ -
LOCAL PARKING	
CONTEMPT CHARGES	\$ 45.00
PUBLIC DEFENDER FEES	
MISCELLANEOUS FEES (Spinal & Overpayments)	\$ 2.22
DWI SURCHARGE	\$ 141.49
<b>JANUARY 2012 DISBURSEMENTS</b>	

JANUARY 2012 COMPLAINTS ISSUED	CRIMINAL IND.	CRIMINAL DP	TRAFFIC	DUI	TOTAL
	24	68	100	6	198
<b>TOTAL RECEIPTS</b> \$16,089.00	<b>TOWNSHIP SHARE</b> \$6,873.21				

COMPLAINTS IN WARRANT STATUS	CRIMINAL	TRAFFIC	TOTAL
	211	143	354

**2013 CASH RECEIPTS  
JANUARY**

Township of Lower  
Office of the Tax Collector

	<b>MONTH TO DATE</b>	<b>YEAR TO DATE</b>
<b>Receipts</b>		
Current year taxes (2013)	5,286,184.12	5,286,184.12
Prior year taxes (2012)	225,480.96	225,480.96
Arrears	4,956.96	4,956.96
Bankruptcy	2,675.91	2,675.91
State Audit Payback	350.00	350.00
6% Penalty		0.00
Tax Search Fees	70.00	70.00
Interest	13,244.21	13,244.21
Lot clearing		0.00
Returned Check Fees		0.00
Duplicate Bills	85.00	85.00
Trash	5,649.00	5,649.00
<b>TOTAL DEPOSITS</b>	<b>5,538,696.16</b>	<b>5,538,696.16</b>
<b>DEPOSITED TO COUNCIL CHECK</b>	<b>5,417,866.73</b>	<b>5,417,866.73</b>
<b>DEPOSITED TO WIPP ACCOUNT</b>	120,829.43	120,829.43
<b>TOTAL DEPOSITS</b>	<b>5,538,696.16</b>	<b>5,538,696.16</b>
NSF Reversals	876.82	876.82
<b>TOTAL</b>	<b>5,539,572.98</b>	<b>5,539,572.98</b>

Prepared by Susan Jackson

	Total	Jan
<b>BEG. BAL. JAN. 1, 2013</b>	<b>4,614,646.00</b>	<b>4,614,646.00</b>
<b>RECEIPTS:</b>		
<b>Per Revenue Status</b>	5,748,946.87	5,748,946.87
Interest due from- Dev. Escrow	(13.78)	(13.78)
Capital	(10.72)	(10.72)
	<b>5,748,922.37</b>	<b>5,748,922.37</b>
<b>Grants Received</b>		
OLUA \$ Recd	4,400.00	4,400.00
SC \$ Recd	78,491.00	78,491.00
82,891.00		
<b>TOTAL RECEIPTS:</b>	<b>5,831,813.37</b>	<b>5,831,813.37</b>
<b>DISBURSEMENTS:</b>		
2012 Reserves	456,327.09	456,327.09
2013 Current	6,762,330.89	6,762,330.89
2013 Capital	104,470.44	104,470.44
<b>Appropriation Refunds:</b>	(25,697.04)	(25,697.04)
<b>TOTAL DISBURSEMENTS</b>	<b>7,297,431.38</b>	<b>7,297,431.38</b>
<b>END. BAL. DEC. 31, 2013</b>	<b>3,149,027.99</b>	<b>3,149,027.99</b>
Total Appropriation Refunds	(25,697.04)	(25,697.04)

<b>Bank Balance</b>	
Checking	5,317,145.12
Online Payment Acct	103,078.69
MBIA	6,985.05
Total Bank Balance	5,427,208.86
ADD: Deposits in Transit	440,501.30
LESS: Outstanding Checks	(2,718,682.17)
<b>Adjusted Bank Balance</b>	<b>3,149,027.99</b>
	0.00

OUTSTANDING CHECKS

JAN 2013

PRIOR			<u>JAN</u>		<u>DIT'S</u>
6/19/2012	47711	54.00	49122	572.30	78,862.06
	48208	30,000.00	49130	150.00	114,340.48
	48492	26.25	49172	3,213.00	103,618.30
	48725	5.00	49178	12,053.00	81,262.00
	49043	181.90	19482	100.00	41,967.01
	49044	177.43	19186	391.80	25.00
	49102	30.00	49194	25,170.90	300.00
	49106	150.00	49197	36.00	330.00
		<u>30,624.58</u>	49203	119.99	58.00
			49207	960.68	20.00
			49216	102.32	46.00
			49218	20.00	75.00
			49222	65.00	2,595.00
			49223	45.00	27.24
			49225	289.00	100.00 DUE TRANSFERS (2/5/13)
			49231	3,349.00	6,801.00
			49234	563.25	10,074.21
			49235	87.03	
			49236	4,200.00	
			49241	1,989.91	
			29243	193.38	
			29244	3,050.69	
			49246	1,495,251.40	
			49248	1,116,668.38	
			49250	22.48	
			49254	187.50	
			49257	205.00	
			49258	700.00	
			49264	902.23	
			49269	222.00	
			49270	150.00	
			49273	309.95	
			49274	82.62	
			49279	200.00	
			49281	4,643.37	
			49283	4,328.00	
			49286	875.00	
			49299	300.00	
			49300	621.50	
			49306	61.00	
			49307	80.00	
			49308	160.00	
			49310	15.00	
			49311	2,274.32	
			49312	15.00	
			49313	80.00	
			49314	750.03	
			49315	2,230.56	
				<u>2,688,057.59</u>	
					<u>440,501.30</u>
				<u>2,718,682.17</u>	

# 2013 January Vital Statistics

Marriages	12
Certified copies	154
Burial Permit	0

Marriage/CU State	\$300.00
Marriage/CU Twp.	\$36.00
Certified copies	\$1,540.00
Burial Permit	\$0.00
<b>TOTAL</b>	<b>\$1,876.00</b>