

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

JUNE 4, 2012 - 6:00 P.M.

Meeting called to order.

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

Work Session

Discussion on Ordinance # 2012-11 An Ordinance Establishing Guidelines for Beekeeping
Discussion on Proposed Fishing Pier - Mayor Beck & Councilman Conrad
Presentation on Roseanne Avenue Drainage - Hatch Mott Mac Donald
Review of Draft Sewer Service Area Map - William Galestok, Planning Director
Review of Consent & Regular Agenda Items

Consent Agenda

Approval of Minutes May 21, 2012
Res. #2012-136 Payment of Vouchers, \$ 2,080,680.77
Res. #2012-137 Approval of Precious Metal License for Nicholas DiFrederico T/A Rt. 73 Gold & Silver and Nina Saffold T/A Lucky Finds (New licensees for annual license)
Res. #2012-138 Authorizing Pay Out of Terminal Leave (T. Will retirement - \$37,719.17)
Res. #2012-139 Authorization for Refund of Taxes (Refunds for overpayments on 2 properties)
Res. #2012-140 Award of Contract to Center of Community Arts (Summer art program for youth, not to exceed \$13,000)
Res. #2012-141 Approval of Cold Spring Presbyterian Church's Application to Conduct a Flea Market (June 23)
Res. #2012-142 Acceptance and Contract Award for Weight-Exercise Room Equipment (for the Recreation Dept. Award to Dynamic Fitness, \$18,043.95)

Regular Agenda

Res. #2012-143 Payment of Vouchers \$35,000.00 (Rescue Squad per contractual agreement)
Ord. #2012--11 An Ordinance Amending Chapter 400 of the Revised General Ordinance of the Township of Lower 2012, 2nd rdg., (Establishing Guidelines for Beekeeping)
Ord. #2012-14 An Ordinance Amending the Code of the Township of Lower, Chapter 529, Secondhand Merchants and Dealers of Precious Metals, 2nd rdg. & public hearing (Changes to fees, bonding & other requirements)

Administrative Reports

Council Comments

Call to the Public

Closed Session

Res. #2012-144 A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:40-12 (Collective Bargaining Update - AFSCME & Teamsters)

Return to Open

Res. #2012-145 A Resolution to Ratify the Memorandum of Understanding Between Lower Township and Teamsters Local Union No. 676 (possible adoption if approved)

Adjournment

Regular & Work Session Meeting Minutes - May 21, 2012

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on May 21, 2012 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Assistant 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 Assistant Clerk:

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

Also present: Michael Donohue, Solicitor, Michael Voll, Manager and Municipal Clerk Kammer

Recognition of New CERT members

Mayor Beck announced the new members of Lower Township's CERT Team including: Clair Juchter, Linda Boker, Penny Beccica, Penny Gram, Colleen Hendrickson, Joan Koeck, Rick Krause, Dennis Maloney, Gloria Alexia, Mark Runyon, Rich Sambenedetto, and George Strayland. Clair Juchter stated that CERT is a volunteer organization and are a member of the citizens core which supports first responders. There are 15 member in Lower Township and they have spent over 20 hours taking classes which include first aid, fire safety, triage and the psychology of disasters. They have been instructed how to do light search and rescue and have learned how to mark buildings that have been searched. The mission of the CERT Team is " to do good for the most " and support the first responders. Ms. Juchter stated how the team supported the Township during hurricane Irene, and are here for everyday support of functions throughout the Township. Mayor Beck stated that the efforts of the CERT Team are appreciated. Councilmember Douglass stated CERT stands for Community Emergency Response Team. Councilmember Conrad stated CERT is always looking for volunteers. They handed out information at Community Day and information is available at Townhall.

Proclamation - Click It or Ticket

Mayor Beck read the Proclamation for continued participation in Click it or Ticket in Lower Township.

Certificate of Recognition - Erin Walsh, Watershed Ambassador

Mayor Beck stated Erin belongs to a program known as the Watershed Ambassador for our area and has been very active in Lower Township. Mayor Beck spoke of the revegetation effort at Cox Hall Creek, and the clean up at Mickel's run. Ms. Walsh explained that the Watershed Ambassador is a joint program with the DEP and Americorp. There are a number of requirements including 50 assessments, partnership projects and education to schools and the community. Mayor Beck and Council presented Ms. Walsh with a certificate of recognition and thanked her for all her work in Lower and wished her well in future endeavors.

Regular & Work Session Meeting Minutes - May 21, 2012

Work Session

Review of Consent & Regular Agenda Items

Council Comments on Consent Agenda Items:

Mayor Beck spoke on Ordinance #2012-14 and gave credit to the Police Department for drawing attention to a problem. Mayor Beck stated he attended a meeting with Sgt. Ernie McComber, Detective Joe Boyle and Councilmember Craig to look at the current Ordinance and adjust it accordingly due to the proliferation of buy/sell gold stores that have been popping up. They met to craft changes to the current ordinance to make sure dealers are responsible to the public for all transaction. The new Ordinance sets forth stricter regulations including maintaining goods for a longer period of time, not buying/selling to minors and potentially having all items bought posted on line so the public could view recent items. Mayor Beck thanked the police department and Councilmember Craig for all the effort put forth.

Public Comment - None

Consent Agenda

- | | |
|---------------------|--|
| Approval of Minutes | May 3, 2012, May 7, 2012 |
| Res. #2012-116 | Award of One (1) 2012 Ford Escape 4wd Xlt 6 Cylinder Steel Blue in Color with Sync Voice Advanced System (Original resolution removed at May 7, 2012 mtg.) |
| Res. #2012-126 | Payment of Vouchers, \$85,800.94 |
| Res. #2012-127 | Drive Sober or Get Pulled Over Statewide Crackdown Grant (Res. approving submission of grant application and authorizing acceptance if received. Grant amount \$4400.00) |
| Res. #2012-128 | Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Clean Communities, \$59,083.07) |
| Res. #2012-129 | A Resolution Requesting Release of Revegetation and Restoration Guarantee for Dune Site Plan; Block 512.14, Lot 29, Escrow #P09-04-02 (Work done) |
| Res. #2012-130 | Authorization Aart's Transportation, Inc. To Transfer Taxi License (changing vehicles) |
| Res. #2012-131 | Authorization for Refund of Taxes (3 properties) |
| Res. #2012-132 | Authorization for Villas Fishing Club Ladies Auxiliary to Conduct an Outdoor Flea Market on June 23, 2012 |
| Res. #2012-133 | Approval for Pyrotechnico Fireworks to Load and Unload a Fireworks Barge in Lower Township (annual approval for Lower Township, Congress Hall, Avalon and Ocean City fireworks events in 2012) |
| Res.#2012-134 | Resolution Approving Project Proposal Between Hatch Mott Macdonald and the Township of Lower for Engineering Services Related to Remedial Investigation of Underground Storage Tanks Removed in 1994 and 1995 (\$18,500) |
| Ord. #2012-14 | An Ordinance Amending the Code of the Township of Lower, Chapter 529, Secondhand Merchants and Dealers of Precious Metals, 1st rdg. (2nd rdg. & |

Regular & Work Session Meeting Minutes - May 21, 2012
public hearing, June 4th)

Motion to approve consent agenda moved by Councilmemebr Douglass, seconded by Councilmemebr Conrad.

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

Regular Agenda

Res. #2102-135 Authorizing the Payment of Vouchers, \$6490.63 (per contract)

Motion to approve moved by Councilmemebr Conrad, seconded by Councilmember Craig.

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

Ord. #2012-11 An Ordinance Amending Chapter 400 of the Revised General Ordinance of the Township of Lower 2012, (Establishing Guidelines for Beekeeping) 2nd rdg. and Public Hearing

Mayor Beck requested Council table this Ordinance so that changed may be made as well as having William Galestok present to field questions. Motion to table moved by Mayor Beck, seconded by Councilmemebr Conrad.

Regular & Work Session Meeting Minutes - May 21, 2012

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

Ord. #2012-12 An Ordinance Amending Chapter 90, of the Code of the Township, Entitled "Police Department", 1st rdg. (Increases fee Twp requires for use of off duty police for private work from \$45 per hour to \$60 per hour) 2nd rdg. and public hearing

The Assistant Clerk stated that this is the 2nd reading and public hearing for Ordinance #2012-12. There being no council or public comment, motion to adopt moved by moved by Councilmember Douglass, seconded by Councilmember Craig.

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

Ord. #2012-13 An Ordinance Amending Chapter 400 of the Code of the Township of Lower, (Adding permitted uses within airport hazard zone to include outdoor flea markets) 2nd rdg. and public hearing

The Assistant Clerk announced that this is the 2nd reading and public hearing for Ordinance #2012-13. There being no Council or public comment, motion to adopt moved by Councilmember Craig, seconded by Councilmember Douglass.

Regular & Work Session Meeting Minutes - May 21, 2012

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

Administrative Reports

Personnel Action Report

April Reports

Animal Control, Dog Licensing, Engineer, Municipal Clerk, Municipal Court, Police, Tax Collector, Vital Statistics

Council Comments

Councilmember Conrad thanked Mr. Weber for his many years of service teaching music in the Lower Township Elementary School. Councilman Conrad also reminded everyone to safe a safe Memorial Day and to remember what Memorial Day is all about.

Councilmember Craig spoke on how wonderful Lower Township's Comunity Day was and congratulated the Recreation Department personnel for a great job and also congratulated Paricia Harbora who left employment with Lower Township to take a job with the City of Cape May as deputy clerk. Councilmember Craig also congratulated Mr. Webber on his retirement and stated all three of his children were taught by Mr. Webber.

Councilmember Douglass stated Mr. Webber was also a part of his family and taught all of his children to play musical instrtuments and stated how Mr. Webber was instrumental in many families throughout Lower Township. Councilmember Douglass stated he was happy to see the new crossings are open and traffic is flowing although there have been some concerns with traffic backing up on Tabernacle, the situation is being looked into.

Deputy Mayor Lare stated he didn't know Mr. Webber, but does know he has been teaching for years and wished him well on his retirement. Deputy Mayor Lare also stated South Jersey Cape Dancers will be on You've Got Tallent and requested everyone watch and support them. Deputy Mayor Lare notified residents that the engineer will be at the June 4th meeting to discuss the North Cape May drainage project. He also gave credit to Ducks Unlimited for their massive efforts in the clean up of the Cox Hall Creek project.

Mayor Beck reminded all of Lower Topwnship's Shredding Day, June 2, 2012 9AM - 12:00 Noon at Township Hall. He also reminded everyone that Council Meeitngs will begin at 6:00PM starting with the June 4th meeting. Mayor Beck spoke on the concerts at the Fishing Creek School the third Friday of the month in June, July and August. He stated that the concerts are free and food will be available to purchase. He encouraged all our residents to attend.

Regular & Work Session Meeting Minutes - May 21, 2012

PUBLIC COMMENT

Frank Sorocco addressed Council and thanked the manager, construction official and code enforcement for correcting a safety problem on Tampa Avenue.

Jack Sparks addressed Council and questioned Councilmember Craig if he is currently working for the County. Councilmember Craig replied he is retired.

Bill Eisle, president of the New Jersey Bee Keepers Association addressed Council and thanked them for considering their efforts towards developing the Ordinance for bee keeping in Lower Township.

Jack Sparks addressed council and stated the Freeholders passed a Resolution hiring Walt Craig as a confidential assistant at a salary of over \$34,000.00 Councilman Craig replied there was a problem with his health benefits and they are trying to correct the situation.

There being no further business, motion to adjourn moved by Councilmember Douglass, seconded by Deputy Mayor Lare. Motion to adjourn unanimous by verbal "ayes". Meeting adjourned at 7:38p.m.

Mayor

Township Clerk

Approved:

May 31, 2012
03:13 PM

RESOLUTION #2012-136
Lower Township
Bill List By Vendor Id

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

Include Project Line Items: Yes

Open: N
Rcvd: Y
Bid: Y

Paid: N
Held: Y
State: Y

Void: N
Aprv: N
Other: Y

Exempt: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00110 ANCO HOME CENTER*								
	12-01225	05/14/12	SUPPLIES- REC CENTER	Open	187.78	0.00		
	12-01340	05/18/12	BIKE AUCTION SUPPLIES	Open	<u>10.85</u>	0.00		
					198.63			
00153 ATLANTIC CITY ELECTRIC*								
	12-01347	05/18/12	ELECTRIC- APRIL 2012	Open	5,962.11	0.00		
00179 AVERY TEITLER*								
	12-00984	04/17/12	BOARD SOLICITOR SALARY	Open	466.66	0.00		
	12-01173	05/04/12	LEGAL SERVICES	Open	685.00	0.00		
	12-01331	05/18/12	RESOLUTIONS	Open	<u>150.00</u>	0.00		
					1,301.66			
00192 GENERAL BINDING CORP*								
	12-00855	03/30/12	SHREDDER REPAIR	Open	413.63	0.00		
00219 CHRIS DELANEY								
	12-01234	05/14/12	5/5/12 LACROSSE REF	Open	60.00	0.00		
00224 JOE PROCOPIO								
	12-01235	05/14/12	LACROSSE 5/7 OUT OF LEAGUE	Open	114.00	0.00		
00257 BAYSHORE LANDSCAPING INC*								
	11-01940	07/06/11	LOT CLEARING	Open	85.00	0.00		B
00346 BERGEY'S TRUCK CENTERS*								
	12-01143	05/02/12	PARTS FOR RECYCLING TRUCK/DPW	Open	327.54	0.00		
00370 BLUE CROSS/BLUE SHIELD OF NJ								
	12-01385	05/25/12	JUNE 2012 MED-D	Open	2,624.93	0.00		
00403 BLUE WAVE EXPRESS CAR WASH*								
	12-01310	05/17/12	CAR WASH	Open	185.00	0.00		
	12-01311	05/17/12	CAR WASH	Open	<u>170.00</u>	0.00		
					355.00			
00406 BLANEY & DONOHUE, PA								
	12-00441	02/14/12	2012 CONTRACT DNE \$50,000	Open	4,166.66	0.00		B
00734 CAPE OFFICE MACHINES*								
	12-01207	05/10/12		Open	165.00	0.00		
00736 CAPE PRINTING EXPRESS*								
	12-01168	05/03/12	ENVELOPES	Open	484.00	0.00		
00784 CAPE MAY STAR & WAVE								
	12-01330	05/18/12	LEGAL NOTICES	Open	317.44	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784	CAPE MAY STAR & WAVE			Continued				
	12-01378	05/24/12	LEGAL PUBLICATION	Open	<u>33.48</u>	0.00		
					350.92			
00807	CDW-GOVERNMENT INC*							
	11-03551	12/22/11	SERVER MAINT	Open	1,272.10	0.00		
	12-01202	05/10/12	COMPUTER PARTS	Open	35.00	0.00		
	12-01222	05/14/12	COMPUTER SUPPLIES	Open	<u>130.68</u>	0.00		
					1,437.78			
00825	COMCAST*							
	12-01323	05/17/12	INTERNET- TOWNHALL	Open	95.18	0.00		
	12-01370	05/24/12	INTERNET- FIRE SAFETY	Open	<u>107.15</u>	0.00		
					202.33			
01055	ERIC COOMBS							
	12-01366	05/24/12	TRAINING MEALS	Open	140.16	0.00		
01239	DIANA L DeNOTE							
	12-01401	05/30/12	MEDICAL CLAIMS- MEDICAL & VISI	Open	275.00	0.00		
01245	G & K SERVICES CO*							
	12-01344	05/18/12	UNIFORM RENTALS/DPW	Open	182.66	0.00		
01319	EDWARD EDWARDS							
	12-01284	05/16/12	2012 EQUIP. ALLOWANCE	Open	150.00	0.00		B
01530	FIRE DISTRICT #1							
	12-00665	03/08/12	2012 TAXES DUE	Open	110,393.78	0.00		
01540	FIRE DISTRICT #2							
	12-00663	03/08/12	2012 TAXES - FIRE DISTRICT #2	Open	174,358.80	0.00		
01550	FIRE DISTRICT #3							
	12-00841	03/29/12	FIRE DISTRICT TAXES	Open	156,929.40	0.00		
01590	FORD, SCOTT & ASSOCIATES*							
	12-01324	05/17/12	PROGRESS BILL/ 2012 BUDGET	Open	24,500.00	0.00		
01598	DEARBORN NATIONAL							
	12-01396	05/30/12	JUNE 2012 LIFE INSURANCE	Open	477.90	0.00		
01653	GENTILINI FORD*							
	12-01367	05/24/12	FORD ESCAPE	Open	23,914.37	0.00		
01655	GANN LAW BOOKS*							
	12-00719	03/14/12	2012 EDITION NJ RULES OF EVIDE	Open	102.00	0.00		
01781	HATCH MOTT MACDONALD, LLC*							
	12-01332	05/18/12	PROFESSIONAL ENGINEERING	Open	297.50	0.00		
	12-01333	05/18/12	PROFESSIONAL ENGINEERING	Open	618.50	0.00		
	12-01334	05/18/12	PROFESSIONAL ENGINEERING	Open	343.50	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01781 HATCH MOTT MACDONALD, LLC* Continued								
	12-01335	05/18/12	PROFESSIONAL ENGINEERING	Open	<u>288.21</u>	0.00		
					1,547.71			
01803 HORIZON DENTAL OPTION*								
	12-01386	05/25/12	JUNE 2012 DENTAL INSURANCE	Open	15,466.64	0.00		
01807 MARLIN HEDUM								
	12-01312	05/17/12	TRAINING	Open	572.52	0.00		
01859 HESS CORPORATION								
	12-01376	05/24/12	ELECTRIC 04/12/12- 05/16/12	Open	687.98	0.00		
	12-01377	05/24/12	ELECTRICITY 04/17/12 TO 05/16/	Open	<u>5,727.67</u>	0.00		
					6,415.65			
02228 DAVID LASERRE								
	12-01400	05/30/12	MEDICAL CLAIMS- V	Open	144.00	0.00		
02229 CHRISTIAN J. LAMBERT								
	12-01365	05/24/12	TRAINING MEALS	Open	37.68	0.00		
02247 LAWSON PRODUCTS, INC.*								
	12-00861	04/02/12	SUPPLIES FOR GARAGE/DPW	Open	954.73	0.00		
	12-01031	04/19/12	SUPPLIES FOR GARAGE/DPW	Open	<u>1,259.60</u>	0.00		
					2,214.33			
02320 LOWER TOWNSHIP BRD OF EDUCATN								
	12-00968	04/11/12	2012 SCHOOL TAX 7/01-12/2012	Open	1,495,251.40	0.00		B
02417 MAGELLAN HILL TECHNOLOGIES*								
	12-01392	05/29/12	PHONE SERVICE 05-01-12 TO 5-31	Open	416.19	0.00		
02521 JOSEPH MARKER								
	12-01399	05/30/12	MEDICAL CLAIMS	Open	2,316.00	0.00		
02585 WILLIAM MASTRIANA								
	12-01322	05/17/12	TRAINING MEALS	Open	22.28	0.00		
02715 MODERN HANDLING EQUIP CO*								
	11-02341	08/19/11	ANNUAL EMERG. GENERATOR CONTRA	Open	1,942.50	0.00		
02901 MONRO MUFFLER BRAKE INC*								
	12-01138	05/02/12	SERVICE ON POLICE CAR/DPS	Open	765.96	0.00		
03022 PRICE CHOPPER, INC*								
	12-00930	04/09/12	POOL WRISTBANDS	Open	388.93	0.00		
03029 NJ DIVISION OF FIRE SAFETY								
	12-01351	05/21/12	2012 ANNUAL LIFE HAZARD FEE	Open	1,243.50	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALITI*								
	12-01382	05/24/12	LEAGUE MAGAZINE 10/2012-6/2013	Open	176.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03104	NORTHEAST IND.&MARINE SUPPLY*	12-00612	03/02/12	PARTS FOR RDS/SANT/RECY/DPW	Open	278.21	0.00		
03280	PARAMOUNT SANITARY SUPPLY*	12-01215	05/11/12	CLEANING SUPPLIES	Open	1,706.11	0.00		
03285	PARA PLUS TRANSLATIONS, INC.*	12-01208	05/10/12	INTERPRETER	Open	190.39	0.00		
03305	PEDRONI FUEL*	12-01343	05/18/12	NO LEAD GAS/DPW	Open	732.41	0.00		
03418	PROFESSIONAL PRINTING*	12-01076	04/25/12	BOCA SUPPLIES	Open	627.50	0.00		
03452	THOMAS QUINN	12-01397	05/30/12	MEDICAL CLAIMS	Open	391.44	0.00		
03481	RDJ SPECIALTIES, INC.*	12-01104	04/30/12	KEY CHAINS	Open	204.33	0.00		
03484	LAUREN M. READ	12-01321	05/17/12	PARKING REIMBURSEMENT-TCTA CNF	Open	30.00	0.00		
03491	RENTAL COUNTRY*	12-01210	05/10/12	MACHINERY PARTS FOR RDS/DPW	Open	889.16	0.00		
03518	RIGGINS, INC.*	12-01345	05/18/12	OFF-HIGHWAY DIESEL/DPW	Open	1,156.51	0.00		
03537	RUTGERS, THE STATE UNIVERSITY*	12-00639	03/07/12	2012 PUBLIC PURCHASING CONF	Open	400.00	0.00		
03550	JOSEPH REMENTER	12-01363	05/23/12	SHOE ALLOWANCE FOR 2012/DPW	Open	239.97	0.00		
03607	SEASHORE FOOD SUPPLY*	12-01240	05/16/12	MISC. SUPPLIES FOR COMMUNITY D	Open	180.00	0.00		
03608	SEAWAVE CORPORATION*	12-01435	05/30/12	LEGAL NOTICES-SHREDDING DAY	Open	156.00	0.00		
03637	SHOPPE	12-01224	05/14/12	ADVERTISEMENT	Open	140.00	0.00		
03692	SOUTH JERSEY GAS CO*	12-01354	05/21/12	APRIL 2012- GAS SERVICE	Open	1,553.51	0.00		
03723	STAPLES, INC.*	12-00878	04/03/12	PHOTO PAPER	Open	8.99	0.00		
		12-01068	04/24/12	OFFICE SUPPLIES	Open	50.26	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03723 STAPLES, INC.*				Continued				
	12-01098	04/26/12	OFFICE SUPPLIES	Open	<u>57.96</u>	0.00		
					117.21			
03733 JAMES D. STRICKLAND								
	12-01398	05/30/12	MEDICAL CLAIMS	Open	1,949.10	0.00		
03764 TCTANJ								
	12-00825	03/26/12	TCTANJ SPRING CONFERENCE	Open	530.00	0.00		
	12-00834	03/27/12	SPRING CONFERENCE-CFO	Open	<u>285.00</u>	0.00		
					815.00			
03902 DONALD VANAMAN JR								
	12-01364	05/24/12	TRAINING MEALS	Open	41.70	0.00		
03935 STAPLES BUSINESS ADVANTAGE*								
	12-01274	05/16/12	OFFICE SUPPLIES	Open	50.75	0.00		
03969 VERIZON								
	12-01349	05/18/12	MAY PHONE BILL	Open	3,674.22	0.00		
03978 USPS ACCT#48503619								
	12-01352	05/21/12	POSTAGE FOR METERS	Open	12,000.00	0.00		
03985 VILLAS NAPA AUTO PARTS								
	12-01328	05/18/12	AIR HORN - EASTER EGG HUNT	Open	39.34	0.00		
04030 WEST PUBLISHING PAYMENT *								
	12-01353	05/21/12	ANNUAL UPDATES	Open	560.00	0.00		
	12-01369	05/24/12	NJ STATUES UPDATES	Open	<u>336.00</u>	0.00		
					896.00			
04075 BARBER CONSULTING SERVICES LLC								
	12-01256	05/16/12	NETWORK SERVICES	Open	380.00	0.00		
	12-01384	05/25/12	CASE FAN FOR DELL SERVER	Open	<u>49.99</u>	0.00		
					429.99			
04097 CINTAS FIRST AID AND SAFETY*								
	12-01391	05/29/12	FIRST AID SUPPLIES- TOWNHALL	Open	124.09	0.00		
04117 BILL ROLLINS								
	12-01232	05/14/12	LACROSSE 4/28/2012	Open	60.00	0.00		
5016 BROOKAIRE COMPANY								
	12-01023	04/19/12	PLEATED AIR-FILTERS HVAC	Open	3,042.31	0.00		
5032 NORTH WILDWOOD \$ CREST SHIRT*								
	12-01158	05/03/12	SHIRTS FOR COMMUNITY DAY	Open	675.00	0.00		
5044 VICKI COLE								
	12-01177	05/04/12	LACROSSE REF GAME 4/23/12	Open	45.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
5044	VICKI COLE			Continued					
		12-01179	05/04/12	LACROSSE REF GAME 5/01/12	Open	<u>45.00</u>	0.00		
						90.00			
5048	KIM COOLAHAN								
		12-01243	05/16/12	LACROSSE OFFICIAL 5/14/12	Open	45.00	0.00		
5049	RICK BRACALIEELO								
		12-01242	05/16/12	LACROSSE OFFICIAL 5/14/12	Open	45.00	0.00		
5050	ROBERT & MERIAM SMITH								
		12-01258	05/16/12	REFUND OF APPLICATION FEE	Open	110.00	0.00		
5051	TERRY GIBBS								
		12-01244	05/16/12	LACROSSE REFEREE	Open	165.00	0.00		
5056	DAVE DUNLAP								
		12-01325	05/18/12	LIVE MUSIC FOR COMMUNITY DAY	Open	150.00	0.00		
5059	HENRY LACAP								
		12-01380	05/24/12	REFUND 2011 TAX	Open	5,235.61	0.00		
5061	A-1 CONSTRUCTION								
		12-01395	05/30/12	RETURN OF ESCROW BOND-ROADOPEN	Open	700.00	0.00		
CANCELO	DON CANCELOSI								
		12-01230	05/14/12	LACROSSE REF	Open	60.00	0.00		
		12-01241	05/16/12	LACROSSE OFFICIAL 5/12/12	Open	<u>120.00</u>	0.00		
						180.00			
JAJAS	JAJA'S PONY RIDES								
		12-01107	04/30/12	PONY RIDES FOR COMMUNITY DAY	Open	350.00	0.00		
JANEEN	JANEEN LINDSAY								
		12-01203	05/10/12		Open	225.00	0.00		
MCMAST	SANDRA MCMASTER								
		12-01174	05/04/12		Open	45.00	0.00		
		12-01175	05/04/12	LACROSSE REF GAME 5/01/12	Open	45.00	0.00		
		12-01247	05/16/12	LACROSSE OFFICIAL 5/11/12	Open	<u>90.00</u>	0.00		
						180.00			
NARY	DAVE NARY								
		12-01233	05/14/12	LACROSSE REF 5/5/12	Open	60.00	0.00		
REID	JOHN E REID & ASSOCIATES, INC*								
		12-00562	02/28/12	TRAINING	Open	840.00	0.00		
ROMANOW	FRED ROMANOWSKI								
		12-01229	05/14/12	LACROSSE REF 5/5/12	Open	60.00	0.00		
SCHILI	JANET SCHILLIG								
		12-01176	05/04/12	LACROSSE REF GAME 4/20/12	Open	90.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SCHILI JANET SCHILLIG								Continued
	12-01231	05/14/12	5/4/12 LACROSSE GIRLS	Open	90.00	0.00		
					180.00			
WELLSF WELLS FARGO REAL ESTATE TAX								
	12-01379	05/24/12	REFUND 2ND QUARTER 2012	Open	680.36	0.00		
Total Purchase Orders:		113	Total P.O. Line Items:	245	Total List Amount:	2,080,680.77	Total Void Amount:	0.00

I hereby certify the foregoing to be a Resolution adopted by the Township of Lower Council on a meeting held on June 4, 2012

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION # 2012-137

TITLE: APPROVAL OF PRECIOUS METALS LICENSE FOR NICHOLAS DIFREDERICO T/A RT. 73 GOLD & SILVER EXCHANGE AND NINA SAFFOLD T/A LUCKY FINDS

WHEREAS, application has been made for a Precious Metals license by Nicholas DiFrederico T/A Rt 73 Gold & Silver Exchange and from Nina Saffold T/A Lucky Finds for the year 2012 in accordance with Ordinance #81-2, and

WHEREAS, the applicant has paid the proper fee, posted the required bond and the police have no objection to the issuance of said license,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that a Precious Metals license to for the year 2012 is hereby approved.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

Julie Picard

From: boylej@lowertownshipolice.com
Sent: Tuesday, May 22, 2012 1:56 PM
To: jpicard@townshipoflower.org
Subject: metal license

Good afternoon Julie,

In regards to the precious metal license for Bayshore IA L.L.C. located at 3845 Bayshore road; I see nothing in their backround which would proclude them from obtaining this license. If you have any concerns or questions feel free to contact me.

Thank you.

Det Joe Boyle
886-1619 ext 107.

Claudia Kammer

From: boylej@lowertownshipolice.com
Sent: Tuesday, May 22, 2012 2:34 PM
To: claudia kammer
Subject: precious metal license

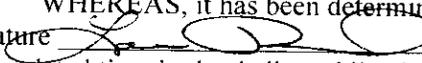
Hello Claudia, In regards to Nina Saffold obtaining her precious metal license; I found nothing that could keep her from obtaining same. Thank you. Joe B

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2012 - 138**

Title: Authorizing Pay Out of Terminal Leave

WHEREAS, the employee listed below has retired from the Township and is entitled to payment for accumulated vacation, sick and compensatory and personal time, and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a revised payment due to Thomas Will in the amount of \$37,719.17 is authorized and chargeable to the Reserve for Accumulated Absences.

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

Claudia R. Kammer, RMC, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

Will

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE:

EMPLOYEE: Will, Thomas
 DATE OF RESIGNATION: 5/31/2012
 DATE OF PAYMENT: _____
 RESOLUTION #: _____

Annual Salary:	\$51,616.45
Hourly Rate:	\$28.36
Longevity	\$3,000.00

SALARY:		
Salary due to	5/31/2012	\$22,631.96
Salary paid through	5/26/2012	\$21,837.86
longevity due		\$2,263.20
Longevity paid		\$1,269.18
Balance due		\$1,788.12

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	28.36	0.00
Personal	28.81	28.36	817.01
Sick	1,260.00	28.36	35,734.47
Vacation	41.17	28.36	1,167.70
Terminal Leave Payout			\$37,719.17
Final pay			\$39,507.28

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)
	Carryover	Annual Accrual	21 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp	0.00	0.00		0.00		0.00
Personal	28.00	28.00	0.40	11.31	10.50	28.81
Sick	2,195.00	105.00	0.40	42.40	93.00	1,260.00
Vacation	8.50	175.00	0.40	70.67	38.00	41.17
Total	2,231.50	308.00		124.38	141.50	1,329.98

Accrual and time used are current to _____ subject to change if time is used or not currently reported.

Employee Signature: _____
 Date: _____

Treasurer's Signature: _____
 Date: _____

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

RESOLUTION #2012-139

TITLE: AUTHORIZATION FOR REFUND OF TAXES

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

WHEREAS, a refund is due.

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

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>	<u>Interest</u>
496.01	25	Henry LaCap	State Tax Appeal	5,085.17	150.44
459	13	Wells Fargo	Paid twice	680.36	

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on June 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-140

TITLE: AWARD OF CONTRACT TO CENTER FOR COMMUNITY ARTS

WHEREAS, there exists a need for the services of the Center for Community Arts in the Township of Lower in the County of Cape May, State of New Jersey; and

WHEREAS, the amount of said contract shall be in accordance with the services set forth on Exhibit A with the total cost for all services not to exceed Thirteen Thousand Dollars (\$13,000.00), pursuant to contract between the Township and the Center for Community Arts and,

WHEREAS, the CFO has determined sufficient funds are available in the budget under Parks and Recreation, Summer Art Camp, 12-01-28-370-257 as evidenced by the CFO's signature , and

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

The Mayor is hereby authorized and directed to sign the attached agreement with the Center for Community Arts.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of June 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						



Contract

Between Center for Community Arts and Township of Lower

Regarding YAP Summer Arts Camp 2012

1. The Center for Community Arts, (CCA) a 501(c)(3) nonprofit organization, with offices at 712 Lafayette Street, Cape May, NJ 08204, will provide eight weeks of "YAP" (Youth Arts Program) Summer Art camp during the summer of 2012 to the Township of Lower.
2. Camp will meet five days a week, from 9:00 a.m. to noon, Mondays – Fridays, June 25 – August 17, 2012 at the Millman Center in Lower Township. We will not operate on July 4, 2012.
3. The Township will provide use of the space free of charge, opening the building at 8:30 a.m. and reserving it for use through at least 12:15 p.m. each day.
4. Center for Community Arts will promote the program through flyers, press releases and its website.
5. The program will be offered free to participants ages 10-14. Participants must be residents of Lower Township.
6. Center for Community Arts will provide one adult art teacher, one adult art teaching assistant and one student intern; all art supplies, a snack and drink each day. A different theme will be explored each week using a curriculum developed by CCA staff.
7. Center for Community Arts will coordinate registration, and provide a permission slip and registration forms.
8. Participants will be asked for a \$5 per week deposit to hold their place in camp. Deposits will be returned in September to participants who came to camp at least four days of a given week.
9. All art works created become the property of camp participants who created them. Some art works will be temporarily retained for inclusion in a fall 2012 art show, and returned to participants after the show.

10. The cost to Lower Township is \$1625 per week, a total of \$13,000. Half, \$6,500 is to be paid in advance of June 25, 2012. We will invoice the balance as follows: \$3,250 will be invoiced by CCA on July 2, with payment anticipated by July 31, 2012. The final payment of \$3,250 will be invoiced on the last day of the program, August 17, 2012, with payment anticipated by September 5, 2012.

Agreed to by Center for Community Arts

by Township of Lower

Bernadette Matthews, Executive Director

Date

Date

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

RESOLUTION #2012-141

TITLE: APPROVAL OF COLD SPRING PRESBYTERIAN 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 359.13b, and

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

WHEREAS, the Township Council has reviewed the application of Cold Spring Presbyterian Church to conduct a flea market on June 23, 2012 with a rain date of June 30, 2012; 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 June 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

APPLICATION FOR OUTDOOR FLEA MARKET
NO FEE LICENSE

Name of Organization: Cold Spring Presbyterian Church

Name of Applicant (Responsible Party): Bonnie Bakley

Address & Phone Number: 780 Seashore Road
(609) 263-2485

Location of Event: Price Hall Cold Spring Church

Proceeds to Benefit: Church - Restoration Fund
for our 300th in 2014

Dates of Flea Market: June 23rd, 2012
(Two Days Only)

Rain Date: June 30, 2012

State Applicable Status: Non-Profit Civic
Charitable Religious

Marilyn J. Meeke
Signature of Person in Charge

FOR TOWNSHIP USE ONLY

Date Approved by Council: _____

COPY

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

RESOLUTION #2012-142

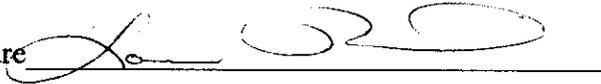
TITLE: ACCEPTANCE AND CONTRACT AWARD FOR WEIGHT-EXERCISE ROOM EQUIPMENT

WHEREAS, Lower Township advertised for bids for Weight-Exercise Room Equipment on May 16, 2012 for a bid opening scheduled for May 30, 2012 at 11:00 a.m., and

WHEREAS, one proposal was submitted and reviewed by the QPA and the Assistant Superintendents of Recreation, and

WHEREAS, the CFO has certified available funds as indicated below by her signature,

Budget Year & Appropriation: Ord#2012-09 C-04-55-409-620

CFO Signature 

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

AWARD TO: DYNAMIC FITNESS

TOTAL: \$18,043.95

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on June 4, 2012

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
LARE						
DOUGLASS						
LARE						
BECK						

**2012-06 EXERCISE EQUIPMENT
PROPOSAL FORM**

Township will determine the amount of equipment to be awarded. The undersigned proposes to furnish, deliver and install the above goods/services pursuant to the bid specification and made part hereof:

1. COMMERCIAL INFLIGHT CABLE CROSS OVER or equal PER UNIT PRICE \$ 2044.19
2. COMMERCIAL INFLIGHT MULTI BICEP/TRICEP MACHINE or equal PER UNIT PRICE \$ 1954.10
3. COMMERCIAL INFLIGHT MULTI-PRESS MACHINE or equal PER UNIT PRICE \$ 1954.10
4. COMMERCIAL INFLIGHT MULTI-LEG EXTENSION/LEG CURL or equal PER UNIT PRICE \$ 1954.10
5. COMMERCIAL INFLIGHT MULTI LAT/ARM MACHINE or equal PER UNIT PRICE \$ 1954.10
6. COMMERCIAL INFLIGHT MULTI-LEG PRESS or equal PER UNIT PRICE \$ 1954.10
7. COMMERCIAL LANDICE L780 TREADMILL W PRO TRAINER CONTROL PANEL or equal PER UNIT PRICE \$ 3195.25
8. COMMERCIAL VISION FITNESS X70 ELLIPTICAL TRAINER PER UNIT PRICE \$ 3034.10

Delivery Days from receipt of Order 21-30 Days

Delivery must be FOB Destination: Recreation Center 2600 Bayshore Rd Villas, NJ 08251

J.L. PINTO INC. 22-3291086
Company Name T/A DYNAMIC FITNESS Federal I.D. # or Social Security #
3425 S. BELSEA DR. VINELAND, NJ 08360
Address

[Signature] LAWRENCE BERTACCHI
Signature of Authorized Agent Type or Print Name

Title: PRESIDENT

856-765-9777 5/29/12
Telephone Number Date

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

Claudia Kammer

From: Margaret Vitelli <mvitelli@townshipoflower.org>
Sent: Thursday, May 31, 2012 11:44 AM
To: Claudia Kammer (Claudia Kammer); Julie Picard
Cc: Jim Ridgway; Mitch Plenn (Mitch Plenn); Mike Voll
Subject: FW: Weight Room Bid Results
Attachments: ~OT1DAP000F.PDF

Claudia and Julie,
Please place the attached bid on the Agenda for Monday June 4, 2012 meeting.
*See Mitch's recommendation below.

Advertised on 05/16/2012 One (1) Sealed bid received on 5/30/2012 at 11:00 am.
Appropriation # C-04-55-409-620 Ord #2012-09
Total of \$18043.95.
Thank you,
Margaret Vitelli QPA
Purchasing Agent

Township of Lower
2600 Bayshore Road
Villas, NJ 08251
609-886-2005 x123
mvitelli@townshipoflower.org

Margaret,

We would like for the weightroom equipment listed below to be awarded based on their bid price from Dynamic Fitness.

- 1- Commercial Inflight Cable Crossover or equal
- 1- Commercial Inflight Multi Bicep/ Tricep Machine or equal
- 1- Commercial Inflight Multi Press Machine or Equal
- 1- Commercial Inflight Multi Leg Extension/ Leg Curl or equal
- 1- Commercial Inflight Multi Lat/ Arm Machine or equal
- 1- Commercial Inflight Multi Leg Press or Equal
- 1- Commercial Landice L780 Treadmill with Pro Trainer Control Panel or Equal
- 1- Commercial Vision Fitness X70 Elliptical Trainer

I did speak to Larry Bertacchi from Dynamic Fitness and he is confident that the proposed equipment will fit into the new weightroom and he will provide a layout design by next week.

Thank you.

Mitchell Plenn

From: Margaret Vitelli [<mailto:mvitelli@townshipoflower.org>]
Sent: Wednesday, May 30, 2012 11:36 AM
To: Jim Ridgway; Mitch Plenn (Mitch Plenn); Mike Voll; Claudia Kammer (Claudia Kammer); Julie Picard (jpicard@townshipoflower.org)
Subject: Weight Room Bid Results

Jim and Mitch,
The Exercise bid results are attached, I received one bid. Dynamic Fitness's bid documents are in order and accepted. Please review the per unit price and send me a recommendation of what you would like to award. I can place it on the agenda to award for Monday June 4th meeting if I receive your approval by tomorrow or we can award at the June 18th meeting, which ever you prefer.

*Larry from Dynamic Fitness was going to measure the space to make sure that everything will fit into the room as well.

Thank you,

Margaret Vitelli QPA

Purchasing Agent

Township of Lower

2600 Bayshore Road

Villas, NJ 08251

609-886-2005 x123

mvitelli@townshipoflower.org

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

RESOLUTION #2012- 143

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
Lower Township Rescue	12-01402	Contribution	\$35,000.00
TOTAL BILL LIST			<u>\$35,000.00</u>

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

MEMORANDUM

TO: Claudia Kammer,
Twp. Clerk

FROM: Bill Galestok, PP, AICP
Director of Planning 

DATE: May 9, 2012

RE: Proposed Beekeeping Ordinance

I have modified the above Ordinance (attached) to reference the concerns of Mr. Tim Schuler, State Apiarist, New Jersey Department of Agriculture (e-mail dated 5/9/12, attached). Please call to discuss the procedure for introduction. Thank you.

WJG:las

att.2

cc: Planning Board members, w/att.

Bill

From: "Schuler, Tim" <tim.schuler@ag.state.nj.us>
Date: Wednesday, May 09, 2012 11:50 AM
To: <planning@townshipoflower.org>
Cc: "Schulze, Carl" <carl.schulze@ag.state.nj.us>; "Zoltowski, Joseph" <joseph.zoltowski@ag.state.nj.us>;
"Schuler, Tim" <tim.schuler@ag.state.nj.us>
Subject: Proposed Lower Township ordinance # 2012-11
Mr. Galestok,

Mr. Seth Belson from the New Jersey Beekeepers Association sent me a copy of the Lower Township proposed beekeeping ordinance # 212-11.

I wanted to thank you for the fact that Lower Township is not prohibiting beekeeping, and for the fact that you are using most of the New Jersey Department of Agriculture's (NJDA) Guidelines for Keeping Bees in Populated Areas. I wanted to bring to your attention that in section 400-57(H)(3) The proposed ordinance states that New Jersey State best management practices shall be followed by all beekeepers to avoid conflict with other neighborhood property owners. The practices you are referring to state that on lots of ¼ acre or less no more than three hives may be kept. Then in the proposed ordinance there is a table limiting the number of hives that may be kept by lot size. This table is not the same as the NJDA Guidelines and I think that inconsistency can be a source for confusion. If the proposed ordinance simply stated no more than 3 colonies on lots of ¼ acre or less it would avoid confusion.

I also wanted to bring to your attention in section 400-57(H) (4) Registration, that all locations where honey bees are kept over winter must be registered with the NJDA regardless of lot size.

If you would like to discuss my suggestions, or if I can be of any assistance to you and the Township of Lower, please do not hesitate to contact me at 609-462-7820.

Sincerely

Tim Schuler

State Apiarist
New Jersey Department of Agriculture
Division of Plant Industry
PO Box 330
South Warren & Market Streets
Trenton NJ 08625
Tim.Schuler@ag.state.nj.us
609-406-6939
Web Site <http://www.state.nj.us/agriculture/divisions/pi/prog/beeinspection.html>

1st Rdg 5/7
2nd Rdg 5/21
Tabled
3rd 6/4

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

ORDINANCE #2012- 11

AN ORDINANCE AMENDING CHAPTER 400 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER 2012

(ESTABLISHING GUIDELINES FOR BEEKEEPING IN THE TOWNSHIP OF LOWER)

SECTION 1. Section 400 of the Revised General Ordinances of the Township of Lower is hereby amended as follows:

[New Section]

§ 400-57(H) Allow beekeeping on small lots as a Permitted Use in Township of Lower.

§400-57(H)(1) **Authority; enforcement.**

1. This article is adopted pursuant to the authority of the Mayor and Council of the Township of Lower.
2. The Township of Lower Code Enforcement Officer, or any other person who may hereafter be designated by resolution is hereby authorized in the name and on behalf of the Township of Lower to undertake and prosecute any proceedings necessary or appropriate to enforce compliance with this article.

§ 400-57(H)(2) **Purpose.**

To allow the keeping of bees in Lower Township on small lots in populated areas according to the best management practices of the New Jersey Department of Agriculture.

§ 400-57(H)(3) **Guidelines for keeping honey bees**

New Jersey State best management practices shall be followed by all bee keepers in order to avoid conflict with other neighborhood property owners:

1. The number of hives of honey bees according to lot size shall be governed by the table below:
 - a. Lot size of ½ acre or less; one (1) hive.
 - b. Lot size of ½ acre to one (1) acre; two (2) hives
 - c. Lot size of one (1) acre to two (2) acres; three hives.
 - d. Lot sizes over two (2) acres; no restriction.
2. No hive of honey bees will be maintained within 15 feet of a boundary line of the property on which the hive is located.
3. All colonies must be located at least 25 feet from a public sidewalk, alley, street or roads.
4. All apiaries must have on site an adequate source of water within 25 feet of the hive(s) at all times (especially between March 1st and October 31st).
5. A six (6) feet high solid fence or hedge must be erected, along the property line, in the rear yard, if the colonies are within fifteen (15) feet of a neighbor's property.

6. All bee equipment and hives must be maintained in good condition.
7. All colonies must be kept in moveable frame hives in accordance with N.J.S.A. 4:6-10.
8. All colonies must be inspected by a qualified beekeeper or his delegate no less than three times between March 1 and October 1 of each year.
9. A substantial fence must be erected at least four (4) feet in height to prevent animals and children from coming into close contact with the hives.
10. Bee hives shall be located in the rear yard only.

§ 400-57(H)(4) **Registration**

All bee yard locations with a lot size of less than, or equal to, two (2) acres shall be registered as beekeepers with the New Jersey Department of Agriculture.

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

SECTION 3. 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 4. 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 5. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

Thomas Conrad, Councilmember

Walt Craig, Councilmember

Glenn Douglass, Councilmember

Kevin Lare, Councilmember

Michael Beck, Mayor

Attest: _____
 Claudia R. Kammer, Township Clerk

Adopted: _____, 2012.

Revised
w/ proposed
changes

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

ORDINANCE #2012- 11

**AN ORDINANCE AMENDING CHAPTER 400 OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF LOWER 2012**

(ESTABLISHING GUIDELINES FOR BEEKEEPING IN THE TOWNSHIP OF LOWER)

SECTION 1. Section 400 of the Revised General Ordinances of the Township of Lower is hereby amended as follows:

[New Section]

§ 400-57(H) Allow beekeeping on small lots as a Permitted Use in Township of Lower.

§400-57(H)(1) **Authority; enforcement.**

1. This article is adopted pursuant to the authority of the Mayor and Council of the Township of Lower.
2. The Township of Lower Code Enforcement Officer, or any other person who may hereafter be designated by resolution is hereby authorized in the name and on behalf of the Township of Lower to undertake and prosecute any proceedings necessary or appropriate to enforce compliance with this article.

§ 400-57(H)(2) **Purpose.**

To allow the keeping of bees in Lower Township on small lots in populated areas according to the best management practices of the New Jersey Department of Agriculture.

§ 400-57(H)(3) **Guidelines for keeping honey bees**

The local best management practices that shall be followed by all Lower Township bee keepers in order to avoid conflict with other neighborhood property owners are:

1. The number of hives of honey bees according to lot size shall be governed by the table below:
 - a. Lot size of ½ acre or less; one (1) hive.
 - b. Lot size of ½ acre to one (1) acre; two (2) hives
 - c. Lot size of one (1) acre to two (2) acres; three hives.
 - d. Lot sizes over two (2) acres; no restriction.
2. No hive of honey bees will be maintained within 15 feet of a boundary line of the property on which the hive is located.
3. All colonies must be located at least 25 feet from a public sidewalk, alley, street or roads.
4. All apiaries must have on site an adequate source of water within 25 feet of the hive(s) at all times (especially between March 1st and October 31st).
5. A six (6) feet high solid fence or hedge must be erected, along the property line, in the rear yard, if the colonies are within fifteen (15) feet of a neighbor's

- property.
6. All bee equipment and hives must be maintained in good condition.
 7. All colonies must be kept in moveable frame hives in accordance with N.J.S.A. 4:6-10.
 8. All colonies must be inspected by a qualified beekeeper or his delegate no less than three times between March 1 and October 1 of each year.
 9. A substantial fence must be erected at least four (4) feet in height to prevent animals and children from coming into close contact with the hives.
 10. Bee hives shall be located in the rear yard only.

§ 400-57(H)(4) **Registration**

All bee yard locations shall be registered as beekeepers with the New Jersey Department of Agriculture.

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

SECTION 3. 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 4. 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 5. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

Thomas Conrad, Councilmember

Walt Craig, Councilmember

Glenn Douglass, Councilmember

Kevin Lare, Councilmember

Michael Beck, Mayor

Attest: _____
Claudia R. Kammer, Township Clerk

Adopted: _____, 2012.

1st Rdg 5/21
2nd Rdg 4/4

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

ORDINANCE #2012-14

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LOWER, CHAPTER 529, SECONDHAND MERCHANTS AND DEALERS OF PRECIOUS METALS

SECTION 1. Chapter 529, of the Code of the Township of Lower, is hereby repealed in its entirety and shall be replaced with the following:

§ 529-1. Definitions.

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

SECONDHAND MERCHANT OR SECONDHAND DEALER OF PRECIOUS METALS

Any person, firm or corporation, who, within the Township, purchases, trades, handles or deals in any secondhand or used watches, jewelry, cutlery, gold, or other precious metals, wrought gold or other wrought precious metals, or any secondhand or used article whatsoever composed or manufactured in whole or in part of gold or other precious metals.

§ 529-2. License required.

- A. It shall be unlawful for any person, firm or corporation to engage in the business of secondhand merchant or secondhand dealer of precious metals, as defined in this chapter, without first obtaining a license therefore, as hereinafter provided. A separate license shall be required for each location, place or premises used for the conduct of the business of secondhand merchants and secondhand dealers of precious metals.
- B. Each application shall be referred to the Chief of Police or his designee, who shall institute whatever investigation of the applicant's business responsibility and criminal history, in the case of owner, and of criminal history only, in the case of a salesman, as is considered necessary for the protection of the public. No license shall be issued to any person who has been convicted of any crime, or a disorderly person offense involving theft. The findings of the Chief of Police or his designee shall be communicated in writing, together with any recommendations which he may have, to the Township Council within a reasonable time after the application has been filed. The Township Council shall consider the application at a regular meeting after receiving a report of the investigation. If, based upon the information contained in the application and the report, there is no adverse showing with respect to the applicant's business responsibility and criminal history, services or activity are free from fraud, in the case of an owner, or that there is no indication that the applicant's criminal history is unsatisfactory, in the case of a salesman, the Township Council may approve the application and the Township Clerk shall then issue the license, provided that the required license fees and bond fees have been paid, and further provided that there are authorized, but unissued, licenses available.

§ 529-3. Application.

- A. Any person, firm or corporation desiring a license to conduct the business of secondhand merchant or secondhand dealer of precious metals, as defined in this chapter, shall make a written application for a license, which shall contain the full name and address of the applicant and all employees and, if the applicant is a corporation, the full name and address of all its officers and directors.
- B. The number of licenses issued under this chapter to businesses, dealing in precious metals shall be limited to a maximum of ten, which number is deemed sufficient to meet the public need and prevent the creation of a nuisance to the public. No licensee shall retain custody of any license created hereunder, unless he owns and is prepared to operate a business as described herein.

§ 529-4. License fee and term.

The license fee to be paid to the Township by any secondhand merchant or secondhand dealer of precious metals shall be \$500. The license shall be valid from January 1 to December 31, renewable annually.

§ 529-5. Place of business; soliciting on streets; canvassing.

- A. Any license issued under the provisions of this chapter shall designate the place in which the secondhand merchant or secondhand dealer shall carry on such business; and such business shall not be carried on or conducted in any other place than that designated in or by such license. No secondhand merchant or secondhand dealer of precious metals shall be permitted to solicit business upon any street or public highway of the Township.
- B. No person, firm, or corporation shall conduct a house-to-house canvass for the purchase or sale of secondhand or used watches, jewelry, cutlery, gold, or other precious metals, wrought gold or other wrought precious metals, or any other secondhand or used article whatsoever composed or manufactured in whole or in part of gold or other precious metals, within the Township.

§ 529-6. Record of purchases, sales and exchanges; daily reports.

Every secondhand merchant and secondhand dealer shall keep a tightly bound book, not loose-leaf, with pages numbered in sequence in which there shall be made at the time of the transaction a record, in English, of every article received, purchased, sold or exchanged by him, setting forth the following: the name, age, sex, residence and a picture with the general description of the individual with whom the transaction is had, the price or consideration paid or received at the time of the transaction and a picture with the description of every article received, sold or exchanged, giving the manufacturer's name or other marks of identification appearing on the same. Every secondhand dealer shall deliver or mail by U.S. Mail, first class, postage prepaid, to the Chief of Police of the Township of Lower, a legible and accurate exact copy of the aforementioned record of purchases, sales and exchanges before any subsequent transaction or changing of the composition or character of the item(s) received by the secondhand dealer.

It will be at the discretion of the Chief of Police of the Township of Lower to switch the method of delivery of such notifications to electronic via internet or electronic mail if said system is established by the Lower Township Police department. Any costs associated with this method will be the responsibility of the dealer.

§ 529-7. Record inspection, transmission and maintenance.

- A. This book, and all goods, articles, or things purchased, received or kept for sale or exchange by every secondhand merchant and secondhand dealer of precious metals shall be subject to inspection of the Chief of Police of the Township or such persons as may be designated by the Chief of Police.
- B. Any secondhand merchant or secondhand dealer of precious metals not at a permanent place of business in the Township shall, at the conclusion of the last day of business in the Township, turn over to the Police Department the book containing the recordation of all purchases, sales and exchange a mentioned in § 529-6.
- C. Any secondhand merchant or secondhand dealer of precious metals with a permanent place of business in the Township shall keep said book mentioned in § 529-6 for a minimum of one year from the date of the latest transaction recorded in said book.

§ 529-8. Storage of purchased goods prior to sale or disposal.

Every secondhand merchant and secondhand dealer of precious metals must keep, without concealment, for a period of ten (10) days, subject to inspection by any police officer, all goods, wares and merchandise purchased or received from any person before selling, shipping or otherwise disposing of the same. This provision shall be followed in addition to § 529-6, requiring reports and records.

§ 529-9. Use of unlicensed premises prohibited.

No secondhand dealer of precious metals shall make use of any property, private or public, not included within the licensed premises, or bank vault, within the Township, leased to the secondhand dealer for the storage, handling or display of any secondhand article.

§ 529-10. Melting, wrecking and remodeling.

No secondhand dealer of precious metals shall take apart or melt up any watch, watch case or article composed or manufactured, in whole or in part, of gold, silver or platinum or other precious metal until he shall have made a record of his intention to do so, along with all other data required to be recorded in the book mentioned in § 529-6, and unless and until he shall have kept such article in his licensed place of business or bank vault in the Township, leased to the secondhand dealer, for inspection for a period of not less than ten (10) days after the report provided for under § 529-6 has been made, unless the article proposed to be taken apart, melted up, wrecked or remodeled has been sooner inspected by the Chief of Police or his deputy or received clearance for such melting, wrecking or remodeling.

§ 529-11. Display of license.

Every secondhand dealer of precious metals shall maintain and display his license at all times during the period of his license in a conspicuous place or in the licensed premises.

§ 529-12. Bond.

Every secondhand dealer of precious metals shall, at the time of receiving such license, execute a bond to the Township of Lower in the penal sum of \$10,000 with good and sufficient surety or sureties to be approved by the Township Solicitor conditioned upon the licensee faithfully observing and complying with the provisions of this chapter at all times during the continuance of such license and conditioned further upon a promise to indemnify, keep and hold the Township of Lower harmless against all liabilities, judgments, costs, damages and expenses which may in any way come against the Township in consequence of the issuance of said license or by any act or thing done or neglected to be done by said licensee under and by virtue of the authority granted in said license or for the failure or neglect of such licensee to observe and comply with the ordinances of the Township relating to the business licensed.

§ 529-13. Purchases from minors.

No secondhand dealer of precious metals shall purchase any secondhand article whatsoever from any minor or minors without written parent or guardian consent.

§ 529-14. Exceptions.

The provisions of this chapter shall not apply to secondhand material purchased from any regular motor vehicle dealer, public utility corporation, governmental agency, regularly licensed junk dealer, industrial plant, licensed electrical or plumbing contractor, to purchases at judicial sales or to items left for repair.

§ 529-15. Suspension or revocation of license; hearing.

In addition to being subject to the penalties provided in §§ 529-16 of this chapter, any license issued under this chapter may be revoked or suspended as outlined in code 432-17.

§ 529-16. Violations and penalties.

For the violation of any provision of this chapter, the maximum penalty, upon conviction of the violation, shall be a fine not exceeding \$500 or imprisonment in the county jail for a period not exceeding 90 days, or both. In addition thereto, upon such conviction, the person, firm or corporation violating any of the provisions of this chapter shall be subject to suspension or revocation of the license issued.

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

SECTION 5. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law provided.

Thomas Conrad, Councilmember

Walt Craig, Councilmember

Glenn Douglass, Councilmember

Kevin Lare, Councilmember

Michael Beck, Mayor

Attest: _____
Claudia R. Kammer, Township Clerk

Adopted: _____, 2012

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

RESOLUTION # 2012-144

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on June 4, 2012 that an Executive Session closed to the public shall be held on this date at approximately _____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

I hereby certify the foregoing to be a resolution adopted by the Township Council on June 4 , 2012.

 Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-145

TITLE: A RESOLUTION TO RATIFY THE MEMORANDUM OF UNDERSTANDING BETWEEN LOWER TOWNSHIP AND TEAMSTERS LOCAL UNION NO. 676

WHEREAS, extensive negotiations were conducted by the Township Manager and Labor Counsel with Teamsters Local Union No. 676; and

WHEREAS, the parties have reached an agreement in a Memorandum of Understanding which will be utilized to prepare the Collective Bargaining Agreement with Teamsters Local Union No. 676; and

WHEREAS, the Township Manager and Labor Counsel recommend the Township Council's ratification of the Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED the attached Memorandum of Understanding is hereby ratified.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the ratified Collective Bargaining Agreement, once prepared, in accordance with and under the terms as outlined herein above, on behalf of the Township.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						