

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

March 2, 2015 - 6:00 P.M.

Meeting called to order.

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

Consent Agenda

Approval of Minutes February 18, 2015
Res. #2015-77 Payment of Vouchers \$1,517,288.25
Res. #2015-78 Authorizing Pay Out of Terminal Leave (A.McCloskey \$46,671.02)
Res. #2015-79 Authorization for South Jersey Power Cooperative Electric Bid (County as lead agency)
Res. #2015-80 Bid Acceptance and Contract Award for Landscaping Services for Various Locations in Lower Township (Douglass Landscaping Services, LLC \$45,800)
Res. #2015-81 Bid Acceptance and Contract Award for Fertilizer/Slice Seed Applications for Various Locations in Lower Township (TruGreen \$14,096.)
Res. #2015-82 Authorization for Refund of Taxes (4 properties \$5,315.02)
Res. #2015-83 Amending Resolution #2015-20; Designation of Official Newspapers for Legal Advertising for the Year 2015 (changing from the Gazette to The Herald)
Res. #2015-84 Approval of 2015 Rotary Towing License (Cape Harbor Auto Repair)
Res. #2015-85 A Resolution Agreeing to Accept a Donation of Land to be used as Township Recreational Fields (a portion of 793 Tabernacle Rd)
Res. #2015-86 Resolution Opposing New Jersey Senate Bill S2076/ Assembly Bill A3358 Regarding Class I Renewable Energy Certificate Multiplier Program for Unprofitable Landfill Gas to Electricity Facilities (at the request of Cape May County Freeholders – passage of these bill will likely result in higher electric bills for South Jersey in order to fund private sector bailouts)
Res. #2015-87 Resolution Authorizing Indemnification and Defense of a Lower Township Employee in Accordance with Chapter 25 of the Code of the Township of Lower (G.Playford)
Res. #2015-88 Resolution Authorizing the Transfer of a Back Hoe No Longer Needed for Public Use to the Borough of West Cape May

Regular Agenda

Res. # 2015-89 A Resolution Amending Resolution #2015-09; Establishment of Council Meeting Dates and Times for the Year 2015
Ordinance #2015-02 Ordinance Amending Chapter 166 - Animals, Of The Code of the Township of Lower - 1st reading; 2nd reading and public hearing scheduled for March 16, 2015.

Administrative Reports

Personnel Action Report

Council Comments

Call to the Public

Adjournment

COUNCIL MEETING MINUTES – February 18, 2015

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on February 18, 2015 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 David Perry
Deputy Mayor Clark
Mayor Michael Beck

Also present: James Ridgway, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Clerk's Office

Work Session

Budget Message - Manager James Ridgway

Manager Ridgway presented the annual budget message, introducing the 2015 proposed municipal budget. He disclosed a 2.5 cent tax increase due to several factors including: a decrease in surplus, loss of revenue, the addition of four police officers, an increase in health insurance costs, funding of the annual July 4th celebration, terminal leave payments, and pension and payroll tax increases. For more detailed information, see attached budget message. Copies of the budget will be available on the Township website as well as in the Clerk's Office at Township Hall. He announced the public hearing, scheduled for April 20th at 6:00 p.m. and he introduced Auditor Michael Garcia of Ford-Scott & Associates.

Introduction of 2015 Budget – Mike Garcia

Michael Garcia of Ford-Scott & Associates introduced the budget with a 2.5 cent tax increase. He reminded that the introduction is the beginning of the process. Council can make changes to this budget between now and the public hearing. This budget is in compliance with all State requirements, including: the March 13th deadline, the 3.5 percent spending cap and the 2 percent tax levy cap. This budget is \$828,000 below the 3.5 percent spending cap and is right at the 2 percent tax levy cap. The budget hearing is scheduled for April 20, 2015.

Councilmember Conrad reminded that this is the introduction of the budget and indicated that he doubts that the budget will result in a 2.5 cent tax increase.

Councilmember Perry assured that this budget will be examined thoroughly and he restated the idea of shared services.

Deputy Mayor Clark reemphasized the importance of shared services. He also asked for clarification from Manager Ridgway on the increase of police officers. Manager Ridgway gave an explanation to include four additional officers. Discussion ensued between Councilmember Conrad and Mayor Beck regarding the intention to replace two retiring officers.

Mayor Beck thanked the Auditor and CFO for their work on the budget, and Susan Jackson, Township Tax Collector, for the collection rate. He expressed concern about the budget and saving money where possible.

Deputy Mayor Clark informed that this budget fully funds our annual July 4th celebration. He thanked the Friends of Lower Township for generously supporting these efforts in the past.

Mayor Beck spoke briefly about the tax collection rate and how it affects the surplus.

Discussion - Meeting Time Change – Councilman David Perry

Councilmember Perry addressed the desire of many constituents in Ward 2 to change the meeting time to 7:00 p.m.

Councilmember Conrad communicated both supporting and opposing views from constituents in Ward 1.

Deputy Mayor Clark suggested that our public information officer take a poll to get a feel for how many people would promise to come if the time were changed to 7:00 p.m.

Mayor Beck voiced consideration for staff and residents. Discussion ensued. Council consented to take a poll and revisit the issue at a future Council meeting. Council agreed to keep the budget meeting at 6:00 p.m. for advertising purposes.

Consent Agenda

Mayor Beck questioned an item on the bill list concerning legal advertisement fees. Clerk Picard replied that the charges are for advertisement of Planning and Zoning's Open Public Meetings Act requirement in the Gazette. Councilmember Conrad agreed that Council may need to explore a different option.

Ed Butler, Villas, expressed concern about a 2.5 cent tax increase. He challenged each council member to look for a way to avoid the increase. Mayor Beck commented about the local purpose tax.

Helen Thompson addressed Council to voice concern about the cost of police hires with a declining population.

Tom Frisoli, Villas, addressed Council with a question about the senior tax freeze program. Mayor Beck suggested he check with the tax collector.

Mr. Butler gave clarification about the tax freeze.

- Approval of Minutes February 2, 2015
- Res. #2015-67 Payment of Vouchers \$264,358.32
- Res. #2015-68 Authorizing Payment of 2015 County Taxes (First and Second Quarters) and Animal Control Fees
- Res. #2015-69 Resolution Approving the Extension of Liquor License to Co-Executors (Driftwood Cove)
- Res. #2015-70 Authorization for Refund of Taxes (2 properties \$1,351.16)
- Res. #2015-71 Award of Extraordinary Unspecified Service Contract Without Public Bidding for Stewart Farrell of the Richard Stockton College of New Jersey Coastal Research Center (\$4,297.28 FEMA Maps/Mtgs)
- Res. #2015-72 Authorization for the Payout of Accumulated Sick Time (2 officers \$2,898.40)
- Res. #2015-73 Appointment of UHY Employee Benefits Consulting Service for Actuarial Consulting Services Required by the Local Finance Board without Public Bidding (GASB as required by NJ LFN 2007-158 \$4,500))
- Res. #2015-74 A Resolution Approving Additional Services to be Performed by Hatch Mott MacDonald regarding the Reconstruction of Clubhouse Drive (not to exceed \$6,000)
- Res. #2015-75 Resolution Introducing Budget

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

Regular Agenda

- Res. #2015-76 Authorization for the Payout of Accumulated Compensatory Time (M. Perry \$8,684.13)

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

Administrative Reports

Monthly reports - Clerk, Construction, Dog, Police, Tax, Vital Statistics

Council Comments

Councilmember Conrad commented about the weather and plowing the roads, emphasizing the number of streets in the township. He also commended the citizens for acting courteously during the power outage.

Councilmember Perry commended the Public Works Department on a job well done plowing the roads.

Deputy Mayor Clark spoke about issues with County Road #607 and asked for Council's support soliciting help from the County. After a brief discussion, Council consented to send a letter to the County listing all current issues with county roads.

Deputy Mayor Clark also addressed concerns from residents about increased taxes and insurance costs. He announced information about the FEMA meeting and informed of conversations with Senator VanDrew in the interest of shore protection.

Mayor Beck announced a free breakfast for veterans from the Lower Township Rotary Club.

Councilmember Conrad reminded of the Run for the Fallen benefit at the Bayview.

Call to Public

Brian O'Connor, Chairman of the LTMUA, read the 2014 LTMUA report verbatim. The theme of the report was a year of outstanding performance and progress, despite an atmosphere of uncertainty. A copy was not provided to the Clerk for the record.

Steve Sheftz, Townbank, pointed out the sacrifice made by the LTMUA Chairman. He talked about the eight operating philosophies shared by the LTMUA board and LTMUA employees that he credits for their success.

John Skowronski, 607 Arctic Avenue, reiterated Mr. Butler's concerns about the budget. He pleaded with Council to work on a zero tax increase.

Helen Thompson, 44 E Delaware Parkway, shared a temperature and relative humidity chart from NOAA National Weather Service and voiced concerns about the animal ordinance. She requested that Council change the ordinance to be more temperature specific regarding extreme weather.

Solicitor Stefankiewicz communicated the temperature range he is proposing, along with other provisions he is prepared to recommend. He also informed that Manager Ridgway has been working diligently on this matter. Ms. Thompson also voiced concerns about the tether ordinance. Solicitor Stefankiewicz assured that changes to tethering have been included in the proposed recommendations.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Deputy Mayor Clark. Motion to adjourn unanimous. Meeting adjourned at 7:04 p.m.

Mayor

Township Clerk

Approved:

**MANAGER'S ANNUAL BUDGET MESSAGE
2015 BUDGET INTRODUCTION – FEBRUARY 18, 2015**

Council has received a copy of the proposed municipal budget for the year 2015. Due to several factors, there is a 2.5 cent tax increase. The tax levy is \$20,224,231.41 compared to last years \$19,268,529.55, an increase of 955,701.86.

The amount of surplus supporting this year's budget decreased from 2014 by \$265,000 or 12.83%. This is because several adjustments made to fund balance in 2014 will not be made in 2015 so the maximum amount that can be responsibly anticipated is \$1.8M.

There are revenues that will not be included in the 2015 budget including half of the Lower Township Elementary School contribution for the School Resource Officer. The SRO is retiring and the school will be funding this position out of their budget. This means that the officer replacing the SRO will be an addition to our current patrol numbers.

There are 4 additional police hires in this budget which raises our current number of officers from 42 to 46.

*I want to note here that in the summer 2 veteran officers are retiring and are going to be replaced. The chief is currently working on his strategy for such and when he gives me his recommendations I will present to council.

The health insurance line increased by \$290,600 or 7.6%. The increase was originally over 12% but is being offset by employee contributions of \$400,000.

This budget fully funds our annual July 4th celebration of fireworks and carnival rides. This will assure the continuation of this successful program without relying on contributions from generous donors.

Terminal leave payments of \$200,000 and pension and payroll tax increases of \$100,000 make up the final portion of the increase.

The local tax rate for the year 2015 is 56.1 cents per \$100 of assessed value. The municipal purpose tax will be \$561 for every \$100,000 of assessed value. An average assessed residence valued at \$229,000 will see an annual increase of \$57 (\$14.25 per quarter).

The total assessed value of real property upon which the tax rate is based is \$3,605,399,621 compared to \$3,598,751,806 in 2014, an increase of \$6,641,815. This reflects increases in new property and construction valuations, lowered by successful tax appeals, adjustments in value made by the Tax Assessor. Every \$360,540 of the amount to be raised by taxation for the 2015 budget equals one cent on the tax rate.

The Township completed 2014 with a surplus of \$4,020,025. Of that balance \$1.8M is being applied to this year's budget, leaving a balance of \$2,220,026.

The tax collection rate for 2014 was 98.32% compared with 98.21% in 2013. This budget uses 96.8% rate to compute the reserve for uncollected taxes in 2015.

The public hearing is scheduled for April 20th at 6:00 p.m. A budget summary will be published in the Cape May Star & Wave. Copies will be available on the Township website as well as in the Clerk's office at Townhall.

Lower Township is required by statute to deliver to council by March 13 of this year a working document for preparation of the annual municipal budget. This budget meets the state tax levy cap which limits growth of the local purpose tax to 2 per cent annually.

The Township Managers proposed operating budgets are compliant with the Tax Levy Cap Law, and the original spending Caps Law.

Each Council member has been provided a 2015 Budget Notebook that includes individual department requests for other expenses and Capital, Salaries and Wages, along with Revenue Reports.

This is not the adoption of the Townships Budget. This is a working document that belongs to the township council and you may make changes to the recommended budget, or move to introduce the budget as recommended at the appropriate time.

Lauren Read, our CFO has worked closely assisting me in the presentation of these documents.

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00991 COLONIAL ELECTRIC SUPPLY*								
	15-00308	01/29/15	LIGHT BULBS-RECREATION	Open	119.40	0.00		
	15-00309	01/29/15	LIGHT BALASES - RECREATION	Open	<u>122.70</u>	0.00		
					242.10			
01125 MARGARET CROMPTON								
	15-00470	02/20/15	CONTRACTUAL REIMBURSEMENT	Open	5.00	0.00		
01132 CUMMINS POWER SYSTEMS, LLC*								
	15-00376	02/06/15	UPDATE TO DIAG TOOL	Open	461.25	0.00		
01139 CORELOGIC								
	15-00478	02/23/15	RES#2015-82 REFUND 1ST QRT TAX	Open	4,215.31	0.00		
01201 DELL CORPORATION*								
	15-00411	02/10/15	5 COMP TREASURE/GRANT/PURCHASE	Open	5,435.55	0.00		
01219 CONTRACTOR SERVICE*								
	15-00310	01/29/15	SAFETY VESTS	Open	348.48	0.00		
01540 FIRE DISTRICT #2								
	15-00451	02/18/15	2015 FIRE DISTRICT #2 TAXES	Open	918,590.00	0.00		
01641 GALL'S INC*								
	15-00315	01/29/15	POLICE PATROL SUPPLIES	Open	528.00	0.00		
01657 GOPHER SPORT*								
	15-00325	01/29/15	WEIGHT ROOM WIPES REFILLS	Open	82.35	0.00		
01685 W W GRAINGER, INC.*								
	15-00402	02/09/15	SMOKE DETECTOR TESTER/BATTERIE	Open	300.81	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
	15-00390	02/09/15	BOARD SOLICITOR SALARY	Open	625.00	0.00		
01974 I.A.C.P. MEMBERSHIP*								
	15-00257	01/27/15	2015 MEMBERSHIP MASTRIANA	Open	150.00	0.00		
02021 JERSEY CAPE DOOR*								
	14-03312	12/29/14	DOOR PARTS PUBLIC SAFETY	Open	200.00	0.00		
02136 TED KINGSTON INC*								
	15-00101	01/07/15	VEHICLE MAINT	Open	300.00	0.00		
	15-00323	01/29/15	JANUARY RADIO MAINT - DPS	Open	<u>546.61</u>	0.00		
					846.61			
02140 KINDLE FORD LINC/MERC., INC.*								
	15-00129	01/12/15	POLICE CAR PARTS	Open	2,168.19	0.00		
02334 LOWER TWP. CHAMBER OF COMMERCE								
	15-00491	02/23/15	L/T CHAMBER LUNCHEON 2/12/15	Open	17.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02461 JOHN MAHER	15-00444	02/18/15	CONTRACTUAL REIMBURSEMENT	Open	58.00	0.00		
02521 JOSEPH MARKER	15-00498	02/24/15	CONTRACTUAL REIMBURSEMENT	Open	2,517.60	0.00		
02585 WILLIAM MASTRIANA	15-00446	02/18/15	CHIEFS MEETINGS	Open	40.00	0.00		
02944 MV ENGINEERING*	15-00365	02/04/15	PROFESSIONAL ENGINEERING SERVI	Open	2,200.00	0.00		
	15-00472	02/23/15	PROFESSIONAL ENGINEERING SERVI	Open	<u>1,756.25</u>	0.00		
					3,956.25			
02986 NEVCO SCOREBOARD CO.*	15-00319	01/29/15	SCOREBOARD TIME CONTROL SWITCH	Open	60.09	0.00		
03478 RED THE UNIFORM TAILOR, INC.*	14-03319	12/29/14	UNIFORMS	Open	435.95	0.00		
03518 RIGGINS, INC.*	15-00466	02/20/15	OFF HIGHWAY DIESEL	Open	666.27	0.00		
03688 SOUTHERN NJ CHAPTER NIGP*	15-00477	02/23/15	2015 SJNIGP MEMBERSHIP	Open	90.00	0.00		
03692 SOUTH JERSEY GAS CO*	15-00496	02/24/15	GAS BILL FEBRUARY 2015	Open	8,571.23	0.00		
03766 JOAN TAYLOR	15-00437	02/18/15	CONTRACTUAL REIMBURSEMENT	Open	800.00	0.00		
03804 PETER M TOURISON	15-00272	01/27/15	2015 PROSECUTOR DNE \$14,000	Open	1,166.66	0.00		B
03810 MUNICIPAL UTIL AUTH USAGE COST	15-00505	02/25/15	WATER CHARGES DUE 3/4/14	Open	1,201.36	0.00		
	15-00506	02/25/15	SEWER DUE 3/4/15 POLICE	Open	<u>160.00</u>	0.00		
					1,361.36			
03814 UNIVERSAL COMPUTING SERV., INC*	15-00208	01/22/15	MAILERS	Open	384.15	0.00		
03820 MUNICIPAL UTIL AUTH ON CALL	15-00467	02/20/15	REIMBURSE HALF OF TOTAL BILL	Open	83.17	0.00		
03834 CAPE MAY COUNTY TREASURER/HAVE	15-00497	02/24/15	4TH QTR 2014 HAVEN HSE IN LIEU	Open	510.39	0.00		
03971 VERIZON WIRELESS MDT POLICE	15-00383	02/09/15	POLICE MDT WIRELESS	Open	539.19	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03992 VAL-U AUTO PARTS LLC*	15-00021	01/06/15	RDS/SANT/RECY/DPW	Open	3,106.93	0.00		
04097 CINTAS FIRST AID AND SAFETY*	15-00447	02/18/15	FIRST AID SUPPLIES TOWNHALL	Open	101.95	0.00		
	15-00468	02/20/15	FIRST AID SUPPLIES	Open	98.93	0.00		
					<u>200.88</u>			
04115 WHITE & WILLIAMS, LLP	15-00166	01/16/15	MASTER BURN CD	Open	45.00	0.00		
04300 W B MASON CO INC*	15-00317	01/29/15	SUPPLIES	Open	64.33	0.00		
	15-00327	01/30/15	OFFICE SUPPLIES	Open	176.86	0.00		
	15-00425	02/11/15	OFFICE SUPPLIES FEBRUARY 2015	Open	105.64	0.00		
					<u>346.83</u>			
04445 TRICOMM SERVICES CORP*	15-00387	02/09/15	TELEPHONES	Open	442.00	0.00		
04514 WILLIAM BLANEY*	15-00110	01/09/15	2015 LABOR SOLICITOR DNE 50k	Open	700.00	0.00		B
06040 RICHARD STOCKTON COASTAL RSCH*	14-00158	01/14/14	#2013-317 FEMA MAP 1/2 MIDDLE	Open	256.38	0.00		
5032 NORTH WILDWOOD \$ CREST SHIRT*	15-00326	01/29/15	MENS LEAGUE BASKETBALL SHIRTS	Open	500.00	0.00		
6004 LERETA, LLC	15-00495	02/24/15	RES 2015-82 1ST QTR TAX REFUND	Open	1,099.71	0.00		
6005 TOSHIBA BUSINESS SOLUTIONS IN*	15-00348	02/03/15	CARD DATA SUPPORT 1/16/15-2016	Open	1,990.00	0.00		
6059 USABLE LIFE	15-00475	02/23/15	MARCH 2015 LIFE INSURANCE	Open	428.04	0.00		
6061 AMERIHEALTH ADMINISTRATORS	15-00445	02/18/15	FEBRUARY 16 2015 HEALTH & RX	Open	55,057.50	0.00		
	15-00494	02/23/15	FEBRUARY 23 HEALTH & RX	Open	177,087.15	0.00		
					<u>232,144.65</u>			
7098 SHORE VETERINARIAN ANIMAL *	15-00279	01/27/15	2014-47 ANIMAL CONTROL SERV 15	Open	4,250.00	0.00		B
7196 LAUREN HUGGINS SUIT*	15-00274	01/27/15	RES 2015-46 DNE \$2800	Open	600.00	0.00		B
7324 DAVID A. STEFANKIEWICZ	15-00113	01/09/15	RES#2015-01 MONTHLY \$28k DNE	Open	2,333.33	0.00		B

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7324 DAVID A. STEFANKIEWICZ				Continued				
15-00114	01/09/15	RES 2015-01	SOLICITOR DNE \$99k	Open	<u>4,964.03</u>	0.00		
					7,297.36			
7340 ROMAN'S PIZZA HOUSE								
15-00357	02/03/15	OVER PAYMENT FOR ADULT LEAGUE		Open	50.00	0.00		
7348 ROBERT MARTIN JR.								
15-00474	02/23/15	CONTRACTUAL REIMBURSEMENT		Open	13.49	0.00		
MARGATE MARGATE RECREATION								
15-00293	01/29/15	TOURNAMENT FEES BOYS 3/4 GRADE		Open	150.00	0.00		
<hr/> Total Purchase Orders: 77 Total P.O. Line Items: 0 Total List Amount: 1,271,420.25 Total Void Amount: 0.00								

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

RESOLUTION #2015-77

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>CK</u>	<u>Amount</u>
Atlantic County JIF	15-00504	1 st Quarter Pymt	54478	\$245,868.00
		Total Computer Generated		<u>\$1,271,420.25</u>
		Total Bill List		<u>\$1,517,288.25</u>

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015

Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION # 2015-78

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 payment due to Arthur McCloskey in the amount of \$ 46,671.02 is authorized and chargeable to the Reserve for Accumulated Absences.

BE IT FURTHER RESOLVED that the funds shall be disbursed in one payment of \$23,335.01 in 2015 and one payment of \$23,335.01 in 2016.

I hereby certify the foregoing to be the original a resolution adopted by the Township Council at a meeting held on March 2, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE: 1/29/2015

EMPLOYEE: McCloskey, Arthur
 DATE OF RETIREMENT 3/1/2015
 DATE OF PAYMENT:
 RESOLUTION #:

Annual Salary:	\$58,349.57
Hourly Rate:	\$28.05
Longevity	

SALARY:	
Salary due to	
Salary paid through	
Balance due	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	28.05	0.00
Personal	4.92	28.05	138.11
Sick	1,440.00	28.05	40,395.86
Vacation	218.77	28.05	6,137.06
Terminal Leave Payout			\$46,671.02
Final pay			

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)	
	Carryover	Annual Accrual	8 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp	0.25	0.00		0.00	0.00	0.00	
Personal	0.00	32.00	0.15	4.92	0.00	4.92	
Sick	1,982.00	120.00	0.15	18.46	56.00	1,440.00	1440 max
Vacation	188.00	200.00	0.15	30.77	0.00	218.77	
Total	2,170.25	352.00		54.15	56.00	1,663.69	

Accrual and time used are current to 01/03/15 subject to change if time is used or not currently reported.

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

C. CFO
PAYROLL

Arthur McCloskey
202 Marshall Ave.
Cape May, NJ 08204

February 6, 2015

Dear Manager Ridgway,

I am respectfully requesting to receive my accumulated vacation time and sick time payout of \$46,671.02 in 2 payments.

March 1, 2015 \$23,335.00
\$ 5,000.00 Fed Tax
\$ 1,000.00 State Tax

January 1, 2016 \$23,335.00
\$ 5,000.00 Fed Tax
\$ 1,000.00 State Tax

Sincerely,
Arthur McCloskey

Arthur McCloskey

C: Lauren Read, CFO

OK!
Lauren Read

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

RESOLUTION # 2015- 79

Title: AUTHORIZATION FOR SOUTH JERSEY POWER COOPERATIVE ELECTRIC BID

WHEREAS, the Township desires to participate in the South Jersey Power Co-Operative (SJPC) with Cape May County Cooperative as lead agency with the approved energy consultant, Dome-Tech Inc.

NOW, THEREFORE, BE IT RESOLVED that the Qualified Purchasing Agent is hereby authorized to include Lower Township in the South Jersey Cooperative bid for retail purchase of electric.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

SJPC 2015 BID FOR ELECTRICITY
PARTICIPATION RESPONSE FORM: DUE 2.13.2015

INSTRUCTIONS: PLEASE COMPLETE THIS FORM AND RETURN TO THE ATTENTION OF SHAWN TEJANI @ DOME-TECH. RESPONSES MAY BE SENT VIA EMAIL [stejani@noresco.com] OR FAX [732.590.3293]. In turn, you will receive an email confirmation that your Form has been received.

STEP 1: CHECK THE APPROPRIATE BOX BELOW:

YES, PLEASE include our Entity's electric accounts in this year's SJPC Electric bid. We understand that our electric accounts will be awarded to the lowest responsible bidder for a service period of up to 2 years. We authorize the SJPC's representatives to secure our utility data on our behalf.

NO, THANK YOU, we will not participate in this year's SJPC Electric bid.

We have questions. Please contact me at the email address below.

STEP 2: PROVIDE CONTACT INFORMATION (all fields required; please write legibly):

Entity / County: TOWNSHIP OF LOWER / CAPE MAY
Contact Name: MARGARET VITELLI
Contact Position: PURCHASING AGENT
Contact Email Address: MVITELLI@TOWNSHIPOFLOWER.ORG
Contact Phone: 609-886-2005 X123
Entity Billing Address: 2600 BAYSHORE ROAD
(for winning energy supplier) VILLAS, NJ 08251

STEP 3: SIGNATURE OF AUTHORIZED REPRESENTATIVE:

By signing below, I understand and acknowledge that the entity I represent is hereby committed to the SJPC Electric 2015 bid process and will be contractually bound by the terms of the resulting master agreement between County of Camden and the winning bidder(s). Subsequent to bid award, we will pass a Board Resolution to document our participation and the terms of the agreement (low bid price, supplier, contract service dates, etc.). We understand that we cannot and will not switch to an alternate energy supplier during the term of the resulting agreement.

Signature: Michael E. Beck

Printed Name / Position: Michael E Beck / Mayor

STEP 4: CONFIRM/SUBMIT ACCOUNT NUMBERS AND INFORMATION (Pages 4-9).

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

RESOLUTION # 2015-80

Title: **BID ACCEPTANCE AND CONTRACT AWARD FOR LANDSCAPING SERVICES FOR VARIOUS LOCATIONS IN LOWER TOWNSHIP**

WHEREAS, the Township advertised bids for the Landscaping Services for Various Locations in Lower Township for the years 2015 & 2016 including a Third year 2017 Option; and

WHEREAS, bids were advertised on February 4, 2015 and accepted and opened on February 18, 2015 10:00 a.m. and the Township received One (1) sealed bid, which included a bid bond requirement; and

WHEREAS, all bids were reviewed by the Solicitor David Stefankiewicz, and the Recreation Director; and

WHEREAS, Douglass Landscaping Services, LLC has provided the lowest responsive bid, which included all the required certifications, references and equipment listings in his submitted sealed bid documents; and

WHEREAS, the CFO has certified the availability of funds as evidenced by her signature below:

Lauren Read, CFO

5-01-28-370-281
Budget Account

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following contract is hereby awarded:

AWARD TO: DOUGLASS LANDSCAPING SERVICES LLC
TERM: March 2, 2015- December 31, 2015
TOTAL: \$45,800.00 per year

BE IT FURTHER RESOLVED, the contract may be extended up to two additional one year increments covering 2016 and 2017 at a fee of \$45,800.00 but only after approval by a resolution of the governing body in each year of extension based on the availability of the current year appropriations.

BE IT FURTHER RESOLVED, upon approval of the resolution, the fully executed Purchase Order together with the official bid documents shall serve as the Contract for the award of the bid.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

2015-01 PROPOSAL PAGE
Landscaping Services for Various Locations in Township of Lower
2015/2016 Season with 2017 option

The undersigned proposes to furnish and deliver the above goods/services pursuant to the contract bid specification and made part hereof:

The initial term of this contract shall be from March 2, 2015 and continuing through December 31, 2015. Providing that the performance under this contract is satisfactory and that the contractor complies with the requirements of the specifications, the contract may be extended for two (2) additional years, in one (1) year optional increments beginning in February 1, 2016 and continuing through December 31, 2016 and February 1, 2017 through December 31, 2017. The options to extend the contract shall be at the sole discretion of the Township of Lower and shall be enacted by a resolution of award by the Township Council.

2015 YEAR Total Price Proposal for Grounds and Park Bid Maintenance

\$ 45,800.⁰⁰

Forty five thousand eight hundred dollars even
Amount in words

2016 YEAR Total Price Proposal for Grounds and Park Bid Maintenance

\$ 45,800.⁰⁰

Forty five thousand eight hundred dollars even
Amount in words

2017 YEAR Total Price Proposal for Grounds and Park Bid Maintenance

\$ 45,800.⁰⁰

Forty five thousand eight hundred dollars even
Amount in words

EXCEPTIONS: NONE

DOUGLASS LANDSCAPING SERVICES, LLC.
Company Name

27-0239497
Federal I.D. # or Social Security #

1213 EMERSON AVE., N. CAPE MAY, NJ 08204
Address

2/11/15
Date


Signature of Authorized Agent

RYAN DOUGLASS
Type or Print Name

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

RESOLUTION #2015-81

Title: **BID ACCEPTANCE AND CONTRACT AWARD FOR FERTILIZER/SLICE SEED APPLICATIONS FOR VARIOUS LOCATIONS IN LOWER TOWNSHIP**

WHEREAS, the Township advertised bids for the Fertilizer/Slice Seed Application for Various Locations in Lower Township for the 2015 & 2016 including a third year 2017 Option; and

WHEREAS, bids were advertised on February 4, 2015 and accepted on February 18, 2015 at 10:00 a.m. the Township received one (1) sealed bid; and

WHEREAS, the bid was reviewed by the Solicitor David Stefankiewicz and the Recreation Director, and

WHEREAS, the CFO has certified the availability of funds as evidenced by her signature below:

Lauren Read, CFO

5-01-28-370-281

Budget Account

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following contract is hereby awarded:

AWARD TO: TRUGREEN
TERM: February 1, 2015- December 31, 2015
TOTAL: \$14,096.00

BE IT FURTHER RESOLVED, the contract may be extended with TRUGREEN up to two additional one year increments covering 2016 at a fee of \$15,540.00 and 2017 fee of \$15,540.00 but only after approval by resolution of the governing body in each year of extension based on the availability of the current year appropriations.

BE IT FURTHER RESOLVED, upon approval of the resolution, the fully executed Purchase Order together with the official bid documents shall serve as the Contract for the award of the bid.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 21, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

2015-02 PROPOSAL PAGE

Fertilizing and Slice Seeding
2015/2016 w/2017 Option

Maintenance Contract

The undersigned hereby declares that they have carefully read the documents attached and they fully understand Instructions to Bidders and Technical Specifications and will strictly adhere to all terms and conditions of said documents if awarded a contract therefore.

BID 2015 Year

Total Bid: \$ 14,096
In Numbers
fourteen thousand AND NINEty SIX Dollars
In Words

BID 2016 (2nd) Year Option

Total Bid: \$ 14,540
In Numbers
fourteen thousand FIVE Hundred's forty Dollars
In Words

BID 2017 (3rd) Final Year Option

Total Bid: \$ 14,540
In Numbers
fourteen thousand FIVE Hundred's forty Dollars
In Words

Vincent Mastantuno Signature
BAR 5808 Title
1250 imperial way therefore 0886 Address
Vince MASTANTUNO Contact Person
36-3734669 Tax ID#

Vincent Mastantuno Printed Name
2-12-15 Date
TruGreen Name of Firm
609-352-8359 Telephone
Vincemastantuno@trugreenmail.com E-mail

Exceptions: _____

Initial below if included

Copy of License: 12
Copy of Insurance: 13
MSDS Sheets: 15

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

RESOLUTION #2015-82

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>
753.16	3	Lereta LLC	Paid twice	1,099.71
724	9 C-110	Corelogic	Paid twice	1,315.03
553	36	Corelogic	Paid twice	1,270.75
319	1.03	Corelogic	Paid twice	1,629.53

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2015-83

TITLE: AMENDING RESOLUTION 2015-20; DESIGNATION OF OFFICIAL NEWSPAPERS FOR LEGAL ADVERTISING FOR THE YEAR 2015

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 5, 2015 at the Township Hall, Villas, New Jersey; and

WHEREAS, at that meeting, Township Council adopted Resolution #2015-20; Designation of Official Newspapers for Legal Advertising for the Year 2015; and

WHEREAS, it has been deemed necessary to amend that Resolution and change the **second** newspaper to be utilized for publication of all notices of public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower, the governing body thereof, that the official newspaper for all Township advertising, including notices of public meetings, shall be the Cape May Star & Wave.

BE IT FURTHER RESOLVED that the second newspaper to be utilized for publication of all notices of public meetings as required by the Open Public Meetings Law shall be The Herald.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2015-84

Title: APPROVAL OF 2015 ROTARY TOWING LICENSE

WHEREAS, Chapter 600 of the Revised General Ordinances of the Township of Lower requires any contractor providing towing and storage services for the Township of Lower be licensed by the Township; and

WHEREAS, the following contractor has completed the required application, paid the fee and provided all documentation required by ordinance; and

WHEREAS, the Police have reviewed said application as required by Chapter 600, Subsection 4 and have no objection to the issuance of said license.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following applicant shall be issued a Rotary Towing License for the year 2015.

Jerry Mancuso - Cape Harbor Auto Repair, Inc

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2015-85

TITLE: A RESOLUTION AGREEING TO ACCEPT A DONATION OF LAND TO BE USED AS TOWNSHIP RECREATIONAL FIELDS

WHEREAS, Mrs. Lillian Graham has approached our Recreation Superintendent with an official request to donate approximately 10 acres of land to the Lower Township Department of Parks and Recreation; and

WHEREAS, Mrs. Graham has requested the property be used for Recreation Fields and bear the name "McNeill Family Memorial Athletic Complex"; and

WHEREAS, this property will need to be sub-divided and is currently listed as 793 Tabernacle Road.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that a portion of land located at 793 Tabernacle Road be accepted as a land donation for the use as Recreation Fields and shall bear the name "McNeill Family Memorial Athletic Complex."

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on January March 2, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2015-86

Title: RESOLUTION OPPOSING NEW JERSEY SENATE BILL S2076/ASSEMBLY BILL A3358 REGARDING CLASS I RENEWABLE ENERGY CERTIFICATE MULTIPLIER PROGRAM FOR UNPROFITABLE LANDFILL GAS TO ELECTRICITY FACILITIES

WHEREAS, the New Jersey Legislature is currently considering the passage of Senate Bill 2076 ("S2076") and Assembly Bill 3358 ("A3358") which would establish a Class I renewable energy certificate ("REC") multiplier program for only certain electric production facilities in New Jersey fueled by methane extracted from landfills to allow these facilities to offset economic losses; and

WHEREAS, some public entities in New Jersey have contracted with private sector companies to design, build, operate and, in some cases, own such landfill gas to electric facilities; and

WHEREAS, such privately designed, operated and/or owned landfill gas to electricity facilities decided to reduce their initial capital investment by not installing scrubber systems to remove siloxane and other compounds from landfill gas used to produce electricity; and

WHEREAS, such private facilities are now experiencing extensive maintenance costs due to engine damage caused by siloxane and other compounds; and

WHEREAS, other landfill gas to electricity facilities in New Jersey that are publicly owned and operated have made prudent capital investments and properly designed such facilities by installing sophisticated scrubber systems to remove siloxane and other equipment damaging compounds from landfill gas to minimize maintenance expenses, improve long-term reliable electric production and improve profitability; and

WHEREAS, privately designed, operated and/or owned landfill gas to electricity facilities took and unwarranted risk by not investing in appropriate landfill gas scrubbing technologies and/or adequate maintenance and are now seeking a financial bailout through the passage of S2076/A3358; and

WHEREAS, the passage of S2076/A3358 would likely create a glut of Class I REC's thereby decreasing their unit value and effectively penalizing those publicly owned and operated landfill gas to electricity facilities which acted responsibly and made prudent investments in scrubbing technology to ensure the operational and financial success of their facilities; and

WHEREAS, the passage of S2076/A3358 would likely increase electric costs for taxpayers in the State of New Jersey in order to fund this private sector bailout and would result in undeserved profits for certain private companies;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Lower opposes the passage of S2076/A3358 as it is not in the best public interest.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Senator Smith and Assemblyman Singleton, the primary sponsors of S2076 and A3358, the New Jersey Legislative Representatives for the District, and the New Jersey League of Municipalities for their review and consideration.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015.

Julie A Picard, Township Clerk

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

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

RESOLUTION # 2015-87

TITLE: RESOLUTION AUTHORIZING INDEMNIFICATION AND DEFENSE OF A LOWER TOWNSHIP EMPLOYEE IN ACCORDANCE WITH CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF LOWER

WHEREAS, an Administrative Action has been commenced against a Township employee; and

WHEREAS, Chapter 25 of the Code of the Township of Lower, titled Defense and Indemnification, (the "Township Code") requires the Township to indemnify and hold harmless its present and former employees from any liability arising out of acts performed by them during the ordinary course of their duties and within the scope of their employment or authority; and

WHEREAS, the Township Council of the Township of Lower determines that it is in the best interests of the Township to indemnify and hold harmless the Individual Defendant in accordance with the terms and provisions of the Township Code against all claims as long as the alleged acts do not constitute actual fraud, actual malice, willful misconduct or an intentional wrong doing.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, as follows:

1. That the Individual Defendant shall be indemnified and held harmless in accordance with the Township Code and above recital paragraphs which are incorporated herein.
2. The Township Solicitor and special appointed counsel are hereby authorized to defend the Individual Defendant in connection with the Administrative Law hearing.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2015-88

TITLE: RESOLUTION AUTHORIZING THE TRANSFER OF A BACK HOE NO LONGER NEEDED FOR PUBLIC USE TO THE BOROUGH OF WEST CAPE MAY

WHEREAS, Director Gary Douglass of the Lower Township Department of Public Works currently has a piece of equipment no longer needed for public use and which is of minimal monetary value; and

WHEREAS, the Borough of West Cape May has a need for this piece of equipment and has requested a transfer of equipment between municipalities.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the township of Lower that the Back Hoe from the Lower Township Department of Public Works is hereby authorized to be transferred to the Borough of West Cape May to be used servicing their residents.

BE IT FURTHER RESOLVED that the Back Hoe shall be removed from the Township's fixed assets list.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015.

Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

To: Gary Douglass Superintendent Lower Township Public Works

From: Gregory M. Basile Public Works Manager West Cape May

CC: James Ridgway Township Manager

Subject: Back Hoe

Date: February 9th, 2015

Mr. Douglass, per our conversation on Thursday, February 05, 2015, concerning the back hoe that your municipality may put out to auction. The Borough of West Cape May is very interested in this piece of equipment for use by our Public Works Department. Please accept this letter as notice of our interest in moving forward with this transaction. Please confirm if it would be possible to arrange for the transfer of this equipment between municipalities and, if possible, how we can expedite this request. Thank you taking time out of your day to discuss this and for your cooperation on this matter, it's greatly appreciated.

Gregory M. Basile Public Works Manager West Cape May

Cell phone# 609-600-7250

Office phone#884-1005 ext 116

E-mail gbasile@westcapemay.us

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

RESOLUTION #2015-89

TITLE: A RESOLUTION AMENDING RESOLUTION #2015-09; ESTABLISHMENT OF COUNCIL MEETING DATES AND TIMES FOR THE YEAR 2015

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower was held on January 5, 2015 at which time Resolution #2015-09 was adopted; establishing the official Council Meeting dates and times; and

WHEREAS, it is Council's intent to change the meeting time of the following Council Meeting Dates.

NOW, THEREFORE, BE IT RESOLVED that the following list of dates and times shall be the Official Amended Schedule of Lower Township Council Meetings to be held in the Meeting Room of Township Hall. The AMENDED schedule of Council meeting dates and times as listed below shall be posted on the official Township bulletin board at Township Hall. Unless otherwise provided by law, all of the above described meetings shall be open to the public.

Monday - March 16, 2015 - 7:00 pm
Monday - April 6, 2015 - 7:00 pm
Monday - **April 20, 2015 - 6:00 pm**
Monday - May 4, 2015 - 7:00 pm
Monday - May 18, 2015 - 7:00 pm
Monday - June 1, 2015 - 7:00 pm
Monday - June 15, 2015 - 7:00 pm
Monday - July 6, 2015 - 7:00 pm
Monday - July 20, 2015 - 7:00 pm

Monday - August 3, 2015 - 7:00 pm
Monday - August 17, 2015 - 7:00 pm
Wednesday - September 9, 2015 - 7:00 pm
Monday - September 21, 2015 - 7:00 pm
Monday - October 5, 2015 - 7:00 pm
Monday - October 19, 2015 - 7:00 pm
Monday - November 2, 2015 - 7:00 pm
Monday - November 16, 2015 - 7:00 pm
Monday - December 7, 2015 - 7:00 pm
Monday - December 21, 2015 - 7:00 pm

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on March 2, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

ORDINANCE # 2015-02

TITLE: ORDINANCE AMENDING CHAPTER 166, ANIMALS, OF THE CODE OF TOWNSHIP OF LOWER

WHEREAS, the Township Council of the Township of Lower desires to amend Chapter 166, Animals, of The Code of the Township of Lower.

NOW, THEREFORE, BE IT ORDAINED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey hereby determines and declares that the following sections of Chapter 166 read as follows:

Section 1. 166-1 E. shall read as follows:

E. Chaining or tethering of dogs.

Dogs must be able to move freely when chained or tethered and shall be confined for a period no greater than nine (9) hours within a twenty-four hour period. The size of the tether or chain must be a minimum of 15 linear feet and shall remain tangle free. Dogs must be equipped with properly fitted harness or buckle type collar. The tether or chain shall be constructed of lightweight cable. A doghouse shall be accessible to dogs that are chained or tethered. No Dog shall be chained or tethered outside before sunrise or after sunset.

Section 2. A new paragraph "F" is hereby added to Section 166-1 which shall read as follows:

F. Extreme Weather.

In extreme weather below thirty-two (32) degrees and above ninety (90) degrees and in major storms where evacuation is recommended, all outdoor dogs and indoor/outdoor cats (with the exception of feral cats) must be brought indoors whether tethered or kenneled, unless the kennel is heated or air conditioned in accordance with the safety code. Indoors will include any area of the residence which is temperature controlled. The Garage and Basement, **unless** heated in cold months or air conditioned in hot months, will not be considered adequate.

Section 3. Section G shall read as follows:

G. Prohibited activities and treatment

(1) No owner, caretaker, guardian or handler shall withhold proper shelter, protection from weather, veterinary care and immune care to any animal. No owner, caretaker, guardian or handler shall fail to provide his or her animal with sufficient food and drinkable water on a daily basis. Food and water must be in animal food consumption or water consumption type container, feeder or waterer.

(2) No animal shall be subjected to unnecessary suffering and cruelty such as subjecting the animal to prolonged fear, injury, pain or physical abuse. Interaction with humans and other animals shall not be unreasonably withheld. Any individual, currently licensed by the State Board of Veterinary Medical Examiners to practice veterinary medicine, who is acting within his or her scope of practice to deliver acceptable and medically sound veterinary care to an animal, shall be exempt from this subsection

Section 4. Section H shall read as follows:

Failure to comply with the provisions of Subsections A, B, C, D, E, and/or F of this section shall be deemed a separate offense, and each violation shall subject the violator, upon conviction, to a fine of not less than \$100 nor more than \$1,000.

Section 5. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 6. 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 provision of this Ordinance are hereby declared to be severable.

Section 7. This Ordinance shall become effective immediately upon final passage and publication, according to law.

Thomas Conrad, Councilmember

David Perry, Councilmember

Erik Simonsen, Councilmember

Norris Clark, Deputy Mayor

Adopted:

Attest: _____
Julie A Picard, Township Clerk

Michael E Beck, Mayor

PERSONNEL ACTIONS

Report for Council Meeting of 03/02/2015

<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
Public Safety	DiDonato, Lauren	02/06/2015		new hire	relief dispatcher	yes
Public Safety	Felsing, Jason	03/02/2015		new hire	police officer	yes
Bldgs/Grounds	Dougherty, Mark	03/01/2015		PT/FT	bldg. svc worker	yes

Date of report: 02/26/2015

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