

**WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL**  
**MAY 20, 2013 - 6:00 P.M.**

**Meeting called to order.**

Opening Announcement  
Pledge of Allegiance & Moment of Silence  
Roll Call & Determination of Quorum  
Presentation - Arrow of Light Badge - Jacob Allen & Daniel Krueger  
Presentation - Judy Saracco  
Presentation - Police Commendations - Chief Brian Marker  
Presentation - Genesis Health Care - Denise Raymond

**Work Session**

Presentation - Lower Township Elementary Educational Foundations sponsored by the Friends of Fishing Creek School - George Drozdowski, Claudia Von Savage, John Louderback  
Presentation - Recreation Department- Mitch Plenn & Jim Ridgeway  
Discussion - Sustainable Funding for Open Space

**Consent Agenda**

Membership Applic. NJ Fireman's Association - Joshua Senbertrand, Villas Vol Fire Co  
Approval of Minutes May 6, 2013  
Res. #2013-141 Payment of Vouchers \$ 195,539.21  
Res. #2013-142 Authorization for Refund of Taxes ( 4 properties \$3,420.11)  
Res. #2013-143 Capital Budget Amendment  
Res. #2013-144 Authorizing Payout of Terminal Leave (L.Vito \$1,963.20.)  
Res. #2013-145 Cops In Shops Summer Shore Initiative 2013 (Authorizing application)  
Res. #2013-146 Issuance of Ice Cream Peddling and Ice Cream Salesmen Licenses for the year 2013 (Summer Daze, Mister Softee and A & T Ice, LLC)  
Res. #2013-147 Issuance of 2013 Taxi and Operator Licenses (Ocean Cab)  
Res. #2013-148 Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (NJDOT \$175,000.)  
Res. #2013-149 Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (Comcast Technology Grant (\$100,000.)  
Res. #2013-150 Supporting Cape May City and Cape May County's Application to the United States Coast Guard for Official Designation of Cape May County as "A Coast Guard Community"  
Res. #2013-151 Appointment of Public Information Officer for June 1, 2013 thru December 31, 2013 Without Public Bidding (Jack Fichter - \$7,000.)  
Res. #2013-152 Authorization for the Payout of Accumulated Compensatory Time (E.Coombs \$8,310.80)  
Res. #2013-153 Resolution Opposing New Jersey State Assembly Bill No. 3920 Creating A New Jersey Coastal Commission (requested by Planning & Zoning)  
Res. #2013-154 Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (Clean Communities \$69,368.29)  
Ord. #2013-09 An Ordinance of the Township of Lower Amending and Restating Chapter 351 - Flood Damage Prevention - Introduction - 2<sup>nd</sup> reading and public hearing June 3<sup>rd</sup>  
Ord. #2013-10 Bond Ordinance Authorizing the Acquisition of Various Capital Equipment and the Completion of Various Capital Improvements in and for the Township of Lower, County of Cape May, State of New Jersey; Appropriating the sum of \$1,139,000. Therefore: Authorizing the Issuance of General Obligation Bonds or Bond Anticipation Notes of the Township of Lower, County of Cape May, State of New Jersey in the Aggregate Principal Amount of up to \$1,080,000.; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing. Introduction - 2<sup>nd</sup> reading and public hearing June 3<sup>rd</sup>.

**Regular Agenda**

Res. # 2013-155 Authorizing Payment of Vouchers (Douglass Landscaping \$6,392.50)  
Res. # 2013-156 Authorizing Payment of Vouchers (L/T Rescue \$35,000.)

### Administrative Reports

Personnel Action Report

Department Monthly Reports: Animal Control, Dog License, Municipal Clerk, Police, Tax Collector, Treasurer, Vital Statistics

### Council Comments

### Call to the Public

### Adjournment

## PUBLIC INFORMATION

**ANNUAL DOG LICENSES DUE.** Any dog over 6 months, must be licensed. Proof of rabies vaccination required. If spayed/neutered, vet certificate required. Non spayed/neutered Fee \$7.20 – spayed/neutered fee \$4.20 - LATE FEE \$5.00 EFFECTIVE MAY 1

**YARD SALE LICENSES** - Required for all yard, sales, attic sales, garage sales etc. Permit fee \$5.00 for two consecutive days and choice of rain date. Three permits permitted per year to a residence/person.

**ALL RENTAL PROPERTIES REQUIRE LICENSE** - All rentals, commercial or residential, whether yearly, seasonal or weekly require a mercantile license. R.E. Taxes must be current. Fire Inspection Required. Residential rental properties owners may be subject to license revocation for actions of their tenants. Detailed info and applications available in the Clerk's Office or by calling 886-2005.

## COUNCIL MEETING MINUTES – May 6, 2013

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on May 6, 2013 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

Councilmember Thomas Conrad  
Councilmember James Neville  
Councilmember Glenn Douglass  
Deputy Mayor Norris Clark  
Mayor Michael Beck

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

Presentation - Firefighter of the Year – VFW

Bill Howard of VFW Post 5343 invited the Town Bank Firemen to come forward as he presented a plaque to Dekon Fashaw, Firefighter of the Year 2012 by VFW Post 5343 and VFW District 17. Dekon Fashaw expressed his appreciation and humbly stated "I would be nothing without the guys behind me", and "it's what we do". Mayor Beck remarked "your contributions are noble". He thanked the fire companies and their families for their sacrifice and service and agreed that they picked the right guy.

Presentation - 4<sup>th</sup> Annual Kayak Rally, Mark Lovell, Kayak Club of Lower Township

Mark Lovell, with the Kayak Club of Lower Township, informed Council of the Fourth Annual Kayak Rally to be held on June 29, 2013. He spoke of how the club came about and said "it's a fun group" with people ranging from late 20's to early 70's. They primarily paddle on the Delaware Bay. There is no cost to join; the only requirement is an email address to stay informed. Anyone interested can find more information on the club's Facebook page. Mr. Lovell requested from Council that they put the event on the Township's website, as he would like it to be a community event.

Mayor Beck agreed that kayaking is great exercise, as he's been doing it for 10 years. He also announced World Oceans Day, June 8 at Higbee Beach.

Presentation - National Boat Safety Week May 18<sup>th</sup> - 24<sup>th</sup> Lois Grimes, Jim Kight, Lou Hahn, Ed Gillespie

Lois Grimes and members of Lower Township's Coast Guard Flotilla 86 addressed Council to speak about the importance of boater safety. Commander Jim Kight reminded us that this year's National Boat Safety Week is May 18-24. He stated that the great seal of Lower Township denotes that fishing and boating are a big part of this community. Lower Township is home to most of the marinas in the county as well as one of the largest commercial fishing fleets in the United States. Some of the things they do to promote boater safety are provide free vessel exams, safety patrol and offer boating safety courses. They've been in Lower Township for 50 years. Ed Gillespie articulated the importance of personal flotation devices, or PFD's. They can mean the difference between life and death. He encouraged anyone interested in joining to attend their meetings the 4<sup>th</sup> Wednesday of each month.

### **Work Session**

Presentation - BPU Representative Gary Finger

Gary Finger, Board of Public Utilities representative, addressed Council to speak about the benefits of an energy aggregation program. He commended the leadership in Lower Township for recognizing this cost saving program. Finger explained that the program would allow the Township to aggregate the energy requirements so that energy could be purchased from third-party suppliers at a lower rate. By law, residents would be notified and have the option to opt out, and commercial entities could opt in. The Township could hire a consultant or navigate the program on its own. In any case, the Township gets nothing from it, but instead takes on a leadership role solely for the benefit of the community.

Councilmember Neville inquired about the people who have already signed on with a third party supplier. Mr. Finger informed that once their contract is up with the other supplier, they can opt in. He advised that working as a unified body can be a huge benefit.

Mayor Beck expressed his concern about choosing a quality, licensed broker. Mr. Finger assured him that brokers must be licensed and reviewed by the BPU, and they have the ability to revoke a license if necessary.

Manager Voll asked how this will affect Atlantic City Electric Company. Mr. Finger stated that it will not affect AC Electric. They will continue to provide service and repairs as well as billing.

Councilmember Neville posed the question about the average homeowner, if they do nothing, will they see a lower rate? Mr. Finger affirmed that they will.

Deputy Mayor Clark asked if we are obligated to go with a particular broker once they get requests for proposals from various suppliers. Mr. Finger explained that not only are we not obligated, but the BPU does a review process, as does the rate council.

Councilmember Douglass inquired about the length of the contract and the different ways of contracting. Mr. Finger said a yearly contract is recommended and explained the two ways of contracting.

Manager Voll announced a prior meeting with Margaret Vitelli and Mr. Finger. He stated that Mrs. Vitelli has done her research and is confident to make a recommendation at a later date.

Mr. Finger encourages this type of program not only to yield savings, but to protect residents from 3<sup>rd</sup> party marketing schemes.

John Seronski asked if this is available for natural gas.

Mr. Finger stated that it is available and the rates at very low.

Manager Voll asked if funding is available from BPU if we were to convert some Township vehicles.

Mr. Finger replied no, but informed that it can be done through the Clean Cities Commission.

Discussion continued. Margaret Vitelli agreed that the program can be very beneficial for Lower Township residents. Council consented to move forward with it.

#### Presentation - Lower Township Qualified Purchasing Agent - Margaret Vitelli

Margaret Vitelli outlined her role as Purchasing Agent for Lower Township and explained that everything she does is driven by local public contracts law. She described the bidding process and informed that any vendor doing work for the Township is required to have a New Jersey Business Registration Certificate. The Business Registration Application is free and simply requires the contractor to send their completed application to the State Treasury Department for approval. She encouraged local contractors to participate in the bidding process to promote work within the Township.

Mayor Beck reiterated Mrs. Vitelli's plea, "help us, help you".

Councilmember Conrad commended Mrs. Vitelli on a job well done. He too urged local contractors to come into compliance so they can be considered for upcoming projects.

Councilmember Neville affirmed that Mrs. Vitelli's job comes with a lot of rules.

Councilmember Douglass attested that he has seen Mrs. Vitelli at work, always eager to help. He also encouraged local contractors to contact her.

Deputy Mayor Clark agreed that Mrs. Vitelli has done a great job reaching out to local contractors and stated that some are just not interested in taking the necessary steps to meet State requirements.

#### Discussion - Council Operating Budget

Mayor Beck defined Council's Operating Budget as funds set aside each year for various projects.

Councilmember Conrad discussed this year's contribution from Council's Operating Budget, a \$500.00 donation to the Lower Cape May Regional High School After-Prom. He suggested that Council support it annually, as it creates a safe and wholesome environment for our youth.

Councilmember Neville admitted that he attended the prom as a chaperone. He stated that it was a very nice event and the kids were well behaved.

Councilmember Douglass has participated in the After-Prom as a parent and volunteer. He described it as a wonderful opportunity for the kids with much support from local businesses.

Deputy Mayor Clark made reference to Solicitor Sandman's son having enjoyed the After-Prom.

Solicitor Sandman affirmed that his son attended the After-Prom and had a great time. He informed that Prom Night has traditionally been one of the most dangerous nights of the year for our youth, but the After-Prom has replaced that with something good. He too encouraged Council's support.

Mayor Beck claimed that Council continually receives requests for donations so they're careful who they give to, but because this one involves the safety of our youth, Council supports it. Mayor Beck also introduced a second item to be considered from Council's Operating Budget, hiring a public information officer.

Deputy Mayor Clark elaborated on the potential benefits of hiring public information officer, Jack Fichter. According to Deputy Mayor Clark, Fichter recognizes that Lower Township has great stories to be told, stories about heroes and role models, information about programs going on in the Township, and treasured attractions for our visitors. Deputy Mayor Clark gave examples of available programs and stated that Fichter is an expert at channeling this type of communication.

Mayor Beck indicated that the print media is shrinking. In an effort to change people's spout off perception, Fichter would be charged with posting positive media, local news and community events, as well as creating a Facebook page for Lower Township. Mayor Beck asked council to consider hiring Fichter on a trial basis, at a cost of \$7,000 to the end of this year. The additional 25 percent of his salary will be covered by the MUA as part of a shared contract. Mayor Beck views this as part economic development. He requested a resolution for the next Council meeting.

Councilmember Conrad agreed to give Fichter a try, as he feels it is important to get news to the residents.

Councilmemeber Conrad requested to move Resolution #2013-125 to the Regular Agenda.

### **Consent Agenda**

John Seronski, 607 Arctic Ave., addressed Council to ask about Res. #2013-130 through Res. #2013-134. Mayor Beck explained that these are bank accounts for separate line items, as required by the State.

Ed Butler, Villas, addressed Council for an explanation of Res. #2013-131 regarding the tax map updates. Mayor Beck explained that changes to the board require a change in the tax map.

Membership Applic.	NJ Fireman's Association - John Matteo, Erma Vol Fire Co and Ryan Foster, Villas Vol Fire Co
Approval of Minutes	April 15, 2013
Res. #2013-125	Payment of Vouchers \$ 4,229,575.07
Res. #2013-126	Insertion of Special Item of Revenue Pursuant to N.J.S.A 40A:4-87, Chapter 159 (Cops in Shops \$1,200.)
Res. #2013-127	Insertion of Special Item of Revenue Pursuant to N.J.S.A 40A:4-87, Chapter 159 (Atlantic County JIF \$1,500.00)
Res. #2013-128	Approval for Pyrotecnico Fireworks to Load and Unload a Fireworks Barge in Lower Township (July 3 and 4 Lower Twp/Avalon/Congress Hall & Ocean City)
Res. #2013-129	Authorizing Friends of Lower Township Program
Res. #2013-130	Requesting Permission for the Dedication by Rider for Donations For Public Events
Res. #2013-131	Requesting Permission for the Dedication by Rider for Tax Map Updates
Res. #2013-132	Requesting Permission for the Dedication by Rider for Animal Control Fees
Res. #2013-133	Requesting Permission for the Dedication by Rider for Recreational Purposes
Res. #2013-134	Requesting Permission for the Dedication by Rider for Unemployment Compensation Insurance
Res. #2013-135	Certification to Local Finance Board of Receipt and Review of Audit Sections General Comments and Recommendations (annual resolution)
Res. #2013-136	Cancellation of Tax Sale Certificate (BI 142 L 15)
Res. #2013-137	Acceptance and Bid Award for 24 Month HVAC Service Agreement for Lower Township Various Locations (Polar Bear Mechanical Division of JM Oliver \$15,000)
Res. #2013-138	Resolution Releasing Minutes or Portions Thereof As Reviewed By The Minutes Review Committee (Dec 2011 thru Jan 2013)
Res. #2013-139	Issuance of A 2013 Taxi and Operator Licenses (G Taxi)
Res. #2013-140	Person-to-Person Transfer of Liquor License 0505-33-010-007 to PM Properties Management Corp T/A 5 West Bar & Grill

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

### **Regular Agenda**

Res. #2013-125

Payment of Vouchers \$ 4,229,575.07

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

### **Administrative Reports**

Personnel Action Report

### **Council Comments**

Councilmember Conrad commented on the success of both the Arbor Day Event and the Multi-Agency Drill.

Councilmember Neville commended Margaret Vitelli for a job well done.

Deputy Mayor Clark spoke briefly about the new Friends of Lower Township program. He is hopeful that having a public information officer will help get the word out.

Mayor Beck introduced Kirby Reed, the new reporter for the Cape May County Herald. He also announced the following: Escape the Cape Triathlon, June 2 on the Bay Front; Hear it, See it, Report it encourages residents to report suspicious activity to the Police Department at 886-2711; the Cape May-Lewes Ferry is continuing their 30 percent discount to local residents, and the Genesis Health Fair was well attended and a great success.

### **Call to the Public**

Fred Long of Cold Spring addressed Council requesting they pass a resolution supporting a sustainable State funding source to the NJ Green Acres Program, preserving land and supporting park projects. The League of Municipalities has prepared a sample resolution for municipalities in support of this.

Mayor Beck agreed to look at the information, but made no promise to support it.

Janet Pitts of Villas addressed Council with a counter point to Mr. Long's request. She is totally opposed to this.

She stated that New Jersey does not need these bills to do a dedicated source of funding for Open Space because every County in New Jersey has an Open Space Tax for all their residents. She clearly pointed out that this would unnecessarily create more debt for New Jersey until 2044.

Mayor Beck stated that he will contact the League of Municipalities to hear their view on this matter.

Steve Sheftz of Townbank thanked Council on behalf of himself and Matt Ecker of MUA for their certificate of recognition to Jerry Keelan. Mr. Sheftz also announced that as of the last MUA meeting, all of Town Bank is now eligible to connect to the water supply. Mr. Sheftz requested Council's consent to a meeting in the Township with representatives from HMFA to explain the loan program and answer questions regarding the loan report.

Councilmember Neville asked Mr. Sheftz if the MUA will be sending a letter to inform Town Bank residents of their eligibility. Mr. Sheftz said he believes the MUA is relying on the press to get the information out. Letters will be sent however, to let people know the deadline for getting connected.

Maryann Rementer addressed Council to discuss a timeline for bringing the Police Department back to the Villas.

Mayor Beck avowed that there is nothing he wants more, but he would like to wait until the summer is over to proceed. It was a mistake to move them in the first place, he said. It's had a huge impact on the Township, from both a financial and policing perspective. Council is working hard to deal with the drug problems in this Township. Councilmember Conrad is part of our in-house substance abuse response team (SART). Every facet of Town Hall is involved as well as Recreation, Police, Code Enforcement, Prosecutor, Cape Assist, Cape Counseling, and Cape May County. He advised parents to empty their medicine cabinets and referenced TV programs that outline the slide from prescription drugs to Heroin. He hopes to have a Township meeting to bring all the experts to speak on the subject. Our Police Chief couldn't be more cooperative, as well as the County Task Force.

Jay Young of Cape May Beach addressed Council to ask when the road would be paved from the S-curve to Townbank Road.

Mayor Beck stated that we just received the grant about 10 days ago.

Manager Voll interceded to inform that Gary Douglass (PW) and Matt Ecker (MUA) are working together on this. We just received a \$175,000 grant from the Department of Transportation. The Engineer is preparing the documents for Public Works. The road should be completely paved by the middle of June.

Mr. Young asked about the restoration of the waterlines in Cape May Beach and Bayside Village.

Manager Voll stated that he's received many complaints about that area. Mr. Ecker at the MUA has assured him that the contractor is coming back to restore them.

Janet Pitts addressed Council to inquire if they are working with Lower Cape May Regional High School about the drug problems.

Mayor Beck stated that Council is fully cooperative with the schools, but because they are a separate authority, suggestions have to be directed to them.

John Walker, 116 W. Pacific Ave. addressed Council as the Commander of the Cape May County Disabled American Veterans Chapter 44, to speak about two situations that occurred while transporting Veterans for medical treatment to Vineland, Philadelphia and Delaware. His request of Council is to write a letter to both AtlantiCare and Cape Regional Medical Center to consider allowing Veterans to receive treatment at their facility rather than having to travel to such distances. In addition, he would like Council to appoint Eileen Kreis as a liaison for this committee. Anyone else interested in volunteering for the committee can attend the meeting on May 14 at the American Red Cross Building on Mechanic Street.

Mayor Beck suggested that Mr. Walker come in during the week to meet with him and the clerk about this matter.

Steve Sheftz addressed Council with a counter point to Mr. Walker's statement. He informed that there is a state wide hospital coordinator in Lower Township working for the DAV, Spiro Spiropolous. He strongly suggested that Council include Mr. Spiropolous when dealing with hospital matters.

Frank Saracco of Villas addressed Council to request improvements to the sound system and cameras. People are complaining about the audio/ video of the Council meetings on TV.

Manager Voll stated that he adjusted the volume. He suggested there may be a problem from the school end where it is dispatched. Furthermore, if Council decides in the future to move forward with relocating the Police, the meeting room will be retrofit for the courts as well. Money will be spent at that time on a quality audio/video sound system.

### **Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Neville. Motion to adjourn unanimous. Meeting adjourned at 8:06 pm.

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Mayor

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Township Clerk

Approved:



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00739 CAPE MAY VETERINARY HOSPITAL	13-01239	05/06/13	TNR PROGRAM- MEDICAL,SHOTS ETC	Open	205.00	0.00		
00807 CDW-GOVERNMENT INC*	13-01019	04/10/13	1 EPSON TM U675 RECEIPT PRINTE	Open	527.00	0.00		
00820 COMCAST OF WILDWOOD* DPW	13-01283	05/06/13	MONTHLY INTERNET/MAY	Open	102.00	0.00		
00825 COMCAST*	13-01284	05/08/13	CABLE BILL 04/05/13-06/14/13	Open	47.39	0.00		
	13-01302	05/08/13	INTERNET-TOWNHALL 05/15-06/14	Open	110.96	0.00		
	13-01303	05/08/13	COMCAST MONTHLY BILL MILLMAN	Open	325.90	0.00		
					<u>484.25</u>			
00852 CHERRY VALLEY TRACTOR CO.*	13-01141	04/19/13	"BOOMER" MOWER PARTS/DPW	Open	837.74	0.00		
01055 ERIC COOMBS	13-01294	05/08/13	MEDICAL CLAIMS-V	Open	220.00	0.00		
01132 CUMMINS POWER SYSTEMS, LLC*	13-01122	04/18/13	SOFTWARE SUBSCRIPTION	Open	461.25	0.00		
01170 VERIZON WIRELESS* F/S	13-01292	05/08/13	CELL SERVICE 3/27-4/26/13 FIRE	Open	67.35	0.00		
01171 VERIZON WIRELESS - TOWNHALL	13-00966	04/08/13	IPAD ENGINEER WIRELESS	Open	641.22	0.00		
	13-01244	05/06/13	CELL SERVICE 04/24/13-05/23/13	Open	636.67	0.00		
	13-01245	05/06/13	IPHONE MAR 29-APRIL 28,2013	Open	913.05	0.00		
					<u>2,190.94</u>			
01196 H A DEHART & SON*	13-01016	04/10/13	BROOMS FOR SWEEPER	Open	801.90	0.00		
01219 CONTRACTOR SERVICE*	13-00919	04/04/13	GLOVES FOR UNION CONTRACT	Open	661.44	0.00		
01365 GARY DOUGLASS	13-01329	05/13/13	REIMBURSEMENT PARKING/MEALS	Open	25.00	0.00		
01603 GENERAL CODE PUBLISHERS*	13-01240	05/06/13	GENERAL CODE-SUPPLEMENT#21	Open	3,388.50	0.00		
01703 HARBOR SALES COMPANY*	13-00922	04/04/13	SUPPLIES FOR SIGNS	Open	531.64	0.00		
01781 HATCH MOTT MACDONALD, LLC*	12-01983	07/18/12	BEACH DRIVE PEDESTRIAN ACCESS	Open	2,525.00	0.00		B
01785 ROBERT HARTMAN SR	13-01322	05/10/13	MEDICAL CLAIMS	Open	362.10	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01806 ANTHONY J HARVATT, II, ESQ								
	13-00971	04/08/13	BOARD SOLICITOR SALARY	Open	466.66	0.00		
	13-00973	04/08/13	BOARD SOLICITOR SALARY	Open	333.36	0.00		
	13-01243	05/06/13	RESOLUTION-752.04/9 FEDEROFF	Open	<u>150.00</u>	0.00		
					950.02			
02005 JUST SPORTS INC.*								
	13-01167	04/24/13	GOALIE JERSEYS FOR SOCCER	Open	51.12	0.00		
02099 EILEEN KREIS								
	13-01330	05/13/13	REIMBURSEMENT PARKING/MEALS	Open	47.21	0.00		
02136 TED KINGSTON INC*								
	12-02577	09/26/12	INSTALL UPS AT TOWER SITE	Open	399.00	0.00		
02140 KINDLE FORD LINC/MERC., INC.*								
	13-00928	04/04/13	MONTHLY/APRIL	Open	741.40	0.00		
02247 LAWSON PRODUCTS, INC.*								
	13-00929	04/04/13	MONTHLY/APRIL	Open	754.11	0.00		
02248 LAWMEN SUPPLY*								
	12-03179	11/21/12	VESTS	Open	287.10	0.00		
02609 ANDREW MCGRAW JR								
	13-01323	05/10/13	MEDICAL CLAIMS-V	Open	145.00	0.00		
02719 MITCHELL PLENN								
	13-01290	05/08/13	MEDICAL CLAIMS-V	Open	235.00	0.00		
03109 TRU GREEN CHEMLAWN								
	13-00969	04/08/13	FERTILIZER/SLICE SEED FIELDS	Open	4,723.50	0.00		
03158 NYSCA*								
	13-01011	04/10/13	COACHING CERTIFICATE /SOCCER	Open	80.00	0.00		
03160 OFFICE BASICS, INC*								
	13-00745	03/13/13	FOLDERS COURT	Open	946.00	0.00		
	13-01150	04/22/13	INK/DPW GARAGE	Open	76.96	0.00		
	13-01177	04/24/13	AVERY A-Z LEGAL SIZE	Open	<u>7.30</u>	0.00		
					1,030.26			
03290 PARKWAY VETERINARY HOSPITAL								
	13-01340	05/14/13	TNR PROGRAM	Open	107.65	0.00		
03305 PEDRONI FUEL*								
	13-01337	05/14/13	NO LEAD GAS/DPW/APRIL	Open	1,272.72	0.00		
03365 LYNN JEFFERIS								
	13-01241	05/06/13	MEDICAL CLAIMS	Open	20.00	0.00		
03387 POGUE INC. *								
	13-01193	04/29/13	CONTROLLED SUBSTANCES TEST	Open	931.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03518	RIGGINS, INC.*	13-01282	05/06/13	HIGHTWAY DIESEL	Open	1,156.93	0.00		
03541	RODIO TRACTOR SALES INC*	13-01115	04/18/13	TRACTOR MOWING PARTS	Open	736.80	0.00		
03608	SEAWAVE CORPORATION*	13-01293	05/08/13	LEGAL PUBLICATIONS 5-1-13	Open	19.44	0.00		
		13-01351	05/14/13	LEGAL PUBLICATIONS- 05-08-2013	Open	<u>14.58</u>	0.00		
						34.02			
03611	SERVICE TIRE TRUCK CENTERS*	13-00942	04/04/13	MONTHLY/APRIL	Open	637.21	0.00		
03655	PENN JERSEY MACHINERY*	13-00703	03/11/13	PARTS FOR GARAGE	Open	69.77	0.00		
03723	STAPLES, INC.*	13-00956	04/04/13	OFFICE SUPPLIES	Open	100.96	0.00		
		13-01316	05/09/13	OFFICE SUPPLIES	Open	<u>239.49</u>	0.00		
						340.45			
03810	MUNICIPAL UTIL AUTH USAGE COST	13-01324	05/13/13	SEWER CHARGES DUE 07/01/2013	Open	1,160.00	0.00		
		13-01333	05/14/13	WATER BILL- DUE 06/04/2013	Open	1,168.87	0.00		
		13-01334	05/14/13	SEWER SERVICE DUE 06/4/13	Open	<u>160.00</u>	0.00		
						2,488.87			
03820	MUNICIPAL UTIL. AUTH ON CALL	13-01120	04/18/13	ONE CALL MESSAGES	Open	97.34	0.00		
03927	PRORIDER INC*	13-01138	04/19/13	HELMETS FOR COMMUNITY DAY	Open	206.00	0.00		
03971	VERIZON WIRELESS MDT POLICE	13-01281	05/06/13	VERIZON MDTs	Open	470.70	0.00		
03985	VILLAS NAPA AUTO PARTS	13-00944	04/04/13	APRIL MONTHLY	Open	3,269.74	0.00		
04117	BILL ROLLINS	13-01182	04/26/13	LACROSSE REF FEE'S	Open	60.00	0.00		
		13-01204	04/29/13	LACROSSE REF FEE'S	Open	<u>60.00</u>	0.00		
						120.00			
04176	CHRISTOPHER J WINTER SR*CALEA	12-02442	09/11/12	CALEA ACCREDITATION CONSULTING	Open	580.00	0.00		B
04261	STATE OF NEW JERSEY	13-01311	05/09/13	1ST QTR 2013 UNEMPLOYMENT	Open	39,047.78	0.00		
04266	NJ DEPT OF HEALTH&SENIOR SVCS	13-01238	05/02/13	STATE DOG LICENSE FEES-APRIL	Open	318.60	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04514 WILLIAM BLANEY*	13-00441	02/13/13	DNE \$25k RES 2013-62 CONTRACTS	Open	2,612.50	0.00		B
06024 STARLUX HOTEL*	13-01166	04/24/13	CALEA HOTEL RESERV 4/27-28/13	Open	215.00	0.00		
5044 VICKI COLE	13-01375	05/15/13	GIR;S LACROSSE REF FEE'S	Open	120.00	0.00		
	13-01376	05/15/13	GIRLS LACROSSE REF FEE'S	Open	<u>60.00</u>	0.00		
					180.00			
5048 KIM COOLAHAN	13-01198	04/29/13	LACROSSE REF FEE'S	Open	240.00	0.00		
	13-01373	05/15/13	5/6 GRADE GIRLS LACROSSE	Open	<u>120.00</u>	0.00		
					360.00			
5057 JEFF HURLEY	13-01202	04/29/13	LACROSSE REF FEE'S	Open	60.00	0.00		
6004 LERETA, LLC	13-01327	05/13/13	REFUND TAXES RES#2013-142	Open	1,389.24	0.00		
6020 THE UPS STORE#5410*	13-01158	04/22/13	UPS SHIPPING	Open	36.67	0.00		
6021 TASER INTERNATIONAL, INC. *	13-00782	03/19/13	TASER EQUIPMENT	Open	8,672.43	0.00		
6031 MID-ATLANTIC LAW ENFORCEMENT *	13-00862	03/27/13	6/9-14 LAW ENF EXEC PRINCETON	Open	550.00	0.00		
6045 JIM RUDNICKI	13-01209	04/29/13	REF FEE'S FOR LACROSSE	Open	60.00	0.00		
	13-01210	04/29/13	LACROSSE REF FEE'S	Open	<u>60.00</u>	0.00		
					120.00			
6047 JAMES & KELLY HANSON	13-01289	05/08/13	RETURN OF UNUSED ESCROW	Open	2.50	0.00		
6048 RON RODDY	13-01304	05/08/13	REFUND FOR POOL PASS	Open	40.00	0.00		
6050 JOHN & CAROL BALDAN	13-01325	05/13/13	REFUND 2ND QUARTER 2013 TAX	Open	632.61	0.00		
6051 PAULA NEBBAGUI	13-01331	05/13/13	REFUND FOR SOCCER	Open	15.00	0.00		
6052 MICHAEL & VIOLANDA ADAMS	13-01341	05/14/13	1 DOG NEUTERED	Open	35.00	0.00		
6053 KIM GRUCCIO	13-01382	05/15/13	5/6 GRADE GIRLS LACROSSE	Open	60.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6054 ANDREA SHEPPARD	13-01383	05/15/13	GIRLS LACROSSE REF FEE'S	Open	142.50	0.00		
BLAUE BLAUER ASSOCIATES INC*	13-01305	05/08/13	VILLAS STORMWATER PHASE 2	Open	450.00	0.00		
CANCELO DON CANCELOSI	13-01201	04/29/13	LASCROSSE REF FEE'S	Open	120.00	0.00		
	13-01380	05/15/13	BOYS LACROSSE REF FEE'S	Open	120.00	0.00		
	13-01381	05/15/13	BOYS LACROSSE FEE'S	Open	225.00	0.00		
					<u>465.00</u>			
CENTRAL CENTRAL MORTGAGE COMPANY	13-01326	05/13/13	REFUND DOUBLE TAX PAYMENT	Open	866.19	0.00		
EGAR JACK EGAN	13-01378	05/15/13	7/8/ GRADE BOYS LACROSSE	Open	60.00	0.00		
G-DB DB ELECTRONICS	13-01012	04/10/13	WIRING SOUNDS MILLMAN	Open	1,500.00	0.00		
G-POE HERMAN POEHLER	13-01291	05/08/13	RETURN OF UNUSED ESCROW	Open	2.40	0.00		
GRIMES JAMES GRIMES	13-01377	05/15/13	7/8 GRADE BOYS LACROSSE	Open	60.00	0.00		
MAYERS SHAWN MAYER	13-01180	04/26/13	LACROSSE REF FEE'S	Open	120.00	0.00		
MCMAST SANDRA MCMASTER	13-01199	04/29/13	LACROSSE REF FEE'S	Open	165.00	0.00		
ROMANOW FRED ROMANOWSKI	13-01181	04/26/13	LACROSSE REF FEE PAYMENT	Open	150.00	0.00		
	13-01200	04/29/13	LACROSSE REF FEE'S	Open	150.00	0.00		
	13-01206	04/29/13	LACROSSE REF FEE'S	Open	150.00	0.00		
	13-01379	05/15/13	LACROSSE REF FEE'S	Open	90.00	0.00		
					<u>540.00</u>			
SCHILI JANET SCHILLIG	13-01372	05/15/13	7/8 GRADE GIRLS LACROSSE	Open	120.00	0.00		
	13-01374	05/15/13	GIRLS LACROSSE REF FEE'S	Open	45.00	0.00		
					<u>165.00</u>			
SEAGE SEAGEAR MARINE SUPPLY*	13-00711	03/11/13	TRASH/RECYCLING/RDS	Open	558.08	0.00		
SIXSM LLOYD SIXSMITH*	13-00958	04/04/13	#8445 BLACK SHIRT NAME/TITLE	Open	185.00	0.00		
WELLSF WELLS FARGO REAL ESTATE TAX	13-01328	05/13/13	REFUND DOUBLE PAYMENT TAXES	Open	532.07	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
Total Purchase Orders:		121	Total P.O. Line Items:	299	Total List Amount:	195,539.21	Total Void Amount:	0.00

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

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

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013-142

**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>
621	3	John & Carol Baldan	sold property	632.61
334.17	7	Wells Fargo Home MTG	disabled veteran	532.07
349.13	28	Central Mortgage Company	paid twice	866.19
719	1.08 C-203	Lereta LLC	paid twice	1,389.24

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on May 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
RESOLUTION #2013-143**

**CAPITAL BUDGET AMENDMENT**

WHEREAS, the local capital budget for the year 2013 was adopted on the 1st day of April, 2013, and

WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the following amendments to the adopted capital budget section be made:

<u>RECORDED VOTE</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mike Beck				
Norris Clark				
Glenn Douglass				
Thomas Conrad				ABSENT
James Neville				

**FROM  
CAPITAL BUDGET (Current Year Action)  
2013**

Planned Funding Services for  
Current Year 2013

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Amounts Reserved in Prior Years</u>	<u>Capital Improvement Fund</u>	<u>Capital Surplus</u>	<u>Grants and Other Funds</u>	<u>Debt Authorized</u>	<u>To Be Funded in Future Years</u>
Equipment	3,968,890.00		100,700.00			2,466,190.00	1,402,000.00
Recreation Facilities	364,100.00		21,100.00			343,000.00	0.00
Police Equipment	214,010.00		2,500.00			36,510.00	175,000.00
Municipal Buildings	3,000,000.00		174,000.00			2,826,000.00	0.00
Vehicles	405,000.00		1,700.00			28,300.00	375,000.00
Road Program	200,000.00		0.00			0.00	200,000.00
<b>Total All Projects</b>	<b>8,152,000.00</b>	<b>0.00</b>	<b>300,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5,700,000.00</b>	<b>2,152,000.00</b>

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
RESOLUTION #2013-143

CAPITAL BUDGET AMENDMENT

**6 YEAR CAPITAL PROGRAM 2013 - 2018**  
**Anticipated Project Schedule and Funding Requirement**

Project	Estimated Total Costs						
	2013	2014	2015	2016	2017	2018	
Equipment	3,968,890.00	2,566,890.00	894,000.00	66,000.00	311,000.00	66,000.00	65,000.00
Recreation Facilities	364,100.00	364,100.00	0.00	0.00	0.00	0.00	0.00
Police Equipment	214,010.00	39,010.00	35,000.00	35,000.00	35,000.00	35,000.00	35,000.00
Municipal Buildings	3,000,000.00	3,000,000.00	0.00	0.00	0.00	0.00	0.00
Vehicles	405,000.00	30,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00
Road Program	200,000.00	0.00	0.00	200,000.00	0.00	0.00	0.00
<b>Total All Projects</b>	<b>8,152,000.00</b>	<b>6,000,000.00</b>	<b>1,004,000.00</b>	<b>376,000.00</b>	<b>421,000.00</b>	<b>176,000.00</b>	<b>175,000.00</b>

**6 YEAR CAPITAL PROGRAM 2013 - 2018**  
**Summary of Anticipated Funding Sources and Amounts**

Project	Capital				General Debt Authorized
	Estimated Total Costs	Improvement Fund	Capital Surplus	Grants and Other Funds	
Equipment	3,968,890.00	377,400.00			3,591,490.00
Recreation Facilities	364,100.00	34,600.00			329,500.00
Police Equipment	214,010.00	20,300.00			193,710.00
Municipal Buildings	3,000,000.00	285,200.00			2,714,800.00
Vehicles	405,000.00	38,500.00			366,500.00
Road Program	200,000.00	19,000.00			181,000.00
<b>Total All Projects</b>	<b>8,152,000.00</b>	<b>775,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>7,377,000.00</b>

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
 RESOLUTION #2013-143

CAPITAL BUDGET AMENDMENT  
 TO  
 CAPITAL BUDGET (Current Year Action)  
 2013

Planned Funding Services for  
 Current Year 2013

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Capital Improvement Fund	Capital Surplus	Grants and Other Funds	Debt Authorized	To Be Funded in Future Years
Equipment	1,670,334.00		12,430.00			255,904.00	1,402,000.00
Recreation Facilities	37,203.00		1,927.00			35,276.00	0.00
Police Equipment	221,815.00		2,341.00			44,474.00	175,000.00
Municipal Buildings	148,208.00		9,231.00			138,977.00	0.00
Vehicles	1,013,440.00		33,071.00			605,369.00	375,000.00
Road Program	200,000.00					0.00	200,000.00
Total All Projects	3,291,000.00	0.00	59,000.00	0.00	0.00	1,080,000.00	2,152,000.00

6 YEAR CAPITAL PROGRAM 2013 - 2018  
 Anticipated Project Schedule and Funding Requirement

Project	Estimated Total Costs	2013	2014	2015	2016	2017	2018
Equipment	1,670,334.00	268,334.00	894,000.00	66,000.00	311,000.00	66,000.00	65,000.00
Recreation Facilities	37,203.00	37,203.00	0.00	0.00	0.00	0.00	0.00
Police Equipment	221,815.00	46,815.00	35,000.00	35,000.00	35,000.00	35,000.00	35,000.00
Municipal Buildings	148,208.00	148,208.00	0.00	0.00	0.00	0.00	0.00
Vehicles	1,013,440.00	638,440.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00
Road Program	200,000.00	0.00	0.00	200,000.00	0.00	0.00	0.00
Total All Projects	3,291,000.00	1,139,000.00	1,004,000.00	376,000.00	421,000.00	176,000.00	175,000.00

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
RESOLUTION #2013-143

CAPITAL BUDGET AMENDMENT

**6 YEAR CAPITAL PROGRAM 2013 - 2018**  
**Summary of Anticipated Funding Sources and Amounts**

Project	Estimated Total Costs	Capital		Grants and Other Funds	General Debt Authorized
		Improvement Fund	Capital Surplus		
Equipment	1,670,334.00	83,516.70			1,586,817.30
Recreation Facilities	37,203.00	1,860.15			35,342.85
Police Equipment	221,815.00	11,090.75			210,724.25
Municipal Buildings	148,208.00	7,410.40		0.00	140,797.60
Vehicles	1,013,440.00	50,672.00			962,768.00
Road Program	200,000.00	10,000.00			190,000.00
<b>Total All Projects</b>	<b>3,291,000.00</b>	<b>164,550.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3,126,450.00</b>

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 1st day of April.

Certified by me:

Date	Township Clerk
Trenton, New Jersey	
Approved _____ 2013	Director of Local Government Services

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
RESOLUTION # 2013-144**

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

**WHEREAS**, the employee listed below has resigned from the Township and is entitled to payment for accumulated vacation 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 Louis Vito in the amount of \$ 1,963.20 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 May 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

Vito

TOWNSHIP OF LOWER  
RETIREMENT PAYOUT ANALYSIS  
DATE:

EMPLOYEE: Vito, Louis  
DATE OF RESIGNATION: 4/11/2013  
DATE OF PAYMENT: \_\_\_\_\_  
RESOLUTION #: 2013

Annual Salary:	
Hourly Rate:	\$25.56
Longevity	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	25.56	0.00
Personal	18.81	25.56	480.72
Sick	0.00	25.56	0.00
Vacation	58.00	25.56	1,482.48
	76.81		
<b>Terminal Leave Payout</b>			<b>\$1,963.20</b>

	(A)	(B)	(C)	(B * C)	(E)	A + D - E
	Carryover	Annual	14 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp				0.00		0.00
Personal	14.50	16.00	0.27	4.31		18.81
Sick						
Vacation	44.00	52.00	0.27	14.00		58.00
<b>Total</b>	<b>58.50</b>	<b>68.00</b>	<b>0.54</b>	<b>18.31</b>	<b>0.00</b>	<b>76.81</b>

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 #2013-145

Title: COPS IN SHOPS SUMMER SHORE INITIATIVE 2013

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control to run the Cops in Shops Summer Shore Initiative 2013;

NOW THEREFORE, BE IT RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

\_\_\_\_\_  
(Signature)  
Michael E. Beck, Mayor

\_\_\_\_\_  
(Signature)  
Brian Marker, Chief of Police

I hereby certify this is the original resolution adopted by the Township Council on May 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

***DIVISION OF ALCOHOLIC BEVERAGE CONTROL***  
***Notice of Availability of Funds***  
***Cops in Shops Summer Shore Initiative 2013***

Take notice that the Division of Alcoholic Beverage Control (ABC) announces the following availability of non-competitive sub-grant program funds:

***A. Name of program:***

Cops in Shops Summer Shore Initiative 2013

***B. Purpose:***

The ABC is the recipient of a \$65,000 block grant from the Division of Highway Traffic Safety (HTS). The funds available in this notice are to be used to run the Cops in Shops Summer Shore Initiative 2013 program in qualifying municipalities.

Created by the Century Council, a national non-profit organization dedicated to combating underage drinking, the Cops in Shops program offers a unique approach to preventing the illegal purchase of alcohol by underage persons through a "partnership" of liquor retailers, specifically Plenary Retail Distribution license holders, and the law enforcement community. The program also targets adults who purchase alcoholic beverages for underage individuals.

Specifically, undercover police officers work cooperatively with licensed retailers by posing as employees or patrons in the retail establishments to stop anyone under the age of 21 who attempts to purchase alcohol or use false identification. The Cops in Shops program advertises and educates youth, adults and parents about the legal repercussions of underage drinking through the use of posters, decals, stickers (advertised at point of sale) and newspaper releases.

Training of police officers who will be implementing the Cops in Shops program will be conducted by the ABC's Enforcement Unit. One of the key aspects of this training will be identification of underage persons and false IDs.

**C. Available Funding:**

The ABC is the recipient of a \$65,000 block grant for the 2013 program period from the Division of Highway Traffic Safety (HTS). The funds available in this notice are to be used to run the Cops in Shops College Summer Shore Initiative program in qualifying municipalities. The ABC is seeking sub-grant applications for this initiative. The funds will be awarded on a non-competitive basis for the program period of May 23, 2013 through September 14, 2013. The number of awards available and the amount of awards depends upon the number of applications received.

Please note that any municipal police department that received funding for the FY12 Enforcing Underage Drinking Laws block grant program is not eligible for funding under this Cops in Shops grant.

**D. Organizations which may apply for funding under this program:**

The ABC is seeking applications from municipal police departments throughout New Jersey that are shore communities, or serve as a gateway to shore communities, and undergo a large influx of vacationers during the summer months. These municipalities have observed an influx of individuals under the legal age to engage in alcoholic beverage activity enter into their community during the summer months when the seaside attractions lure people for vacations and weekend getaways .

The departments selected to implement the program will be encouraged to select retail liquor outlets based upon complaints and to seek out cooperating retailers. Agencies are

required to submit letters of intent to participate from the retail licensed establishments that they plan to work with. The ABC recommends that two off-duty police officers be assigned to work in four-hour shifts. The ABC will pay the specified officers an overtime rate of \$50.00 per hour.

Deterrence will be a major component of this effort. Cooperating retailers will post signs and other materials warning underage individuals that the program can be operating at any time on the licensed premises. Press releases will be issued and local news media will be encouraged to print weekly reports of arrests. Program participants will be required to submit to the ABC weekly time sheets and arrest data to monitor the results of the program.

E. **Qualifications needed by Applicant to be considered for funding:**

Municipal police departments in New Jersey that that are shore communities, or serve as a gateway to shore communities, and that did not receive funding under the FY11 Enforcing Underage Drinking Law block grant program.

F. **Procedures for Eligible Organizations to apply:**

**Proposal Format :**

A letter from the municipal police department requesting funding for the program must contain the following:

1. A description the municipality as a shore community, or a description of the municipality's proximity to the shore area and how it serves as a gateway to the shore areas; and
2. That from the Memorial Day through Labor Day, a noticeable influx of individuals under the age of 21 is found in the municipality; and
3. The names and addresses of Plenary Retail Distribution Licenses that will be cooperating with the municipal police department by participating in the program. Should a qualifying town desire to run the program at a cooperating Plenary Retail Consumption License, an explanation of why the town is seeking to run the program there must be included; and
4. The signed two-page application form, filled out completely and the "Acceptance of Conditions" signed by the municipal police departments Chief of Police, Police Director or Officer in Charge.

Failure to meet the criteria of the program, submit a completed application packet with the time frame, and/or failure to accept the conditions of the grant are grounds for a denial of funding.

Prior performance under the Cops in Shops Summer Shore Initiative will also be a factor in determining the awarding of funds. **Failure to use previously awarded funds under prior Cops in Shops Summer Shore grants and failure to abide by all conditions of the grant could result in a denial of funds for the present grant initiative.**

Application packets may be obtained by contacting DAG Susan K. Dolan at (609) 633-6081.

Funds awarded **cannot** be used for the following:

1. Construction, renovation or land acquisition.
2. Supplanting federal, state or local funds supporting existing programs or activities.
3. Purchase of equipment.

Complete application packets must be received at the ABC no later than 4:30 P.M. May 20, 2013. Facsimile copies will not be accepted. No extension of the deadline will be considered. Failure to meet the deadline will result in the letter being eliminated from funding consideration. Additional letters or other materials will not be accepted after the deadline.

The proposal should be sent to:

DAG Susan K. Dolan  
Division of Alcoholic Beverage Control  
140 East Front Street  
P.O. Box 087  
Trenton, New Jersey 08625

Applicants will be notified of acceptance or denial on or about May 23, 2013.

G. **Program Reporting Requirements**

Applicants who are awarded a sub-grant are required to submit notice at least 3 days prior to a detail of the date, location, times and number of police officers running the detail. Within 5 days from the date of a detail, completed arrest citation and summary of arrest forms must be submitted. Also, completed monthly reimbursement forms must be submitted within 7 days from the end of that particular month. There may be additional reporting requirements contained in the grant condition that must be adhered to.

***H. Suspension of Funding***

The ABC may suspend (in whole or in part) authority to drawdown or expend funds, terminate a sub-grant or impose a sanction on a sub-grant recipient for any of the following reasons:

1. Failure to adhere to the requirements, standard conditions, or special conditions placed on the sub-grant award;
2. Failure to submit timely reports;
3. Filing a false certification in reports or application;
4. Other good cause shown.

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

RESOLUTION #2013-146

**TITLE: ISSUANCE ICE CREAM PEDDLING AND ICE CREAM SALESMEN' S LICENSES FOR THE YEAR 2013**

**WHEREAS**, Steven Lerch, T/A Summer Daze, James Brown T/A Mister Softee Ice Cream and Armen Avetisyan T/A A&T Ice, LLC have submitted applications for Ice Cream Peddling and Ice Cream Salesman Licenses for the year 2013, and

**WHEREAS**, all required paperwork and fees have been received for the licenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower that the Clerk be authorized to issue the following licenses for the year 2013, after inspection of the vehicle with the Police Department

**Ice Cream Peddling Salesman License**

Steven R. Lerch - Summer Daze  
John W. Frame - Summer Daze  
James Brown - Mister Softee  
Armen Avetisyan - A & T Ice, LLC

**Ice Cream Peddling Business License**

1992 GMC G3500 Van Vin# 2GDHG31K6N9521973 (Summer Daze)  
2011 W4Z Workhorse Vin #SB4KFD2D0B3444064 (Mister Softee)  
1998 Ford E350 Vin # 1FDWE30F9XHA40943 ( A&T Ice, LLC)

**BE IT FURTHER RESOLVED**, that anyone selling in conjunction with this license will do so only upon proper application and license approval by the Township.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on May 6, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013-147

**TITLE: ISSUANCE OF 2013 TAXI AND OPERATOR LICENSES**

**WHEREAS**, an application has been submitted by Irma Guy - Ocean Cab pursuant to Ord. #2000-4 for a Taxi License, and

**WHEREAS**, the applicant submitted the appropriate fees, provided the required documentation, and the Police have reviewed and approved the application packet.

**NOW, THEREFORE BE IT RESOLVED**, the Clerk is hereby authorized to issue the following:

Ocean Cab

<u>License Type</u>	<u>Description</u>
Taxi	1997 Chevy Venture 1GNX03E2VD234149
Operator	Irma Guy

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on May 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013 - 148

**TITLE:            INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO  
                         N.J.S.A. 40A:4-87, CHAPTER 159**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount,

**SECTION 1.**

**NOW, THEREFORE BE IT RESOLVED** that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$175,000.00 for an item of revenue in the budget of the year 2013 as follows:

Miscellaneous Revenues –  
Revenue Offset with Appropriations - NJDOT Municipal Aid  
Total with increase to be \$175,000.00

**SECTION 2.**

**BE IT FURTHER RESOLVED** that a like sum of \$175,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –  
Public & Private Programs Offset by Revenues - NJDOT Municipal Aid  
State/Federal Share        \$ 175,000.00  
Non State Share            \$  
Total with increase to be \$ 175,000.00

**FURTHER RESOLVED** that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify this is the original resolution adopted by the Township Council on May 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						



State of New Jersey

DEPARTMENT OF TRANSPORTATION

P.O. Box 600

Trenton, New Jersey 08625-0600

RECEIVED  
5-2-13

CHRIS CHRISTIE  
*Governor*

JAMES S. SIMPSON  
*Commissioner*

KIM GUADAGNO  
*Lt. Governor*

May 1, 2013

The Honorable Michael E. Beck  
Mayor, Lower Township  
2600 Bay Shore Road  
Villas, NJ 08251

Dear Mayor Beck:

I am pleased to inform you that your community has been selected to receive funding from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2013 Municipal Aid Program for the Reconstruction of Clubhouse Drive in the amount of \$175,000.00.

Each year, NJDOT's Municipal Aid Program becomes more popular and is very competitive statewide. This year's solicitation resulted in 660 applications received totaling more than \$254 million for the \$78.75 million available in funds from the Transportation Trust Fund (TTF).

NJDOT is committed to providing statewide assistance for local governments for improvements to and preservation of the local transportation network. The completion of your project will help achieve this goal and pursue a transportation strategy that provides mobility through managing the local roadway system.

Should you have any questions regarding your grant, please contact the NJDOT Local Aid District Office in your area.

District 1 - Mt. Arlington - 973-601-6700  
District 2 - Newark - 973-877-1500

District 3 - Trenton - 732-625-4291  
District 4 - Cherry Hill - 856-486-6618

Again, thank you for your support of this program and good luck with your project.

Sincerely,

Chris Christie  
Governor

c: Municipal Clerk  
Municipal Engineer

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

RESOLUTION #2013-149

Title: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO  
N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

**SECTION 1.**

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$100,000.00 for an item of revenue in the budget of the year 2013 as follows:

Miscellaneous Revenues –  
Revenue Offset with Appropriations - Comcast Technology Grant  
Total with increase to be \$100,000.00

**SECTION 2.**

BE IT FURTHER RESOLVED that a like sum of \$100,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –  
Public & Private Programs Offset by Revenues - Comcast Technology Grant  
State/Federal Share \$ 100,000.00  
Non State Share \$  
Total with increase to be \$ 100,000.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify this is the original resolution adopted by the Township Council on May 20, 2013.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						



Comcast  
1191 Fries Mill Road  
Franklinville, NJ 08322  
856-740-4146  
856-694-6001  
www.comcast.com  
www.comcastcorporation.com

May 10, 2013

Ms. Julie Picard, Township Clerk  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251



Dear Ms. Picard:

In fulfillment of Comcast's commitment to the Township of Lower, please find enclosed a technology grant check in the amount of \$100,000.00 as defined in the New Jersey Board of Public Utilities Certificate of Approval Docket #CE12111042 dated April 29, 2013.

It has been Comcast's pleasure to reach its latest franchise agreement with the Township of Lower and we look forward to a great working relationship throughout the coming years.

Do not hesitate to contact me at 856-740-4146 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred DeAndrea".

Fred DeAndrea  
Comcast Director of Government & Regulatory Affairs

cc: Nancy Wolf, SJ Coordinator of State and Local Planning  
New Jersey Board of Public Utilities, Office of Cable Television  
file

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

RESOLUTION # 2013-150

**TITLE: RESOLUTION SUPPORTING THE CITY OF CAPE MAY AND CAPE MAY COUNTY'S APPLICATION TO THE UNITED STATES COAST GUARD FOR OFFICIAL DESIGNATION OF CAPE MAY COUNTY AS "A COAST GUARD COMMUNITY"**

**WHEREAS**, the United States Congress, through federal legislation, has enabled the United States Coast Guard to designate a community having a special relationship with the Coast Guard as a "Coast Guard Community"; and

**WHEREAS**, local Coast Guard Command is empowered to recommend that the "Coast Guard Community" designation be awarded to a surrounding city, county or other juridical entity that meets rigorous application standards, with only 14 communities across the nation having received such designation; and

**WHEREAS**, the residents of Lower Township, Cape May City and Cape May County have enjoyed a unique relationship with Coast Guard personnel and their families for nearly a century, by virtue of, among other things, the Coast Guard's ownership and maintenance of properties in Lower Township; and

**WHEREAS**, most notably, since as early as 1917 the Coast Guard has had a presence at what has grown in to the 352 acre site in Cape May City now known as the Training Center Cape May; and

**WHEREAS**, Coast Guard Personnel and their families reside both in on-base housing in Cape May City and in private housing in Lower Township as well as throughout Cape May County; and

**WHEREAS**, Coast Guard families and non-Coast Guard families interact with and support one another on a daily basis in all aspects of community living.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Lower do hereby support the efforts of the City of Cape May and Cape May County in obtaining the official designation as "A Coast Guard Community" and pledge to continue Lower Township's unwavering support for Coast Guard Personnel and their families.

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

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

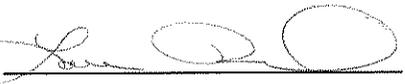
RESOLUTION #2013-151

**TITLE: APPOINTMENT OF PUBLIC INFORMATION OFFICER FOR JUNE 1, 2013 THRU DECEMBER 31, 2013 WITHOUT PUBLIC BIDDING**

WHEREAS, the Township of Lower ("Township") has a need to acquire a Public Information Officer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will not exceed \$17,500, and Jack Fichter has submitted a proposal indicating that he will provide the goods or services described above for a price not to exceed \$ 7,000.00; and

WHEREAS, the term of this contract is June 1, 2013 to December 31, 2013; and the CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation # 3-01-20-110-281 Signature 

WHEREAS, Jack Fichter has completed and submitted a Business Entity Disclosure Certification which certifies that Jack Fichter has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit Jack Fichter from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Lower hereby approves a contract with Jack Fichter for the goods and services herein described and that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and that a notice of Award of Professional Contract for the above appointment shall be published in the Township's Official paper

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

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

## MEMORANDUM

TO: LOWER TOWNSHIP MAYOR and COUNCIL

FROM: LOWER TOWNSHIP SOLICITOR, CHARLES W. SANDMAN, III

RE: **LEGAL OPINION ON THE APPOINTMENT OF THE POSITION OF PUBLIC INFORMATION OFFICER WITHOUT PUBLIC BID**

As you are aware the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. requires that all contracts over \$17,500.00 must be advertised and subject to the public bidding process. Not only is the Public Information Officer position under the statutory amount set forth above as the total compensation for same is \$9,800.00 (\$7,000.00 from Lower Township and \$2,800.00 from the Lower Township MUA), but it also fits into the exception for professional services.

N.J.S.A. 40A:11-5(1)(a)(i) defines professional services as persons who have undergone prolonged courses of specialized training such as attorneys or engineers. It also goes on to state, "*professional services may also mean services rendered in the provision or performance of goods or services that are original and creative in character in a recognized field or artistic endeavor*" N.J.S.A. 40A:11-5(1)(a)(i).

The position of Public Information Officer requires a person trained in the field of journalism. Journalism is clearly original and creative in character. It is also a recognized field of artistic endeavor. As such, this fits into the exception to the bid requirements under this statute.

Accordingly, it is my legal opinion that the position of "Public Information Officer" is not subject to the bid requirements of the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.

Charles W. Sandman, III, Esquire

**TOWNSHIP OF LOWER**  
**CONTRACT FOR PROFESSIONAL SERVICES FOR**  
**PUBLIC INFORMATION OFFICER**

THIS AGREEMENT made as of the 20<sup>th</sup> day of May 2013, by and between THE TOWNSHIP OF LOWER, a municipal corporation of the State of New Jersey (hereinafter referred to as “Township”) and JACK FICHTER, a media specialist, having an office at \_\_\_\_\_ (hereinafter referred to as “Township Public Information Officer”).

*WITNESSETH:*

WHEREAS, pursuant to Resolution adopted by the Township Council on the 20<sup>th</sup> day of May, 2013, Jack Fichter was appointed Public Information Officer for the Township of Lower, for a period of seven (7) months to commence on June 1, 2013 and ending on December 31, 2013.

WHEREAS, said appointment was made without competitive bidding in accordance with the provisions of the Local Public Contracts Law of the State of New Jersey which nevertheless requires the execution of a written contract; and

WHEREAS, the Chief Financial Officer of the Township of Lower has certified the availability of funds for the purposes hereof through an adequate appropriation in the municipal budget for the current year.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. APPOINTMENT: The Township hereby employs Jack Fichter as its Township Public Information Officer in accordance with Code 3-8 (B) (1), for a period of seven (7) months to commence on June 1, 2013 and ending December 31, 2013.

2. MONTHLY STIPEND: Township shall pay to Jack Fichter ("Public Information Officer") the sum of Seven Thousand Dollars payable in in equal monthly amounts on or before the 15<sup>th</sup> day of each month, as compensation for day-to-day public information officer functions. In consideration of the monthly stipend, The Public Information Officer agrees

- (a) Write and post Township news to the Township of Lower website;
- (b) Post news to the Township of Lower Facebook page;
- (c) Consult with the Township Administrator to issue press releases;
- (d) Create positive media coverage for the Township of Lower for economic development and to aid tourism, including, writing stories, publicizing upcoming special events and offering photo opportunities;
- (e) Disseminate information to residents via the Township of Lower website;
- (f) Monitor news stories about the Township and keep an archive of news articles about the Township of Lower;
- (g) Attend Township Council meetings to gather information for press releases and news items for the Lower Township website and Facebook account;
- (h) Assist the Township Manager to disseminate information during emergencies such as weather emergencies, utility outages or road closings.
- (i) Develop positive relations on behalf of the Township with local media, television, newspapers, radio and websites.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the date first above written.

ATTEST:

THE TOWNSHIP OF LOWER

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

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

WITNESS:

TOWNSHIP PUBLIC INFORMATION OFFICER

\_\_\_\_\_

BY: \_\_\_\_\_  
Jack Fichter

## EXHIBIT A

### MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

### GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

Firm Name: Jade Fichten  
Name of Agent: Jade Fichten  
Title: Owner  
Date: May 16, 2013

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
 FOR NON-FAIR AND OPEN CONTRACTS  
 Required Pursuant To N.J.S.A. 19:44A-20.8  
 TOWNSHIP OF LOWER

**Part I B Contractor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the business entity by the name Jack Fichten has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 3, 2008 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Lower, defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Thomas Conrad	
James Neville	Any present or future candidate committee or
Glenn Douglass	joint candidate committee or local political party
Norris Clark	committee formed for the election of members of
Michael E. Beck	the Lower Township governing body.

**Part II B Ownership Disclosure Certification**

   I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

**Check the box that represents the type of business entity:**

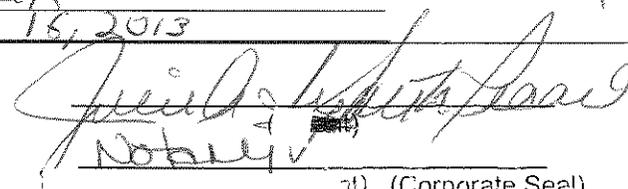
- Partnership         Corporation       Sole Proprietorship         Subchapter S Corporation  
   Limited Partnership         Limited Liability Corporation         Limited Liability Partnership

Name of Stock or Shareholder	Home Address

**Part 3 B Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Jack Fichten  
 Signed: Jack Fichten Title: OWNER  
 Print Name: JACK FICHTEN Date: MAY 15, 2013

Subscribed and sworn before me this 14 day of May, 2013.  
 JULIE A. SYLVESTER-PICARD  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires 8/26/2016  
  
 (Corporate Seal)

**LOWER TOWNSHIP  
2600 BAYSHORE ROAD  
VILLAS, NJ 08251  
(609) 886-2005**

**AFFIDAVIT OF PAY-TO-PLAY COMPLIANCE**

The Undersigned, being duly sworn, of full age according to law, upon my oath, depose and say:

1. I am a duly authorized representative of (the "Business Entity"), which for the purposes of this Affidavit includes all entities of which the Business Entity owns, directly or indirectly, a more than 50% equity interest.

2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

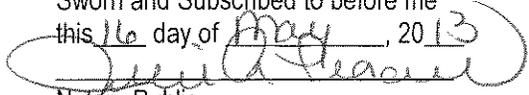
3. In accordance with Lower Township Ordinance No. 2004-10 (the "Pay-to-Play Ordinance"), I am making this Affidavit under penalties of perjury to represent to the Township of Lower that neither I nor the Business Entity have made any political contributions in violation of Section 95-2 of the Pay-to-Play Ordinance.

4. Also in accordance with the Pay-to-Play Ordinance, I am disclosing that the following represents all of the contributions that were made by the Business Entity and, to the best of my knowledge, all principals owning 10% more of the Business Entity's equity, their respective spouses, and all of the Business Entity's employees and officers and their respective spouses, to all New Jersey State and County political party committees commencing on the later of the effective date of the Pay-to-Play Ordinance (October 4, 2004) or twelve (12) months from date of this Affidavit and ending on the date of this Affidavit:

<u>Date</u>	<u>Name of Organization</u>	<u>Amount</u>

4. I represent and acknowledge that I have received, read and fully understand the Pay-to-Play Ordinance and that my violation of the Pay-to-Play Ordinance will disqualify me and the Business Entity from receiving any additional contract from the Township of Lower for a period of four (4) years and, in the event any statements made in this Affidavit are willfully false, that I and the Business Entity would be subject to criminal prosecution for perjury.

  
\_\_\_\_\_

Sworn and Subscribed to before me  
this 16 day of May, 2013  
  
Notary Public

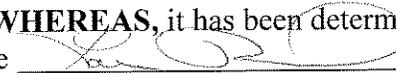
**JULIE A. SYLVESTER-PICARD  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 8/28/2016**

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
RESOLUTION # 2013-152**

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Lower that payment to Eric Coombs in the amount of **\$8,310.80** is authorized and chargeable to the 2013 Budget account 3-01-25-240-121.

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

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

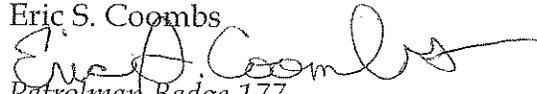
TO: Chief Brian Marker  
FROM: Ptlm. Eric S. Coombs  
DATE: 5/14/2013  
SUBJECT: Compensatory time buy back.

Chief,

I am requesting, if possible, that the township buy back 200 hours of accumulated compensatory time I have saved. I am in need of additional funds for property upgrades. Thank you for your time and assistance with this matter.

Respectfully Submitted,

Eric S. Coombs

  
Patrolman Badge 177

C	File	Date	Officer	Comments
				8310, 80 CR

APPROVED  5/14/13

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

RESOLUTION #2013-153

Title: RESOLUTION OPPOSING NEW JERSEY STATE ASSEMBLY BILL  
No. 3920 CREATING A NEW JERSEY COASTAL COMMISSION

WHEREAS, a New Jersey State Assembly Bill has advanced out of Committee concerning Coastal Planning and Zoning; and

WHEREAS, this Assembly Bill could change how Planning and Zoning is prosecuted; and

WHEREAS, a radical change to local Planning and Zoning control is unwarranted and unnecessary; and

WHEREAS, the New Jersey League of Municipalities has serious concerns that a "Coastal Commission" charged with making Planning and Zoning decisions, would create regulatory gridlock; and

WHEREAS, "all grants, loans and loan guarantees," would be withheld, from Municipalities found not in conformance; and

WHEREAS, the Coastal Commission would have the power to recommend that the Governor and both houses of the Legislature withhold all discretionary funding, to Municipalities found not in conformance; and

WHEREAS, the above actions by the by the State would have a significant detrimental impact on Lower Township's economic well being; and

WHEREAS, Lower Township wishes to keep its unique identity and does not desire to have a State Coastal Commission making local Planning and Zoning decisions; and

WHEREAS, Lower Township's Planning and Zoning Boards have Professional Board Members that have attended New Jersey State mandated Planning and Zoning courses, and are accredited as such; and

WHEREAS, as a result of this Bill, Lower Township could find development approved that the Lower Township community opposes.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, that the Lower Township Council is opposed to New Jersey State Assembly Bill No. 3920, creating a New Jersey Coastal Commission.

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

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013-154

**TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO  
N.J.S.A. 40A:4-87, CHAPTER 159**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount,

**SECTION 1.**

**NOW, THEREFORE BE IT RESOLVED** that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$69,368.29 for an item of revenue in the budget of the year 2013 as follows:

Miscellaneous Revenues –  
Revenue Offset with Appropriations - Clean Communities  
Total with increase to be \$69,368.29

**SECTION 2.**

**BE IT FURTHER RESOLVED** that a like sum of \$69,368.29 be and the same is hereby appropriated under the caption of:

General Appropriations –  
Public & Private Programs Offset by Revenues - Clean Communities  
State/Federal Share \$ 69,368.29  
Non State Share \$  
Total with increase to be \$ 69,368.29

**FURTHER RESOLVED** that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify this is the original resolution adopted by the Township Council on May 20, 2013

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

MUNICIPALITY	COUNTY	VENDOR #	FY13 ACTUAL DISTRIBUTION
CHERRY HILL TWP	140 CAMDEN	21600052300	\$ 133,175.71
CHESILHURST BORO	141 CAMDEN	21600062915	\$ 5,039.30
CLEMENTON BORO	142 CAMDEN	21600047700	\$ 9,554.54
COLLINGSWOOD BORO	143 CAMDEN	21600048400	\$ 25,984.82
GIBBSBORO BORO	144 CAMDEN	21600813100	\$ 4,339.19
GLOUCESTER CITY	145 CAMDEN	21600065900	\$ 19,653.99
GLOUCESTER TWP	146 CAMDEN	21600066477	\$ 109,720.23
HADDON HEIGHTS BORO	147 CAMDEN	21600067700	\$ 13,656.31
HADDON TWP	148 CAMDEN	21600067900	\$ 26,885.30
HADDONFIELD BORO	149 CAMDEN	21600068100	\$ 21,155.73
HI-NELLA BORO	150 CAMDEN	22207102400	\$ 4,000.00
LAUREL SPRINGS BORO	151 CAMDEN	21600078700	\$ 4,000.00
LAWNSIDE BORO	152 CAMDEN	21600078900	\$ 5,614.87
LINDENWOLD BORO	153 CAMDEN	21600079800	\$ 30,125.82
MAGNOLIA BORO	154 CAMDEN	21600081800	\$ 8,107.72
MERCHANTVILLE BORO	155 CAMDEN	21600086100	\$ 6,563.78
MOUNT EPHRAIM BORO	156 CAMDEN	21600090100	\$ 8,522.90
OAKLYN BORO	157 CAMDEN	21600095000	\$ 6,883.06
PENNSAUKEN TWP	158 CAMDEN	21600100000	\$ 60,162.04
PINE HILL BORO	159 CAMDEN	21600101100	\$ 17,507.89
RUNNEMEDE BORO	160 CAMDEN	21600108177	\$ 15,452.91
SOMERDALE BORO	161 CAMDEN	21600119500	\$ 10,257.53
STRATFORD BORO	162 CAMDEN	21600540800	\$ 12,462.26
VOORHEES TWP	163 CAMDEN	21073604699	\$ 55,490.37
WATERFORD TWP	164 CAMDEN	21600134100	\$ 24,024.14
WINSLOW TWP	165 CAMDEN	21600657600	\$ 76,342.14
WOODLYNNE BORO	166 CAMDEN	21600137500	\$ 4,000.00
AVALON BORO	167 CAPE MAY	21600006500	\$ 23,119.53
CAPE MAY CITY	168 CAPE MAY	21600042900	\$ 17,110.65
CAPE MAY POINT BORO	169 CAPE MAY	21600043505	\$ 4,000.00
DENNIS TWP	170 CAPE MAY	21600052900	\$ 20,049.29
LOWER TWP	171 CAPE MAY	21600570000	\$ 69,368.29
MIDDLE TWP	172 CAPE MAY	21600086877	\$ 48,414.69
NORTH WILDWOOD CITY	173 CAPE MAY	21600094402	\$ 32,178.61
OCEAN CITY	174 CAPE MAY	21600095200	\$ 83,700.91
SEA ISLE CITY	175 CAPE MAY	21600116400	\$ 25,460.22
STONE HARBOR BORO	176 CAPE MAY	21600121700	\$ 13,762.94
UPPER TWP	177 CAPE MAY	21600132401	\$ 34,224.36
WEST CAPE MAY BORO	178 CAPE MAY	22607359000	\$ 4,833.84
WEST WILDWOOD BORO	179 CAPE MAY	21600135305	\$ 4,000.00
WILDWOOD CITY	180 CAPE MAY	21600136000	\$ 25,805.59
WILDWOOD CREST BORO	181 CAPE MAY	21600136100	\$ 22,158.60
WOODBINE BORO	182 CAPE MAY	21600136800	\$ 7,218.39
BRIDGETON CITY	183 CUMBERLAND	21600038000	\$ 29,106.94
COMMERCIAL TWP	184 CUMBERLAND	22184521201	\$ 15,342.30
DEERFIELD TWP	185 CUMBERLAND	21600051701	\$ 5,463.19
DOWNE TWP	186 CUMBERLAND	22199335100	\$ 7,485.55
FAIRFIELD TWP	187 CUMBERLAND	21600055900	\$ 12,390.38
GREENWICH TWP	188 CUMBERLAND	22600184000	\$ 4,000.00
HOPEWELL TWP	189 CUMBERLAND	22186193500	\$ 10,669.69
LAWRENCE TWP	190 CUMBERLAND	21600079005	\$ 9,037.47
MAURICE RIVER TWP	191 CUMBERLAND	21600084100	\$ 13,549.85
MILLVILLE CITY	192 CUMBERLAND	21600087500	\$ 56,520.06
SHILOH BORO	193 CUMBERLAND	21600031401	\$ 4,000.00
STOW CREEK TWP	194 CUMBERLAND	21600014705	\$ 4,000.00
UPPER DEERFIELD TWP	195 CUMBERLAND	21600132100	\$ 14,861.20
VINELAND CITY	196 CUMBERLAND	21600167003	\$ 116,753.57
BELLEVILLE TWP	197 ESSEX	22600164500	\$ 52,877.13
BLOOMFIELD TWP	198 ESSEX	22600166400	\$ 71,792.92
CALDWELL BORO	199 ESSEX	22600169800	\$ 13,113.43
CEDAR GROVE TWP	200 ESSEX	22600170900	\$ 20,634.03
EAST ORANGE CITY	201 ESSEX	22601176900	\$ 97,599.85
ESSEX FELS TWP	202 ESSEX	22600179200	\$ 5,395.37
FAIRFIELD TWP	203 ESSEX	22600170000	\$ 16,448.76
GLEN RIDGE BORO	204 ESSEX	22600183400	\$ 11,078.96
IRVINGTON TWP	205 ESSEX	22600200505	\$ 77,856.31
LIVINGSTON TWP	206 ESSEX	22600204000	\$ 52,068.34
MAPLEWOOD TWP	207 ESSEX	22600206500	\$ 36,038.10
MILLBURN TWP	208 ESSEX	22600208300	\$ 37,450.61
MONTCLAIR TWP	209 ESSEX	22600209400	\$ 63,632.97
NEWARK CITY	210 ESSEX	22600250703	\$ 379,117.21
NORTH CALDWELL BORO	211 ESSEX	22600215600	\$ 12,342.31

REMITTANCE ADVICE

ORGANIZATION NAME	TELEPHONE #	DOCUMENT #	ACCOUNT NUMBER	AMOUNT
SOLID WASTE ADMINISTRATION FY2013 CLEAN COMMUNITIES GR	609-984-7744	4900CC15399	4900-765-042-4900-004-V42Y-6020	6936829
QUESTIONS SHOULD BE DIRECTED TO APPROPRIATE STATE ORGANIZATION LISTED ABOVE. TOTAL				6936829

CHECK NUMBER 0T0001422428 DATE 05/09/13 PAYEE LOWER TWP  
 OMB022 (REV. 01/26/2010) DETACH BEFORE CASHING CHECK AND RETAIN AS EVIDENCE OF PAYMENT



Department Of The Treasury  
 STATE OF NEW JERSEY  
 Trenton, New Jersey 08625-0221  
**CLEAN COMMUNITIES ACCOUNT FD**

CHECK NUMBER  
**T 0001422428**  
 DATE: **MAY 09, 2013**  
 VOID 180 Days After This Date

**PAY** *Sixty Nine Thousand Three Hundred Sixty Eight and 29/100 Dollars*

2000031126744  
 WELLS FARGO BANK, N.A.

To The  
 Order Of: **LOWER TWP**  
 2600 BAYSHORE RD  
 STE 5  
 VILLAS NJ 08251 1397

\$\*\*\*\*\*69,368.29  
 Audited, Allowed and Payment Warranted  
*Charles M. Holbein*  
 DIRECTOR  
 Payment Directed  
*AS*  
 STATE TREASURER

⑈0001422428⑈ ⑆121000248⑆ 2000031126744⑈

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

ORDINANCE NO. 2013-09

AN ORDINANCE OF THE TOWNSHIP OF LOWER  
AMENDING AND RESTATING CHAPTER 351-FLOOD  
DAMAGE PREVENTION

**WHEREAS**, as a result of a federally mandated update of the base flood elevations (“BFE”) for purposes of rating properties for flood insurance through the National Flood Insurance Program (“NFIP”), the federal government through FEMA has published advisory base flood elevations (“ABFE”) maps which have updated the flood zones throughout the State of New Jersey; and

**WHEREAS**, also as a result of the publication of the ABFE maps and due to the impact that Superstorm Sandy had upon the New Jersey coast, the New Jersey Department of Environmental Protection (“DEP”) has proposed amendments to its Flood Control Act Regulations, N.J.A.C. 7:13-1.1 et seq. which, have also incorporated the new ABFE maps and associated elevations for regulating all Construction activities in flood zones in the State of New Jersey, which proposed regulations have been implemented by emergency order of Governor Christie (“Flood Control Regulations”); and

**WHEREAS**, the Township of Lower has been participating in meetings with federal, state, county and municipal officials and professionals, and has been diligently reviewing and commenting on the Flood Control Regulations as well as the ABFE maps, which is a continuing and evolving process which will likely not be finalized for several months; and

**WHEREAS**, in the meantime, and without prejudice to the Township’s position and objections to some of the flood zone designations under the ABFE maps as well as to certain provisions in the Flood Control Regulations, the Township Council desires to restate its Flood Management Ordinance to incorporate the proposed updates as recommended by federal and state officials in order to obtain a community rating discount under the NFIP, which will provide an economic benefit to the Township and all of its property owners through discounted flood insurance premiums, as well as to preserve the funding opportunities available through FEMA; and

**WHEREAS**, the adoption of this ordinance will not prevent the Township from continuing to question, comment on and challenge the ABFE maps as well as the Flood Control Regulations, and to make additional modifications to this ordinance as may be deemed advisable and in the best interest and welfare of the residents, business owners, property owners, tourists and guests of the Township of Lower.

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

1. Chapter 351 of the Township of Lower Code is hereby deleted in its entirety and replaced with the following:

**ARTICLE 1**  
**Statutory Authorization, Findings of Fact, Purpose and Objectives**

**§351-1. Statutory Authorization**

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Mayor and Township Council of the Township of Lower, of Cape May County, New Jersey does ordain as follows:

**§351-2. Findings of Fact**

- A. The flood hazard areas of the Township of Lower are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protections and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

**§351-3. Statement of Purpose**

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, street, bridges located in areas of special flood hazard;
- F. Help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

**§351-4. Methods of Reducing Flood Losses**

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

**ARTICLE II  
Definitions**

**§351-5. Word usage.**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**§351-6. Definitions**

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

**ADVISORY BASE FLOOD ELEVATION (ABFE)**-The elevation shown on a community's Advisory Flood Hazard Map that indicates the advisory stillwater elevation plus wave effect (ABFE = SWEL + wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

**ADVISORY FLOOD HAZARD AREA (AFHA)**- The land in the floodplain within a community subject to flooding from the 1% annual chance event depicted on the Advisory Flood Hazard Map.

**ADVISORY FLOOD HAZARD MAP** - The official map on which the Federal Emergency Management Administration has delineated the areas of advisory flood hazards applicable to the community.

**APPEAL**- A request for a review of the Flood Control Officer's interpretation of any provision of this ordinance or a request for a variance.

AREA OF SHALLOW FLOODING - A designated AO, AH, or VO zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

BASE FLOOD - The flood having a one percent chance of being equaled or exceeded in any given year.

BASEMENT - Any area of the building having its floor subgrade (below ground level) on all sides.

BREAKAWAY WALL - A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

COASTAL HIGH HAZARD AREA - An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

DEVELOPMENT - Any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

DIGITAL FLOOD INSURANCE RATE MAP (DFIRM) - The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

ELEVATED BUILDING - A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor or, in the case of a building in a Coastal High-Hazard Area, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the base flood elevation by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In Areas of Coastal High Hazard "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

EROSION - The process of the gradual wearing away of land masses.

FLOOD CONTROL OFFICER - The official designated by the Township Council as the person responsible for administration of this Chapter. The initial Flood Control Officer is designated as the Construction Official.

FLOOD OR FLOODING - A general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of inland or tidal waters and/or
- B. The unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) - The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) - The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOODPLAIN MANAGEMENT REGULATIONS - Zoning Ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE - Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminary determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - (1) By an approved State program as determined by the Secretary of the Interior; or
  - (2) Directly by the Secretary of the Interior in States without approved programs.

LOWEST FLOOR - The lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor

provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements.

**MANUFACTURED HOME** - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**MANUFACTURED HOME PARK OR MANUFACTURED HOME SUBDIVISION** - a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

**NEW CONSTRUCTION** - Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION** - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

**PRIMARY FRONTAL DUNE** - A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves from coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from the relatively steep slope to a relatively mild slope.

**RECREATIONAL VEHICLE** - A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be a self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**SAND DUNES** - Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

**START OF CONSTRUCTION** - For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it

include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**STRUCTURE** - A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

**SUBSTANTIAL DAMAGE** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**VARIANCE** - A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

### ARTICLE III General Provisions

**§351-7. Lands to which this chapter applies.**

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Township of Lower, Cape May County, New Jersey.

**§351-8. Basis for establishing areas of special flood hazard.**

The areas of special flood hazard for the Township of Lower are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- A. A scientific and engineering report "Flood Insurance Study, Cape May County, New Jersey (All Jurisdictions)" dated \_\_\_\_\_.
- B. Flood Insurance Rate Map for Cape May County, New Jersey (All Jurisdictions) as shown on Index and panel(s), whose effective date is \_\_\_\_\_.
- C. Advisory Base Flood Elevations and Advisory Flood Hazard Maps dated December 14,

2012. These documents shall take precedence over previous panels and FIS in construction and development regulations only. Where the Special Flood Hazard Area (SFHA) and the Advisory Flood Hazard Area (AFHA) maps conflict or overlap, whichever imposes the more stringent requirement shall prevail.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at the Lower Township Municipal Building Construction Office, 2600 Bayshore Road, Villas, New Jersey.

**§351-9. Penalties for Noncompliance.**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be subject to the fines and penalties set forth in Chapter 1, Article III for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Township of Lower from taking such other lawful action as is necessary to prevent or remedy any violation.

**§351-10. Abrogation and greater restrictions.**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**§351-11. Interpretation.**

In the interpretation and application of this ordinance, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the Township of Lower; and
- C. Deemed neither to limit nor repeal any other powers granted under State statutes.

**§351-12. Warning and Disclaimer of Liability.**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Township of Lower, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

ARTICLE IV  
Administration

**§351-13. Establishment of development permit.**

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in §351-8. Application for a Development Permit shall be made on forms furnished by the Flood Control Officer and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- A. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures.
- B. Elevation in relation to mean sea level to which any structure has been floodproofed.
- C. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in §351-18B; and
- D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

**§351-14. Designation of Township Construction Official.**

The Township Construction Official is hereby appointed Flood Control Officer, to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

**§351-15. Duties and responsibilities of Township Construction Official (Flood Control Officer)**

Duties of the Township Construction Official shall include, but not be limited to:

- A. Permit review.
  - (1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
  - (2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
  - (3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of §351-18D(1) are met.
  - (4) Review all development permits in the coastal high hazard area of the area of special flood hazard to determine if the proposed development alters sand dunes so

as to increase potential flood damage.

- (5) Review plans for walls to be used to enclose space below the base flood level in accordance with §351-18G(4).

B. Use of other base flood and floodway data:

- (1) When base flood elevation and floodway data has not been provided in accordance with §351-8, the Flood Control Officer shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, in order to administer §351-18A and §351-18B.

C. Information to be obtained and maintained:

- (1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (2) For all new or substantially improved floodproofed structures:
  - (a) verify and record the actual elevation (in relation to mean sea level); and
  - (b) maintain the floodproofing certifications required in §351-13C.
- (3) In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the provisions of §351-18G(1) and §351-18G(2)(a) and (b) are met.
- (4) Maintain for public inspection all records pertaining to the provisions of this ordinance.

D. Alteration of watercourses:

- (1) Notify adjacent communities and the New Jersey Department of Environmental Protection, Dam Safety and Flood Control Section and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

E. Interpretation of FIRM boundaries. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in §351-16.

**§351-16. Variance procedures.**

**A. Appeal Board.**

- (1) The Lower Township Planning Board shall hear and decide appeals and request for variances from the requirements of this ordinance.
- (2) The Lower Township Planning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Flood Control Officer in the enforcement or administration of this ordinance.
- (3) Those aggrieved by the decision of the Lower Township Planning Board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey.
- (4) In passing upon such applications, the Lower Township Planning Board, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
  - (a) the danger that materials may be swept onto other lands to the injury or others;
  - (b) the danger to life and property due to flooding or erosion damage;
  - (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (d) the importance of the services provided by the proposed facility to the community;
  - (e) the necessity to the facility of a waterfront location, where applicable;
  - (f) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - (g) the compatibility of the proposed use with existing and anticipated development;
  - (h) the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
  - (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (j) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
  - (k) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

- (5) Upon consideration of the factors of §351-16A(4) and the purposes of this ordinance, the Lower Township Planning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (6) The Flood Control Officer shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

B. Conditions for variances.

- (1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (a-k) in §351-16A(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (2) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (3) Variance shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Variances shall only be issued upon:
  - (a) A showing of good and sufficient cause:
  - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
  - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of public as identified in §351-16A(4), or conflict with existing local laws or ordinances.
- (6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

ARTICLE V  
Provisions for Flood Hazard Reduction

**§351-17. General Standards.**

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

A. Anchoring.

- (1) All new construction to be placed or substantially improved and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- (2) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirements is in addition to applicable state and local anchoring requirements for resisting wind forces.

B. Construction materials and methods.

- (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. Utilities.

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- (4) For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

D. Subdivision proposals.

- (1) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;

- (2) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
  - (3) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and
  - (4) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).
- E. Enclosure openings. All new construction and substantial improvements having fully enclosed areas below the lowest floor that area usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

#### **§351-18 Specific Standards**

In all area of special flood hazards where base flood elevation data have been provided as set forth in §351-8 or in §351-15B, the following standards are required:

- A. Residential Construction.
- (1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated at or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one (1) foot;
  - (2) Require within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent ground one (1) foot above the depth number specified in feet (at least three (3) feet if no depth number is specified) or at or above the advisory base flood elevation plus one (1) foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- B. Nonresidential construction. In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities:

- (1) Elevated to or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one (1) foot; and
- (2) Require within any AO zone on the municipality's DFIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one (1) foot above the depth number specified in feet (at least three (3) feet if no depth number is specified) or at or above the advisory base flood elevation plus one (1) foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;  
or
- (1) Be floodproofed so that below the base flood level plus one (1) foot, or advisory base flood elevation plus one (1) foot, (whichever is more restrictive) the structure is watertight with walls substantially impermeable to the passage of water;
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- (3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in §351-15C(2)(a)(b).

C. Manufactured homes.

- (1) Manufactured homes shall be anchored in accordance with §351-17A(2).
- (2) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation or advisory base flood elevation, plus one (1) foot (whichever is more restrictive).

D. Floodways.

Located within areas of special flood hazard established in §351-8 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- (1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) If §351-18D(1) is satisfied, all new construction and substantial improvements must comply with Article V.

- (3) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenth (0.2) of a foot at any point.

E. Coastal High Hazard Area. Coastal high hazard areas (V or VE Zones) are located within the areas of special flood hazard established in §351-8. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

F. Location of Structures.

- (1) All buildings or structures shall be located landward of the reach of the mean high tide.
- (2) The placement of manufactured homes shall be prohibited, except in an existing manufactured home park or manufactured home subdivision.

G. Construction Methods.

- (1) Elevation.

All new construction and substantial improvements shall be elevated on piling or columns so that:

- (a) The bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood elevation, advisory base flood elevation or as required by the Uniform Construction Code (NJAC 5:23), whichever is more restrictive,

and,

- (b) with all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided or in §351-18G(4).

(2) Structural Support

- (a) All new construction and substantial improvements shall be securely anchored on piling or columns.
- (b) The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse or lateral movement due to the effects of wind and water loading values each of which shall have a one (1) percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).
- (c) There shall be no fill used for structural support.

(3) Certification.

A registered professional engineer or architect shall develop or review the structural design specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for compliance with the provisions of §351-18G(1) and §351-18G(2)(a) and (b).

(4) Space below the lowest floor.

(a) any alteration, repair, reconstruction or improvement to a structure started after the enactment of this ordinance shall not enclose the space below the lowest floor unless breakaway walls, open wood lattice-work or insect screening are used as provided for in this section.

(b) Breakaway walls, open wood lattice-work or insect screening shall be allowed below the base flood elevation provided that they are intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Breakaway walls shall be designed for a safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions.

[1] breakaway wall collapse shall result from a water load less than that which would occur during the base flood and,

[2] the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water load acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.

(c) If breakaway walls are utilized, such enclosed space shall be used solely for parking of vehicles, building access, or storage and not for human habitation.

(d) Prior to construction, plans for any breakaway wall must be submitted to the Building Sub-Code Official for approval.

H. Sand Dunes. Prohibit man-made alteration of sand dunes within Zones VE and V on the community's DFIRM which would increase potential flood damage.

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

2. 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.

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

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

\_\_\_\_\_  
James Neville, Council Member

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

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

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

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

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

TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

April 22, 2013

Mayor Michael Beck & Council Members  
2600 Bayshore Road  
Villas, NJ 08251

RE: Amended Flood Prevention  
Ordinance

Dear Mayor & Council Members:

Please be advised that the Lower Township Planning Board, at a duly held meeting on April 18, 2013, voted to approve the proposed Flood Prevention Ordinance, referenced above.

If you have any questions or comments, please call anytime. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "WJG", is written over a circular stamp or mark.

William J. Galestok, PP, AICP  
Director of Planning  
Secretary to the Planning Board

WJG:las

enc.1

cc: Michael Voll, Twp. Manager, w/o enc.  
Charles Sandman, Twp. Solicitor, w/enc.  
Julie Picard, Twp. Clerk, w/enc.  
George Curvan, Twp. Engineer, w/o enc.  
Gary Playford, Construction Official, w/o enc.  
Planning Board members, w/o enc.

TOWNSHIP OF LOWER, NEW JERSEY

ORDINANCE #2013-10

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**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, NEW JERSEY; APPROPRIATING THE SUM OF \$1,139,000 THEREFORE; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,080,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

---

**BE IT ORDAINED** by the Township Council of the Township of Lower, County of Cape May, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Lower, County of Cape May, New Jersey ("Township").

**Section 2.** It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$1,139,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,080,000; and

(c) a down payment in the amount of \$59,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$1,080,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$59,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$1,080,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$1,080,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$200,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of Various Pieces of Equipment for the Police Department including, but not limited to, mobile data recorders, barricades, ballistic vests and hardware, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$76,816	\$3,979	\$72,837	5 years
B. Acquisition of Vehicles for the Police Department including, but not limited to, a pickup truck and sport utility vehicles, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	66,004	3,419	62,585	5 years
C. Acquisition of Various Pieces of Equipment for the Department of Public Works including, but not limited to, a natural gas generator, trailer, screening machine, drainage pumps and barricades, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	138,007	7,149	130,858	5 years
D. Various Upgrades to the Pole Barn, all as more particularly described in the plans and specifications on file in the office of the Township Clerk, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	54,003	2,797	51,206	15 years
E. Acquisition of a Rear Loading Refuse Truck and Dump Truck for the Department of Public Works, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related	444,028	23,000	421,028	15 years

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
	thereto				
F.	Acquisition of Vehicles and Related Equipment for the Department of Public Works including, but not limited to, an All-Wheel Drive Truck with Plow, Skid Loader and Dump Body, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	128,408	6,652	121,756	5 years
G.	Acquisition of Equipment for the Recreation Department including, but not limited to, a storage shed, audio visual equipment, new flooring and furniture, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	70,324	3,643	66,681	5 years
H.	Various Recreational Improvements including, but not limited to, repairs to the hockey rink and volleyball court, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	37,203	1,927	35,276	15 years
I.	Acquisition of Various Equipment for the Municipal Offices including, but not limited to, hardware, furniture, and an HVAC, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	64,207	3,326	60,881	5 years
J.	Professional Costs Associated with ADA Improvements at the Fishing Creek School, all as more particularly described in the plans and specifications on file in the office of the Township Clerk, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	60,000	3,108	56,892	5 years
	<b>Total</b>	<b>\$1,139,000</b>	<b>\$59,000</b>	<b>\$1,080,000</b>	

**Section 8.** The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 10.76 years.

**Section 9.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

**Section 10.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$1,080,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 11.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 12.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 13.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 14.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 15.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 16.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

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

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

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

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

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

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

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

RESOLUTION # 2013-155

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
DOUGLASS LANDSCAPING	13-00954	LANDSCAPING PAYMENT # 3	\$5,192.50
DOUGLASS LANDSCAPING	12-03330	MAPLE TREES & INSTALLATION	\$1,200.00

**Total Bill List \$6,392.50**

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

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						



# PERSONNEL ACTIONS

## Report for Council Meeting of 05/20/2013

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<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
DPW	Boyle, Kyle	5/13/2013	Montgomery, Don T	New Hire	Laborer	Yes

Date of report 5/15/2013

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

ANIMAL CONTROL MONTHLY REPORT

MONTH OF April 202013

ACO steve parker DATE 4/30/2013

	<b>DOGS</b>	<b>CATS</b>	<b>WILDLIFE</b>
<b>TOTAL CALLS</b>	8	5	13
<b>TO SHELTER</b>	3	0	0
<b>RETURNED</b>	3	0	0
<b>TO VET</b>	0	0	0
<b>DOA</b>	0	2	1
<b>WARNINGS</b>	0	0	0
<b>TICKETS</b>	0	0	0
<b>BITES</b>	1	0	0
<b>QUARANTINES</b>	2	0	0
<b>OTHER</b>	0	0	0

\*OTHER includes complaints of barking dogs ,dogs left outside too long ,other disturbances and reports of animal abuse or neglect.

Additional Comments



*Municipal Clerk*

Register Report

4/1/2013 Through 4/30/2013

5/1/2013

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Account	Description	Memo	Category	Amount
<b>INCOME</b>				
	TOTAL Business Mercantile 2012-2013			875.00
	TOTAL Campgrounds & Trailers			116.00
	TOTAL Licenses & Permits			60.00
	TOTAL Liquor Licenses			7,450.00
	TOTAL Rental Merc 2013-2014			6,750.00
	TOTAL Scrapper			110.00
	TOTAL Yard Sales			255.00
	<b>TOTAL INCOME</b>			<b>15,616.00</b>
<b>TRANSFERS</b>				
	TOTAL Council Checking			-15,616.00
	<b>TOTAL TRANSFERS</b>			<b>-15,616.00</b>
			<b>OVERALL TOTAL</b>	<b>0.00</b>



**Lower Township Police Department  
Monthly Activity Report**

2013

	April	Total:
<b>General Complaints and Service Calls</b>	3740	13859
<b>Emergency Medical Calls with L. T. Rescue</b>	154	652
<b>Fire Alarm Call Outs (Total)</b>	39	161
<b>Villas Fire Company</b>	21	59
<b>Town Bank Fire Company</b>	19	75
<b>Erma Fire Company</b>	9	37
<b>Assaults</b>	6	22
<b>Robbery</b>	1	1
<b>Domestic Violence Complaints</b>	32	124
<b>Domestic Violence with Assaults</b>	4	21
<b>Motor Vehicle Accidents</b>	46	124
<b>Traffic Warnings</b>	52	140
<b>Traffic Summons</b>	176	486
<b>Motor Vehicle Stops</b>	556	1881
<b>Local Ordinance Warnings</b>	1	6
<b>Local Ordinance Complaints</b>	2	18
<b>Assaults on Police Officers</b> (UCR Report Return "A")	0	3
<b>Residential and Commercial Alarm Calls</b>	57	201
<b>Property Checks</b>	1248	5073
<b>Death Investigations</b>	4	16
<b>Burglaries</b>	0	19
<b>Thefts</b>	22	104
<b>Criminal Mischief Complaints</b>	35	143
<b>Disorderly Conduct Complaints</b>	91	259
<b>Animal Control Complaints</b>	252	686
<b>Adult Arrests</b> (UCR Report Return "A")	43	155
<b>Juvenile Arrests</b> (UCR Report Return "A")	8	27
<b>D.W.I. Arrests</b> (UCR Report JV & Adult Arrests Combined)	6	18
<b>Drug Possession Arrests</b> (UCR Report JV & Adult Arrests Combined)	2	15
<b>Investigation Reports Completed</b>	82	364
<b>Supplemental Investigation Reports Completed</b>	30	150
<b>Total Value Property Stolen</b> (UCR Report Return "A")	\$7,217.00	\$134,955.00
<b>Total Value Property Recovered</b> (UCR Report Return "A")	\$1,102.00	\$14,939.00



**Lower Township Police Department  
Monthly Activity Report**

2013

	April	Total:
<b>Man Power Loss in Hours</b>		
<b>Union</b>	0	0
<b>Suspended</b>	264	1032
<b>Vacation</b>	952	2878
<b>Personal</b>	108	242
<b>Comp Hours</b>	12	29
<b>Sick Hours</b>	174	1161
<b>Injury Hours</b>	48	156
<b>Training Hours</b>	466	1736
<b>Military Training</b>	36	216
<b>Police Department Overtime in Hours</b>		
<b>Operations Overtime</b>	128.5	524
<b>Operations Comp Time</b>	251	378
<b>Investigation Division Overtime</b>	51.65	115.15
<b>Investigation Division Comp Time</b>	11	22.5
<b>Court Overtime</b>	34.25	100.25
<b>Court Comp Time</b>	3	12
<b>Holiday Overtime</b>	10	413.75
<b>Holiday Comp Time</b>	0	92
<b>Government/Grant Funding Overtime in Hours</b>		0
<b>Click It or Ticket</b>	0	0
<b>Cops n Shops</b>	0	0
<b>JV Curfew</b>	0	0
<b>DWI Patrol</b>	0	0
<b>Other</b>	0	4
<b>Private Funding Overtime in Hours</b>		
<b>Special Detail</b>	19	19

Prepared by:

Chief Brian Q. Marker

Date: 5/9/2013

**2013 CASH RECEIPTS  
APRIL**

Township of Lower  
Office of the Tax Collector

	<b>MONTH TO DATE</b>	<b>YEAR TO DATE</b>
<b>Receipts</b>		
Current year taxes (2013)	5,110,019.17	18,012,833.82
Prior year taxes (2012)	431,556.60	1,142,945.51
Arrears	478.03	5,434.99
Bankruptcy		2,675.91
State Audit Payback	250.00	3,600.00
6% Penalty	3,345.83	7,753.83
Tax Search Fees	10.00	110.00
Interest	47,285.45	113,216.09
Lot clearing	12,440.00	14,710.00
Returned Check Fees		40.00
Duplicate Bills	95.00	335.00
Trash	468.00	16,604.63
Cost of Sale	10,660.82	20,720.20
Municipal Service Fees	420.00	32,830.00
MUA	110,021.94	156,998.19
Premium	441,100.00	441,100.00
<b>TOTAL DEPOSITS</b>	<b>6,168,150.84</b>	<b>19,971,908.17</b>
<b>DEPOSITED TO COUNCIL CHECK</b>	<b>5,649,833.37</b>	<b>19,134,603.98</b>
<b>DEPOSITED TO WIPP ACCOUNT</b>	<b>77,217.47</b>	<b>396,204.19</b>
<b>PREMIUM</b>	<b>441,100.00</b>	<b>441,100.00</b>
<b>TOTAL DEPOSITS</b>	<b>6,168,150.84</b>	<b>19,971,908.17</b>
NSF Reversals	(918.25)	-4,367.21
<b>TOTAL</b>	<b>6,167,232.59</b>	<b>19,967,540.96</b>

Prepared by Susan Jackson

Township of Lower  
Treasurer's Report  
YTD: 2013

	<u>Total</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>
<b>BEG. BAL. JAN. 1, 2013</b>	<b>4,614,646.00</b>	<b>4,614,646.00</b>	<b>3,149,027.99</b>	<b>5,360,964.09</b>	<b>3,705,112.73</b>
<b>RECEIPTS:</b>					
<b>Per Revenue Status</b>	20,133,107.69	5,748,948.81	7,284,526.33	1,158,008.58	5,941,623.97
Interest due from- Dev. Escrow	(54.76)	(13.78)	(12.78)	(14.26)	(13.94)
Capital	(35.11)	(12.66)	(11.99)	(9.86)	(0.60)
	<b>20,133,017.82</b>	<b>5,748,922.37</b>	<b>7,284,501.56</b>	<b>1,157,984.46</b>	<b>5,941,609.43</b>
<b>Transfers:</b>					
Capital	1,300,000.00			1,300,000.00	
<b>Grants Received</b>					
OLUA \$ Recd	4,400.00	4,400.00			
SC \$ Recd	226,327.00	78,491.00	90,705.00	52,785.00	4,346.00
<b>TOTAL RECEIPTS:</b>	<b>21,663,744.82</b>	<b>5,831,813.37</b>	<b>7,375,206.56</b>	<b>2,510,769.46</b>	<b>5,945,955.43</b>
<b>DISBURSEMENTS:</b>					
2012 Reserves	657,915.41	456,327.09	65,847.39	70,610.14	65,130.79
2013 Current	23,392,861.35	6,762,330.89	5,101,363.01	4,149,833.52	7,379,333.93
2013 Capital	164,886.31	104,470.44	21,847.48	36,722.38	1,846.01
less: CIF post	(95,000.00)				(95,000.00)
24,215,663.07					
<b>Appropriation Refunds:</b>	(168,578.84)	(25,697.04)	(25,787.42)	(90,545.22)	(26,549.16)
<b>TOTAL DISBURSEMENTS</b>	<b>23,952,084.23</b>	<b>7,297,431.38</b>	<b>5,163,270.46</b>	<b>4,166,620.82</b>	<b>7,324,761.57</b>
<b>END. BAL. DEC. 31, 2013</b>	<b>2,326,306.59</b>	<b>3,149,027.99</b>	<b>5,360,964.09</b>	<b>3,705,112.73</b>	<b>2,326,306.59</b>

<b>Bank Balance</b>				
Checking	5,317,145.12	6,702,658.96	2,315,984.37	3,447,834.69
Online Payment Acct	103,078.69	146,880.25	39,339.08	107,067.03
MBIA	6,985.05	6,985.05	6,985.05	6,985.05
Total Bank Balance	5,427,208.86	6,856,524.26	2,362,308.50	3,561,886.77
ADD: Deposits in Transit	440,501.30	84,031.54	1,533,792.61	562,564.99
LESS: Outstanding Checks	(2,718,682.17)	(1,579,591.71)	(190,988.38)	(1,798,145.17)
<b>Adjusted Bank Balance</b>	<b>3,149,027.99</b>	<b>5,360,964.09</b>	<b>3,705,112.73</b>	<b>2,326,306.59</b>
	0.00	0.00	0.00	0.00

**2013 APRIL  
VITAL STATISTICS**

Marriages/CU	14
Certified Copies	186
Certified Copies EDRS	1
Burial Permits	0

Marriage/CU State	\$350.00
Marriage/CU Twp.	\$42.00
Certified Copies	\$1,860.00
Certified Copies EDRS	\$10.00
Burial Permits	\$0.00

<b>TOTAL</b>	<b>\$2,262.00</b>
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