

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
May 4, 2015 - 7:00 P.M.

Meeting called to order.

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

Proclamations - Joshua Smith & John Payne (Arrow of Light)

Lower Township Community Pride - Kathy Louderback, Chamber of Commerce

Work Session

Hatch Mott MacDonald Presentation/Roseanne Avenue - Manager Jim Ridgway

Ordinance #2015-04 -- Beach Rules

Consent Agenda

Approval of Minutes	April 20, 2015
Res. #2015-134	Payment of Vouchers \$ 1,026,559.78
Res. #2015-135	Confirmation of Officials for Joint Insurance Fund and Municipal Excess Liability Fund (replacing Safety Coordinator from J.Dilworth to K.Brown)
Res. #2015-136	Requesting Change in Title, Text or Amount of Appropriation N.J.S.A. 40A: 4-85 (Chapter 159, P.L. 1948) (move \$10,000 from Feasibility Study to contributions to First Aid Organizations)
Res. #2015-137	Authorization for Clothing Allowance (A.McCloskey \$425.)
Res. #2015-138	Resolution Acknowledging the Award to Constellation/New Energy (CNE) for Electric Generation Supply Services for the Township of Lower and Cooperative Members
Res. #2015-139	Capital Budget Amendment
Res. #2015-140	Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Wellness Incentive Award \$1,000)
Res. #2015-141	Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Click It or Ticket \$4,000)
Res. #2015-142	Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (S.Jersey Gas – Game On \$1,000)
Res. #2015-143	Authorization for the Payout of Accumulated Compensatory Time (5 officers \$25,070.95)
Res. #2015-144	Issuance of Ice Cream Peddling And Ice Cream Salesmen Licenses for the year 2015 (Mr. Softee, Kona Ice & A & T Ice)
Res. #2015-145	Issuance of 2015 Limousine and Operator License (G Transportation O.Cabrera)
Res. #2015-146	Approval of Change Order #1 to Hatch Mott MacDonald Contract for Bayshore Estates Stormwater Investigation – Phase 3 (increase of \$2,949.40)
Ordinance: # 2015-03	Bond Ordinance Providing For Various 2015 Capital Improvements, By and In the Township of Lower in the County of Cape May, State of New Jersey (the Township) Appropriating \$1,645,000 Therefor and Authorizing the Issuance of \$1,560,000 Bonds or Notes of the Township to Finance Part of the Costs Thereof – This is the first Reading of this Ordinance Second reading and Public Hearing will be scheduled for May 18, 2015.
Ordinance #2015-04	Ordinance Revising and Restating Chapter 178, Beaches of the Code of the Township of Lower --- This is the first reading of this Ordinance. Second reading and Public Hearing will be scheduled for May 18, 2015.

Regular Agenda

Res. #2015-147 Appointment to the MUA Board

Council Comments

Call to the Public

Adjournment

COUNCIL MEETING MINUTES – April 20, 2015

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on April 26, 2015 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

Councilmember Thomas Conrad
Councilmember David Perry
Councilmember Erik Simonsen
Deputy Mayor Clark
Mayor Michael Beck

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

Proclamation - Coast Guard Community Week

Proclamation - Arrow of Light Award - Joshua Smith & John Payne

Proclamation - Alcohol Awareness Month

Mayor Beck opened the meeting with a proclamation designating April, 2015 as Alcohol Awareness Month.

Cory Hanahan, Lower Township resident, spoke briefly about the beach cleanup scheduled for Saturday, April 25 beginning at 9:30 on Pinewood Road, ending at Douglass Park Pavilion. He encouraged everyone to help.

Work Session

Public Discussion on the 2015 Budget will take place immediately following the budget presentation

2015 Budget Hearing – Leon Costello/Lauren Read

Municipal Auditor, Leon Costello of Ford Scott & Associates, presented a summary of the 2015 budget, including a 1.9 cent tax rate increase. This budget meets all state-mandated caps and funds all township services with no cuts. He informed of a proposed amendment to add \$205,000 of revenue as a contribution from the LTMUA. The amendment will follow the public hearing.

Mayor Beck pointed out that public discussion will include Resolution #2015-132, #2015-133 and Resolution #2015-125: Amendment, Adoption and Self-Examination of the 2015 Budget.

John Skowronski, 607 Arctic Avenue, asked how much money was cut out of the budget from last year.

Lauren Read, Township CFO, informed that the budget started at an increase of 3.3 cents. \$277,572 was cut prior to introduction. Mr. Skowronski questioned the savings. Mayor Beck explained.

Mayor Beck asked the auditor why we don't use the surplus. Mr. Costello explained that the more surplus used the more dependent you become the following year. Mayor Beck commented on an outstanding collection rate.

Mr. Skowronski questioned the amount of Revenue for the 2015 Budget.

Helen Thompson, Villas, asked how much terminal leave is allotted to former Manager, Mike Voll. Lauren Read informed \$26,265. Ms. Thompson questioned the cost to remove Mike Voll. Mayor Beck explained some of the variables and informed that calculations cannot be done at the present time.

Councilmember Conrad voiced pleasure with the ability to cut the budget from a 4 cents increase to 1.9 cents without having to cut services. He hopes to keep taxes stabilized for the future.

Councilmember Perry gave credit to Lauren Read and everyone who worked on the budget. He expressed favor with not cutting services and keeping the increase below 2 cents.

Councilmember Simonsen thanked Lauren Read, Leon Costello, department heads and all others who worked on the budget. He believes the Township gained services as opposed to losing them and will be in better shape next year.

Deputy Mayor Clark commented on putting more cops on the street and expressed disapproval with several aspects of the budget including: the decision not to dissolve the LTMUA, using LTMUA surplus to fund the budget, and replacing the township solicitor with one that charges more money.

Mayor Beck voiced his reasons for disapproving the budget, starting with the LTMUA. He believes that the potential to save significant money lies in dissolving the LTMUA. He disagrees with using the LTMUA surplus to offset the budget and he does not support the hiring of new police officers so quickly due to the financial burden it puts on our taxpayers.

Councilmember Conrad countered Mayor Beck's comments. A brief discussion ensued. Deputy Mayor Clark referred back to the advice of the Local Finance Board. Councilmember Conrad and Mayor Beck disagreed about spending money to investigate a potential savings by dissolving the LTMUA.

Res. #2015-132 Amendment to 2015 Budget (State Aid & Revenue Line)

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

Res. #2015-133 Adoption of 2015 Budget As Amended

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

Res. #2015-125 Resolution for Self-Examination of Budget (requirement)

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

Consent Agenda

- | | |
|---------------------|---|
| Approval of Minutes | April 6, 2015 |
| Res. #2015-123 | Payment of Vouchers \$295,342.01 |
| Res. #2015-124 | Approval of Seashore Community Church of the Nazarene's Request to conduct a Flea Market/Spring Festival (May 2 nd) |
| Res. #2015-126 | Approval for Roadside Solicitation by Erma Volunteer Fire Company (May 23, June 20, July 5 & Aug 22) |
| Res. #2015-127 | Authorization for Waiver of Fees for Historic Cold Spring Village (reconstruction of barn) |
| Res. #2015-128 | Renewal of 2015 Campground License (Cape Island Campground) |
| Res. #2015-129 | Approval of 2015 Rotary Towing License (John's Auto Body) |
| Res. #2015-131 | Contract Award with Advanced Electronic Design d/b/a Patrol PC for Three (3) In Car Police Cameras (\$23,802. Cameras/server/software/training) |

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

Res. #2015-130

A Resolution Authorizing the Indemnification and Defense in Accordance with Chapter 25 of the Code of the Township of Lower (J. Neville)

Councilmember Simonsen questioned the amount. Clerk Picard stated the amount, \$3,079.22. Councilmember Simonsen voiced his disapproval with paying it. Deputy Mayor Clark asked Manager Ridgway about seeking legal counsel on this matter. Manager Ridgway was referred to Labor Attorney, Bill Blaney, who advised him to add a clause indemnifying the Township and the LTMUA. Solicitor Stefankiewicz had recused himself due to the appearance of a conflict. Mayor Beck inquired about the motivation behind Mr. Blaney's legal advice. Solicitor Stefankiewicz intervened to advise that any further discussion on the matter be reserved for a closed session. Manager Ridgway communicated that Mr. Blaney did not make a suggestion either way. Council discussed the possibility of tabling the resolution to discuss it in closed session. No motion was made to table the resolution.

Frank Sarocco, North Cape May, questioned the allegations and communicated the determination from the County Prosecutor's office. He insisted that former Councilman Neville did nothing wrong.

Helen Thompson, Villas, reminded Council that you are innocent until proven guilty in this country and that this case has been dismissed.

Ed Bulter, Villas, questioned the difference between this and the recent indemnification of a Township employee.

Deputy Mayor Clark made a motion to approve Resolution #2015-130.

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

Administrative Reports

Monthly Reports - Clerk, Construction, Dog, Fire Safety, Police, Tax Collector, Vital Statistics

Council Comments

Councilmember Conrad welcomed Spring and offered support to Michael Nolan on a potential upcoming Eagle Scout project. He also announced the Relay for Life Event and encouraged donations and volunteers.

Councilmember Perry commented on the success of Little League's Opening Day Ceremonies and encouraged help with Saturday's beach clean-up.

Councilmember Simonsen spoke briefly about Little League's Opening Day Ceremonies and complimented Tod Shoffler and Little League Board Members as well as many volunteers, coaches and the Teitelman Band for another successful event. He reminded about the Thomas Family Benefit and Family Fitness Night at LCMR. He also validated his support for 46 police officers.

Deputy Mayor Clark offered his sincere appreciation for the outpouring of support from the community in the recent loss of his father.

Mayor Beck addressed the comment on the heroin issue and reiterated his perspective about hiring police officers. He made several announcements including Beach Cleanup, Arbor Day, the Thomas Family fund raiser, and the Coast Guard Community Festival.

Councilmember Conrad reminded about the Coast Guard Base being open for tours.

Call to Public

John Skowronski, addressed Councilmember Simonsen about his comments on heroin use in Cape May County.

Ed Butler, Villas, added comments regarding the crime rate and the number of police officers on the street. He also addressed the Council meeting time.

Bill Murphy, Townbank, gave a synopsis of the chain of events involving his MUA appointment. He read a prepared statement and voiced displeasure with the actions of certain Council members and Ms. Dynan.

Melissa Roy, Tecumseh Road, commended Councilmember Simonsen for standing up for his beliefs. She also voiced favor with hiring more police officers.

Rosalie Gallagher, Cape May Beach, addressed Councilmember Simonsen to ask about alcohol awareness in school.

Helen Thompson, Villas, asked Solicitor Stefankiewicz for an update on the animal ordinance. She also offered her opinion about not needing four additional police officers.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Simonsen. Motion to adjourn unanimous. Meeting adjourned at 7:25 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01215 DENNISVILLE FENCE COMPANY*	15-00729	03/26/15	RADAR PARTS	Open	16.92	0.00		
01450 ERMA DELI*	15-00488	02/23/15	CLEAN SHORES	Open	1,023.12	0.00		
01600 ORVILLE E FOWLER	15-00901	04/17/15	CONTRACTUAL REIMBURSEMENT-M	Open	1,340.00	0.00		
01602 THOMSON WEST*	15-00678	03/19/15	ANNUAL DISCIPLINARY BULLETIN	Open	312.00	0.00		
01690 GRANTURK EQUIPMENT CO*	14-02921	11/06/14	2014 REGEN AIR STREET SWEEPER	Open	222,597.05	0.00		
	15-00349	02/03/15	PARTS FOR RECY/FEB	Open	733.59	0.00		
					223,330.64			
01730 GTBM INC.*	15-00780	04/01/15	INFO COP 4/1/2015-3/31/2016	Open	3,937.50	0.00		
01781 HATCH MOTT MACDONALD, LLC*	15-00944	04/24/15	HANSEN ESCROW INV# 207228	Open	455.00	0.00		
	15-00945	04/24/15	FOSTER/TWO MILE ESCROW	Open	916.75	0.00		
					1,371.75			
01806 ANTHONY J HARVATT, II, ESQ	15-00782	04/01/15	BOARD SOLICITOR SALARY APRIL	Open	625.00	0.00		
01860 GNL DOORS & HARDWARE*	15-00162	01/16/15	REPLACE OUTSIDE BOILER DOOR	Open	1,988.00	0.00		
02236 NIGP MEMBERSHIP DEPT*	15-00939	04/24/15	2015 NIGP MEMBERSHIP M VITELLI	Open	185.00	0.00		
02585 WILLIAM MASTRIANA	15-00915	04/23/15	TRAINING MEALS	Open	48.07	0.00		
03001 STATE TOXICOLOGY LABORATORY*	15-00787	04/01/15	APPLICANT TESTING	Open	45.00	0.00		
03029 NJ DIVISION OF FIRE SAFETY	15-00892	04/16/15	2015 ANNUAL LIFE HAZARD FEE	Open	1,243.50	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*	15-00854	04/13/15	TRAINING ALCOHOLIC BEVERAGE	Open	120.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	15-00843	04/10/15	PARTS /RDS/SANT/RECY/MARCH	Open	667.54	0.00		
03109 TRU GREEN CHEMLAWN	15-00684	03/19/15	2015 FERT/SLICE INV 30278806	Open	1,245.00	0.00		B

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03158 NYSICA*	15-00749	03/30/15	RECERTIFICATION FOR SOCCER	Open	40.00	0.00		
03305 PEDRONI FUEL*	15-00937	04/24/15	NO LEAD GAS	Open	212.65	0.00		
03449 QC INC*	15-00786	04/01/15	2015 SEASONAL CONTRACT	Open	366.00	0.00		
03491 RENTAL COUNTRY*	15-00682	03/19/15	ASPHALT COMPACTOR	Open	243.24	0.00		
03537 RUTGERS, THE STATE UNIVERSITY*	15-00855	04/13/15	2015 PURCHASING CONF M VITELLI	Open	350.00	0.00		
	15-00856	04/13/15	GREEN PURCH PP-2216-SP15-1	Open	118.00	0.00		
					468.00			
03611 SERVICE TIRE TRUCK CENTERS*	15-00582	03/09/15	TIRES/RDS/SANT/RECY/DPW/MARCH	Open	2,592.45	0.00		
03692 SOUTH JERSEY GAS CO*	15-00757	03/31/15	GAS FOR MARCH 2015	Open	19,757.12	0.00		
03804 PETER M TOURISON	15-00272	01/27/15	2015 PROSECUTOR DNE \$14,000	Open	1,166.66	0.00		B
03969 VERIZON	15-00963	04/27/15	VERIZON PHONE BILL APRIL 2015	Open	4,303.64	0.00		
03994 MARGARET VITELLI	15-00940	04/24/15	QPA RENEWAL CERT	Open	35.00	0.00		
04032 WESTERN TERMITE & PEST CONTROL*	15-00781	04/01/15	2015 PEST CONTROL TOWNSHIP	Open	1,500.00	0.00		
04122 JIM CONROY	15-00981	04/28/15	LACROSSE OFFICIAL	Open	60.00	0.00		
04261 STATE OF NEW JERSEY	15-00955	04/27/15	1ST QTR 2015 UNEMPLOYMENT	Open	40,489.05	0.00		
04300 W B MASON CO INC*	15-00723	03/26/15	SUPPLIES I24741105	Open	96.17	0.00		
	15-00724	03/26/15	DPW SUPPLIES	Open	231.84	0.00		
	15-00870	04/14/15	TOWNHALL SUPPLIES/OFFICE	Open	112.52	0.00		
					440.53			
4104 DOUGLASS LANDSCAPING LLC*	15-00750	03/30/15	PLAYGROUND MULCH INV 7361	Open	950.00	0.00		
5044 VICKI COLE	15-00984	04/28/15	LACROSSE OFFICIAL	Open	60.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6053 KIM GRUCCIO								
	15-00979	04/28/15	LACROSSE OFFICIAL	Open	240.00	0.00		
	15-00985	04/28/15	LACROSSE OFFICIAL	Open	240.00	0.00		
	15-00999	04/28/15	LACROSSE OFFICIAL	Open	240.00	0.00		
					<u>720.00</u>			
6059 USABLE LIFE								
	15-00967	04/28/15	MAY 2015 LIFE INSURANCE	Open	442.80	0.00		
6061 AMERIHEALTH ADMINISTRATORS								
	15-00906	04/21/15	APRIL 20 2015 HEALTH & RX	Open	119,543.23	0.00		
6071 UNITED UNIFORMS LIMITED LIAB*								
	14-03164	12/09/14	UNIFORMS INV 13-495	Open	899.82	0.00		
	15-00085	01/07/15	UNIFORMS inv 13-522 WRESTLING	Open	875.96	0.00		
	15-00202	01/22/15	UNIFORMS INV 13-549	Open	99.90	0.00		
					<u>1,875.68</u>			
6074 CAPE ATLANTIC JUNIOR FOOTBALL								
	15-00708	03/23/15	2015 APPLICATION FEE 0001427	Open	100.00	0.00		
7098 SHORE VETERINARIAN ANIMAL *								
	15-00279	01/27/15	2014-47 ANIMAL CONTROL SERV 15	Open	4,250.00	0.00		B
7119 ENGINEERING DESIGN ASSOC*								
	15-00943	04/24/15	ARENA EDA L0125 #19471	Open	56.00	0.00		
7173 BRITTANY MOODY								
	15-00973	04/28/15	LACROSSE OFFICIAL	Open	180.00	0.00		
7196 LAUREN HUGGINS SUIT*								
	15-00274	01/27/15	RES 2015-46 DNE \$2800	Open	600.00	0.00		
7228 SOUTH STATE INC.*								
	14-02051	07/29/14	2014-210 CLUBHOUSE RECONS BID	Open	242,426.39	0.00		
	15-00249	01/27/15	RETURN REMAINDER OF ESCROW	Open	4,541.87	0.00		
					<u>246,968.26</u>			
7298 COPERTINO EARTH MATERIALS LLC*								
	14-03013	11/18/14	REMOVAL OF COMPOST inv 1344	Open	3,749.50	0.00		B
7324 DAVID A. STEFANKIEWICZ								
	15-00113	01/09/15	RES#2015-01 MONTHLY \$28k DNE	Open	2,333.33	0.00		B
	15-00114	01/09/15	RES 2015-01 SOLICITOR DNE \$99k	Open	2,104.50	0.00		
					<u>4,437.83</u>			
7335 MAIL FINANCE/NEOPOST								
	15-00904	04/21/15	02/17-05/16/2015 POSTAGE	Open	1,890.00	0.00		
7343 DAVID NENNO*								
	15-00410	02/10/15	WORKSHOP FOR CEU SEMINAR	Open	356.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7354 FLEETPRIDE INC.	15-00615	03/12/15	PARTS FOR TRASH TRUCK #27	Open	1,980.53	0.00		
7369 WALKER DISPLAY INC*	15-00878	04/14/15	SUSPENTION DISPLAY FISHING CRK	Open	694.93	0.00		
7370 MARKERTEK VIDEO SUPPLY	15-00890	04/16/15	AUDIO/VIDEO MODULATOR SCHOOL	Open	1,111.20	0.00		
7371 ANTOINE SLOANE	15-00894	04/16/15	REIMBURSEMENT-FINGERPRINT	Open	59.20	0.00		
7372 KRISTI FARRAR	15-00893	04/16/15	REIMBURSEMENT FINGERPRINT	Open	79.20	0.00		
7374 JAMES P NEVILLE	15-00920	04/23/15	REIMBURSEMENT PER RES 2015-130	Open	3,079.22	0.00		
7376 RYAN DOW	15-00982	04/28/15	LACROSSE OFFICIAL	Open	60.00	0.00		
7377 JACK JOFFE	15-00980	04/28/15	LACROSSE OFFICIAL	Open	60.00	0.00		
7378 TONY PROCOPIO	15-00978	04/28/15	LACROSSE OFFICIAL	Open	60.00	0.00		
7379 DANIEL LATINO	15-00977	04/28/15	LACROSSE OFFICIAL	Open	120.00	0.00		
7380 GAILLE ROCKEY	15-00972	04/28/15	LACROSSE OFFICIAL	Open	60.00	0.00		
	15-00998	04/28/15	LACROSSE OFFICIAL	Open	60.00	0.00		
					120.00			
7381 ALAN MITCHELL*	15-01000	04/28/15	LACROSSE OFFICIAL	Open	120.00	0.00		
8201 DIRECT ENERGY BUSINESS	15-00947	04/27/15	MARCH-APRIL	Open	4,830.28	0.00		
CANCELO DON CANCELOSI	15-00971	04/28/15	LACROSSE OFFICIAL	Open	180.00	0.00		
	15-00976	04/28/15	LACROSSE OFFICIAL	Open	210.00	0.00		
					390.00			
CARTYW WALLACE CARTY	15-00924	04/23/15	REFEREE OFFICIAL- ADULT LEAGUE	Open	100.00	0.00		
JOFFE JOHN JOFFE	15-01002	04/28/15	LACROSSE OFFICIAL	Open	60.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ROMANOW FRED ROMANOWSKI								
	15-00970	04/28/15	LACROSSE OFFICIAL	Open	60.00	0.00		
	15-00975	04/28/15	LACROSSE OFFICIAL	Open	150.00	0.00		
	15-00983	04/28/15	LACROSSE OFFICIAL	Open	150.00	0.00		
	15-01001	04/28/15	LACROSSE OFFICIAL	Open	150.00	0.00		
					<u>510.00</u>			
Total Purchase Orders:		96	Total P.O. Line Items:	0	Total List Amount:	1,026,559.78	Total Void Amount:	0.00

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION # 2015-135

TITLE: CONFIRMATION OF OFFICIALS FOR JOINT INSURANCE FUND AND MUNICIPAL EXCESS LIABILITY FUND

WHEREAS, it is necessary for the Township to designate certain persons for the receipt of notices and processing of claims for the Joint Insurance Fund; and

WHEREAS, the Township is desirous of updating the records of the Atlantic County Municipal Joint Insurance Fund with changes.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following persons are named in the capacity listed for the Joint Insurance Fund for 2015 and shall remain in said positions until changed by resolution:

Fund Commissioner	Julie A. Picard
Alt. Fund Commissioner	James Ridgway, Township Manager
Claims Coordinator	Colleen Crippen
Safety Coordinator	Kathleen Brown
Township Clerk	Julie A. Picard

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2015-136

**Title: REQUESTING CHANGE IN TITLE, TEXT OR AMOUNT OF APPROPRIATION
N.J.S.A. 40A: 4-85 (Chapter 159, P.L. 1948)**

WHEREAS, N.J.S.A. 40A: 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any municipality, make such correction of the title, to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A: 4-85, the Township Council of the Township of Lower hereby requests the Director of the Division of Local Government Services to make the following corrections in the budget of the year 2015:

- 8. General Appropriations
 - (A) Operations – within "CAPS"

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>FROM</u>	<u>TO</u>
RESERVE FOR FEASIBILITY STUDY	OE	5-01-20-315-200	10,000.00	0.00
CONTRIBUTIONS TO FIRST AID ORGANIZATIONS	OE	5-01-25-260-200	105,000.00	115,000.00
			<u>115,000.00</u>	<u>115,000.00</u>

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the Township of Lower for the reasons hereinafter set forth:

The Township of Lower has received notification that a feasibility study for capital improvement plans at the public safety building is unnecessary. It has been determined that these monies can be utilized for payment to Fire District #3 to provide fire protection services to the Diamond Beach section of Lower Township.

BE IT FURTHER RESOLVED, that the Township Clerk shall forward two (2) certified copies of this Resolution to the Director of the Division of Local Government Services for approval.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION # 2015-137

Title: AUTHORIZATION FOR CLOTHING ALLOWANCE

WHEREAS, the Teamsters Contract Article 18 Section B stipulates that employees shall be entitled to a \$425.00 payment per year as an all-inclusive clothing, shoe, and cleaning allowance; and

WHEREAS, the employee listed below is a covered employee; 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 her 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 Andrew McCloskey in the amount of \$425.00 is authorized and chargeable to the 2015 Budget account 5-01-26-305-101.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION # 2015-138

TITLE: RESOLUTION ACKNOWLEDGING THE AWARD TO CONSTELLATION/NEW ENERGY ("CNE") FOR ELECTRIC GENERATION SUPPLY SERVICES FOR THE TOWNSHIP OF LOWER AND COOPERATIVE MEMBERS

WHEREAS, N.J.S.A 40A:11-11 (5) authorizes two or more contracting units to enter into a Cooperative Pricing Agreement for the purposes of electrical distribution services; and

WHEREAS, the Township of Lower is a member of the South Jersey Power Cooperative (SJPC) with Camden County serving as the lead agency; and

WHEREAS, while serving as lead agency, Camden County issued bid specifications for the purchase of electric generation service utilizing energy consultant Noresco Energy Advisors during the process; and

WHEREAS, the South Jersey Power Cooperative has awarded a contract to the lowest responsible bidder for electric to Constellation/New Energy (CNE) for electric generation service and submitted the follow rates and terms: effective in June 2015 through June 2017 bid rate per kilowatt hour (PKH) resulting in a reduction.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Township of Lower has authorized the South Jersey Power Cooperative (SJPC) to contract with the Constellation/New Energy for electric generation services with Camden County acting as Lead Agency. The following contract is hereby awarded:

AWARD TO: Constellation/ New Energy
TERM: June 2015-June 2017 (24) Twenty Four Month Contract

Table with 2 columns: Current Rate and Constellation/New Energy Winning Bid June 2015-June 2017. Rows include ACE .08469 kilowatt hour and ACE .0525 kilowatt hour.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT. Rows list names: CONRAD, PERRY, SIMONSEN, CLARK, BECK.

South Jersey Power Co-Operative (SJPC)
Bid Results and Projected Annual Savings

Bid Date: Thursday, April 16, 2015

TABLE 1: ACCOUNTS IN ATLANTIC CITY ELECTRIC TERRITORY

Bid Pricing Option	Serving Utility	Account Category/Type	Utility Bill Rate Classes	Service Start Month	Approximate # of Accounts	Current Contract Rate	Lowest Responsible Bid Rate, 24-mo. (\$/kWh)	Award Status	Winning Supplier	%	\$ (Annual)	Difference VS. CURRENT CONTRACT RATE (negative number is savings)		Estimated Difference VS BGS "PRICE TO COMPARE" (negative number is savings)	
												2015 Average Price to Compare for SJPC Accounts	%	\$ (Annual)	2015 Average Price to Compare for SJPC Accounts
1	ACE	FP (mostly facilities)	MGS, AGS, DDC	Jun-15	1766	\$ 0.08490	0.07367	Awarded	CNE	-13.2%	\$ (1,235,300)	\$ 0.10900	-32.4%	\$ (3,886,300)	
2	ACE	FP (outdoor and street lighting)	SPL and CSL	Jun-15	395	\$ 0.05250	0.05780	NOT Awarded	N/A	10.1%	N/A	\$ 0.05800	N/A	N/A	
3	ACE	CIEP (3 large Primary-service accounts)	AGS-P and MGS-P	Jun-15	3	\$ 0.08270	0.07951	Awarded	CNE	-3.9%	\$ (60,805)	N/A	N/A	N/A	

TABLE 2: ACCOUNTS IN PSE&G TERRITORY

Bid Pricing Option	Serving Utility	Account Category/Type	Utility Bill Rate Classes	Service Start Month	Approximate # of Accounts	Current Contract Rate	Lowest Responsible Bid Rate, 24-mo. (\$/kWh)	Award Status	Winning Supplier	%	\$ (Annual)	Difference VS. CURRENT CONTRACT RATE (negative number is savings)		Estimated Difference VS BGS "PRICE TO COMPARE" (negative number is savings)	
												2015 Average Price to Compare for SJPC Accounts	%	\$ (Annual)	2015 Average Price to Compare for SJPC Accounts
4	PSE&G	FP (mostly facilities)	GLP, LPL-S	Jun-15	553	\$ 0.09190	0.10720	NOT Awarded	N/A	16.6%	N/A	\$ 0.10600	N/A	N/A	
5	PSE&G	FP (outdoor and street lighting)	BPL, PSAL	Jun-15	254	\$ 0.05290	0.06160	NOT Awarded	N/A	16.4%	N/A	\$ 0.05710	N/A	N/A	
6	PSE&G	CIEP (6 Primary accounts, CCMUA & Camden Corrections)	LPL-P, HTS	Jun-15	6	\$ 0.07110	0.07347	Awarded	SJE	3.3%	\$ 117,332	N/A	N/A	N/A	
7	PSE&G	CIEP (6 Primary accounts, non-CCMUA)	LPL-P	Jun-15	6	\$ 0.07760	0.08134	Awarded	CNE	4.8%	\$ 87,699	N/A	N/A	N/A	
8	PSE&G	CIEP (options 6 and 7 combined)	LPL-P, HTS	Jun-15	12	See above	0.07620	NOT Awarded	N/A	N/A	N/A	N/A	N/A	N/A	

Notes:

- * Bid Pricing Options #2, 4 and 5 were not awarded because majority of accounts in this category were projected to not save money vs. the Utility's "Price to Compare"; some of these accounts will be re-bid.
- * Bid Pricing Option #8 was not awarded because these accounts were awarded under Pricing Options 6 and 7, respectively.
- * Bid Pricing Option #3 includes the following entities: Camden County College, Rowan College at Gloucester County (GCC) and Gloucester County Vo-Tech.
- * Bid Pricing Option #6 includes the following entities: Camden County Municipal Utilities Authority and Camden County (Corrections).
- * Bid Pricing Option #7 includes the following entities: Camden County, Gloucester County, Camden County College, Gloucester County Utilities Authority.
- * The BGS Price to Compare varies for each individual account; included herein is the calculated, weighted average Price to Compare for all SJPC accounts within each respective pricing category.

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2015-139**

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2015 was adopted on the 20th day of April, 2015, 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				
Erik Simonsen				
Thomas Conrad				ABSENT
David Perry				

**FROM
CAPITAL BUDGET (Current Year Action)
2015**

Planned Funding Services for
Current Year 2015

<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	2,100,250.00		59,867.52			909,382.48	1,131,000.00
Recreation Facilities	157,000.00		9,697.40			147,302.60	0.00
Police Equipment	575,850.00		24,759.24			376,090.76	175,000.00
Municipal Buildings	84,000.00		1,482.40			22,517.60	60,000.00
Vehicles	448,900.00		4,564.57			69,335.43	375,000.00
Road Program	500,000.00						500,000.00
Total All Projects	3,866,000.00	0.00	100,371.13	0.00	0.00	1,524,628.87	2,241,000.00

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2015-139

CAPITAL BUDGET AMENDMENT

6 YEAR CAPITAL PROGRAM 2015 - 2020
Anticipated Project Schedule and Funding Requirement

Project	Estimated Total Costs	2015	2016	2017	2018	2019	2020
		Equipment	2,100,250.00	969,250.00	375,000.00	121,000.00	321,000.00
Recreation Facilities	157,000.00	157,000.00	35,000.00	35,000.00	35,000.00	35,000.00	35,000.00
Police Equipment	575,850.00	400,850.00	12,000.00	24,000.00	12,000.00	12,000.00	12,000.00
Municipal Buildings	84,000.00	24,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00
Vehicles	448,900.00	73,900.00	75,000.00	300,000.00	300,000.00	200,000.00	200,000.00
Road Program	500,000.00						
Total All Projects	3,866,000.00	1,625,000.00	497,000.00	555,000.00	443,000.00	528,000.00	218,000.00

6 YEAR CAPITAL PROGRAM 2015 - 2020
Summary of Anticipated Funding Sources and Amounts

Project	Estimated Total Costs	Capital Improvement Fund	Capital Surplus	Grants and Other Funds	General Debt Authorized
		Equipment	2,100,250.00	107,156.46	
Recreation Facilities	157,000.00	8,010.27			148,989.73
Police Equipment	575,850.00	29,380.33			546,469.67
Municipal Buildings	84,000.00	4,285.75			79,714.25
Vehicles	448,900.00	22,903.24			425,996.76
Road Program	500,000.00	25,510.41			474,489.59
Total All Projects	3,866,000.00	197,246.46	0.00	0.00	3,668,753.54

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
 RESOLUTION #2015-139

CAPITAL BUDGET AMENDMENT
 TO
 CAPITAL BUDGET (Current Year Action)
 2015

Planned Funding Services for
 Current Year 2015

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	1,983,054.00		44,000.00			808,054.00	1,131,000.00
Recreation Facilities	194,196.00		10,000.00			184,196.00	0.00
Police Equipment	605,918.00		22,500.00			408,418.00	175,000.00
Municipal Buildings	80,554.00		1,000.00			19,554.00	60,000.00
Vehicles	447,278.00		7,500.00			139,778.00	300,000.00
Road Program	500,000.00					0.00	500,000.00
Total All Projects	3,811,000.00	0.00	85,000.00	0.00	0.00	1,560,000.00	2,166,000.00

6 YEAR CAPITAL PROGRAM 2015 - 2020
Anticipated Project Schedule and Funding Requirement

Project	Estimated Total Costs	Year					Total
		2015	2016	2017	2018	2019	
Equipment	1,983,054.00	852,054.00	375,000.00	121,000.00	321,000.00	206,000.00	1,08,000.00
Recreation Facilities	194,196.00	194,196.00	0.00	0.00	0.00	0.00	0.00
Police Equipment	605,918.00	430,918.00	35,000.00	35,000.00	35,000.00	35,000.00	35,000.00
Municipal Buildings	80,554.00	20,554.00	12,000.00	24,000.00	12,000.00	12,000.00	0.00
Vehicles	447,278.00	147,278.00	75,000.00	300,000.00	75,000.00	200,000.00	75,000.00
Road Program	500,000.00		0.00				0.00
Total All Projects	3,811,000.00	1,645,000.00	497,000.00	480,000.00	443,000.00	528,000.00	218,000.00

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
 RESOLUTION #2015-139

CAPITAL BUDGET AMENDMENT

6 YEAR CAPITAL PROGRAM 2015 - 2020
 Summary of Anticipated Funding Sources and Amounts

Project	Estimated Total Costs	Capital		Capital Surplus	Grants and Other Funds	General	
		Improvement Fund				Debt Authorized	
Equipment	1,983,054.00	99,152.70				1,883,901.30	
Recreation Facilities	194,196.00	9,709.80				184,486.20	
Police Equipment	605,918.00	30,295.90				575,622.10	
Municipal Buildings	80,554.00	4,027.70			0.00	76,526.30	
Vehicles	447,278.00	22,363.90				424,914.10	
Road Program	500,000.00	25,000.00				475,000.00	
Total All Projects	3,811,000.00	190,550.00		0.00	0.00	3,620,450.00	

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 20th day of April, 2015.

Certified by me:

_____ Date _____ Township Clerk _____
 Trenton, New Jersey
 Approved _____ 2015 _____
 Director of Local Government Services

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

RESOLUTION #2015-140

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 \$1,000.00 for an item of revenue in the budget of the year 2015 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - Atlantic County JIF Wellness Incentive Award
Total with increase to be \$1,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$1,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - Atlantic County JIF Wellness Incentive Award
State/Federal Share \$ 1,000.00
Non State Share \$
Total with increase to be \$ 1,000.00

BE IT 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 the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

2015 WELLNESS INCENTIVE PROGRAM		
Member	Size Category	Wellness Incentive
Corbin City	XS	275
Downe Township	XS	275
Estell Manor City	XS	275
Folsom Borough	XS	275
Woodbine Borough	XS	275
Weymouth Township	XS	275
West Cape May Borough	XS	275
Deerfield Township	XS	275
Cape May Point Borough	XS	275
Commercial Township	XS	275
Newfield Borough	XS	275
West Wildwood Borough	XS	275
Dennis Township	SM	600
Upper Deerfield Township	SM	600
Buena Borough	SM	600
Mullica Township	SM	600
Longport Borough	MD	800
Linwood City	MD	800
Waterford Township	MD	800
Absecon City	MD	800
Upper Township	MD	800
Northfield City	MD	800
Stone Harbor Borough	LG	1,000
Wildwood Crest Borough	LG	1,000
Somers Point City	LG	1,000
Avalon Borough	LG	1,000
North Wildwood City	LG	1,000
Middle Township	LG	1,000
Cape May City	LG	1,000
Sea Isle City	LG	1,000
Galloway Township	LG	1,000
Hamilton Township	LG	1,000
Lower Township	LG	1,000
Wildwood City	XL	1,500
Margate City	XL	1,500
Ventnor City	XL	1,500
Pleasantville City	XL	1,500
Brigantine City	XL	1,500
Millville City	XL	1,500
Egg Harbor Township	XL	1,500
Ocean City	XL	1,500
ACM JIF TOTALS		33,500

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

RESOLUTION #2015-141

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 \$4,000.00 for an item of revenue in the budget of the year 2015 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - Click It or Ticket
Total with increase to be \$4,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$4,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - Click It or Ticket
State/Federal Share \$ 4,000.00
Non State Share \$
Total with increase to be \$ 4,000.00

BE IT 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 the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						



STATE OF NEW JERSEY SAGE

System for Administering Grants Electronically

Application: MOB-CIOT-2015-Lower Township-00116

Status: Confirmation of Receipt

User: Colleen Crippen

Role: Authorized Official

[Logout](#)

Main Menu ▶ Actions ▶ Application Menu ▶

SAVE SAVE/NEXT DELETE VIEW PDF FIRST
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You are here: > Contract Agreement

CONTRACT AGREEMENT

Project Title Click It or Ticket 2015 Seat Belt Mobilization
Grant Number OP-15-45-01-MC-58
Federal Fiscal Year 2015
Amount Awarded \$4,000
Funding Source SECTION 405-NATIONAL PRIORITY SAFETY PROGRAMS-CFDA 20.616
Project Period From 5/18/2015 to 5/31/2015

Project Director Martin Biersbach
Financial Officer Lauren Read
Authorizing Official Colleen Crippen

Federal policy requires notification of Limited English Proficiency (LEP) requirements to entities that receive Federal funds. A copy of the US Department of Transportation's guide entitled, "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons" can be found on our website at www.state.nj.us/lps/htsalong with a power point presentation.

The personnel of this Division look forward to the success of this project in improving highway traffic safety and are prepared to assist you in any way. Thank you for your interest and contributions to making New Jersey a safer state.

Gary Poedubicky
Acting Director and Governor's Representative

I the Project Director agree to the Terms and Conditions above. *

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

RESOLUTION #2015 - 142

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 \$1,000.00 for an item of revenue in the budget of the year 2015 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - South Jersey Gas - Game On Grant
Total with increase to be \$1,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$1,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - South Jersey Gas - Game On Grant
State/Federal Share \$ 1,000.00
Non State Share \$
Total with increase to be \$ 1,000.00

BE IT 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 the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

Colleen Crippen

From: Mitch Plenn <recreation@townshipoflower.org>
Sent: Wednesday, March 04, 2015 11:26 AM
To: ccrippen@townshipoflower.org
Cc: Debbi Johns; Phyllis Muldoon
Subject: Fw: Game On Grant Award from South Jersey Gas

Importance: High

From: Craig, Lindsey (Contractor)
Sent: Wednesday, March 04, 2015 11:16 AM
To: Craig, Lindsey (Contractor)
Subject: Game On Grant Award from South Jersey Gas

Good morning,

I am so pleased to inform you that in response to your athletic organization's "Game On" Grant application, **South Jersey Gas, through its parent company South Jersey Industries, will be providing your organization with a \$1,000 grant.**

At your earliest convenience, please provide me both a W-9 for your organization and check payable information so we may process payment.

Also, please forward any Opening Day information or a schedule of games, so that we may coordinate to attend for a check presentation and photo opportunity with your players. If your sport is not currently in season, we would still like to set up a time to meet with you and a few players to present the check, if possible.

A press release will soon be issued listing all of the "Game On" Grant winners. You can find this release on South Jersey Industries' website, www.sjindustries.com, under the heading "Newsroom". A link to the release will be posted on our Twitter (@SouthJerseyGas), and Facebook account. The 20 winners will also be mentioned on the South Jersey Gas website, www.southjerseygas.com, under the "In the Community" heading. For further information or if you have any questions, please feel free to contact me.

South Jersey Industries and its subsidiaries take pride in fostering positive relationships that bring good causes and good people together to make a change for the better. Thank you for the opportunity to get involved with your athletic organization, and congratulations!

Sincerely,
Lindsey

Lindsey Craig
Public Relations Specialist
South Jersey Industries
1 N. White Horse Pike, 2nd Floor
Hammonton, NJ 08037

p 609.561.9000 x4512

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

RESOLUTION # 2015-143

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

WHEREAS, the employees listed on the attached table have accrued compensatory time due from the Township and have 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 her signature _____ that adequate funding is available for such payment in the prior and current budget for Salaries and Wages (as per attached table).

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the attached Police Officers in the amount of \$25,070.95 is authorized and chargeable to their respective budgets.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

Officer	Budget	Hours	Rate	Amount
Fisher, David	4-01-25-240-121	100	45.774	\$ 4,577.40
Priole, William	4-01-25-240-122	165	49.5798	\$ 8,180.67
Whitten, Douglas	4-01-25-240-123	185	48.6617	\$ 9,002.41
Hansberry, Ryan	5-01-25-240-121	34.5	44.0819	\$ 1,520.83
Gamble, Matthew	5-01-25-240-121	60	29.8274	\$ 1,789.64

LOWER TOWNSHIP POLICE DEPARTMENT

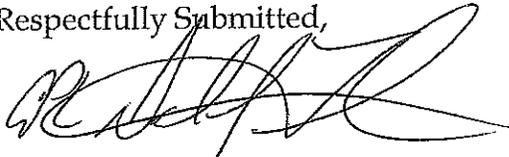
SPECIAL REPORT

TO: Chief William Mastriana
THRU: Lt Patrick Greene
FROM: Cpl David J Fisher
DATE: 03-30-2015
SUBJECT: Comp Time buy out

Chief,

I am asking to submit this letter to payroll requesting a buy out of 100 hours accrued comp time. Thank you in advance for your attention to this request.

Respectfully Submitted,



David J Fisher
Corporal Badge 141

U.C

45.774 x
100. =
45.7740 *

C File
Date

Officer Comments

C File	Date	Officer	Comments
	03-30-15	Lt Patrick Greene	Forwarded to Capt Beedy
	3-30-15	Capt. Beedy	Forwarded to chief
	3/30/15	W.M.	forward to township

pu

LOWER TOWNSHIP POLICE DEPARTMENT

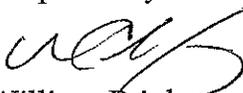
SPECIAL REPORT

TO: Chief Mastriana
FROM: Sergeant Priole
DATE: April 6, 2015
SUBJECT: Request to cash in Comp Time

Sir,

I am respectfully requesting to cash in 165 hours of comp time. The reason for this request is to assist in paying some previously unexpected bills that will be due in the upcoming month. Thank you in advance for your consideration in this matter.

Respectfully Submitted,


William Priole
Sergeant Badge 139

C	File	Date	Officer	Comments
		4/6/15	Chief Mastriana	Forward to township for review

165 * x
49-5798 =
8-180-67 *

py

4-01-25 240 122

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana
THRU: Lt. Patrick Greene
FROM: Cpl. Douglas D. Whitten
DATE: 03-27-2015
SUBJECT: Comp. Time

Chief Mastriana,

Please submit this request to the Payroll Department, on my behalf, so that I may cash out 185 hour of Comp Time.

Respectfully Submitted,

Signature
Goes here



Douglas D. Whitten
Corporal Badge 152

O.C

185 . x
48 * 6617 =
9 * 002 * 41 *

C	File	Officer	Comments
Date			
03-30-15		Lt. Patrick Greene	Forwarded to Capt Beeby
3-30-15		Capt. Beeby	Forwarded to chief
2/30/15		D.W.	Forwarded to township

PU

4-01-25 270-12:

LOWER TOWNSHIP POLICE DEPARTMENT

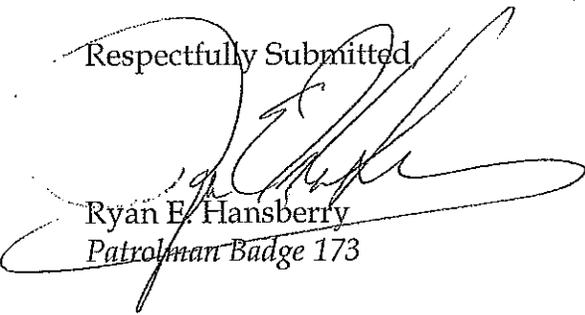
SPECIAL REPORT

TO: Chief William Mastriana
THRU: Lt Patrick Greene
FROM: Ptlm. Ryan Hansberry
DATE: 03-30-2015
SUBJECT: Comp Time buy out

Chief,

I am asking to submit this letter to payroll requesting a buy out of 34.5 hours accrued comp time. Thank you in advance for your attention to this request.

Respectfully Submitted,


Ryan E. Hansberry
Patrolman Badge 173

O.C

44-0819 *

34-5 =

1-520-83 *

C File

Date

Officer

Comments

03-30-15 Lt Patrick Greene Forwarded to Capt Beeby

3-30-15 Capt. Beeby Forwarded to ch. of.

3/30/15 Lt. Hansberry forward to township

CY

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana
FROM: Ptlm. MATTHEW GAMBLE
DATE: 04/10/2015
SUBJECT: Compensation time, cash out.

To whom it may concern,

I am respectfully requesting to sell back my accrued compensation time, totaling 60hrs. The purpose of this request is to install a water softner system in my house.

Respectfully Submitted,

Signature
Goes here

Matthew Gamble #186

MATTHEW GAMBLE
Patrolman Badge 186

0-C
60 * x
29-8274 =
1-789-64 *

C	File	Date	Officer	Comments
		<i>4/10/15</i>	<i>Chief</i>	<i>forward to township</i>

24

5-01-25 240 121

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

RESOLUTION #2015-144

TITLE: ISSUANCE OF ICE CREAM PEDDLING AND ICE CREAM SALESMEN LICENSES FOR THE YEAR 2015

WHEREAS, James Brown T/A Mister Softee Ice Cream, Kona Ice of Cape May and A & T Ice, LLC have submitted applications for Ice Cream Peddling and Ice Cream Salesman Licenses for the year 2015; 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 2015, after inspection of the vehicle with the Police Department

Ice Cream Peddling Salesman License

Armen Avetisyan – A & T Ice

Kelly Blum – Kona Ice

Eric Blum – Kona Ice

Ice Cream Peddling Business License

2000 W4Z Workhorse Vin #35B4HP32W2Y3325153 (Mister Softee)

2013 Chevy Van Vin #1GB0G2BA9D1129968 (Kona Ice)

2003 Ford E350 Vin #1FDWE35F03HA44320 (A & T Ice)

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 the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2015-145

Title: ISSUANCE OF 2015 LIMOUSINE AND OPERATOR LICENSES

WHEREAS, an application has been submitted by G Transportation pursuant to Ord. #2000-4 for an Operator 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:

G Transportation

<u>License Type</u>	<u>Description</u>
Operator	Omar Cisneros-Cabrera

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION # 2015-146

TITLE: APPROVAL OF CHANGE ORDER #1 TO HATCH MOTT MACDONALD CONTRACT FOR BAYSHORE ESTATES STORMWATER INVESTIGATION – PHASE 3

WHEREAS, Hatch Mott MacDonald was originally awarded the contract as per Resolution #2012-227 in the amount of \$63,100 for the Bayshore Estates Stormwater Investigations Phase 3 on September 5, 2012; and;

WHEREAS, Tasks 1 and 2 have already been completed and Change Order #1 in the total amount of \$2,949.40 will provide for the completion of tasks 3,4 and 5; and

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

Appropriation # : C-04-55-397-910

CFO Signature: _____

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Change Order #1 for Hatch Mott MacDonald is hereby approved.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERY						
SIMONSEN						
CLARK						
BECK						

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

ORDINANCE NUMBER 2015-03

BOND ORDINANCE PROVIDING FOR VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,645,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,560,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Lower, in the County of Cape May, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,645,000, said sum being inclusive of a down payment in the aggregate amount of \$85,000 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,645,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount not exceeding \$1,560,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$1,560,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued, include but are not limited to, are as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Public Safety - Acquisition And Installation, As Applicable, Of Various Equipment And Non-Passenger Vehicles, Including But Not Limited To, Mobile Data Recorders, Body Camera System And/Or Mobile Video Recorders, Vehicle Tufloc Security Boxes, Fingerprint Equipment, Handguns, Evidence Processing Bench, Radar Units, Computer Hardware, Software And Networking Equipment, Battery Back Up Repeater, Portable Radios, An Antenna For The Communication Tower, A Non-Passenger SUV And A Non-Passenger Tahoe With Emergency Response And Public Safety Equipment; Furnishings For The Court, And Various Emergency Shelter Capital Supplies For The EMS;	\$623,700	\$591,473	\$32,227	5 years
(ii) Public Works – Acquisition And Installation, As Applicable, Of Equipment, Including But Not Limited To, A High Speed Compost Screener And Leaf Turner, A Sewer Vac Truck And Various Shop Capital Equipment;	\$730,000	\$692,279	\$37,721	8.5 years
(iii) Recreation – Various Improvements To Recreational And Park Facilities, Including But Not Limited To, Tennis, Basketball And Other Athletic Court Improvements At Freeman Douglass Park, Installation Of A Playground Safety Surface At Diamond Beach And The Acquisition And Installation, As Applicable Of A Sign For The Recreation Building And The Acquisition Of A Non-Passenger Work Truck With A Tow Package; And	\$236,720	\$224,488	\$12,232	12.78 years
(iv) Administration – Various HVAC Improvements For Buildings And Grounds And The Acquisition And Installation, As Applicable, Of Office Capital Equipment For The Tax Collector, Clerk And General Office.	\$54,580	\$51,760	\$2,820	8.1 years
TOTALS	<u>\$1,645,000</u>	<u>\$1,560,000</u>	<u>\$85,000</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,560,000.

(c) The aggregate estimated cost of said improvements or purposes is \$1,645,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the aggregate down payment available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering, architectural and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Cape May make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Cape May. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Cape May shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Township and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 7.78 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond

ordinance by \$1,560,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$484,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: May 4, 2015

Julie Picard,
Clerk of the Township of Lower

ADOPTED ON SECOND READING
DATED: May 18, 2015

Julie Picard,
Clerk of the Township of Lower

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2015.

MICHAEL BECK,
Mayor of the Township of Lower

Norris Clark, Deputy Mayor

Thomas Conrad, Councilmember

David Perry, Councilmember

Erik Simonsen, Councilmember

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

ORDINANCE #2015- 04

TITLE: ORDINANCE REVISING AND RESTATING CHAPTER 178, BEACHES
OF THE CODE OF THE TOWNSHIP OF LOWER

WHEREAS, the Township Council of the Township of Lower desires to amend and restate Chapter 178 of the Code of the Township of Lower concerning Beaches and Beach Regulations; and

WHEREAS, the Lower Township Recreation Advisory Board has requested that Chapter 178 be expanded to regulate the Beaches in the Township of Lower.

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

Section 1. Chapter 178, titled BEACHES is hereby stricken and replaced with the following:

Chapter 178. BEACHES

ARTICLE 1. Beach Regulations

§ 178-1. **Findings, Applicability and Designation of Approving Agency, Public Trust Doctrine.**

- A. The Township controls for the use of the general public the beach and approaches thereto and the bathing area adjacent to the beach for the enjoyment, recreation, pleasure, safety, health, peace and quiet of all persons seeking the privilege of such facilities; and it is deemed advisable and expedient for the preservation of order and public health and safety, and for the best interests of those persons seeking such privileges and facilities, to ordain rules and regulations for the government, supervision, use and policing of the beaches, bathing areas in the ocean, bay and canal adjacent thereto, and the approaches thereto.
- B. This article shall apply to all beaches, dunes, beach access and supporting facilities under the jurisdiction of the Township, unless expressly exempted.
- C. The public's right of access to tidal waters for fishing, commerce and navigation embodied in the "Public Trust Doctrine" have long been recognized by New Jersey's Courts. A series of court decisions beginning in the 1970's extended those rights to include recreation, access to municipally controlled beaches and in some settings, to privately owned beaches. Public access rights have historically been enforced through litigation, through New Jersey Department of Environmental Protection (NJDEP)

permitting actions or through conditions on State Aid for shore protection.

§ 178-2. Definitions.

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

indicated: BEACHES: Includes beaches, dunes, designated public access paths and structures, outfalls, restroom(s), parking or other public facilities or parts or appurtenances whatsoever, whether real or personal property of the Township at the following areas

- A. All that area from the Township line in the Villas Section southward to the north border of the Borough of Cape May Point
- B. From the east border of the Borough of Cape May Point to the west border of the City of Cape May.
- C. From the south border of the Borough of Wildwood Crest to the Cape May Inlet.
- D. The beaches on both sides of the Cape May Canal from the Delaware Bay to Cold Spring Harbor together with the bathing areas adjacent thereto.

In-season: Means use of the beaches beginning on the last Friday prior to Memorial Day weekend through to and including the first Monday following Labor Day weekend of any given year.

Off-season: Means use of the beaches beginning on the first Tuesday following Labor Day weekend through to and including the last Thursday prior to Memorial Day weekend of any given year.

Watercraft: Means kayaks (inflatable and non-inflatable), stand-up paddle boards, bodyboards and bellyboards with skegs, rowboats, sailboats, catamarans, personal watercraft (jetski) and powerboats.

§ 178-3. Rules and regulations

It shall be unlawful and an offensive course of conduct to violate or participate in the violation of any rule or regulation hereinafter set forth, which rules and regulations are hereby adopted for and shall apply to the government, supervision, policing and use of the aforesaid areas.

1. Personal Conduct, Waste, Structures and Vegetation

- A. To engage in the playing of any game which endangers the health and safety of others, including but not limited to the use of surfboards from the center line of Rochester Avenue north to the dividing line between the Township of Lower and the Borough of Wildwood Crest, on the Atlantic Ocean.

- B. To transport or place any rubbish, refuse, garbage or other material that pollutes or interferes with the use and enjoyment of the beach. Such items shall be deposited in receptacles so provided. Where receptacles are not provided, all waste will be carried away from the beach by the person(s) responsible for its presence and such waste shall be properly disposed of elsewhere.
- C. To dress, undress or change clothing for bathing or other purpose in any passenger automobile, bus, truck or vehicle of any kind regardless of whether the doing thereof is in public view or can be seen by any other person or persons.
- D. To possess either in opened or unopened containers and/or to consume alcoholic beverages within the areas defined as the beach and approaches thereof Nor shall any person be under the influence of intoxicating liquor or drugs.
- E. To revel, disport, or behave in a noisy or boisterous manner, emitting loud cries and other noises, or playing of loud music so as to inconvenience others, or otherwise disrupt and disturb the public peace and dignity within the areas defined as the beach or approaches thereto.
- F. To act in a loud, indecent, obscene, or offensive manner within the defined areas.
- G. Mark, deface, disfigure, injure, tamper with or displace or remove any tables, benches, public access structures, outfalls, restroom or other public facilities or parts or appurtenances whatsoever, whether real or personal property of the Township.
- H. Dig, damage, trample or remove any vegetation from the beach or dune. Nor dig or remove sand from any dune with exception of authority of the Township.
- I. To trespass upon any dunes, except as paths are designated and marked for public use.

§ 178-4. Violations and penalties. [Amended by Ord. No. 81-12]

Anyone violating any of the provisions of this article shall be a disorderly person and, upon conviction thereof before a proper officer having jurisdiction, be subject to a fine in any sum not exceeding \$500, and in default of payment of said fine be imprisoned in the county jail for a term not exceeding 30 days; and any repetition of any act herein prohibited shall be deemed a separate and distinct offense.

ARTICLE II
Vehicles on Beaches

§ 178-5. Operation of motor vehicles

It shall be unlawful for any person on a beach to:

- A. Operate a motor vehicle, including an automobile, motorcycle, truck or any other similar type of conveyance driven by power, on any of the beaches within the Township.
- B. Permit the operation of any motor vehicle, including an automobile, motorcycle, truck or any other similar type of conveyance driven by power, owned by him on any of the beaches of the Township.
- C. Occupy any motor vehicle, including an automobile, motorcycle, truck or any other similar type of conveyance driven by power, on any of the beaches of the Township.
- D. Nothing herein contained shall apply with respect to ambulances, life-saving vehicles, or other similar vehicles, nor shall anything herein contained apply to any bona fide construction equipment or equipment used in the maintenance or cleaning of any of the aforesaid beaches.

ARTICLE III
Animals on Beaches

178-6 Control and care of animals.

It shall be unlawful for any person on a beach to:

- A. Cause or permit any animal to run loose.
- B. Have animals other than service animals on the beach between the hours of 11:00 am and 4:00 pm in-season.
- C. Leashed animals are permitted anytime of the day during the off-season.
- D. Leave dropping from an animal on a beach or dune. All such waste shall be picked up by the person(s) in charge of that animal. Such waste shall be deposited in receptacles so provided. Where receptacles are not provided, all waste will be carried away from the beach by the person(s) responsible for its presence and such waste shall be properly disposed of elsewhere.

ARTICLE IV
**Fires, Firearms, Fireworks and
Weapons on Beaches**

178-7 Have or use fires, firearms, fireworks and weapons

It shall be unlawful for any person on a beach to:

- A. Kindle, build, maintain or use a fire.
- B. Have in their possession, sell, distribute or set off fireworks or explosives.
- C. For any person other than law enforcement officers to carry or otherwise possess or control a destructive device or weapon.
- D. Destructive devices or weapons include but are not limited to all firearms, knives and other items used for the purpose of harm to another person or property.

ARTICLE V
Use of Watercraft

178-8 Operation and use of Watercraft

It shall be unlawful for any person on a beach to:

- A. Set upon, or leave a watercraft attended or unattended on a dune.
- B. Land a motor or sail powered watercraft onto a beach within 50 yards of a bather(s) or swimmer(s).
- C. Operate a motor or sail powered watercraft within 50 yards of a bather(s) or swimmer(s).
- D. All boaters are required to wear personal flotation devices.

ARTICLE VI

Advertising, Soliciting, Assemblages, Entertainment and Sale of Merchandise

178-9 Advertise, solicit, assemble, entertain and sell merchandise.

It shall be unlawful for any person on a beach to:

- A. Post, paint, affix, distribute, place, cast or leave any bill, billboard, placard, ticket, handbill, circular or advertisement without prior approval by the Township.
- B. Operate for advertising or entertainment purposes a musical instrument or soundtrack.
- C. Hold or conduct political assemblages or campaigning activities.
- D. Expose or offer for sale any article without a license and written permission from the Township.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall become effective immediately upon final passage and publication, according to law.

Thomas Conrad, Councilmember

Dave Perry Councilmember

Erik Simonsen, 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

RESOLUTIUN #2015-147

TITLE: APPOINTMENT TO THE MUNICIPAL UTILITIES AUTHORITY BOARD

WHEREAS, William Murphy tenured his resignation from the Municipal Utilities Authority Board and the remainder of his term, which expires February, 2018, needs to be filled; and

WHEREAS, Council has reviewed the applications currently on file in the Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following individual is hereby appointed to the Lower Township Municipal Utilities Authority Board:

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
	Regular Member	February, 2018

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on May 4, 2015.

Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

RECEIVED
4-16-15 p.

NAME Jackie Henderson

CITY AND STATE North Cape May, NJ

YEARS OF RESIDENCY IN TOWNSHIP 18+ OCCUPATION Homemaker

Please number in order of preference which ones you wish to be considered for.

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

- B.S. in Human Resource Mgmt - Messiah College
- CMC Library Commission 2006-Present Position - Vice Chair
\$9.5 million budget w/ extensive infrastructure projects
- Municipal Govt Experience - LT. Council Fall 2013
- attendee of MUA meetings, ratepayer of water/sewer
- past volunteer w/ Lower Twp schools, Boy Scouts, Toy Drive
- Board Member of Mickel's Run Development

Date: 4/16/15 Signature: Jackie Henderson (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

***PERSONAL INFORMATION NOT SUBJECT TO PUBLIC DISCLOSURE**

Address of Residence _____ Email _____

Primary Phone Number _____ Work Phone Number _____

*The information in this section is considered personal information, and is therefore deemed confidential for the purpose of P.L.1963, c.73 (C.47:1A-1 et seq.) and P.L. 2001, c.404 (C.47:1A-5 et al.).

FOR TOWNSHIP USE ONLY

Res. # _____ Board/Comm./Auth. _____

Term Exp. _____ Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

1-28-15 p.

NAME Robert Nolan

CITY AND STATE N. Cape May

YEARS OF RESIDENCY IN TOWNSHIP 35 OCCUPATION Law Enforcement Administration

Please **number in order of preference** which ones you wish to be considered for.

- | | |
|---|---|
| <input type="checkbox"/> Cable Television Advisory Board | <input checked="" type="checkbox"/> Municipal Utilities Authority |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Recreation Advisory Board |
| <input type="checkbox"/> Citizen Advisory Board | <input type="checkbox"/> Zoning Board of Adjustment |

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

- * B.S. Social & Behavioral Sciences (Stockton College)
- * Certified Public Manager
- * 32 YEARS Town Bank Vol. Fire Company - Knowledge of fire hydrant issues & water pressure
- * Budget Preparation
- * Mediation & Conflict Resolution
- * Former Lower Township Councilman 2005 - 2008
- * Former member Planning Board

Date: 1-28-15 Signature: [Signature] (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

RECEIVED
1-15-15 p.

NAME BRIAN MCEWING

CITY AND STATE LOWER TOWNSHIP, NEW JERSEY

YEARS OF RESIDENCY IN TOWNSHIP 29.5 OCCUPATION ATTORNEY

Please number in order of preference which ones you wish to be considered for.

Cable Television Advisory Board

Municipal Utilities Authority

Environmental Commission

Planning Board

Historic Preservation Commission

Recreation Advisory Board

Citizen Advisory Board

Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

(SEE ATTACHED COVER LETTER AND RESUME)

Date: 1/15/15

Signature: 

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

BRIAN MCEWING

January 2015

681 Town Bank Rd.
Cape May, NJ 08204
609-846-4717
mcewing@lawofsea.com

Employment History

Partner, REEVES McEWING, LLP (Litigation and Transactions, March 2011 – Present)
Of Counsel, Donna Adelsberger & Associates, PC (Maritime Litigation, 2008-2011)
Owner, McEwing Law, LLC, Cape May, NJ (General Legal Practice 2008 - March 2011)
Retired in 2008 after 25 years of service with Cape May Lewes Ferry
Eight years as public employer department head with oversight of 150 employees
More than fifteen years as manager for public employer
More than twenty years as merchant marine officer on ships of unlimited tonnage
More than fifteen years' experience as maintenance project manager
Extensive experience in collective bargaining and labor relations and employment matters

Education

JURIS DOCTORATE (2003 - 2008)
RUTGERS UNIVERSITY - SCHOOL OF LAW, CAMDEN, NEW JERSEY
TRAINED MEDIATOR; PARTICIPATED IN THE CRDC PRO BONO MEDIATION PROJECT
PRO BONO RESEARCH PROJECT – BENEFITTING A LOCAL MARITIME NON-PROFIT

BACHELOR OF ARTS, POLITICAL SCIENCE (1995 - 2001)
Rutgers University Camden, New Jersey
Highest Honors
Pi Sigma Alpha Honor Society
Alpha Sigma Lambda Honor Society
Departmental Honors - Jack Marvin Wiener award for highest academic achievement of a
graduating political science student.
University Honors - Arthur E. Armitage award for highest academic achievement of a
graduating University College student.

ASSOCIATE OF SCIENCE, COMPUTER INFORMATION SYSTEMS (1990 - 1995)
Atlantic County Community College Mays Landing, New Jersey
Highest Honors

Licensing/Certification

- Licensed attorney in both Pennsylvania and New Jersey

Memberships, Community/Business Leadership

- Commissioner, New Jersey Maritime Pilot and Docking Pilot Commission
- Cape May County Bar Association
- New Jersey Bar Association
- Propeller Club of New York Harbor
- Marine Trades Association – NJ
- Mariner's Advisory Committee, Bay and River Delaware
- Maritime Law Association
- Past Director, Four Chaplains Foundation
- Mock Trial Coach – Cape May Technical High School
- Past Board Member and Past Commodore, Corinthian Yacht Club of Cape May