

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

October 6, 2014 - 6:00 P.M.

Meeting called to order.

Opening Announcement

Pledge of Allegiance & Moment of Silence

Roll Call & Determination of Quorum

Proclamation - Put the Brakes on Fatalities Day, October 10, 2014

Presentation - Commander William Howard, VFW Post 5343 – New Jersey Run for the Fallen and Gold Star Mothers

Work Session

Presentation on Police Department – Manager Michael Voll

Res. #2014-260 Resolution Authorizing the Relocation of the Lower Township Police Department and the Construction of a New Public Safety Building Adjoining Township Hall

Consent Agenda

Approval of Minutes -- September 15, 2014

Res. #2014-261 Payment of Vouchers \$ 641,823.24

Res. #2014-262 Authorization for Waiver of Fees for Town Bank Volunteer Fire Company, Inc (fees associated with Oktoberfest)

Res. #2014-263 Authorization; Determination of Municipal Service Fees for 2015 (mobile home park owners \$120 per manufactured home for the year 2015)

Res. #2014-264 Authorizing the Formation of a Budget and Finance Committee (as per the best practice worksheets)

Res. #2014-265 Authorizing the Formation of a Capital Committee (as per the best practice worksheets)

Res. #2014-266 Certification of Lot Clearing Charges to the Tax Collector (8 properties \$6,510.)

Res. #2014-267 Authorization for the Payout of Accumulated Compensatory Time (M.Szemcsak \$1,780.23)

Res. #2014-268 Authorization to Transfer Funds From the Tax Premium Account (\$8,800 From Tax Premium acct to Council Ckg)

Res. #2014-269 Authorizing Payout of Terminal Leave (K.McGurk \$102,465.02)

Res. #2014-270 2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown (Dec 5, 2014 to Jan 2, 2015)

Res. #2014-271 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (2014 Drive Sober or Get Pulled Over \$7,500)

Res. #2014-272 A Resolution Authorizing and Approving a Shared Services Agreement between the Township of Lower, the Township of Middle and the County of Cape May for Cape May County Open Space and Farmland Preservation Program "Middle and Lower Township Bike Path Connection" (Sally Marshall Crossing to Satt Blvd)

Res. #2014-273 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Cape May County Open Space Program – Bike Trail \$412,311)

Res. #2014-274 Authorization for Waiver of Fees for Helping Hands, Inc (refund of construction permit fees \$2,163. for 882 Linden St)

Res. #2014-275 Award of Extraordinary Unspecified Service Contract without Public Bidding for an Event and Promotional Coordinator of the Lower Township Millman Senior Center (as per Local Public Contracts Law)

Res. #2014-276 Resolution Approving Settlement of Tax Appeal Litigation (9601 Atlantic Ave from \$1,280,200 to \$900,000)

Ordinance #2014-11 Salary and Benefit Ordinance for the Township of Lower (required ordinance) – 1st reading – 2nd reading and public hearing scheduled for Oct 20, 2014.

Ordinance #2014-12 Amending Ordinance #2013-21; An Ordinance Amending Chapter 475 of the Parks and Recreation Areas Ordinance of the Township of Lower (amending Millman Rental Fees) – 1st reading – 2nd reading and public hearing scheduled for Oct 20, 2014

Regular Agenda

Administrative Reports

Certification of Note sale – August, 2014

Council Comments

Call to the Public

Adjournment

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

RESOLUTION # 2014-260

TITLE: RESOLUTION AUTHORIZING THE RELOCATION OF THE LOWER TOWNSHIP POLICE DEPARTMENT AND MUNICIPAL COURT AND THE CONSTRUCTION OF A NEW PUBLIC SAFETY BUILDING ADJOINING TOWNSHIP HALL

WHEREAS, the Lower Township Police Department and Municipal Court are currently located within the Cape May County Airport Industrial Complex where no public transportation is available; and

WHEREAS, the Lower Township Public Safety Building Committee, on July 11, 2012, has recommended relocating the Lower Township Police Department and Municipal Court to Bayshore Road adjoining Township Hall; and

WHEREAS, Chief of Police William Mastriana and Retired Chief Brian Marker have both recommended relocation of the Police Department and Municipal Court next to Township Hall; and

WHEREAS, the Township has purchased the property adjoining the Township Hall for purpose of provided parking for a new public safety building; and

WHEREAS, the Township Council of the Township of Lower has determined that it is in the best interest of the health, safety and welfare of the residents of the Township of Lower to fund the relocation of the Lower Township Police Department and Municipal Court next to Township Hall on Bayshore Road and to construct a new Public Safety Building to house the Police Department and Municipal Court; and

WHEREAS, it has further been determined by the Township Auditor and the Township Chief Financial Officer that the cost of relocating the Police Department and Municipal Court and the construction of a new public safety building will not result in a tax increase to the tax payers of the Township.

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

1. The Township Manager and Solicitor are hereby authorized to retain Special Bond Counsel to prepare the necessary bond ordinance in connection with the construction of the new Public Safety Building and to take all necessary action in connection therewith.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

COUNCIL MEETING MINUTES – SEPTEMBER 15, 2014

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on September 15, 2014 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 Erik Simonsen
Deputy Mayor Clark
Mayor Michael Beck

Also present: Michael Voll, Township Manager, Ron Gelzunas, Township Solicitor and Karen Fournier, Clerk's Office

Work Session

MUA Presentation - Manager Michael Voll

Manager Voll introduced a panel of experts to answer any remaining questions regarding the LTMUA dissolution. Professionals included Chief Financial Officer Lauren Read, Public Works Director Gary Douglass, Labor Attorney Bill Blaney, Township Solicitor Ron Gelzunas, Bond Counsel Jeff Winitzky, and Independent Auditor Robert Swartz. Manager Voll gave a summation of the findings, starting with the unanimous request from Council for the investigation on February 3, 2014, and closing with the unanimous approval from the NJ Local Finance Board on July 16, 2014. He covered all aspects of concern, dispelled the rumors, provided the facts, and called it a win-win-win situation for everyone involved, including the rate payer, the tax payer and the LTMUA employees. He discussed his plan for integrating a water and sewer utility into the Township Public Works Department. He assured that all objectives have been met, primarily the potential for significant monetary savings. He strongly suggested that Council move forward with dissolution.

Bond Counsel Jeff Winitzky discussed his role in advocating on behalf of the Township in front of the Division of Local Government Services. He discussed the lengthy process and affirmed that the Township provided a very detailed analysis and fully satisfied the statutory requirements in their initiative to dissolve the LTMUA. Manager Voll clarified that if dissolved, all of the current employees of the LTMUA will be hired within the township. Mr. Winitzky informed that even with the opposition from the LTMUA, the Local Finance Board unanimously agreed and encouraged the Township to proceed with dissolution.

Manager Voll asked Robert Swartz to give highlights from his report.

Mr. Swartz explained in detail that the million dollars savings was estimated quite conservatively, starting with the 2014 budgets that the LTMUA had developed. He offered a breakdown of savings, including \$657,808 in administrative costs, and \$333,318 in operating costs, totaling \$991,126. This figure does not including savings for insurance, equipment costs, and the ability to fund projects without the necessary expense of approval from the Local Finance Board. In addition, the Township has the ability for future potential savings with the sale of the current public works property. Mr. Swartz also revealed that Thomas Neff, Director of the Local Finance Board, shared his belief that the savings could be more than a million dollars.

Manager Voll reminded that tonight's decision involves dissolution; however he communicated his plan for moving Public Works over to the LTMUA property, with Council's affirmative vote.

Jeff Winitzky clarified that the Township agreed, as stated in the ordinance that any revenue generated by the newly created utility fund will remain with that utility fund for the sole purpose of stabilizing rates.

Manager Voll invited Labor Attorney Bill Blaney to explain the civil service transfer.

Bill Blaney confirmed that the interlocal transfer authorized by civil service would allow current LTMUA employees to transfer over to the Township with the same job titles, rights and benefits as they currently hold. Because the LTMUA is not unionized, there may be some minor union matters to work through.

Councilmember Conrad had no additional questions, as he received information from Manager Voll prior to the meeting.

Councilmember Simonsen asked Manager Voll if he had spoken with other municipalities that have gone through the process. Manager Voll affirmed that he would inquire when needed. Councilmember Simonsen asked about contacting the leadership of the LTMUA. Manager Voll discussed the problems that exist at the LTMUA and denied being contacted by any commissioners about dissolution. A discussion about engineering services followed. Councilmember Simonsen asked Robert Swartz if shared services could resolve current issues at the LTMUA without the Township incurring more debt. Mr. Swartz informed that some, but not all services could be shared. Mr. Swartz validated his analysis, at the enquiry of Councilmember Simonsen. Mr. Winitsky communicated that approval from the Local Finance Board would not have been obtained if shared services were a solution. Mr. Swartz added that the Local Finance Board agreed that all debt would be self-liquidating. Councilmember Simonsen inquired about the cost for additional hires and added workloads for Township employees. Mr. Swartz informed that costs would be minimal in comparison to the amount of savings.

Deputy Mayor Clark directed his question to Mr. Winitsky as to why a utility authority would dispute this. Mr. Winitsky attributed the resistance to change. He spoke of the uniqueness of opposition, particularly with such a significant savings projected. He admitted that this was the first time that he has appeared before the Local Finance Board where there was direct opposition.

Manager Voll addressed Councilmember Simonsen's concern about additional costs. He informed that the finance department and the public works director may be compensated for additional work, but the amount will be reasonable. He stated, for the record, that he does not expect more money; he wants what is best for the township.

Deputy Mayor Clark discussed the human aspect and assured that only the two positions that are currently vacant at the LTMUA will not be filled, all other employees will retain their jobs. Manager Voll confirmed the information. Deputy Mayor Clark underscored the LTMUA's suggestion that the Township take a portion of their surplus. He then reminded that it was the Township's idea to place a condition on the ordinance prohibiting such action. Mr. Winitsky confirmed that information to be true.

Mayor Beck discussed the Township's assumption of LTMUA debt and assured that the Township is not taking on new debt. He explained that the Township, as the parent authority of the LTMUA, is responsible for their debt by default. Mr. Winitsky further explained, by definition, the term self-liquidating debt. Mayor Beck highlighted the benefits and savings that will be accomplished from dissolution. Mr. Winitsky agreed that it will simplify the process.

Councilmember Simonsen asked if the debt will have to be paid back. Mr. Winitsky explained the process and stated that the LTMUA revenue will become part of the newly created utility; therefore the Township will not be incurring new debt.

Mayor Beck confirmed with Mr. Winitsky that dissolution can be classified as the ultimate shared service. He also described the problems that could result from shared services without dissolution. Mayor Beck brought attention to the fact that every member of Council was present at the February 3, 2014 closed session meeting where they unanimously consented to the request for information regarding the financial situation and what savings could be accomplished if the Township decides to look into dissolution of the LTMUA.

Ordinance #2014-08

Bond Ordinance Authorizing the Assumption of Responsibility For and Payments Of the Lower Township Municipal Utilities Authority's Outstanding Debt in A Principal Amount Not to Exceed \$17,873,521 by the Township of Lower, County of Cape May, NJ; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection With The Foregoing - 2nd reading and public hearing. This Ordinance has been published, posted on the bulletin board and made available to the public.

Don Embs, Lower Township, asked what LTMUA employees will be transferred to the Township. Manager Voll clarified that every employee will keep their position. Mr. Embs inquired about licensed jobs. Manager Voll reiterated that they will also keep their positions. Mr. Embs expressed concern about pollution on the public works property. Public Works Director, Gary Douglass informed that the state recently conducted an environmental study, whereby the Township received clearance.

Jessie Matsinger, resident and LTMUA employee, asked what the cost will be to move public works to the LTMUA property. Manager Voll discussed what will be involved, but reminded that this is a separate issue that will be decided on later. Mayor Beck indicated that the Township's intent to dissolve the LTMUA is to save money, not to move Public Works. Mr. Matsinger expressed concern about future Councilmembers attempting to change the ordinance to enable the Township to receive LTMUA surplus. Mr. Winitsky assured that it would have to be approved by the state, not just Township Council, and it would not be well received. Manager Voll reminded of the testimony given by the LTMUA at the Local Finance Board and the Township's request to add a restriction to the ordinance prohibiting the same. Mr. Matsinger voiced his concern for the future of his children in Lower Township. Mayor Beck reiterated the potential savings that could result in rate stabilization. Deputy Mayor Clark touched on the advantages of transparency when eliminating shadow governments. Mr. Matsinger suggested that all aspects of spending be researched before making a decision.

Steve Sheftz, resident and LTMUA Board Member, addressed Council with concern about dissolution. He spoke of his background as an engineer and his service to the Township. He provided examples of other dissolutions that resulted in failure. He refused to support this dissolution.

Robert Basco, Sr., 224 W. Atlantic Avenue, inquired about the wording on the application to the Local Finance Board. Mayor Beck clarified the misinterpretation in the wording. Mr. Basco also asked about duplicative services. Manager Voll explained that the duplicative services are the professionals and the two vacant positions at the LTMUA that do not need to be replaced. He and Mr. Basco exchanged words about privatizing services. Mr. Basco voiced his opposition to dissolution.

Janet Pitts, resident and ratepayer, thanked the panel for their professionalism in dealing with the contention. She asked for reassurance that the level of service will not be impacted with dissolution. Manager Voll reassured that the same qualified employees will continue to provide the same service.

Herb Bash, 103 Bayridge Road, expressed doubt about the continued level of service. Manager Voll reaffirmed that the transition will be seamless with qualified personnel.

Brian O'Connor, LTMUA Board Member, compared the environmental responsibilities of the Township and the LTMUA for treating dirty water. He spoke about required best practices and presented a study with the intent to prove the Township's neglect in caring for its own infrastructure. Mayor Beck defended the Township, stating that the problems were inherited from many years ago and are being addressed. Discussion ensued. Mr. O'Connor insisted that the Township cannot take care of the LTMUA. Mayor Beck disputed the comments with a reminder about approval from the state.

Manager Voll commented on a recent LTMUA meeting where Mr. O'Connor admitted to not having a five year plan in place. Mr. O'Connor disagreed.

Mary Reader, Villas, asked Mr. Winitsky how many dissolutions he has been involved with. Mr. Winitsky replied "four". Ms. Reader requested clarification about the offer from the LTMUA to give the Township a portion of their surplus. Deputy Mayor Clark explained. She referred to comments made about wasting a million dollars, and the accounting system of the LTMUA.

Bridget O'Brien, Erma, inquired about which budget will pay the salaries of the current LTMUA employees. Manager Voll informed that the salaries of the current LTMUA employees will come out of the utility account, separate from the Township. She suggested that Township employees must not have enough work if they are able to absorb additional workloads of the authority. She also made accusations about the Public Works Department.

Deborah Dunhour, resident, expressed disgust with the volatile nature of this issue and suggested the Township allow the voters to decide. Councilmember Simonsen stated that he tried, but it was turned down.

Joe Garvin, 35 Mimosa Drive, asked about a job guarantee for the LTMUA employees that transfer over to the Township. Manager Voll informed that they are covered under NJ Civil Service. A discussion emerged about Class II police officers. Mr. Garvin also inquired about pensions. Manager Voll reiterated that everything will transfer over. Labor Attorney Bill Blaney affirmed that the pension system is the same.

Fran Fletcher, Villas, presented the question about layoffs if the utility gets sold. Mayor Beck insisted that the Township is not privatizing. Deputy Mayor Clark validated the point by adding that the LTMUA would have an easier time privatizing; therefore the utility is better protected from privatization under the Township's authority.

Jack Sparks, MUA Commissioner, spoke about Mayor Beck's allegiance against layoffs, and reminded that Lower Township has remained faithful to that, even in the toughest of times. Mr. Sparks shared compassion for those concerned about losing their jobs, but he also revealed that the Republican Party petitioned their people to be present tonight to voice objection. Councilmember Conrad commented that the Independents are dragging politics into this again. Mr. Sparks insisted that this issue, if rejected tonight, is not over. He confidently stated that the election will determine the future of the LTMUA. Councilmember Conrad pointed out that one full time clerical employee of the LTMUA will not retain her position, as well as a few part time positions that are paid by an outside agency.

Frank Simonsen, resident, advocated on behalf of the voters to have a referendum question on the ballot. He asked Councilmember Simonsen if that was ever discussed amongst Council. Councilmember Simonsen affirmed that it had been suggested, but denied. Mayor Beck reminded that Council voted unanimously to examine the dissolution issue. He pointed out that many of the people objecting tonight have ties to the LTMUA and although he is not without compassion for their concerns, the majority of Township residents support saving a million dollars. He believes the greatest referendum will be revealed with the election results. He vowed to support the information provided by the professionals. Mr. Simonsen questioned the validity of that information based upon Mr. Sheftz comments. Deputy Mayor Clark revisited the list of wrongdoings by the LTMUA. Mr. Simonsen expressed his discontent with the way the Township has handled this.

Sharon Otto, resident and office manager of the LTMUA, brought to Council's attention that two part-time employees and three ETS personnel at the LTMUA are Lower Township residents that will be laid off.

Robert Rizzo, resident, exclaimed that he had heard enough and urged Council to vote.

Rosalie Gallagher, Springtime Road, stated that she supports the dissolution and saving a million dollars. She professed her trust in Council to keep their word, and thanked the professionals for a job well done.

Steve Morey, resident, expressed his concern about politics interfering with important decision making on things like capital infrastructure. Manager Voll informed that an in-house engineer will soon be hired to manage the projects, taking the politics out of decision making.

Melissa Roy, Erma, announced that she is against the dissolution of the LTMUA.

Ed Butler, Villas, voiced his disappointment with the opposition. He stated that the LTMUA Board Commissioners had an opportunity to handle matters on their own, but because they did not, their problems were brought to light. He revealed that dissolution was recommended in 2001, and Mr. Sheftz voted in favor of it as a board commissioner. He accused Council of appointing incompetent board members, driven and governed by politics. Councilmember Conrad denied the charge, stating that the last four Republican board members were appointed by Independents. On behalf of the ratepayers and taxpayers of the Township, Mr. Butler disagrees with the objections.

Betty Somers, 200 W. Atlantic Avenue, complained about the residents that only come to the meetings with self-interests, not because they care about the township. She also commented on today's job market offering no guarantees; therefore Council can't be held responsible.

Councilmember Conrad stated that he has been against dissolution for a long time. His main concern is the payment plan option for the residents who still have to connect to city water. He spoke about the disadvantage to the Township's payment plan option which only benefits the primary homeowner. He disputed the Township's argument for stabilizing rates, stating that the LTMUA has done that for five years. He remained firm in his opposition for the residents in his Ward.

Councilmember Neville validated the areas of dissolution that have caused the most concern, particularly with the LTMUA employees. Based on the reports from the auditors and his experience in the water and sewer business, he vowed his support for dissolution.

Councilmember Simonsen offered his reasons for opposition based on too many unknowns. He questioned Manager Voll about acting as the new executive director. Manager Voll stated that the Township has competent directors and competent personnel coming over from the LTMUA to supervise the utility workers. As a lifelong resident, Councilmember Simonsen expressed approval with the operations and service from the LTMUA. He remained firm in his position, "if it's not broke, don't fix it".

Deputy Mayor Clark reminded Councilmember Simonsen about his part in the unanimous decision to look into dissolution. He provided a long list of reasons to support dissolution including the governor's plea, the best practices manual, the auditor reports verifying significant savings, and approval from the state's Local Finance Board. He pointed out Councilmember Simonsen's silence throughout the process. He discussed his intentions on focusing to resolve the water and sewer problems at the LTMUA, and do what is best for the people. He asked Councilmember Simonsen why he is standing against all of the professionals and denying the ratepayers the opportunity to save a million dollars a year. Councilmember Simonsen stated his reason as too many unknowns. Councilmember Conrad initiated a dispute about moving public works. He too stood firm in his position.

Mayor Beck voiced his discontent with the opposition. He restated the facts about the employees retaining their jobs, the state's unanimous approval, and the projected savings. He then reminded Council, as elected officials, of their obligation to do what is best for the 23,000 people of the Township. He concluded by offering his condolences to the ratepayers.

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

Ordinance #2014-07

An Ordinance Amending The Code of the Township of Lower To Create A Water and Sewer Utility Division Within the Department of Public Works for the Township of Lower - 2nd reading and public hearing. This Ordinance has been published, posted on the bulletin board and made available to the public.

Motion to Table Ordinance #2014-07 moved by Deputy Mayor Clark, seconded by Councilmember Neville.

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

Ordinance #2014-06

An Ordinance Dissolving the Lower Township Municipal Utilities Authority Pursuant to N.J.S.A. 40A:5A-20 – 2nd reading and public hearing. This Ordinance has been published, posted on the bulletin board and made available to the public.

Motion to Table Ordinance #2014-06 moved by Councilmember Simonsen, seconded by Councilmember Neville.

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

Consent Agenda

Approval of Minutes

Res. #2014-253

Res. #2014-254

Res. #2014-255

Res. #2014-256

Res. #2014-257

September 3, 2014

Payment of Vouchers \$ 911,091.87

Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Drive Sober or Get Pulled Over Year End Holiday \$4,400 re-submitted)

Authorization for Refund of Taxes (2 properties \$1,996.78 dup. pymt)

Authorization for Waiver of Fees for Historic Cold Spring Village (waiver of \$1,150 planning/zoning development application fee)

Resolution Authorizing Indemnification and Defense of lower Township Employees in Accordance with Chapter 25 of the Code of the Township of Lower (indemnifying and holding harmless Manager Voll, Chief Mastriana, Retired Chief Marker & Lt Biersbach in Stango v Township lawsuit)

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

Regular Agenda

Res. # 2014-258

Payment of Vouchers – Lower Township Rescue \$10,000

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

Res. #2014-259

Resolution of the Lower Township Council Opposing the City of Cape May's Proposal to Modify the Method of Raising Taxes for the Operation of the Lower Cape May Regional School District and Urging Lower Township Voters to Vote "NO" On the Referendum Question on Tuesday, November 4, 2014

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

Administrative Reports

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

Council Comments

Councilmember Conrad thanked everyone for attending the meeting. He agreed with Ms. Somers that more people need to attend on a regular basis. He affirmed his commitment to looking out for the little people of the township.

Councilmember Neville gave an update on Clubhouse Road and other roads to be restored by South State. He announced that the Nature Conservancy will be holding a dedication service on October 4th at Spicer Creek for the Garrett family.

Councilmember Simonsen reported on the LCMR football team and encouraged community support for the athletic programs. He gave a highlight of the Gala event for Volunteers in Medicine and acknowledged the three volunteer honorees. As coordinator for the school safety team, he informed of his new endeavor starting up a school safety team alliance throughout the county.

Deputy Mayor Clark spoke about the progress of new businesses coming to the airport as a result of the Economic Development Committee. He also reminded about the drug abuse in our community and informed of Lighthouse Church's efforts in creating a recovery program. He talked about the hope that exists when everyone in the community works together, including the different tiers of government, community and churches.

Mayor Beck commented on the importance of faith in beating drug addiction. He expressed his gratitude to the Hume family for the September 11th ceremony and extended get well wishes to Mr. Hume. He announced the upcoming Flu Shot Clinics and the Run for the Fallen. He acknowledged Eileen Kreis for her involvement with the Run for the Fallen and encouraged community support. Councilmember Simonsen reminded that there will be a hero marker for Michael Scusa. Mayor Beck thanked the school for their part in recognizing Michael Scusa.

Call to Public

Steve Morey, Erma, announced Matt Sczar's first major league home run, and accredited Sczar and Mike Trout, two quality athletes, for putting South Jersey on the map. He addressed Councilmember Neville regarding his comments at the last meeting pertaining to the Beach Drive access project. Mr. Morey asked where he obtained his information. Councilmember Neville alluded to his meeting with Bill Galestok. Discussion ensued. Mr. Morey questioned Councilmember Neville about his concern for safety on Beach Drive. Councilmember Neville agreed that something needs to be done but disagrees with disturbing the dunes. Mr. Morey expressed disfavor with the misleading information that was circulated about the project. Mayor Beck offered his perspective and attempted to rectify the situation.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Neville. Motion to adjourn unanimous. Meeting adjourned at 9:03 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00651 MUNICIPAL UTIL AUTH DUMP FEES	14-02420	09/16/14	TIPPING FEE/AUGUST	Open	74,800.96	0.00		
00734 CAPE OFFICE MACHINES*	14-00780	03/27/14	TYPEWRITER CLEANING	Open	228.00	0.00		
00775 CAPRIONI PORTABLE TOILETS, INC*	14-02456	09/22/14	MONTHLY SERVICES - CANAL PARK	Open	325.00	0.00		
00784 CAPE MAY STAR & WAVE	14-02471	09/23/14	LEGAL ADVERTISEMENT 9-10-14	Open	128.34	0.00		
	14-02534	10/01/14	LEGAL PUBLICATION 9-24-14	Open	24.80	0.00		
					<u>153.14</u>			
00807 CDW-GOVERNMENT INC*	14-02355	09/08/14	HARD DRIVES FOR SERVER	Open	1,900.00	0.00		
	14-02364	09/08/14	OFFICE SUPPLIES	Open	841.18	0.00		
	14-02381	09/09/14	HP 305A PRINTER INK-FIRE SAFET	Open	162.94	0.00		
					<u>2,904.12</u>			
00825 COMCAST*	14-02399	09/12/14	09/15-10/14 CLERKS CABLEBOX	Open	20.27	0.00		
	14-02402	09/15/14	INTERNET TOWNHALL 9/19-10/18	Open	120.55	0.00		
	14-02419	09/16/14	MONTHLY ACCESS-CLEM MULLIGAN	Open	101.97	0.00		
	14-02421	09/16/14	INTERNET - DPS	Open	120.55	0.00		
	14-02477	09/23/14	9/30-10/29/14 INTERNET-FIRE SA	Open	112.90	0.00		
	14-02551	10/01/14	MONTHLY INTERNET	Open	107.95	0.00		
					<u>584.19</u>			
00991 COLONIAL ELECTRIC SUPPLY*	14-02414	09/16/14	LIGHTBULBS FOR BENNETTS	Open	229.68	0.00		
01075 COPIERS PLUS*	14-02386	09/10/14	INK FOR MODEL MP CW2200	Open	343.00	0.00		
01340 EAGLE POINT GUN*	14-02261	08/25/14	AMUNITION	Open	1,776.34	0.00		
01480 E-Z PASS	14-02403	09/15/14	DPS - EZPASS	Open	100.00	0.00		
01500 FEDEX	14-02393	09/11/14	MAILING OVERNIGHT PACKAGE	Open	30.99	0.00		
01519 TOM FOLS ELECTRICALCONTRACTOR*	14-02390	09/10/14	SUPPLIES/INSTALL TAG/LOCK OUT	Open	375.00	0.00		
01575 DAVID FISHER	14-01069	04/25/14	2014 EQUIP. ALLOWANCE	Open	150.00	0.00		
01582 FLAGHOUSE, INC.*	14-01894	07/09/14	CHEERLEADING RADIOS	Open	408.09	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01602 THOMSON WEST*	14-01470	06/02/14	ANNUAL SUBSCRIPTION	Open	180.00	0.00		
01660 GENERAL SPRING SERVICE*	14-02407	09/15/14	REAR SPRINGS REPLACED	Open	1,500.00	0.00		
01703 HARBOR SALES COMPANY*	14-02341	09/05/14	VINYL/DPW	Open	501.13	0.00		
01751 GRINDER WEAR PARTS, INC	14-02167	08/13/14	REBUILD KIT FOR TUB GRINDER	Open	5,987.47	0.00		
01781 HATCH MOTT MACDONALD, LLC*	13-02313	08/08/13	TAX MAP REVISIONS RES 2013-216	Open	928.00	0.00		
	14-00256	01/24/14	RECONSTR CLUBHOUSE DR #2014-43	Open	3,258.00	0.00		
					4,186.00			
01785 ROBERT HARTMAN SR	14-02498	09/25/14	MEDICAL CLAIMS	Open	509.26	0.00		
01873 HOME DEPOT*	14-02472	09/23/14	MATERIAL/SEPT.	Open	240.07	0.00		
02005 JUST SPORTS INC.*	14-02268	08/26/14	CASE OF PING PONG BALLS	Open	46.08	0.00		
02089 K-MART STORE #9133*	14-02526	09/30/14	PHONE FOR FISHING CREEK SCHOOL	Open	12.99	0.00		
02100 CLAUDIA KAMMER	14-02493	09/24/14	MEDICAL CLAIMS	Open	925.00	0.00		
02108 KEEN COMPRESSED GAS CO*	14-01694	06/16/14	BOTTLED GAS/JULY	Open	221.75	0.00		
02136 TED KINGSTON INC*	14-01283	05/12/14	RADIO MAINT. DPS- JUNE	Open	547.75	0.00		
	14-01284	05/12/14	RADIO MAINT. DPS- JULY	Open	550.00	0.00		
					1,097.75			
02183 KLENSWITE POOL SPA SUP.CO INC*	14-01723	06/20/14	MONTHLY SERVICE OF CHLORINE	Open	1,623.25	0.00		
02280 LINDEMON WINCKELMANN & ASSOC.	13-01475	05/29/13	ADA 1ST\$41227.00/CO#1DNE45727	Open	5,896.47	0.00		
	14-00300	01/30/14	RES 2014-52 ASBESTOS/LEAD FSHG	Open	100.00	0.00		B
					5,996.47			
02292 DONALD LOMBARDO	14-02513	09/29/14	MEDICAL CLAIMS	Open	1,471.84	0.00		
02320 LOWER TOWNSHIP BRD OF EDUCATN	14-00403	02/10/14	RECYCLING FIELD TRIP	Open	656.15	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02334 LOWER TWP CHAMBER OF COMMERCE	14-02464	09/22/14	CHAMBER LUNCH 9/16/14	Open	195.00	0.00		
02402 MGL PRINTING SOLUTIONS	14-02299	09/03/14	COUNCIL, PAYROLL, AGENCY CHECKS	Open	768.00	0.00		
	14-02397	09/12/14	FORMS- TAX OFFICE	Open	469.00	0.00		
					<u>1,237.00</u>			
02441 ERNEST MACOMBER	13-01064	04/16/13	2013 EQUIP. ALLOWANCE	Open	67.29	0.00		B
	14-01078	04/25/14	2014 EQUIP. ALLOWANCE	Open	107.83	0.00		
					<u>175.12</u>			
02461 JOHN MAHER	14-02512	09/29/14	MEDICAL CLAIMS	Open	1,865.14	0.00		
02541 ROBERT D. MARTIN, JR	14-02401	09/15/14	MEDICAL CLAIMS	Open	30.00	0.00		
03001 STATE TOXICOLOGY LABORATORY*	14-02356	09/08/14	APPLICANT TESTING	Open	135.00	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALITY*	14-02332	09/05/14	10/1 WEBINAR - SOLICITOR	Open	25.00	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*	14-02416	09/16/14	TRAINING	Open	399.00	0.00		
03109 TRU GREEN CHEMLAWN	14-01164	04/29/14	FERTILIZER/SLICE SEED FOR L.T.	Open	2,284.00	0.00		B
03158 NYSCA*	14-02440	09/17/14	RECERTIFICATIONS FOR SOCCER	Open	140.00	0.00		
03172 OFFICE BUSINESS SYSTEMS INC*	14-02404	09/15/14	MAINTENANCE CONTRACT	Open	203.19	0.00		
03279 PARDO'S TRUCK PARTS WHSE*	14-01703	06/16/14	RECY/SANT/RECY/DPW/JULY	Open	1,447.37	0.00		
03280 PARAMOUNT SANITARY SUPPLY*	14-02189	08/18/14	TERRY BAGS/DPW	Open	332.60	0.00		
	14-02395	09/11/14	CLOROX BULK WIPES	Open	109.28	0.00		
					<u>441.88</u>			
03293 BLAINE PAYNTER	14-02492	09/24/14	MEDICAL CLAIMS	Open	40.00	0.00		
03305 PEDRONI FUEL*	14-02491	09/24/14	NO LEAD GAS/DPW	Open	599.66	0.00		
03321 PATRICK MARTIN, ESQ	14-02289	08/29/14	Conflict Prosecutor	Open	400.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03427	POLAR BEAR*	14-02361	09/08/14	EMERGENCY CHECK OF BOILER	Open	162.50	0.00		
03466	R & R SPECIALTIES	14-02086	08/01/14	PLAQUE-MEMORIAL BENCH-GIORDANO	Open	270.00	0.00		
03484	LAUREN M. READ	14-02476	09/23/14	REIM FOR PARKING-TRAINING	Open	48.15	0.00		
03518	RIGGINS, INC.*	14-02448	09/22/14	OFF ROAD DIESEL	Open	1,230.92	0.00		
03611	SERVICE TIRE TRUCK CENTERS*	14-01702	06/16/14	PARTS.RDS.SANT/RECY/SEPT	Open	5,841.40	0.00		
03613	SEA ISLE ICE CO. INC.*	14-02190	08/18/14	ICE/DPW	Open	172.50	0.00		
03692	SOUTH JERSEY GAS CO*	14-02504	09/25/14	GAS FOR SEPTEMBER 2014	Open	60.53	0.00		
03723	STAPLES, INC.*	14-02396	09/12/14	OFFICE SUPPLIES	Open	36.92	0.00		
		14-02490	09/24/14	BROTHERS INTELLIFAX MACHINE	Open	249.99	0.00		
						286.91			
03810	MUNICIPAL UTIL AUTH USAGE COST	14-02462	09/22/14	SEWER CHARGES DUE 10/10/2014	Open	1,160.00	0.00		
03820	MUNICIPAL UTIL. AUTH ON CALL	14-02172	08/18/14	REIMBURSE HALF BILL/JULY	Open	161.07	0.00		
		14-02389	09/10/14	REIMBURSE HALF/ONE CALL CONCEP	Open	137.37	0.00		
						298.44			
03914	ULINE INC*	14-02360	09/08/14	FIRST AID KIT & HAND SANITIZER	Open	646.01	0.00		
03935	STAPLES BUSINESS ADVANTAGE*	14-01790	06/26/14	OFFICE SUPPLIES	Open	121.49	0.00		
03967	SHORE VETERINARIANS PA*	14-02417	09/16/14	VET SERVICES 8/5/14	Open	29.00	0.00		
03969	VERIZON	14-02499	09/25/14	SEPTEMBER 2014 PHONE SERVICE	Open	4,037.47	0.00		
03992	VAL-U AUTO PARTS LLC*	14-01866	07/08/14	RDS/SANT/RECY/DPW/AUG	Open	3,560.72	0.00		
04032	WESTERN TERMITE & PEST CONTROL*	14-02320	09/04/14	REMOVE HORNETS NEST IN TREE	Open	150.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04032 WESTERN TERMITE & PEST CONTROL* Continued	14-02436	09/17/14	REMOVE HORNETS NEST IN TREE	Open	<u>150.00</u>	0.00		
					300.00			
04062 VOLUNTEERS IN MEDICINE	14-02394	09/11/14	VIM DINNER - 9/12/14	Open	100.00	0.00		
04077 RONALD J. GELZUNAS*	14-00018	01/07/14	2014 LEGAL SERVICES DNE \$90	Open	6,532.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*	14-02455	09/22/14	FIRST AID SUPPLIES	Open	163.50	0.00		
04105 PITNEY BOWES GLOBAL FINANCIAL	14-01216	05/05/14	MAIL MACHINE JULY-DECEMBER 2014	Open	451.00	0.00		
04216 PRIVATE ISLAND EMBROIDERY*	14-02263	08/25/14	UNIFORMS	Open	1,844.00	0.00		
04280 G.F.O.A. OF NJ	14-02246	08/22/14	2014 FALL CONFERENCE	Open	425.00	0.00		
04300 W B MASON CO INC*	14-00896	04/04/14	CHAIR GLIDES- MILLMAN CENTER	Open	199.98	0.00		
	14-02184	08/18/14	SUPPLIES	Open	67.90	0.00		
	14-02384	09/10/14	2014 DESK/WALL CALENDARS	Open	212.67	0.00		
	14-02385	09/10/14	SUPPLIES	Open	<u>489.57</u>	0.00		
					970.12			
04301 SEASHORE ASPHALT CORPORATION*	14-02164	08/13/14	PATCH	Open	990.00	0.00		
	14-02165	08/13/14	ASPHALT	Open	<u>16,259.35</u>	0.00		
					17,249.35			
05071 SHORE SOUND ENTERTAINMENT*	14-02377	09/09/14	MOVIE NIGHT CELEBRATION 9/12	Open	350.00	0.00		
06020 JOSEPH PORRETTA BUILDERS*	14-02075	08/01/14	14-215 MILLMAN REPAIRS AUTO	Open	32,793.25	0.00		B
06037 THOMAS BARRY MARINE CONST INC	14-00056	01/08/14	ADA FISHING CREEK 2013-308	Open	18,816.00	0.00		B
6041 CARMAN JEEP	14-01485	06/02/14	2014 V6 DODGE CHARGER BLACK	Open	27,259.50	0.00		
6059 USABLE LIFE	14-02523	09/29/14	OCTOBER LIFE INSURANCE	Open	458.38	0.00		
6061 AMERIHEALTH ADMINISTRATORS	14-02408	09/15/14	SEPTEMBER 15 HEALTH & RX	Open	59,647.85	0.00		
	14-02459	09/22/14	SEPTEMBER 22 HEALTH & RX	Open	63,565.89	0.00		
	14-02514	09/29/14	SEPT 29 HEALTH & RX	Open	54,008.29	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6061 AMERIHEALTH ADMINISTRATORS			Continued					
	14-02515	09/29/14	OCTOBER 2014 ADMIN	Open	38,678.56	0.00		
					<u>215,900.59</u>			
6075 PARKER MCCAY P.A. *								
	14-01605	06/05/14	BOND COUNSEL SERVICES	Open	4,057.17	0.00		B
6079 KAITLIN BLACK								
	13-01937	06/28/13	2013 EQUIP. ALLOWANCE	Open	136.44	0.00		
7019 OCEAN VIEW VETERINARY* ✓								
	14-02418	09/16/14	VET SERVICES 8/25/14	Open	90.00	0.00		
7098 SHORE VETERINARIAN ANIMAL *								
	14-00157	01/13/14	ANIMAL RES# 2014-36 DUE 1ST	Open	4,166.67	0.00		
7119 ENGINEERING DESIGN ASSOC*								
	14-02468	09/23/14	PROFESSIONAL ENGINEERING	Open	28.00	0.00		
	14-02469	09/23/14	PROFESSIONAL ENGINEERING	Open	28.00	0.00		
	14-02470	09/23/14	PROFESSIONAL ENGINEERING	Open	56.00	0.00		
					<u>112.00</u>			
7120 ROBERT A VERRY*								
	14-02262	08/25/14	TRAINING	Open	80.00	0.00		
	14-02329	09/05/14	TRAINING	Open	135.00	0.00		
					<u>215.00</u>			
7142 LINDSAY BECHTLER								
	14-02532	10/01/14	ZUMBA INSTRUCTOR SEPT 2014	Open	60.00	0.00		
7176 OLIVERI, SHOUSKY & KISS, PA*								
	14-01330	05/14/14	RES#14-135 ARCHITECT POLICE BU	Open	81,250.00	0.00		B
7195 PHOENIX ADVISORS, LLC*								
	14-01606	06/05/14	FINANCIAL CERTIFICATION	Open	4,000.00	0.00		
7196 LAUREN HUGGINS SUIT*								
	14-01612	06/06/14	PUBLIC INFORMATION OFFICER	Open	1,500.00	0.00		
7212 WILLIAM ROBSON								
	14-02500	09/25/14	REIMBURSEMENT-COACH	Open	45.70	0.00		
7221 JB SPORTS TIMING LLC*								
	14-02391	09/10/14	COOMBS AND DOUGLASS COURSE CER	Open	800.00	0.00		
7234 WIRELESS ELECTRONICS, INC*								
	14-02135	08/11/14	TWO WAY RADIOS/ DPW	Open	2,559.00	0.00		
7237 T-MOBILE USA, INC*								
	14-02192	08/18/14	INVESTIGATIVE OPERATIONS	Open	50.00	0.00		
7242 MACIE'S FACEPAINTING								
	14-02248	08/22/14	NNO FACE PAINTER	Open	200.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7245 EVER READY FIRST AID & MEDICA*	14-02288	08/29/14	PATROL SUPPLIES	Open	76.45	0.00		
7247 NEW JERSEY LEGAL COPY, INC*	14-02318	09/03/14	COPY OVER SIZED PRINT/ BURN IM	Open	819.82	0.00		
7248 SHORE SIDE ENTERPRISES LLC*	14-02367	09/09/14	WEBSITE FOR MILLMAN CENTER	Open	1,950.00	0.00		
7251 REIT LUBRICANTS CO*	14-02333	09/05/14	DIESEL MOTOR OIL	Open	2,305.77	0.00		
7253 NEW JERSEY PUBLIC SAFETY ACCR*	14-02362	09/08/14	TRAINING	Open	598.00	0.00		
7256 ANTONIO GOMES	14-02400	09/15/14	REIMBURSEMENT-SOCCER COACH	Open	15.00	0.00		
7261 CHRISTINA TOSTO	14-02495	09/24/14	REIMBURSEMENT-COACH	Open	70.70	0.00		
7262 JAMES GONZALEZ	14-02494	09/24/14	REIMBURSEMENT FOOTBALL FEE	Open	30.00	0.00		
7263 JACQUELINE HOWARD	14-02496	09/24/14	REIMBURSEMENT- COACH	Open	60.70	0.00		
7264 MOLLY DEVINE	14-02497	09/24/14	REIMBURSEMENT- FOOTBALL	Open	30.00	0.00		
7267 PACIFIC DIAMOND, LLC	14-02535	10/01/14	RETURN OF UNUSED ESCROW	Open	26.00	0.00		
8201 DIRECT ENERGY BUSINESS	14-02398	09/12/14	08/01/14-09/01/14 ELECTRIC	Open	4,045.08	0.00		
	14-02506	09/25/14	ELECTRIC CHARGES 8/18/14-9/17/	Open	8,493.69	0.00		
					<u>12,538.77</u>			
BOSNA KAREN MANETTE BOSNA	14-02531	10/01/14	YOGA INSTRUCTOR SEPT 2014	Open	105.00	0.00		
FLYIN FLYING FISH STUDIO	14-02134	08/08/14	GREEN SAFETY SHIRTS	Open	1,870.80	0.00		
SJMAR SOUTH JERSEY MARINA	14-02442	09/18/14	RETURN OF UNUSED ESCROW	Open	89.37	0.00		
TILL TILL PAINT CO CORP*	14-02409	09/16/14	PAINT FOR LINING FIELDS	Open	1,050.00	0.00		
<hr/> Total Purchase Orders: 153 Total P.O. Line Items: 462 Total List Amount: 640,013.24 Total Void Amount: 0.00 <hr/>								

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

RESOLUTION # 2014-261

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>CK</u>	<u>Amount</u>
NJ DIVISION OF MOTOR FLOORTIME, LLC	14-02478 14-02530	REG & TITLE NEW UNIT PYT# 1 REFINISH FLOOR-FC	53466 53467	\$ 60.00 \$1,750.00
			Total Manual Checks	\$ 1,810.00
			Total Computer Generated	\$ 640,013.24
			Total Bill List	\$ 641,823.24

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2014-262

TITLE: AUTHORIZATION FOR WAIVER OF FEES FOR TOWN BANK VOLUNTEER FIRE COMPANY, INC.

WHEREAS, Town Bank Volunteer Fire Company, Inc, located at 224 Townbank Road, North Cape May, is hosting an Octoberfest at the Cape May County Airport on October 17, 18 and 19, 2014; and

WHEREAS, Town Bank Volunteer Fire Company is a charitable non- profit organization and has requested the Township waive any and all fees associated with their event; and

WHEREAS, the Township Council has reviewed their request and deems it appropriate to support local charitable organizations and non-profit organizations that support and enhance the township and its community.

NOW, THEREFORE, BE IT RESOLVED that all permissible Township fees associated with the Octoberfest event be waived.

I hereby certify this to be the original resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



Town Bank
Volunteer Fire Co. Inc.

Box 796 North Cape May, New Jersey 08204

Phone; 609.886.5511

Fax: 609.886.5517

Joseph Marchina President

Lewis Megonigal Chief

September 19, 2014

To: Julie Picard- Township Clerk

Dear Julie;

The third annual Town Bank Fire Company Oktoberfest at the Cape May Airport will be Oct. 17 to 19 with the Cape May Brewery providing the official Oktoberfest beer for the festival. We the members of the Town Bank Vol. Fire Company are asking Lower Township Council for an exemption to any fees that apply to the Octoberfest Fund Raising Event.

We have hosted an Oktoberfest for the last two years. Without this exemption the Oktoberfest would not be successful. The Fire Company has raised funds to support the function of the fire company. Through these fund raisers we have been able to keep the Fire Tax stable in Fire District 2 of the Township.

Thank you and the Council for the consideration for this request.

Sincerely,

Joseph Marchina

Joseph Marchina

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

RESOLUTION #2014-263

TITLE: AUTHORIZATION: DETERMINATION OF MUNICIPAL SERVICE FEES FOR 2015

WHEREAS, the Township of Lower has by Ordinance No. 2003-12 provided for the imposition of an annual municipal service fee on manufactured homes installed in mobile home parks within the confines of the Township of Lower; and

WHEREAS, section 2A-9.2 states that the municipal service fee shall be determined by resolution each year by the Township Council on or before November 1 of the pre-tax year; and

WHEREAS, the Tax Collector and CFO have established the annual fee based on the established formula.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Tax Collector is hereby authorized to bill the owners of the mobile home parks within the confines of the Township of Lower \$120.00 per each manufactured home for the year 2015 to be paid quarterly on March 15, June 15, September 15 and December 15.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

Lower Township: Municipal Service Fee

2014

School Tax Portion:

1	2013-2014 School Budget	27,557,013.00
2	Children in School	3,239
3	Children from Mobile Home Parks	7
4	% of Mobile Home Park Children to Total Population (line 4 / line 3)	0.22%
5	School Costs for Mobile Home Parks (line 4 x line 1)	59,555.14

Other Tax Portion

6	County Tax	7,820,710.84
7	County Library Tax	1,082,641.62
8	Open Space Tax	372,692.61
9	Local Purpose Tax	19,268,529.55
10	Fire District Levy	2,155,768.90
	Billing Difference	
11	Total Other Revenues	30,700,343.52

12	Total Line Items	15,378
13	less-#mobile home parks	(6)
14	add-#mobile home line items	555
15	Total Adjusted line items	15,927

16	Percentage (line 14 / line 15)	3.48%
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17	Total Other Revenues (line 16 x line 11)	1,069,799.12
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18	Mobile Home-Residential Home Value Ratio (formula 1)	21.88%
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19	Total Other Tax Portion for Mobile Home Parks (line 18 x line 17)	234,121.54
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20	Balance of Revenue required (line 19 + line 5)	293,676.68
21	Less: Property Taxes Received (formula 2)	(281,561.00)
22	Less: Mercantile Fee (formula 2)	(250.00)
23	Total Revenue Required from Site Fees	11,865.68
24	Total Number of Occupied Mobile Homes	555
25	Total Revenue divided by occupied pad sites (line 23 / line 24)	21.38
26	Divided by 12 Months (if > \$10, increase Monthly Muncipal Service Fee)	1.78

27	Monthly Municipal Service Fee	10.00
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28	*Annual charge	120.00
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TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2014- 264

Title: AUTHORIZING THE FORMATION OF A BUDGET AND FINANCE COMMITTEE

WHEREAS, the New Jersey Local Finance Board has identified as a best practice the use of a Finance Committee within a municipality; and

WHEREAS, the Township Council of the Township of Lower has determined that it is in the best interest of Lower Township to implement any and all best practices identified by the Local Finance Board; and

WHEREAS, the Township Council determined that Lower Township would benefit from the formation of a standing Budget and Finance Committee; and

WHEREAS, the Budget and Finance Committee shall be a standing committee and advisory in nature and meet monthly to review budgetary matters and fiscal policies and make any and all reports and/or recommendations to the Township Council as deemed appropriate.

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

1. The formation of the Budget and Finance Committee is hereby authorized
2. The Budget and Finance Committee shall be composed of the Mayor, Township Manager, Chief Financial Officer, Assistant Manager and the Assistant Treasurer.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2014-265

Title: AUTHORIZING THE FORMATION OF A CAPITAL COMMITTEE

WHEREAS, the Township Council of the Township of Lower has determined that it is in the best interests of the Township of Lower to form a Capital Committee; and

WHEREAS, the purview of the Capital Committee shall be the identification and prioritization of any and all capital needs of the Township and the development and execution of a comprehensive, long range plan, including, but not limited to the six-year capital plan contained in the annual budget; and

WHEREAS, the Capital Committee shall be a standing committee and advisory in nature and meet as needed to review capital policies and capital budget matters and make any and all reports and/or recommendations to the Township Council as deemed appropriate.

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

1. The formation of the Capital Committee is hereby authorized.
2. The Capital Committee shall be composed of the Township Manager, Township Engineer, Assistant Treasurer, Purchasing Agent, all Directors of the Township, the Mayor and Deputy Mayor.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2014-266

TITLE: CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR

WHEREAS, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code, and

WHEREAS, according to Section 302, Exterior Property Areas of the Property Maintenance Code, all premises and exterior property shall be maintained in a clean, safe and sanitary condition, and

WHEREAS, the properties listed below contained conditions which violated Section 302 of the Property Maintenance Code; and

WHEREAS, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

Block	Lot	Name (As Assessed)	Property Location	Amount	Admin Fee	Lien Amount
495.03	11	SZUBSKI, KATHY A	111 CHARLES STREET	385.00	500.00	885.00
253	16	ROMAN, KATHRYN	40 LOCUST ROAD	75.00	500.00	575.00
494.10	19	OCEAN, TERRI A	212 AMHURST ROAD	300.00	500.00	800.00
44	18	HARDESTY, MARYNELL	609 E ST JOHN AVE	400.00	500.00	900.00
33.09	6	STILLWELL, PATRICIA A	8 ARIZONA AVE	275.00	500.00	775.00
132	18.02	FASULO, PAULA	1203 BAYSHORE RD	285.00	500.00	785.00
36	12	MULHOLLAND, EDWARD	108 W JACKSONVILLE AVE	465.00	500.00	965.00
386	36	PLACYK, JOHN S	307 CEDARDALE AVE	325.00	500.00	825.00
			TOTAL	2,510.00	4,000.00	6,510.00

WHEREAS, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the costs and fees set forth above, incurred by the Township of Lower to abate the unlawful conditions on the properties listed above are charged as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

Memo

To: Julie Picard, Clerk

From: Walter Fiore, Code Enforcement Officer

Subject: Liens for Lot Clearings

Date: September 18, 2014

CC: File

I respectfully request liens be placed on the properties listed below for lot clearing charges incurred by the Township.

Please note the Township cost to be added to all liens is \$500.00

BLK/LOT	Name (As Assessed)	Amount	Property Location
495.03 / 11	SZUBSKI, KATHY A	\$385.00	111 CHARLES STREET
253 / 16	ROMAN, KATHRYN	\$75.00	40 LOCUST ROAD
494.10 / 19	OCEAN, TERRI A	\$300.00	212 AMHURST ROAD
44 / 18	HARDESTY, MARYNELL	\$400.00	609 E ST JOHNS AVE
33.09 / 6	STILLWELL, PATRICIA A	\$275.00	8 ARIZONA AVE
132 / 18.02	FASULO, PAULA	\$285.00	1203 BAYSHORE ROAD
36 / 12	MULHOLLAND, EDWARD	\$465.00	108 W JACKSONVILLE AVE
386 / 36	PLACYK, JOHN S	\$325.00	307 CEDARDALE AVE

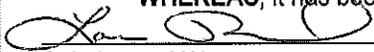
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2014-267

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 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 Michael Szemcsak in the amount of \$1,780.23 is authorized and chargeable to the 2014 Budget account 4-01-25-240-122.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief Mastriana
FROM: Ptlm. Michael Szemcsak#180
DATE: 9/6/2014
SUBJECT: Comp. Time Request

I am requesting to cash in forty two hours of compenstation time that I have aquired. I am planning to use the money to do improvements to my home.

Respectfully Submitted,



Ptlm Michael Szemcsak
R-C/O Badge 180

C File

Date	Officer	Comments
9/9/14	Chief W. L.	forward to township

0.00

42. x

42.3865 =

1,780.233 *



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

RESOLUTION #2014-268

TITLE: AUTHORIZATION TO TRANSFER FUNDS FROM THE TAX PREMIUM ACCOUNT

WHEREAS, N.J.S.A. 54:5-33 states that if redemption is not made within five years from date of tax sale, the premium payments shall be turned over to the treasurer of the municipality and become part of the funds of the municipality; and

WHEREAS, tax sale certificate 08-0042 was sold at tax sale on September 29, 2008 and had a \$3,000.00 premium and was not redeemed within the 5 years; and

WHEREAS, tax sale certificates 09-00061 and 09-00076 were sold at tax sale September 21, 2009 and had premiums of \$1,600.00 and \$500.00 respectively and were not redeemed within the 5 years; and

WHEREAS, tax sale certificates 11-00025 and 11-00171 were sold at tax sale May 24, 2011 and had premiums of \$1,200.00 and \$2,500.00 respectively and were both foreclosed on in 2014.

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 transfer \$8,800.00 from the tax premium account to council checking.

I hereby certify the foregoing to be the original resolution adopted by the governing body at a meeting held on October 6, 2014.

Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILE						
SIMONSEN						
CLARK						
BECK						

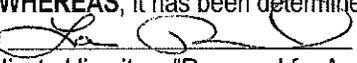
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2014-269

TITLE: AUTHORIZING PAYOUT OF TERMINAL LEAVE

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a payment due to Kenneth McGurk in the amount of \$102,465.02 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 2014

EMPLOYEE: McGurk, Kenneth
 DATE OF RETIREMENT: 10/1/2014
 DATE OF PAYMENT: _____
 RESOLUTION #: 2014-

Annual Salary:	\$98,295.56
Longevity 6%	
Longevity 8%	\$7,863.64
Hourly Rate:	\$48.61
College Credits	

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	249.75	48.61	12,139.77
Personal	0.00	48.61	0.00
Sick	1,440.00	48.61	69,995.08
Vacation	354.25	48.61	17,219.28
Holidays	64.00	48.61	3,110.89
College Credits			0.00
Terminal Leave Payout			\$102,465.02

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)
	Carryover	Annual Accrual	39 weeks / 52 weeks	Prorated Time Due	Time Used	Hours Available
Comp	216.25	33.50		33.50	0.00	249.75
Personal		48.00	0.75	36.00	36.00	0.00
Sick	1,394.00	128.00	0.75	96.00	48.00	1,440.00
Vacation	312.25	200.00	0.75	150.00	108.00	354.25
Holidays (8)		120.00		64.00		64.00
Total	1,922.50	529.50		379.50	192.00	2,108.00

1440 Max

Accrual and time used are current to 09/25/14 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 #2014-270

TITLE: 2014 DRIVE SOBER OR GET PULLED OVER YEAR END HOLIDAY CRACKDOWN

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 Highway Traffic Safety for \$7500.00 to carry out a 2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant from December 5, 2014 – January 2, 2015.

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 Highway Traffic Safety, 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 Highway Traffic Safety.

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)
William Mastriana, Chief of Police

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2014-271

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 \$7,500.00 for an item of revenue in the budget of the year 2014 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - Drive Sober or Get Pulled Over Year End Crackdown
Total with increase to be \$7,500.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$7,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - Drive Sober or Get Pulled Over Year End Crackdown
State/Federal Share \$ 7,500.00
Non State Share \$
Total with increase to be \$ 7,500.00

BE IT FURTHER RESOLVED that a certified copy of this resolution with a copy of the appropriate documentation be filed with 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 October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



Application: MOB-YEHDS-2014-Lower Township-00002
 Status: Application In Process
 User: Colleen Crippen
 Role: Authorized Official
[Logout](#)

[Main Menu](#) ▶
 [Actions](#) ▶
 [Application Menu](#) ▶
 [Related Pages](#) ▶

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[DELETE](#)
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[NEXT](#)
[LAST](#)

Created By: Biersbach, Martin on 9/29/2014 8:10:31 AM

NARRATIVE DESCRIPTION OF PROJECT

Instructions:

- Fields with an * next to them must be completed and you must click the **SAVE** button.
- To proceed to the next page you may click the **NEXT** button.
- To return to the Application menu click the **Application Menu** link above.

I agree to the Terms and Conditions found below.*

Problem Statement:

Impaired driving remains a significant issue, both in New Jersey and nationally. In 2013, alcohol impaired fatalities (based on all drivers and motorcycle riders with a .08 BAC or higher) accounted for 22% of New Jersey's traffic fatalities. This project will provide funding to implement a statewide impaired driving enforcement campaign as part of the *2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown*.

Between December 5, 2014 and January 2, 2015, police officers, on an overtime basis, will conduct special enforcement patrols targeting impaired drivers. The patrols will consist of roving patrols and fixed checkpoints.

Objectives:

To reduce the rate of alcohol-impaired driving fatalities in the state by five percent from the 2011-2013 calendar base year average through targeted impaired driving enforcement and education during the *2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown*.

Methodology:

REMINDER: As per directives from the National Highway Traffic Safety Administration (which provides the federal funding for this grant) Chiefs of Police are **not** eligible to work grant-funded overtime through this grant. ****

This federally-funded grant project consists of an enforcement overtime campaign from **December 5, 2014 through January 2, 2015**. The project is designed to raise awareness about the dangers of drinking

and driving, to offer deterrence through visible enforcement, to arrest impaired drivers, and to issue summonses for relevant motor vehicle violations. The grant will pay for 150 hours of overtime enforcement during the crackdown period, with a maximum rate to be reimbursed of **\$50 per hour**. The 150 overtime hours will be used for roving patrols and checkpoints.

This is a **reimbursement grant**. Participating departments will incur all costs and then submit the necessary documentation to the Division of Highway Traffic Safety for reimbursement.

This is an **enforcement campaign**. A reasonable number of impaired driving arrests and other summonses are expected in relation to overtime hours worked. Please refer to the document "Law Enforcement Performance/Productivity Standards for Federally Funded NJDHTS Grants" for further clarification.

Overtime activities can only be conducted within the dates of the project period and must be conducted between the hours of 8 pm and 4 am.

The maximum project overtime rate is **\$50.00 per hour** regardless of what officer works the project hours. The officer is to receive the full dollar amount in overtime. Administrative costs or fees should be considered "in kind services" or soft matches and are not a part of this grant. **It is up to the agency to establish its pay rate for the project.** The Division encourages agencies to pay all participating officers a flat \$50 per hour rate for this overtime detail, but agencies may pay their usual overtime rates, if they wish, in which case the reimbursement from the Division will be:

- Officers paid \$50.00 - project will reimburse at \$50.00 per hour
- Officers paid less than \$50.00 - project will reimburse at that lower rate
- Officers paid more than \$50.00 - project will reimburse at \$50.00 per hour with the municipality covering the remainder of the rate

Again, the maximum hourly rate to be reimbursed is \$50 per hour, regardless of whether all the grant-budgeted hours are worked or not.

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ADD NOTE	FIRST	PREVIOUS	NEXT LAST

962568

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

RESOLUTION #2014-272

TITLE: A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF LOWER, THE TOWNSHIP OF MIDDLE AND THE COUNTY OF CAPE MAY FOR CAPE MAY COUNTY OPEN SPACE AND FARMLAND PRESERVATION PROGRAM "MIDDLE AND LOWER TOWNSHIP BIKE PATH CONNECTION"

WHEREAS, the Township of Lower agrees that it is in the best interest of the residents of Lower Township for the County to provide funds for the acquisition of lands for open space and the development of public parks and recreation facilities or improvements; and

WHEREAS, such agreements are authorized pursuant to N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, the Townships of Lower and Middle have submitted an application under the 2013 Program for a Regional Bike Path Connection from Sally Marshall Crossing in Lower Township to Satt Boulevard in Middle Township with the initial amount of the request of \$412,311.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the shared services agreement between the Township of Lower and the County of Cape May attached hereto be and is hereby authorized and accepted.

I hereby certify the foregoing to be the original a resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

SHARED SERVICES AGREEMENT
BY AND BETWEEN THE
COUNTY OF CAPE MAY
AND
THE TOWNSHIPS OF LOWER AND MIDDLE

OCTOBER 1, 2014 - SEPTEMBER 30, 2015

CAPE MAY COUNTY OPEN SPACE AND FARMLAND PRESERVATION PROGRAM

PREAMBLE

THIS SHARED SERVICES AGREEMENT made and dated as of the ____ day of _____, 2014, constitutes an agreement between the County of Cape May (hereinafter "County") and the Townships of Lower and Middle (hereinafter "Municipalities"), both constituting public bodies corporate and politic of the State of New Jersey.

WITNESSETH

WHEREAS, the County has determined that it is in the best interest of the County and residents therein, as well as the municipalities and residents of the individual municipalities located within the County, for the County to provide funds to such municipalities for the acquisition of lands for open space and the development of public park and recreation facilities or improvements; and

WHEREAS, the County desires, pursuant to the provisions of N.J.S.A. 40:12-16, et seq., N.J.S.A. 40:12-9 and N.J.S.A. 40A:65-1, et seq. and other related statutes providing for joint action with regard to capital projects and improvements which are deemed to benefit the County and the municipalities and their residents, to provide funding for such projects and improvements, and

WHEREAS, in 1989, pursuant to P.L. 1989, Chapter 30, the County of Cape May Board of Chosen Freeholders established an Open Space and Farmland Preservation Trust Fund; and

WHEREAS, on December 27, 2012, in accordance with N.J.S.A. 40:12-15.3, the Board of Chosen Freeholders adopted new 2013 Program Guidelines for the Open Space Program that incorporated the two additional eligible categories of park and recreation development as well as historic preservation projects; and

WHEREAS, the Municipalities have submitted a joint application under the 2013 Program for Regional Bike Path Connection from Sally Marshall Crossing in Lower Township to Satt Boulevard in Middle Township, New Jersey, with the initial amount of the request of \$412,311.00 (hereinafter "Submitted Proposal"); and

WHEREAS, on March 11, 2014, the Open Space Review Board has thoroughly reviewed, deliberated and voted to make a recommendation to the Board of Chosen Freeholders to fund this project, in an amount not to exceed \$412,311.00. This will hereinafter be referred to as the "Defined Project"; and

WHEREAS, a public hearing on this Defined Project was held on July 8, 2014 at the Cape May County Administration Building, 4 Moore Road, Cape May Court House, New Jersey 08210; and

WHEREAS, on the basis of the information provided by the applicant, the recommendation of the Open Space Review Board, and input gathered from the public hearing,

the Board of Chosen Freeholders desires to enter into this Shared Services Agreement with the Municipalities to support the implementation of the Defined Project; and

WHEREAS, the County and the Municipalities desire to enter into this Agreement in order for the County to provide funding to the Municipalities for the aforementioned Defined Project;

NOW, THEREFORE, in consideration of the promises, agreements and covenants hereinafter set forth and mutually agreed to, the County and the Municipalities, each for itself, its successors and assigns, do mutually covenant, promise and agree as follows:

ARTICLE I
PROVISION OF SERVICES

SECTION 101. County Funding. The County agrees to provide reimbursement funds to the Municipalities to undertake the Defined Project. Such funds shall be provided by the County to the Municipalities with no repayment requested if the Municipalities complete the Defined Project within the time frame outlined in Section 102 (the "Initial Term").

SECTION 102. Agreement Term; Terms and Conditions. The term of the Agreement shall commence on October 1, 2014 and shall terminate on September 31, 2015, which shall be the date when the Defined Project must be completed as referred to in Section 101. If the Municipalities request an extension of the Initial Term from the date referred to in Section 101, it shall make such request in writing at least 60 days prior to such date to the Clerk of the Board of Chosen Freeholders. The County shall notify, in writing, the Municipalities of the County's agreement to extend the completion of the Defined Project no later than 30 calendar days prior to the expiration date of the Initial Term.

SECTION 103. Municipal Obligation. In consideration for the County providing the funding to reimburse the Municipalities, the Municipalities agree to pay to undertake the Defined Project and to complete it by the end of the Term of this Agreement as described in Section 101.

SECTION 104. Conditions Precedent. The following items shall be conditions precedent to the performance by the County and the Municipalities of the respective obligations under this Agreement:

(a) The Approving Capital or Bond Ordinance or other budget provisions setting forth the authorization to proceed with the Defined Project of the Municipalities shall have been adopted and shall be in full force and effect. A fully executed copy must be provided to the County within 30 days of passage.

(b) Application and receipt of any necessary permits from any and all agencies.

(c) Delivery of opinions of counsel to the County and the Municipalities that this Agreement has been duly authorized and executed, and upon due execution by the other party will be a valid, binding and enforceable obligation of the County or the Municipalities, as the case may be, except as the enforceability thereof may be subject to general principles of equity and laws affecting the enforcement of creditor's rights generally.

SECTION 105. Authorized County and Municipal Representatives. a) The authorized County Representative for all purposes of the Agreement shall be the Freeholder Director or such other representative who shall, from time to time, be designated by the Freeholder Director.

(b) The authorized Municipal Representatives for all purposes of the Agreement shall be the Mayor or such other representative who shall, from time to time, be designated by the Mayor.

(End of Article 1)

ARTICLE II
REPRESENTATIONS AND WARRANTIES

SECTION 201. Representations and Warranties of the County. The County represents and warrants to the Municipalities as follows:

(a) General. The County is a public body corporate and politic of the State of New Jersey and has the power and authority to provide the Services to the Municipalities and to execute and deliver this Agreement and all documents necessary to give effect to this Agreement and to perform its obligations hereunder.

(b) No Conflict. The execution, delivery and performance of this Agreement (i) has been duly authorized by all requisite action of the County, (ii) to the best knowledge of an Authorized County Representative, following diligent inquiry, will not violate or conflict with any provision of law, rule or regulation, any order of any court or other agency of government and (iii) to the best knowledge of an Authorized County Representative, will not violate or result in a default under any provision of any indenture, agreement or other instrument.

(c) Litigation. Except as otherwise disclosed to the Municipalities, to the best knowledge of an Authorized County Representative, there is no action, suit or proceeding at law or in equity or by or before any Governmental Authority or other agency now pending or, threatened against or affecting the ability of the County to enter into this Agreement.

(d) Obligations of the County. When executed and delivered by the County, this Agreement will be a legal, valid and binding obligation of the County enforceable against it in accordance with its terms, except as enforcement thereof may be limited by applicable bankruptcy, moratorium or similar laws affecting creditors' rights generally.

SECTION 202. Representations and Warranties by the Municipalities. The Municipalities make the following representations and warranties to the County:

(a) General. The Municipalities (i) are a public body corporate and politic of the State of New Jersey, (ii) has full corporate power and authority to execute and deliver this Agreement and all documents necessary to give effect to this Agreement and to perform its obligations hereunder, and (iii) by proper Municipal action has duly authorized the execution and delivery of this Agreement.

(b) No Conflict. The execution, delivery and performance of this Agreement (i) has been duly authorized by all requisite action of the Municipalities, (ii) to the best knowledge of an Authorized Municipal Representative, following diligent inquiry, will not violate or conflict with any provision of law, rule or regulation, any order of any court or other agency of government and (iii) to the best knowledge of an Authorized Municipal Representative, will not violate or result in a default under any provision of any indenture, agreement or other instrument.

(c) Litigation. Except as otherwise disclosed to the Municipalities, to the best knowledge of an Authorized Municipal Representative, there is no action, suit or proceeding at

law or in equity or by or before any Governmental Authority or other agency now pending or, threatened against or affecting the ability of the Municipalities to enter into this Agreement or perform the services hereunder.

(d) Obligations of the Agency. When executed and delivered by the Municipalities, this Agreement will be a legal, valid and binding obligation of the Municipalities, enforceable against it in accordance with its terms, except as enforcement thereof may be limited by applicable bankruptcy, moratorium or similar laws affecting creditors' rights generally.

(End of Article II)

ARTICLE III
OPEN SPACE AND FARMLAND PRESERVATION PROGRAM REQUIREMENTS

SECTION 301. The County will reimburse the Municipalities in an amount not to exceed \$412,311.00 to support the Defined Project identified in Section 302. This amount is the maximum total amount of funding by the County to the Municipalities.

SECTION 302. Municipalities will utilize funding from the County in the amount of \$412,311.00 to support the Defined Project. The Defined Project is specifically identified and described in the Municipalities' application, presentation and recommendation by the County Open Space Review Board and is made a part of and incorporated with this Agreement as if set forth at length herein. The County's funding shall not be utilized for any other purpose. In the event said funding is not utilized for the Defined Project, the County shall declare Municipalities in default of this Agreement and require the immediate repayment of \$412,311.00 to the County as described in Section 308 herein.

SECTION 303. The Municipalities are responsible for the design, preparation, permitting, construction and completion of the Defined Project. The Municipalities will prepare detailed site plans, with engineer's estimates, for approval by the Open Space Review Board and/or the Board of Chosen Freeholders prior to the commencement of the Defined Project, and will be wholly responsible for the implementation of the Defined Project in accordance with the same. Said Defined Project is or shall be accessible to all individuals as required by the Americans with Disabilities and Amendments Act. Municipalities further agrees to assume or continue the obligations and prerogatives which otherwise apply to it as the owner of the property and of the Defined Project such as the long-term care, maintenance and operation of the Defined Project which shall include all applicable insurance thereon.

SECTION 304. The County will reimburse the Municipalities the actual amount of expenditures made by the Municipalities for implementation of the Defined Project in an amount described in Section 301 above. Upon completion of the Defined Project, the County will schedule a formal inspection of the Defined Project, and will review the Defined Project for consistency with the site plan and engineer's estimates referenced in Section 303 above. Municipalities will provide a certification to the total expenditures and provide proof of all expenditures for the Defined Project to the Chief Financial Officer of the County of Cape May within thirty (30) days of final completion of the Defined Project. Proof of all expenditures shall be in the form of vouchers or purchase orders, vendor invoices, and copies of cancelled checks (both sides). The failure to provide said documentation will result in a default of this agreement, and will result in non-payment by the County.

SECTION 305. The Municipalities agrees to indemnify the County and to hold it harmless from and against any and all damages, claims, losses and liabilities of any sort (including reasonable attorney's fees) that the County may incur as a result of or arising out of the design, preparation, construction and use of the Defined Project. In addition, Municipalities agree to have the County named annually as a primary additional insured on a general liability insurance policy with coverage at least equal to three million dollars (\$3,000,000.00) per bodily

injury or property damage occurrence until completion of the Defined Project. A certificate of insurance evidencing said coverage and the additional insured designation shall be provided to the County on an annual basis.

(a) Municipalities assume the risk of all damage, loss, cost and expense arising out of or relating to the Defined Project.

(b) It is the intention that the scope of this provision for indemnification is the widest and most comprehensive allowable by law and the Municipalities will be responsible for any and all liabilities, occurrences, damages or costs which may occur.

(c) The Municipalities and the County agree that this Agreement shall be construed to the fullest extent possible by law to impose upon the Municipalities the fullest duties of indemnity which shall include the obligation by the Municipalities to:

(1) Inspect the condition of the Defined Project, and repair as necessary;

(2) Defend the County in any claim, lawsuit, arbitration or claim of any sort completely through total and final resolution of the matter including appeals. In the event the Municipalities do not timely provide a defense and indemnity that causes the County to incur costs including attorney's fees to enforce any rights pursuant to this Agreement, then, Municipalities shall also be responsible for said costs and fees as incurred by County;

(3) Defend and indemnify the County for any claims for reimbursement and subrogation by any and all medical providers, medical insurers or workers compensation carriers or any other individual or entity.

SECTION 306. Municipalities waive all rights to make a claim (or crossclaim) or file a suit against County for, and relieves County from all liability or responsibility of any kind arising from such damages, loss, cost or expense arising out of or related to the Defined Project.

SECTION 307. Default. Failure on the part of Municipalities to comply with either the implementation of the Defined Project, in any aspect, as described in its application or any provision of this Agreement, or the satisfactory maintenance of the improvements, as required herein constitutes "default". Upon "default", as determined solely by the County, the County may, at its option, either:

(a) Declare this Agreement to be terminated, and require Municipalities to repay the funds identified herein to the County within ten (10) days; or

(b) Permit Municipalities to "cure" any default within thirty (30) days. Thereafter, County may, at its option, grant any other additional time needed to cure any default as necessary. If said default continues longer than any time frame agreed upon by County, Municipalities shall repay the funds identified herein to the County within ten (10) days.

SECTION 308. County Indemnification. The County agrees to indemnify the Municipalities and hold it harmless from and against any claims, damages, losses or liabilities that the Municipalities may incur as a result or arising out of the gross negligence on the part of the County. The County does not waive any applicable N.J.S.A. 59-1, et seq. immunities.

(End of Article III)

**ARTICLE IV
MISCELLANEOUS**

SECTION 401. Governing Law. This Agreement shall be deemed to be a contract under the laws of the State of New Jersey and for all purposes, including interpretation hereof and performance hereunder, shall be governed in accordance with the laws of the State of New Jersey. Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement may bring the legal action or proceeding in the Superior Court of New Jersey sitting in Cape May Court House, New Jersey.

SECTION 402. Consents. Any consents required by the County or Municipalities under this Agreement (other than those delegated to the applicable Authorized County Representative or Authorized Municipal Representative) shall be adopted by a resolution of the respective governing bodies.

SECTION 403. Amendments. Any amendment or modification of this Agreement will only be effective upon the execution of a written instrument authorized by the members of the Municipalities in the case of the Municipalities and the Freeholder Director and the Board of Chosen Freeholders in the case of the County.

SECTION 404. Assignment. No party may assign or attempt to assign its respective obligations under this Agreement. Any purported assignment of rights in violation of this provision is void. In addition to voiding the purported assignment, the County shall declare the assignor in default of this Agreement and require the re-payment of all project funds within seven (7) days.

SECTION 405. Severability. If one or more of the provisions of this Agreement are determined to be contrary to law, then such provision or provisions shall be deemed severable from the remaining provisions and shall not affect the validity of the other provisions of this Agreement.

SECTION 406. Term. The duties and obligations under Sections 306 and 307 shall remain in effect for as long as the applicable statute of limitations remain in effect and the duty to defend shall extend beyond the statute of limitations to the extent any claim is made against the County at any time in the future as it relates to the Defined Project.

SECTION 407. Notices. All notices required under the terms of this Agreement shall be given by hand delivering such notices or by mailing such notices by certified or registered mail, return receipt requested, to the address of the parties. Notices to the County shall be sent to the Clerk, Board of Chosen Freeholders and County Treasurer. Notices to the Municipalities shall be sent to the Mayor and Clerk of the Municipalities.

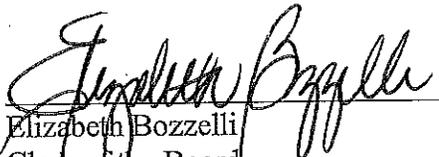
SECTION 408. Entire Agreement. This Agreement constitutes the entire understanding of the parties.

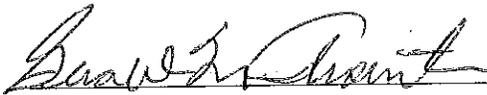
(End of Article IV)

IN WITNESS WHEREOF, the County and the Municipalities have caused their respective seals to be hereunto affixed and attested and this Agreement to be signed by their respective, duly authorized officers and to be dated as of the day and year first written above.

ATTEST:

COUNTY OF CAPE MAY


Elizabeth Bozzelli
Clerk of the Board
[SEAL]

BY: 
Gerald M. Thornton
Freeholder Director

Date: September 9, 2014

ATTEST:

TOWNSHIP OF LOWER

Julie A. Picard
Borough Clerk
[SEAL]

BY: _____
Michael E. Beck
Mayor

Date: _____

ATTEST:

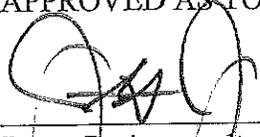
TOWNSHIP OF MIDDLE

Kimberly D. Krauss
Borough Clerk
[SEAL]

BY: _____
Timothy C. Donohue
Mayor

Date: _____

APPROVED AS TO FORM:



James B. Arsenault, Jr., Esquire
Assistant County Counsel

**BOARD OF CHOSEN FREEHOLDERS
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

No. 726-14

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES
AGREEMENT WITH THE TOWNSHIPS OF LOWER AND MIDDLE FOR THE
PROJECT KNOWN AS "MIDDLE & LOWER TOWNSHIPS BIKE PATH
CONNECTION", PROVIDING FOR THE FUNDING OF A PORTION OF THIS
PROJECT, IN A TOTAL AMOUNT NOT TO EXCEED \$412,311.00, WITH ADOPTION
OF ALL OTHER TERMS AND CONDITIONS OF THE
ANNEXED SCHEDULES**

WHEREAS, the County of Cape May (hereinafter "County") has determined that it is in the best interest of the County and residents therein, as well as the municipalities and residents of the individual municipalities located within the County, for the County to provide funds to such municipalities for the acquisition of lands for open space and the development of public park and recreation facilities or improvements, and historic preservation; and

WHEREAS, the County desires, pursuant to the provisions of N.J.S.A. 40:12-16 et seq., N.J.S.A. 40:12-9 and N.J.S.A. 40A:65-1, et seq. and other related statutes providing for joint action with regard to capital projects and improvements which are deemed to benefit the County and the municipalities and their residents, to provide funding for such projects and improvements, and

WHEREAS, in 1989, pursuant to P.L. 1989, Chapter 30, the County of Cape May Board of Chosen Freeholders established an Open Space and Farmland Preservation Trust Fund; and

WHEREAS, on December 27, 2012, in accordance with N.J.S.A. 40:12-15.3, the Board of Chosen Freeholders adopted new 2013 Program Guidelines for the Open Space Program that incorporated the two additional eligible categories of park and recreation development as well as historic preservation projects; and

WHEREAS, the Townships of Lower and Middle (hereinafter "Municipalities") have submitted an application under the 2013 Program for Regional Bike Path Connection from Sally Marshall Crossing in Lower Township to Satt Boulevard in Middle Township with the initial amount of the request of \$412,311.00 (hereinafter "Submitted Proposal"); and

WHEREAS, on March 11, 2014, the Open Space Review Board thoroughly reviewed, deliberated and voted to make a recommendation to the Board of Chosen Freeholders to fund the project, in an amount not to exceed \$412,311.00, pursuant to the attached Schedule "A". This will hereinafter be referred to as the "Defined Project"; and

**BOARD OF CHOSEN FREEHOLDERS
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

No. 726-14

WHEREAS, a public hearing on this project was held on July 8, 2014 at the Cape May County Administration Building, 4 Moore Road, Cape May Court House, New Jersey 08210; and

WHEREAS, on the basis of the information provided by the applicant, the recommendation of the Open Space Review Board, and input gathered from the public hearing, the Board of Chosen Freeholders desires to enter into this Shared Services Agreement, attached hereto as Schedule "B", with the Municipalities to support the implementation of the Defined Project; and

WHEREAS, the County and the Municipalities desire to enter into this Agreement in order for the County to provide funding to the Municipalities for the aforementioned Defined Project; and

WHEREAS the Municipalities will have sole responsibility over the development and implementation of the Defined Project, including the permitting, construction, operating, and long-term maintenance of the Defined Project in accordance with all applicable laws and regulations; and

NOW, THEREFORE, in consideration of the promises, agreements and covenants hereinafter set forth and mutually agreed to, the County and the Municipalities, each for itself, its successors and assigns, do mutually covenant, promise and agree as follows:

1. All of the above recitals are incorporated herein by reference as if repeated at length.
2. The appropriate officers of the Board, to wit, the Freeholder Director and the Clerk, are hereby authorized and directed to execute the attached Shared Services Agreement, effective October 1, 2014 through September 30, 2015, a copy of which is attached hereto as Schedule "B".
3. Encumbrance of funds under the Open Space Program to be released pursuant to the terms and conditions of the attached Shared Services Agreement.

STATEMENT

This Resolution authorizes a Shared Services Agreement with the Townships of Lower and Middle for funding for the above-referenced project under the Open Space Program, pursuant to N.J.S.A. 40:12-16, et seq.

cc: Township of Lower
Township of Middle
Director/Planning Department
Division Director/Open Space & Farmland Preservation
County Treasurer
File:

STATE OF NEW JERSEY } ss.:
COUNTY OF CAPE MAY }

I, Elizabeth Bozzelli, Clerk of the Board of Chosen Freeholders of the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the _____ 9th _____ day of

September _____, 20 14 .

Signed, 
Clerk of the Board

Freeholders	RECORD OF VOTE					
	Ayes	Nays	Abstain	Absent	Moved	Second
Mr. Desiderio	✓					
Ms. Gabor	✓					✓
Ms. Hayes	✓					
Mr. Morey	✓				✓	
Mr. Thornton	✓					

V - Indicates Vote Moved-Resolution Offered Second-Resolution Seconded

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

RESOLUTION #2014-273

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 \$412,311.00 for an item of revenue in the budget of the year 2014 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - Cape May County Open Space Program – Bike Trail
Total with increase to be \$412,311.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$412,311.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - Cape May County Open Space Program – Bike Trail
State/Federal Share \$ 412,311.00
Non State Share \$
Total with increase to be \$ 412,311.00

BE IT FURTHER RESOLVED that a certified copy of this resolution with a copy of the appropriate documentation be filed with 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 October 6, 2014

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2014-274

TITLE: AUTHORIZATION FOR WAIVER OF FEES FOR HELPING HANDS, INC

WHEREAS, Helping Hands, Inc. has done renovations on a property located at 882 Linden Street in Lower Township; and

WHEREAS, Helping Hands, Inc is a charitable non- profit organization and has requested the Township waive fees associated with the construction permit for 882 Linden Street; and

WHEREAS, the Township Council has reviewed their request and deems it appropriate to support local charitable organizations and non-profit organizations that support and enhance the Township and its Community.

NOW, THEREFORE, BE IT RESOLVED that all permissible Township fees associated with the construction permit for the property located at 882 Linden Street (\$2,163.00) be waived.

I hereby certify this to be the original resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

Gary Playford

HELPING HANDS, INC.

415 Hoffmansville Road • Bechtelsville, PA 19505
610-754-6491 • Fax 610-754-7157

Bruce McWaters – *Executive Director*

September 18, 2014

Mr. Michael J. Voll
Township Manager
Lower Township
2600 Bayshore Road
Villas, NJ 08251

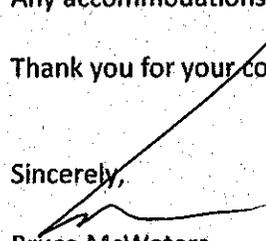
Dear Mr. Voll:

This letter is short follow up to my correspondence of June 11, 2014. (See attached) We have now completed the required work and have been issued a Certificate of Occupancy allowing us to move forward with our program activities. We are in the process of finalizing the cost of the project and were hopeful that the township might consider some relief from the permit fees we incurred.

Any accommodations you can make in this regard will be most appreciated.

Thank you for your consideration in this matter.

Sincerely,


Bruce McWaters



June 11, 2014

Mr. Michael J. Voll
Township Manager
Lower Township
2600 Bayshore Road
Villas, NJ 08251

Dear Mr. Voll:

I am the Executive Director of Helping Hands, Inc. We are a non-profit, charitable organization that has provided programs for individuals and families impacted with disabilities for over a quarter century. For the past several years we have provided a summer vacation experience at the property we own in Lower Township (882 Linden Street). For the past year we have working with officials in your Construction Department to bring the property in to compliance with codes and standards for Lower Township. As of this writing we are nearing completion of the work. The cost of the rehabilitation and upgrades has been significant. I am reaching out to you today to request a possible relief from the cost of the township permit fees incurred during the project. The cost of our program is carried by donor contributions, United Ways, service fees, and other fundraising activities. Any savings we can generate in the operation of the program, contributes to our ability to better serve the individuals and families in our care.

The communities of Lower Township provide a vacation experience that is hard to match anywhere else, and our families/ clients enjoy it greatly. Any accommodation you can make with regard to the permit fees will be most appreciated.

Thank you for your consideration in this matter.

Sincerely,

Bruce McWaters



Township of Lower
 2600 Bayshore Road
 Villas, NJ 08251
 609 - 886-1455

Permit Number: 20140551
 Update Number:
 Control Number: 39414
 Application Date: 02/18/2014
 Permit Date: 05/13/2014

CONSTRUCTION PERMIT

IDENTIFICATION

OWNER/PROPERTY DETAILS

Block: 448 Lot: 8 Qualification Code:	
Work Site Location: 882 LINDEN STREET LOWER TOWNSHIP	Contractor: PLITNICK GENERAL CONSTRUCT
Owner In Fee: HELPING HANDS, INC	Address: 335 WOODBINE OCEAN VIEW ROAD
Address: 415 HOFFMANSVILLE RD	OCEANVIEW NJ 08230
BECHTELSVILLE PA 19505	Telephone: (609) 624-9009
Telephone: ()	Lic. No. / Bldrs. Reg. No.:
Use Group(s): R-1	Federal Emp. No.:

is hereby granted permission to perform the following work :

- | | | |
|--|---|-------------------------------------|
| <input checked="" type="checkbox"/> BUILDING | <input type="checkbox"/> PLUMBING | <input type="checkbox"/> DEMOLITION |
| <input checked="" type="checkbox"/> ELECTRICAL | <input checked="" type="checkbox"/> FIRE PROTECTION | <input type="checkbox"/> OTHER |
| <input type="checkbox"/> ELEVATOR DEVICES | <input type="checkbox"/> MECHANICAL | |
| <input type="checkbox"/> ASBESTOS ABATEMENT | <input type="checkbox"/> LEAD HAZARD ABATEMENT | |

(Subchapter 8 only)

DESCRIPTION OF WORK:
 RENOVATION

ESTIMATED COST OF WORK:

Cost of Construction: 0.00
 Cost of Rehabilitation: 95,100.00
 Cost of Demolition: 0.00

Total Cost:	\$95,100.00
-------------	-------------

PAYMENTS (Office Use Only)	
Building	\$1,625.00
Electrical	\$83.00
Plumbing	
Fire Protection	\$397.00
Elevator Devices	
Mechanical	
VolFee (DCA)	
AltFee (DCA)	\$162.00
DCA Minimum Fee	\$0.00
Other Fees	
CO Fee	
CCO Fee	
Minimum Fee	
Total	\$2,267.00
All Fees Waived:	No

Amount to be Paid: \$2,267.00
 Check Number: 16931
 Check amount: \$2,267.00

NOTE: If construction does not commence within one (1) year of date of issuance, or if construction ceases for a period of six (6) months, this permit is void.

Gary Playford
 Construction Official

Date

Collected by: RM
 Receipt No:
 Total Cash Amount:
 Total Check Amount: \$2,267.00
 Total CC Amount:
 Grand Total:

Note:

\$2,267.00
 60⁰⁰

DCA
2327.00
164.00
 2163

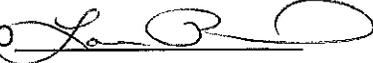
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2014-275

TITLE: AWARD OF AN EXTRAORDINARY UNSPECIFIED SERVICE CONTRACT WITHOUT PUBLIC BIDDING FOR AN EVENT AND PROMOTIONAL COORDINATOR OF THE LOWER TOWNSHIP MILLMAN SENIOR CENTER

WHEREAS, the Township of Lower ("Township") has the need to acquire an Event and Promotional Coordinator for the Millman Senior center as an Extraordinary Unspecified Service pursuant to the provisions of N.J.S.A.40A:11-6.1 and N.J.A.C 5:34-2.2b; and

WHEREAS, the term of this contract shall be October 6, 2014 to October 1, 2015; and the CFO has determined funds shall be paid from proceeds of Millman Center rental fees from the budget as follows:

Appropriation # 4-01-28-370-27 Signature CFO 

WHEREAS, Amanda Basse of has completed and submitted a Business Entity Disclosure Certification which certifies that Amanda Basse 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 Amanda Basse 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 Amanda Basse for the services herein described and that the Business Disclosure Entity Certification and this resolution will be on file in the Clerk's office and that the notice of Award shall be published in the Township's Official paper.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on October 6, 2015.

Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

TOWNSHIP OF LOWER

THIS AGREEMENT made as of the 6th day of October 2014, by and between THE TOWNSHIP OF LOWER, a municipal corporation of the State of New Jersey (hereinafter referred to as "Township") and AMANDA BASSE, Shore Side Enterprises LLC, an Event and Promotional Coordinator for the Millman Senior Center, hereinafter referred to as Event and Promotional Coordinator.

WITNESSETH:

WHEREAS, pursuant to Resolution #2014-275 adopted by the Township Council, Amanda Basse will be the Event and Promotional Coordinator for the Township of Lower, for a period of twelve (12) months to commence on October 6, 2014 and ending on October 1, 2015 with an option for a second year.

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.

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:

The Township hereby contracts with Amanda Basse as its Township Event and Promotional Coordinator:

PAYMENT: Township shall pay to Amanda Basse, Event and Promotional Coordinator as follows:

1. \$200.00 Booking Fee for Large Room. \$100.00 Booking Fee for Small Room. Payment will be processed after executed event date. In the event of a cancellation, a flat rate of \$50.00 will be paid.
2. Amanda Basse will be responsible to process deposits and payments to the Township of Lower Treasurers Office within 48 hours of receipt. Checks or money order needs to written out to Township of Lower.

SCOPE OF WORK:

1. Facilitate contracts generated to clients for Millman Rental, which will include all completed rental applications and insurance certificate requirements.
2. Her team will be available before and after all catered/non-catered events to see that the Millman Senior Center rules and procedures are followed;
3. Amanda Basse and/or her team will conduct building checks before and after events to oversee Township hired cleaning crews.
4. Will promote the Millman Center to build exposure and clientele through Shore Side Enterprise website, Millman Center and the Millman Facebook page.

FREELANCE WORK:

1. Freelance work will be conducted at a fee of \$65.00 per hour, with prior approval and executed purchase order authorizing services.

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

Michael E Beck, Mayor
Township of Lower

ATTEST: _____
Julie A Picard, Township Clerk

Amanda Basse
Shore Side Enterprises, LLC

Township 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.

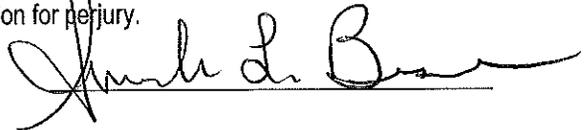
2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

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 1 day of Oct, 2014

Notary Public

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 _____ 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
Erik Simonsen	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
Amanda Basel	1000 55 Spruce Ave Villa NJ 08257

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: Shore Side Enterprises LLC

Signed: Amanda L. Basel Title: owner

Print Name: Amanda L. Basel Date: 10/1/14

Subscribed and sworn before me this ___ day of _____, 20____.

(Affiant)

My Commission expires: _____
(Print name & title of affiant) (Corporate Seal)

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: _____

Name of Agent: Amanda Basse

Title: _____

Date: 10/1/14

Amanda R Basse

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

RESOLUTION # 2014-276

TITLE: RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL LITIGATION

WHEREAS, the Township of Lower (the "Township") is the defendant in litigation titled Stuart H. And Sandra K. Fine v. Lower Township, Docket No. 014011-2012 (the "Litigation"); and

WHEREAS, the Township Tax Assessor and Township Solicitor have recommended that the litigation be settled in accordance with the proposed Stipulation of Settlements attached hereto as Exhibit A (the "Stipulations"); and

WHEREAS, the Township desires to settle the Litigation in accordance with the Stipulations.

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 Solicitor is hereby authorized and directed to settle the Litigation and to execute the stipulation of settlements in substantially the same form as is attached hereto as Exhibit A.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on October 6, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

4. Statutory interest, pursuant to *N.J.S.A. 54:3-27.2*, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment.

5. All refunds as a result of the settlement set forth herein are to be made payable to the taxpayer and forwarded to Zipp & Tannenbaum, L.L.C., 166 Gatzmer Avenue, Jamesburg, New Jersey 08831 within 60 days of the date of entry of the Judgment pursuant to *N.J.S.A. 54:3-27.2*.

ZIPP & TANNENBAUM, L.L.C.

BY:



PETER J. ZIPP, ESQ.
Attorney for Plaintiff

RONALD J. GELZUNAS ATTORNEY AT LAW

BY:

RONALD J. GELZUNAS, ESQ.
Attorney for Defendant

Dated:

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

ORDINANCE #2014-11

SALARY AND BENEFIT ORDINANCE FOR THE TOWNSHIP OF LOWER

BE IT ORDAINED by the Township Council, the governing body of the Township, County of Cape May, State of New Jersey that the following ranges and rates of pay are established as follows, exclusive of longevity:

TOWNSHIP COUNCIL

Mayor	15,000.00	to	15,500.00
Councilmembers	12,000.00	to	12,500.00

NON-UNION ADMINISTRATIVE/MANAGEMENT PERSONNEL

Township Manager	85,000.00	to	120,000.00
Township Clerk	74,000.00	to	87,000.00
Chief Financial Officer	77,000.00	to	94,000.00
Assistant Township Clerk	46,000.00	to	53,000.00
Director of Personnel	70,000.00	to	90,000.00

NON-UNION POLICE PERSONNEL

Chief of Police	107,584.00	to	138,000.00
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SUPERIOR OFFICERS - POLICE

Police Captain	100,034.00	to	128,000.00
Police Lieutenant	94,000.00	to	119,000.00

SUPERVISORS UNION

General Supervisor Public Works	59,000.00	to	76,000.00
Tax Assessor	60,000.00	to	92,000.00
Tax Collector	60,000.00	to	90,000.00
Construction Official	52,000.00	to	80,000.00
Supt. Recreation Parks	56,000.00	to	85,000.00
Supt. of Public Works	75,000.00	to	100,000.00
Planning Director	60,000.00	to	90,000.00
Court Administrator	55,000.00	to	85,000.00
Co-ordinator Fed. & State Aid	50,000.00	to	75,000.00
Deputy Court Administrator	45,000.00	to	55,000.00
Supervisor of Garage Services	66,000.00	to	76,000.00
Supervisor Building, Grounds	59,000.00	to	79,000.00
Qualified Purchasing Agent	45,000.00	to	68,000.00
Purchasing Agent	45,000.00	to	68,000.00
Township Engineer	70,000.00	to	100,000.00

AFSCME

Cashier	26,966.00	to	38,000.00
Clerk Typist	26,966.00	to	42,000.00
Clerk	26,966.00	to	42,000.00
Assessing Clerk	26,966.00	to	42,000.00
Assessing Clerk Typist	26,966.00	to	42,000.00
Tax Clerk	26,966.00	to	42,000.00
Building Maintenance Worker	26,966.00	to	38,000.00
Building Maintenance Worker (PT)	15,000.00	to	22,500.00
Building Service Worker	26,966.00	to	38,000.00

Account Clerk-Typing	26,966.00	to	42,000.00
Computer Operator	26,966.00	to	42,000.00
Senior Tax Clerk	30,567.00	to	45,000.00
Senior Police Records Clerk	30,567.00	to	45,000.00
Senior Account Clerk	30,567.00	to	45,000.00
Senior Assessing Clerk	30,567.00	to	45,000.00
Senior Clerk Typist	30,567.00	to	45,000.00
Senior Clerk Stenographer	30,567.00	to	45,000.00
Senior Telephone Operator/Receptionist	30,567.00	to	45,000.00
Senior Computer Operator	30,567.00	to	45,000.00
Code Enforcement Officer	30,567.00	to	45,000.00
Registrar of Vital Statistics	30,567.00	to	45,000.00
Assessing Aide	34,168.00	to	52,000.00
Senior Code Enforcement Officer	34,168.00	to	52,000.00
Principal Clerk	34,168.00	to	58,000.00
Principal Account Clerk	34,168.00	to	58,000.00
Principal Assessing Clerk	34,168.00	to	58,000.00
Principal Clerk Stenographer	34,168.00	to	58,000.00
Principal Clerk Typist	34,168.00	to	58,000.00
Supervising Computer Operator	34,168.00	to	58,000.00
Building Inspector	37,769.00	to	52,000.00
Building Subcode Official	37,769.00	to	52,000.00
Plumbing Subcode Official	37,769.00	to	52,000.00
Plumbing Subcode Inspector (PT)	10,000.00	to	30,000.00
Plumbing Inspector	26,062.00	to	52,000.00
Plumbing Inspector (P/T)	10,000.00	to	30,000.00
Electrical Subcode Official	37,769.00	to	52,000.00
Electrical Inspector	26,062.00	to	52,000.00
Electrical Inspector (PT)	10,000.00	to	30,000.00
Fire Protection Inspector	26,062.00	to	52,000.00
Fire Protection Inspector (PT)	10,000.00	to	30,000.00
Assistant Zoning Officer	37,769.00	to	52,000.00
Assistant Tax Collector	37,769.00	to	52,000.00
Assistant Treasurer (FT)	37,769.00	to	52,000.00
Assistant Superintendent of Recreation	37,769.00	to	52,000.00
Assistant Superintendent of Recreation (PT)	32,000.00	to	52,000.00
Public Safety Telecommunicator or Trainee	30,000.00	to	50,000.00
Relief Public Safety Telecommunicator or Trainee	14.42 hr.	to	17.33 hr.
Violations Clerk	30,567.00	to	41,000.00

POLICE PERSONNEL

Police Sergeant	86,051.00	to	102,267.00
Police Officer	33,000.00	to	94,424.00
Special Law Enforcement Officer (Class I)	8.25 hr.	to	10.00 hr.
Special Law Enforcement Officer (Class II)	11.00 hr.	to	16.00 hr.
Special Law Enforcement Officer - without Police Academy Certification	Applicable Minimum Wage Established by Department of Labor		

PUBLIC WORKS PERSONNEL

Equipment Operator	23.81	to	27.30 hr.
Supervising Equipment Operator	25.82	to	29.48 hr.
Motor Broom Driver	22.58	to	25.97 hr.
Mechanic	26.50	to	30.50 hr.
Mechanics Helper	24.14	to	27.66 hr.

Senior Mechanic/Diesel	28.25	to	32.11 hr.
Maintenance Repairer	23.06	to	26.49 hr.
Sr. Maintenance Repairer	26.43	to	28.05 hr.
Laborer	14.42	to	25.16 hr.
Supervising Laborer	23.84	to	27.34 hr.
Rec. Parks Maintenance Worker/Groundskeeper	17.42	to	22.13 hr.
Electrician	22.64	to	26.04 hr.
Sign Maker/Wood & Metal	22.17	to	25.53 hr.
Senior Groundskeeper	19.03	to	22.13 hr.
Groundskeeper	14.42	to	25.16 hr.
Temporary Laborers	14.42	to	16.58 hr.
Recycling Program Aide	12.00	to	14.42 hr.
Animal Control Officer	21.83	to	25.16 hr.

OTHER EMPLOYEES

Deputy Manager	2,600.00	to	3,500.00
Court Attendant	8,000.00	to	9,000.00
Township Prosecutor	18,500.00	to	25,000.00
Municipal Judge	40,000.00	to	50,000.00
Public Defender	11,000.00	to	15,000.00
Recording Secretary Planning/Zoning Board	3,500.00	to	4,000.00
Fire Subcode Official	12,000.00	to	18,000.00
Safety Coordinator	3,000.00	to	4,000.00
District Recycling Coordinator	250.00	to	2,000.00
Emergency Management Coordinator	6,900.00	to	8,000.00
Dep. Emergency Management Coordinator	2,000.00	to	3,000.00
Code Enforcement Officer Trainee	9.00 hr.	to	12.00 hr.
Assistant Treasurer (PT)	6,900.00	to	13,000.00
Tax Search Officer	3,000.00	to	3,500.00
Terminal Agency Coordinator	1,500.00	to	1,500.00
Animal Control (PT)	4,000.00	to	10,000.00

HOURLY EMPLOYEES

Lifeguard/Swimming Instructor	10.00	to	16.00 hr.
Recreation Aide	9.76	to	16.00 hr.
Senior Citizen Program Aide	9.76	to	16.00 hr.
Ticket Taker	7.25	to	10.00 hr.
Park Attendant	11.00	to	13.00 hr.

BUREAU OF FIRE SAFETY

Fire Official	72,000.00	to	87,000.00
Fire Inspector	30,000.00	to	49,000.00
Fire Prevention Specialist (FT)	30,000.00	to	49,000.00
Fire Prevention Specialist (PT)	8.00	to	12.00 hr.
Fire Safety Board Members	1,000.000 Annually		

Section 2. Longevity pay is only applicable to PBA union employees hired prior to May 10, 2012. All other employees (union and non-union) are ineligible for longevity pay.

Section 3. Owners of private automobiles that are used for travel in connection with Township business shall be reimbursed for the use of said automobiles in accordance with the business use mileage rate established by the Internal Revenue Service in the year in which the travel occurred. All employees who do use their personal

cars for Township business must furnish the Department of Revenue & Finance with a Certificate of Insurance supplied by the employee's insurance agent.

Section 4. Whenever a salary range is provided in this ordinance, the Township Council pursuant to the Lower Township Administrative Code and pursuant to contract shall determine the salary of the employees involved in the range, such determination to be made on the basis of time holding the position, experience, ability and performance. The Township shall not be obligated with respect to any employee to grant an increase in any year, except as may be provided by contract.

A. The Township Clerk shall be granted the same salary increase as shall be agreed for the Township Chief Financial Officer/Treasurer, Township Tax Assessor and Township Tax Collector pursuant to contract and New Jersey State Statute.

B. Permanent managerial/confidential employees not part of any bargaining unit by nature of their position shall continue to be governed by and receive the same benefits pursuant to the union contract which governs their annual increase.

C. All other non-union personnel shall be granted such salary increases as approved by the Township Council.

Section 5. The Chief Executive Official is hereby authorized to adopt a group hospitalization plan and other insurance plans pursuant to contract and to provide that such premiums be paid by the Township of Lower.

Section 6. The Township Council is hereby authorized to award overtime pay at the rate of one and one half of the regular rate, in accordance with the Federal Labor Standards Act applicable thereto, pursuant to contracts for all employees.

Section 7. This ordinance shall take effect immediately upon final passage and publication according to law, retroactive to January 1, 2014.

Section 8. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Thomas Conrad, Councilmember

James Neville, Councilmember

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

ORDINANCE #2014-12

TITLE: AMENDING ORDINANCE #2013-21; AN ORDINANCE AMENDING CHAPTER 475 OF THE PARKS AND RECREATION AREAS ORDINANCE OF THE TOWNSHIP OF LOWER

WHEREAS, Chapter 475-13; Rental Guidelines for Lower Township Millman Community Center, sets forth the requirements and fees for the rental of the Lower Township Millman Community Center; and

WHEREAS, it has become necessary to change the rental fees for both Room A and Room B of the Lower Township Millman Community Center to better serve the Community.

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

Section 1: Chapter 475 Article III of the Township of Lower Municipal Ordinance is hereby amended as follows:

475-13. Rental Guidelines for the Lower Township Millman Community Center

1. Contract

(c) Events shall be considered scheduled only when the contract has been executed and a non-refundable reservation deposit of \$300.00 has been received by the Facility Coordinator.

i. The rental fee Friday thru Sunday for Room "A" with a capacity of 149 persons is \$850.00 for four (4) hours. Each additional hour will be charged at \$100.00 per hour

The rental fee Monday thru Thursday for Room "A" with a capacity of 149 persons is \$650.00 for four (4) hours. Each additional hour will be charged at \$75.00 per hour

Lower Township Resident, upon proof of residency, will receive a \$100.00 discount on Room "A" rental.

ii. The rental fee for Room "B" with a capacity of 49 persons is \$350.00 for four (4) hours. Each additional hour will be charged at \$75.00 per hour.

(d) The balance of the rental fee must be paid thirty (30) days prior to the event date.

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

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

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

Thomas Conrad, Councilmember

James Neville, Councilmember

Erik Simonsen, Councilmember

Adopted:

Norris Clark, Deputy Mayor

Attest: _____
Julie A Picard, Township Clerk

Michael E Beck, Mayor

CERTIFICATE OF DETERMINATION AND AWARD

I, Lauren Read, Chief Financial Officer of the Township of Lower, in the County of Cape May, New Jersey (hereinafter referred to as the "Township"), HEREBY CERTIFY as follows:

1. I hereby determine to issue the Bond Anticipation Note (the "Note") hereinafter described by virtue of the authority conferred upon me by the bond ordinances of the Township referred to in the attached chart by reference to number, date of adoption and amount of bonds or notes authorized, such notes to be issued in the amounts indicated in the chart.

<u>TOTAL</u> <u>PRINCIPAL</u> <u>AMOUNT:</u>		<u>NUMBER</u>	<u>DENOMINATION</u>
	\$4,800,000	2014-1	\$4,800,000
<u>DATE:</u>	8/6/14		
<u>MATURITY:</u>	8/6/15		
<u>INTEREST</u> <u>RATE PER</u> <u>ANNUM:</u>	1.00%, payable at maturity		
<u>PLACE OF</u> <u>PAYMENT:</u>	Township of Lower, New Jersey		

2. Pursuant to the authority so conferred upon me, I have awarded and sold the Note to TD Securities (USA) LLC, New York, New York, at the price of \$4,825,536.00.

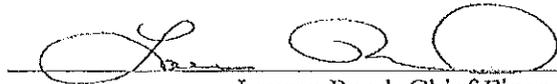
3. No bonds of the Township have heretofore been issued pursuant to the bond ordinances referred to in Section 1 hereof, except as set forth in the attached chart.

4. The date of the first note or other obligation issued in anticipation of the issuance of the bonds that the Note is issued in anticipation of, whether or not now outstanding, is as stated in the attached chart.

5. No grants have been received, no paydowns have been made and no cancellations have been enacted that would reduce the debt authorization below the amount of notes outstanding under the bond ordinances described in the attached chart except as set forth therein.

6. No notes or other obligations in anticipation of the issuance of bonds have heretofore been issued pursuant to the bond ordinances referred to in the attached chart and now remain outstanding and unpaid except as set forth in the attached chart.

IN WITNESS WHEREOF, I have hereunto set my hand as of August 6, 2014.



Lauren Read, Chief Financial Officer