

Resolutions October 15, 2012

- Res. #2012-251 Payment of Vouchers, \$ 1,754,316.58
- Res. #2012-252 Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown Grant  
(\$4,400. Grant for enforcement from Dec 7,2012 to Jan 2, 2013)
- Res. #2012-253 Authorization for Refund of Taxes ( 2 properties - Disabled Vet/Homestead Credit)
- Res. #2012-254 Authorization to Cancel Outstanding Prior Year Checks (4 checks \$21.01 total)
- Res. #2012-255 Authorizing the Payment of Vouchers (Douglass Landscaping final payment  
\$6490.59)
- Res. #2012- 256 Resolution Providing for a Meeting Not Open to the Public in Accordance with the  
Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12."  
(Labor Negotiations Update)
- Res. #2012- 257 A Resolution To Ratify The Memorandum of Understanding Between Lower  
Township and the Lower Township Office Workers Association, Local #3779,  
AFSCME District Council #71, AFL-CIO



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00807 CDW-GOVERNMENT INC*			Continued					
	12-02481	09/14/12	BATTERY REPLACEMENTS	Open	<u>533.24</u>	0.00		
					1,395.08			
00825 COMCAST*								
	12-02471	09/14/12	INTERNET-MILLMAN AUGUST 2012	Open	75.02	0.00		
	12-02682	10/09/12	MONTHLY INTERNET ACCESS-HALL	Open	<u>102.19</u>	0.00		
					177.21			
00852 CHERRY VALLEY TRACTOR CO.*								
	12-02484	09/14/12	PARTS FOR DPW	Open	290.38	0.00		
01125 MARGARET CROMPTON								
	12-02599	09/28/12	CONTRACTUAL REIMBURSEMENT	Open	5.00	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	12-02705	10/10/12	CELL PHONES 8/24/12-9/23/12	Open	677.63	0.00		
01196 H A DEHART & SON*								
	12-02485	09/14/12	PARTS FOR VEHICLE	Open	652.15	0.00		
01239 DIANA L DeNOTE								
	12-02695	10/09/12	CONTRACTUAL REIMBURSEMENT	Open	119.80	0.00		
01245 G & K SERVICES CO*								
	12-02298	08/24/12	PUBLIC WORKS T SHIRTS	Open	1,839.99	0.00		
01389 EDDIE'S AUTO BODY*								
	12-02470	09/14/12	VEHICLE REPAIR	Open	601.40	0.00		
01403 ENFORSYS FIRE SYSTEMS, INC*								
	12-02491	09/17/12	ANNUAL FEES	Open	11,900.00	0.00		
01502 PAMELA FELDER								
	12-02672	10/05/12	CONTRACTUAL REIMBURSEMENT	Open	90.00	0.00		
01519 TOM FOLS ELECTRICALCONTRACTOR*								
	12-02670	10/05/12	PARKING LOT CAMERA POLE-DPW	Open	350.00	0.00		
01530 FIRE DISTRICT #1								
	12-00666	03/08/12	SUPPLEMENTAL FIRE SERVICES	Open	2,939.04	0.00		
01540 FIRE DISTRICT #2								
	12-00664	03/08/12	SUPPLEMENTAL FIRE SERVICES	Open	3,918.72	0.00		
01550 FIRE DISTRICT #3								
	12-00668	03/08/12	2012 SUPPLEMENTAL FIRE SVCS	Open	1,306.24	0.00		
01741 GENTILINI CHEVROLET, LLC*								
	12-02482	09/14/12	PARTS FOR DPW	Open	33.82	0.00		
01781 HATCH MOTT MACDONALD, LLC*								
	11-01456	05/20/11	PKG LOT/STATION PHASE3 \$51250.	Open	341.58	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01781 HATCH MOTT MACDONALD, LLC*			Continued					
	12-01428	05/30/12	SERVICES/UNDERGROUND TANKS	Open	185.00	0.00		B
	12-01983	07/18/12	BEACH DRIVE PEDESTRIAN ACCESS	Open	11,513.66	0.00		B
	12-02197	08/13/12	2011 DEL. BAY SHORE OUTFALL EX	Open	399.00	0.00		B
	12-02299	08/24/12	TRAFFIC ENGINEERING PROPOSAL	Open	1,421.00	0.00		
	12-02382	09/05/12	ENGINEERING SERVICES	Open	792.00	0.00		
	12-02560	09/25/12	PROJECT 264542CM10	Open	484.20	0.00		
					<u>15,136.44</u>			
01834 RICHARD HOOYMAN								
	12-02654	10/04/12	CONTRACTUAL REIMBURSEMENT	Open	88.00	0.00		
01956 IMPACT TECHNOLOGY SOLUTIONS*								
	12-02537	09/20/12	SERVICE AGREEMENT VIDEO	Open	1,260.00	0.00		
02025 HUNTER JERSEY PETERBILT*								
	12-02483	09/14/12	PARTS FOR TRUCK	Open	971.46	0.00		
02027 JESCO INC*								
	12-02452	09/12/12	PARTS /FILTERS/FOR DPW	Open	79.39	0.00		
02125 KDI*								
	12-02539	09/20/12	COPIER SAVIN MP 3352	Open	6,950.00	0.00		
02134 THOMAS KEYWOOD								
	12-02655	10/04/12	CONTRACTUAL REIMBURSEMENT	Open	24.00	0.00		
02136 TED KINGSTON INC*								
	12-01151	05/02/12	RADIO MAINT.	Open	497.22	0.00		
	12-02084	08/01/12	RADIO MAINT-AUGUST 2012	Open	500.00	0.00		
					<u>997.22</u>			
02140 KINDLE FORD LINC/MERC., INC.*								
	12-01870	07/06/12	#2012-170 (1)2013 FORD ESCAPE	Open	23,435.59	0.00		
02245 DAVID LEPOR								
	12-02611	10/01/12	SHOE ALLOWANCE	Open	109.60	0.00		
02320 LOWER TOWNSHIP BRD OF EDUCATN								
	12-00968	04/11/12	2012 SCHOOL TAX 7/01-12/2012	Open	1,495,251.40	0.00		B
02402 MGL PRINTING SOLUTIONS								
	12-02350	08/30/12	ENVELOPES MARRIAGE LIC	Open	51.00	0.00		
02585 WILLIAM MASTRIANA								
	12-02702	10/10/12	REIMBURSEMENT-TRAINING MEALS	Open	11.87	0.00		
03020 NJ DIVISION OF MOTOR VEHICLES								
	12-02699	10/10/12	REG/TITLE 12 FORD ESCAPE CONST	Open	60.00	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALIT*								
	12-02562	09/25/12	LEAGUE REGISTRATION 2012	Open	600.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03104 NORTHEAST IND.&MARINE SUPPLY*	12-02346	08/30/12	GARAGE PARTS DPW	Open	608.15	0.00		
03109 TRU GREEN CHEMLAWN	12-00686	03/09/12	FERTILIZER/SLICE SEED	Open	1,015.00	0.00		B
03160 OFFICE BASICS, INC*	12-02478	09/14/12	PAPER FOR DPW	Open	80.97	0.00		
	12-02527	09/20/12	PAPER SUPPLIES FOR DPW	Open	80.97	0.00		
	12-02536	09/20/12	INK FOR SIGN SHOP	Open	<u>76.96</u>	0.00		
					238.90			
03280 PARAMOUNT SANITARY SUPPLY*	12-02271	08/21/12	HAND SANITIZER FOR VEHICLES	Open	116.00	0.00		
03305 PEDRONI FUEL*	12-02650	10/03/12	NO LEAD FUEL/DPW	Open	878.30	0.00		
03374 SEASHORE SUPPLY*	12-02361	09/04/12	MOEN 8430 S/L FOR TOWNHALL	Open	173.88	0.00		
	12-02529	09/20/12	SUPPLIES FOR MAINTENANCE	Open	<u>139.68</u>	0.00		
					313.56			
03377 JULIE PICARD	12-02697	10/09/12	CONTRACTUAL REIMBURSEMENT-V	Open	183.00	0.00		
03427 POLAR BEAR*	12-02477	09/14/12	THERMASTAT TOWNHALL HALLWAY	Open	450.00	0.00		
03495 ELIZABETH BYRNE	12-02593	09/27/12	REIMBURSEMENTS	Open	118.08	0.00		
03518 RIGGINS, INC.*	12-02554	09/21/12	DIESEL HIGHWAY GAS	Open	951.26	0.00		
	12-02651	10/03/12	HIGHWAY DIESEL	Open	<u>1,314.28</u>	0.00		
					2,265.54			
03537 RUTGERS, THE STATE UNIVERSITY*	12-02119	08/03/12	INTRO TO MUN CLERK - K. FOURNI	Open	745.00	0.00		
03659 SOUTH JERSEY WIPING CLOTH*	12-02553	09/21/12	SUPPLIES FOR GARAGE	Open	1,152.00	0.00		
03692 SOUTH JERSEY GAS CO*	12-02666	10/04/12	SEPTEMBER 2012 ADDITIONAL INV	Open	172.88	0.00		
03723 STAPLES, INC.*	12-02563	09/25/12	OFFICE SUPPLIES	Open	178.96	0.00		
	12-02613	10/02/12	COURT LAPTOP HEARINGS/TRIALS	Open	<u>479.89</u>	0.00		
					658.85			
03863 TREASURER, STATE OF NEW JERSEY	12-02708	10/11/12	STATE SURCHARGE JULY-SEPT 2012	Open	7,381.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03863	TREASURER, STATE OF NEW JERSEY		Continued					
	12-02709	10/11/12	STATE SURCHARGE JULY-SEPT WCM	Open	<u>195.00</u>	0.00		
					7,576.00			
03867	UNIVERSAL SUPPLY CO.							
	12-01667	06/14/12	WINDOWS FOR MILLMAN CENTER (9)	Open	2,730.06	0.00		
	12-02042	07/25/12	WINDOW FOR MILLMAN	Open	<u>303.34</u>	0.00		
					3,033.40			
03904	LOWE'S HOME CENTER INC*							
	12-02608	09/28/12	HOCKEY RINK SUPPLIES	Open	191.20	0.00		
03917	STATE OF NJ DEPT OF CHILD/FAML							
	12-02724	10/11/12	QUARTERLY FEES MARRIAGE/CIVIL	Open	1,400.00	0.00		
03969	VERIZON							
	12-02669	10/05/12	PHONE BILL SEPT 2012 CONT.	Open	1,784.78	0.00		
03971	VERIZON WIRELESS							
	12-02652	10/03/12	MDT WIRELESS 8/21/12-9/20/12	Open	645.14	0.00		
03978	USPS ACCT#48503619							
	12-02665	10/04/12	POSTAGE METERS ACCT 48503619	Open	5,000.00	0.00		
03979	MICHAEL VOLL							
	12-02694	10/09/12	CONTRACTUAL REIMBURSEMENT-V	Open	232.00	0.00		
03985	VILLAS NAPA AUTO PARTS							
	12-02410	09/10/12	RDS/SANT/RECY	Open	1,387.09	0.00		
03994	MARGARET VITELLI							
	12-02723	10/11/12	TRAVEL TRENTON DISTRIBUTION	Open	123.20	0.00		
03995	VITAL COMMUNICATIONS, INC.*							
	12-02548	09/20/12	MODIV TAPE FOR 2012 TAXES	Open	100.00	0.00		
04030	WEST PUBLISHING PAYMENT *							
	12-02610	10/01/12	ANNUAL UPDATES NJ STATUTE 39	Open	802.00	0.00		
04049	SUSAN JACKSON							
	12-02696	10/09/12	CONTRACTUAL REIMBURSEMENT-V1	Open	100.00	0.00		
04085	CHRISTOPHER WINTER (EMPLOYEE)							
	12-02558	09/25/12	CONTRACTUAL REIMBURSEMENT	Open	30.00	0.00		
04123	TAMMY DECKER							
	12-02640	10/03/12	PAYMENT TO INSTRUCTOR-PILATES	Open	5.00	0.00		
04266	NJ DEPT OF HEALTH&SENIOR SVCS							
	12-02639	10/03/12	STATE DOG LICENSE FEES SEPT 12	Open	34.20	0.00		
04300	W B MASON CO INC*							
	12-02440	09/11/12	OFFICE SUPPLIES	Open	637.96	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04327 SHI INTERNATIONAL CORP*	12-02291	08/23/12	SCHEDULE SOFT 10/1/12-9/30/13	Open	1,471.75	0.00		
04445 TRICOMM SERVICES CORP*	12-02612	10/02/12	MOVING CLERKS OFFICE	Open	255.00	0.00		
04509 LOWER CAPE MAY REGIONAL	12-01912	07/11/12	DONATION FOR LITTLE LEAGUE	Open	1,500.00	0.00		
5022 INSTITUTE FOR FORENSIC PSYCHO*	12-02578	09/26/12	PSYCHOLOGICAL EXAM	Open	1,500.00	0.00		
5032 NORTH WILDWOOD \$ CREST SHIRT*	12-02469	09/14/12	CHEERLEADING UNIFORMS	Open	129.34	0.00		
	12-02540	09/20/12	YOUTH FALL SOCCER T SHIRTS	Open	<u>1,350.00</u>	0.00		
					1,479.34			
APOST ANNA POST	12-02567	09/25/12	CHEERLEADING BACKGROUND/CERT	Open	26.00	0.00		
BAC TAX BAC TAX SERVICE CORP	12-02684	10/09/12	REFUND OVERPAYMENT-DISABLEDVET	Open	1,971.86	0.00		
BAKERS BAKER'S SHOPPE BAKERY	12-02356	08/30/12	REFUND FOR FARMERS MARKET	Open	25.00	0.00		
BERB BERNADETTE ERB	12-02637	10/03/12	REIMBURSEMENTS-SOCCER	Open	66.00	0.00		
BOSNA KAREN MANETTE BOSNA	12-02638	10/03/12	PAYMENT TO INSTRUCTOR YOGA	Open	100.00	0.00		
COLLINS THOMAS & THERESA COLLINS	12-02683	10/09/12	REFUND OVERPAYMENT-DISABLEDVET	Open	276.06	0.00		
DDEIGNAN DIANNA DEIGNAN	12-02602	09/28/12	REFUND FOR SOCCER	Open	20.00	0.00		
GINDVILL STEVEN GINDVILLE	12-02668	10/05/12	REIMBURSEMENT-FOOTBALL COACH	Open	31.00	0.00		
HOOVER ROBERT HOOVER & SONS INC*	12-02384	09/05/12	PARTS FOR TRUCK	Open	338.24	0.00		
	12-02532	09/20/12	PARTS FOR TRUCK	Open	<u>123.73</u>	0.00		
					461.97			
JCOLUCCI JENNIFER COLUCCI	12-02601	09/28/12	REFUND FOR JUDO	Open	40.00	0.00		
KWISE KELSY WISE	12-02671	10/05/12	PAYMENTS FOR ZUMBA INSTRUCTOR	Open	175.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SEAGE	SEAGEAR MARINE SUPPLY*	12-02556	09/21/12	SUPPLIES FOR RDS/DPW	Open	76.10	0.00		
Total Purchase Orders:		114	Total P.O. Line Items:		210	Total List Amount:	1,754,316.58	Total Void Amount:	0.00

I hereby certify the foregoing to be a resolution adopted by the Township Council on October 15, 2012.

  
Julie A. Picard, Township Clerk

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



Application: MOB-YEDS-2013-Lower Township  
00015  
Status: Application In Process  
User: Coleen Crippen  
Role: Authorized Official  
Logout

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Created By: Biersbach, Martin on 10/2/2012 9:18:38 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

In 2010, alcohol impaired fatalities accounted for 20% of New Jersey's traffic fatalities. Though this percentage has declined slightly in recent years, impaired driving remains a significant issue, both in New Jersey and nationally. This project will provide funding to implement a statewide impaired driving enforcement campaign as part of the Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown.

Between December 7, 2012 and January 2, 2013, 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 fatalities in the state from the current level of 20% to 18% through targeted impaired driving enforcement and education during the *Drive Sober or Get Pulled Over 2012 Statewide Crackdown*.

#### Methodology

**NEW:** As per directives from the National Highway Traffic Safety Administration (which provides the federal funding for this grant) Chiefs of Police are no longer eligible to work grant-funded overtime through this grant.\*\*\*\*

This federally-funded grant project consists of an enforcement overtime campaign from **December 7, 2012 through January 2, 2013**. 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 **88** hours of overtime enforcement during the crackdown period, with a maximum rate to be reimbursed of **\$50 per hour**. The 88 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. **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**

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

**RESOLUTION #2012-252**

**TITLE: Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown Grant**

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 \$4400.00 to carry out a Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown Grant from December 7, 2012 – January 2, 2013;

BE IT THEREFORE 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)  
Brian Marker, Chief of Police

I hereby certify this is the original resolution adopted by the Township Council on October 13, 2012

  
Julie A. Picard, Township Clerk

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

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

RESOLUTION #2012-253

**TITLE: AUTHORIZATION FOR REFUND OF TAXES**

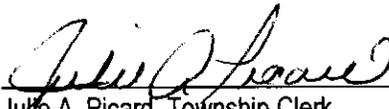
**WHEREAS**, the Township Tax Collector has certified an overpayment due to the reasons listed below:  
and

**WHEREAS**, a refund is due.

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

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
494.18	27	Bank of America	Disabled Veteran	1,971.86
494.18	27	Thomas & Theresa Collins	Homestead Credit	276.06

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on October 15, 2012.

  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			/			
CRAIG		x	/			
DOUGLASS	x		/			
LARE			/			
BECK			/			

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
RESOLUTION #2012- 254**

**Title: AUTHORIZATION TO CANCEL OUTSTANDING PRIOR YEAR CHECKS**

**WHEREAS**, the check listed below has been outstanding for one year or more on the bank reconciliation for the Lower Township Payroll Checking Account; and

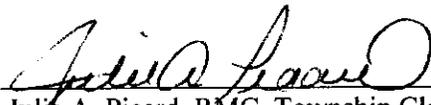
**WHEREAS**, it has been determined that the amounts do not warrant reissue or that the amounts due have been satisfied through subsequent payment; and

**WHEREAS**, the Chief Financial Officer has requested that said checks be cancelled in order to properly maintain the Township records.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council that the following list of prior years outstanding checks are hereby canceled.

CHECK NUMBER	AMOUNT	PAYEE	DATE
29688	\$0.01	B. Cameron	03/11/10
30982	\$1.00	R. Morse	06/17/10
1392	\$10.00	Aflac	12/30/10
1413	\$10.00	Aflac	01/27/11

I hereby certify the foregoing to be a resolution adopted by the Township Council on October 15, 2012.

  
Julie A. Picard, RMC, Township Clerk

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

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

RESOLUTION # 2012-255

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u> <u>Amount</u>	<u>Description</u>
Douglass Landscaping	12-00687 \$6490.59	Landscaping Contract 2012  Payment 8 of 8 Final Payment Invoice # 3589

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 15, 2012.

  
Julie A. Picard, Township Clerk

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

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

**RESOLUTION # 2012- 256**

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

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

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

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

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

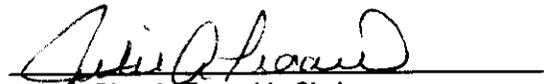
\_\_\_\_\_ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current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

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

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on October 15, 2012 that an Executive Session closed to the public shall be held on this date at approximately 6:30 P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

I hereby certify the foregoing to be a resolution adopted by the Township Council on October 15, 2012.

  
Julie A. Picard, Township Clerk

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

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

RESOLUTION #2012-257

**TITLE: A RESOLUTION TO RATIFY THE MEMORANDUM OF UNDERSTANDING BETWEEN LOWER TOWNSHIP AND THE LOWER TOWNSHIP OFFICE WORKERS ASSOCIATION, LOCAL#3779, AFSCME DISTRICT COUNCIL #71, ALF-CIO**

WHEREAS, extensive negotiations were conducted by the Township Manager and Labor Counsel with The Lower Township's Office Workers Association, AFSCME Union; and

WHEREAS, the parties have reached an agreement in a Memorandum of Understanding which will be utilized to prepare the Collective Bargaining Agreement with the Lower Township Office Workers Association, AFSCME Union; and

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

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

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

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 15, 2012.

  
Julie A. Picard, Township Clerk

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

## MEMORANDUM OF AGREEMENT

This proposed Memorandum of Agreement (MOA) is made between the Township of Lower (the Township) and Lower Township Office Workers Association- Local # 3779, AFSCME D.C. #71 (AFSCME) on this 26<sup>th</sup> day of September, 2012.

The Township and AFSCME have engaged in collective bargaining negotiations regarding a new Collective Bargaining Agreement (CBA) to replace the existing CBA between the Township and AFSCME, which expires on December 31, 2011.

The Township and AFSCME have reached a tentative agreement of the terms and conditions of a new CBA and the purpose of this MOA is to confirm that agreement. All language that is not changed from the existing agreement is retained and shall be included in the agreement that will be prepared based on this MOA.

NOW, THEREFORE, the Township and AFSCME agree that the following changes shall be made in the existing agreement:

### PREAMBLE

- Adjust dates accordingly.

### ARTICLE I- RECOGNITION

- No changes.

### ARTICLE II - CHECK OFF

- No changes.

### ARTICLE III -AGENCY SHOP

- No changes.

### ARTICLE IV - MANAGEMENT RIGHTS

- No changes.

### ARTICLE V - VACATIONS

- Paragraph D: Remove language related to leave earned prior to 1981.

- Revise Paragraph A as follows:

~~“Holidays falling on a Saturday or Sunday shall be celebrated on the previous Friday or next Monday, respectively. Holidays which fall on a Saturday shall be celebrated on the preceding Friday. Holidays which form a Sunday, shall be celebrated on the following Monday. If a holiday falls within a period during which an employee is on annual vacation leave, he/she shall not be charged for annual vacation leave taken for that day. In the event the holiday falls on a pay day the employee shall be paid on the day before.”~~

- Remove from Paragraph D the following language from the first sentence “and a fourth (4<sup>th</sup>) personal day for their birthday.” Revise language to continue to provide four (4) personal days without reference to “birthday.”

- Revise paragraph E as follows”

“Whenever a state of emergency is officially declared by the President of the United States and or the Governor of New Jersey, or there is a similar declaration by the Township on a scheduled work day, , any employees who are required to work shall be granted equal amount of compensatory time off, to be taken within that calendar year.”

## **ARTICLE VII – INSURANCE, HEALTH & WELFARE**

- Replace Schedule A under Section (A)(1) with Schedule A attached hereto.
- Section D – Revise to read as follows: “The Township retains the right, at its option, to change any of the existing insurance plans or carriers providing such benefits, so long as the level of benefits provided to the employees and their eligible dependents are greater than or equal to the current plan. Notwithstanding the foregoing, the Township retains the exclusive right to return to the New Jersey State Health Benefit Plan so long as it provides employees with the coverage available under the State Health Benefits Plan that is substantially equivalent to the employee’s current coverage in a base plan that is equal to or better than current coverage. All plans offered by the State Health Benefits Plan shall be offered to employees who shall pay the

difference if they select a plan more costly than the aforesaid base plan. The Township further reserves the right, at its option, to self-insure any of said plans and coverages so long as the level of benefits provided to the employees and their eligible dependents is equal to or better than current coverage. In the event the Township changes any of the existing insurance plans or carriers providing such benefits, the Township will give the Union thirty (30) days notice prior to implementing the new Plan or carrier.

Add New Section K entitled "Cost Contribution" to read as follows:  
"Bargaining unit members shall contribute to the costs of the Health Benefits Insurance Plan coverages. All bargaining unit members shall pay a portion of health care coverage costs consistent with P.L. 2011, c. 78 (hereinafter "Chapter 78"). In addition, the contribution, if any of all Bargaining unit members who retire on or after June 28, 2011, shall be in accordance with P.L. 2011, c. 78 (hereinafter "Chapter 78")**ARTICLE**

#### **VIII - LEAVE OF ABSENCE**

- Revise subsection A to indicate: "Military Leave will be provided in accordance with applicable law."
- Remove reference to "state service" under subsection F.

#### **ARTICLE IX -NO STRIKE PLEDGE**

- No changes.

#### **ARTICLE X - GRIEVANCE**

- No changes.

#### **ARTICLE XI - SICK LEAVE & RETIREMENT**

- Add: to beginning of paragraph B:

"Employees shall receive one working day for each month of service during the remainder of the first calendar year of service and fifteen (15) working days in every year thereafter.

- Add new subsection H as follows:  
H. Verification of Sick Leave

1. The Township may for good cause require verification of sick leave.
2. Abuse of sick leave shall be cause for disciplinary action.
3. In case of leave of absence due to exposure to contagious disease, a certificate from the Department of Health shall be required.

#### **ARTICLE XII - WORKWEEK AND OVERTIME**

The Township may require a signed authorization to defer overtime payment to December.

The dispatchers shall receive 8 hours of paid leave time for each of the enumerated holidays in Article VI to be credited as vacation leave allotment at the start of each year. Said time shall not be carried over from year to year.

Prior to return to the 8 hour shift for Dispatchers, the Township and Union shall meet. Such meeting shall take place 30 days or more before a return unless there are emergent circumstances.

Leave time throughout contract shall be converted from days to hours based on scheduled work weeks, ie 7 hours for 35 hour employees and 8 hours for 40 hour employees (Dispatchers.)

#### **ARTICLE XIII - WAGES**

- 1/1/2012 - 2%
- 1/1/2013 - 2%
- 1/1/2014 - 2%
- 1/1/2015 - 2%

Paragraph D - All employees hired prior to January 1 of this year shall receive step increase for 2012 only on their anniversary date of hire. Employees hired between January 1, 2012 and October 15, 2012 shall receive one-step increase effective January 1, 2013. All employees hired after October 15, 2012 shall not receive step increases. All employees hired on or before October 15, 2012 shall not receive step increases for 2013 or any year thereafter.

2012 salary increase shall be effective and retroactive to 1/1/12. All other increases are effective as of the first of each such year.

For all Dispatchers hired after October 15, 2012, the Township shall be permitted to pay them a starting salary of between \$30,000 and the base salary of the lowest paid current Dispatcher as of October 15, 2012.

#### ARTICLE XIV - LONGEVITY

- Roll longevity in for all current employees hired prior to January 1, 2012 at maximum based upon date of hire effective and retroactive to January 1, 2012 and all increases to base pay in Article XIII shall be calculated based on this new base pay. For current employees hired on or after January 1, 2012 and before October 15, 2012 the employee shall have a \$1,500 increase in base effective January 1, 2013 and the 2013 base pay increase of 2% for such employees shall be calculated on a base pay that includes the \$1,500 and the step increase paid on January 1, 2013. Thereafter, longevity shall be eliminated for all employees hired on or before October 15, 2012. No employee hired after October 15, 2012 shall receive any longevity payment.

#### ARTICLE XV - SHIFT DIFFERENTIAL

- No changes.

#### ARTICLE XVI - CALL IN TIME

- For Dispatchers only increase call in time payment to 3 hours from 2 hours.

#### ARTICLE XVII - CLOTHING ALLOWANCE

Dispatchers shall receive 3 long sleeve and 3 short sleeve shirts per year. Eliminate \$75 shoe payment for Dispatchers.

#### ARTICLE XVIII - WORKER'S COMPENSATION

- No changes.

#### ARTICLE XIX - GENERAL PROVISIONS

- Add new Paragraph F as follows:

"The Township shall maintain an accurate up-to-date roster of employees, showing each employees' date of hire, classification and pay rate, and shall furnish copies the same to the union representative upon request."

- Add new Paragraph G as follows:

“An employee shall have the right to review their personnel file upon written request in the presence of an appropriate official of the Township and/or union. Employee's shall be allowed to attach to such file a response of a reasonable length to anything contained therein which is deemed adverse and request copies of such.”

#### **ARTICLE XX – UNION BUSINESS**

- No changes.

#### **ARTICLE XXI – EQUAL TREATMENT**

- Revise paragraph A to read as follows:

“There shall be no discrimination by the Township or the Union against any employee on account of race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, perceived disability, and AIDS and HIV status.”

#### **ARTICLE XXII – FULLY BARGAINED PROVISIONS**

- No changes.

#### **ARTICLE XXIII – SEPARABILITY AND SAVINGS**

- No changes.

#### **ARTICLE XXIV – TERM AND RENEWAL**

- Four years.

This MOA is subject to the ratification of the members of AFSCME and approval of the Township Council of the Township of Lower. The bargaining members of AFSCME and of the Township represent that they will recommend approval of the terms of the MOA to their respective constituents.

**AFSCME - Local #3779**

  
\_\_\_\_\_

AFSCME COUNCIL 71

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**TOWNSHIP OF LOWER**

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