

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
REVISED -- March 7 2016 - 7:00 P.M.

Meeting called to order.

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

Proclamation honoring John & Kathy Louderback - Councilman Tom Conrad

Work Session

Budget Hearing – Manager Jim Ridgway, CFO Lauren Read, Auditor Leon Costello

Resolution # 2016-73 – Adoption of 2016 Budget

Consent Agenda

Approval of NJ State Firemen's Membership Application - Christopher M Parcell – Villas Volunteer Fire Company; Brian Cassidy, John Matteo, Timothy Mellina, Erik Nelson and Jeremy Patterson – Erma Volunteer Fire Company

Approval of Minutes February 17, 2016

Res. #2016-74 Payment of Vouchers \$ 716,769.08

Res. #2016-75 Authorizing Payment of 2016 Animal Shelter and Spay/Neuter Fees (3/15, 5/15, 8/15 & 11/15 total to County \$116,797)

Res. #2016-76 Authorizing the Payout of Terminal Leave (M.Crompton \$10,113.83)

Res. #2016-77 Authorization for Refund of Taxes (2 properties/duplicate payments \$1,360.77)

Res. #2016-78 Resolution for Self-Examination of Budget (State requirement)

Res. #2016-79 Supporting the Use of the Atlantic City Rescue Mission for Emergency Housing (supporting the request of the Cape May County League of Municipalities and urging the Department of Human Services to approve a memorandum of understanding between the County and the Mission)

Res. #2016-80 Resolution Amending Resolution #2015-356; Approving Additional Out-of-Scope Work (Power Point Presentation and Additional Design of Handicapped Accessible Beach on New York Avenue) Requested by Council for the Beach Access Path Upgrades (\$ 3,956.)

Res. #2016-81 Transfer Of 2015 Appropriations (\$235,000)

Res. #2016-82 Approval of 2016 Rotary Towing License (Eddie's Auto Body)

Res. #2016-83 Issuance of Ice Cream Peddling and Ice Cream Salesman Licenses for the year 2016 (Mr. Softee & A & T Ice)

Res. #2016-84 Resolution Authorizing Indemnification and Defense of Lower Township Employees in Accordance with Chapter 25 of the Code of the Township of Lower (Docherty V Cape May County et al: Chief Mastriana, Detective Boyle and Twp Clerk Picard)

Res. #2016-85 Award of Extraordinary Unspecified Service Contract without Public Bidding for Stewart Farrell of the Richard Stockton College of New Jersey Coastal Research Center – Appeal Phase (Not to exceed \$15,000)

Regular Agenda

Administrative Reports

Treasurer's Report

Council Comments

Call to the Public

Closed Session

Res. #2016- 86 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. **Possible litigation / Possible acquisition of land**

Adjournment

COUNCIL MEETING MINUTES – February 17, 2016

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on February 17, 2016 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

Also present: James Ridgway, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

Certificates of Recognition LCMR Students H & R Block Scholarships - Councilman Erik Simonsen
Councilman Simonsen introduced LCMR principal Larry Ziemba and business education teachers Mike Wilson and Lee Pierce (not present) and gave a brief overview of the competition.

Mr. Wilson thanked Mayor Beck and Council on behalf of Mr. Pierce, Mr. Ziemba, and LCMR Board of Education. He personally thanked Manager Ridgway for molding him into the teacher he is today. Mr. Wilson explained the Budget Challenge, a personal finance simulation, sponsored by H&R Block, and presented awards to the following students/recipients of \$20,000 scholarships: Isaac Whitmore, Mackenzie Nugent, Dynius Sukeforth, Jack McNeal, Kolby Carter, Brianna Davids, Zach Cerasi, Tyanis Torres, Devon Blackley, Will Scott, Devyn Binder, Alexis Hunt, Matthew Jefferies, Gab Crowley, Kayla Giuffridas, and Pat Holden.

Mayor Beck congratulated the students and commended the teachers for their achievements.

Councilman Simonsen announced that Mr. Wilson and Mr. Pierce each received \$5,000 for their classrooms.

Work Session

Consent Agenda

Approval of Minutes	February 1, 2016
Res. #2016-61	Payment of Vouchers \$356,393.19
Res. #2016-62	Resolution Authorizing a Request for funds from the Lower Township Municipal Utilities Authority (\$205,000)
Res. #2016-63	Issuance of 2016 Limousine, Taxi and Operator Licenses (Ocean Cab Service, Cape May Limousine & Shore Limousine
Res. #2016-64	Approval of 2016 Rotary Towing Licenses (Off Shore Getty & Cape Harbor Auto Repair)
Res. #2016-65	Authorizing Payment of 2016 County Taxes (first and second quarters)
Res. #2016-66	Authorization for Refund of Taxes (1 property)
Res. #2016-67	Resolution to Accept Wissahickon Avenue between Seventh Avenue and the Cape May Canal as Suitably Improved for Development (allowing an additional dwelling)
Res. #2016-68	Resolution of the Township of Lower Consenting to the Issuance by the Township of Lower Municipal Utilities Authority of Revenue Bonds (Junior Lien) to the United States of America, acting through the Rural Utilities Service, Department of Agriculture, and to the Issuance of a Project Note in Anticipation of the Issuance of Such Revenue Bonds, for the Financing of Certain Water System Capital Improvements (Phase 1 of the East Villas water main extension project)
Res. #2016-69	A Resolution of the Township of Lower Awarding Final Contract Year, 2016, with S.Vitale Pyrotecnico Industries, Inc to Provide Fireworks (July 3 rd , \$43,500)
Res. #2016-70	Contract Award for Fertilizer/Slice Seed Applications for Various Locations in Lower Township – 2 nd Year Option (Tru-Green \$15,670)
Res. #2016-71	Bid Acceptance and Contract Award for Landscaping Services for Various Locations in Lower Township – 2 nd Year (Douglass Landscaping \$47,485)

Deputy Mayor Clark moved Resolution #2016-62 to the Regular Agenda.

Mayor Beck moved Resolution #2016-66 off the Consent Agenda.

On the Consent Agenda:

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

Regular Agenda

Res. #2016-62

Resolution Authorizing a Request for funds from the Lower Township Municipal Utilities Authority (\$205,000)

Mayor Beck voiced his disagreement with requesting money from the LTMUA and explained his reasoning that not all taxpayers are ratepayers.

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

Res. #2016-66

Authorization for Refund of Taxes (1 property)

Councilman Conrad moved to table Resolution #2016-66, seconded by Deputy Mayor Clark.

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

Ordinance #2016-01

An Ordinance Amending Ordinance #2014-12; An Ordinance Amending Chapter 475 of the Parks and Recreation Areas Ordinance of the Township of Lower (Millman Rental – extending rental of room from 4 to 6 hours) This is the second reading and Public Hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

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

Ordinance # 2016-02

An Ordinance Amending Chapter 475, Parks and Recreation Areas, of the Code of the Township of Lower to Amend the Fee Schedule (add classes) This is the second reading and Public Hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

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

CLARK			X			
BECK			X			

Administrative Reports

Monthly Reports - Clerk, Construction, Dog, Fire, Police, Tax, Vital

Council Comments

Councilman Conrad spoke of the many positive things going on in the Township, namely the student scholarships, LTMUA water hook ups planned for the North end of the Villas, and the Roseann Avenue project. He also thanked everyone in the Township for making this a wonderful place to live.

Councilman Perry gave an update regarding pedestrian crossings on Bayshore Road between Townbank Road and Lincoln Boulevard.

Councilman Simonsen reminded residents to contact him with questions or concerns about the Exit Zero Interchange. He informed about the Wissahickon project and spoke of concerns about erosion at the east end of the Canal. He also congratulated the students on their Budget Challenge Scholarships.

Deputy Mayor Clark spoke of the concern regarding how the Township bids out contracts and requests proposals. He read a section from the Best Practices Guidelines for awarding service contracts and suggested Council consider a review of the Township's procedures. Council discussion followed. Mayor Beck spoke about his discontent in the way the Township awarded one of the largest professional contracts back in November 2015. He motioned to engage our solicitor to reach out to the League of Municipalities and report back at the next meeting for Council discussion. Deputy Mayor Clark seconded the motion. Councilman Simonsen countered Mayor Beck's comments about the contract. Manager Ridgway reminded that the Township went out for RFPs for banking services. He also invited Mayor Beck and Deputy Mayor Clark to attend an upcoming meeting for retirement and investment services. Councilman Conrad also opposed Mayor Beck's comments and suggested a work session to discuss it. Councilman Perry urged Council to work together for the good of the residents and taxpayers. Council discussion continued. Mayor Beck motioned for the solicitor to reach out and ask the New Jersey State League of Municipalities to bring someone in to look at the last eight years of contract awards and bring this information back to Council.

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

Mayor Beck announced the following: Cape May County Healthcare Resource Day, a request from the Cape May County MUA to discontinue use of plastic bags with recyclables, and NJ Run for the Fallen Beef and Beer.

Call to Public

John Skowronski, 607 Arctic Ave., questioned Councilman Perry's reason for voting in favor of requesting money from the LTMUA. Councilman Perry stated his opinion that he believes it is the right thing to do.

Lois Jacobs, North Cape May, addressed Council on behalf of her family to read into the record a letter she wrote to Council stating her concerns about the beach maintenance project. She urged Council to think carefully before approving the project and suggested starting in the Villas, if approved. She also recommended patriotic activities for the Independence Day Festival.

Ed Butler, Villas, questioned the Township's need for the LTMUA's money. Manager Ridgway explained the reason for spreading the payment over two years and the concern for a tax increase without it. Mr. Butler voiced opposition and continued to question the surplus. Councilman Simonsen spoke about shared services to validate the request for funds. Councilman Conrad asked Mr. Butler if he wants a tax increase. Mr. Butler replied no.

John Skowronski, Villas, asked for confirmation that the LTMUA funds will allow the Township to have a zero tax increase. Manager Ridgway confirmed.

Tom Frisoli, Villas, Vice-Chairman of LTMUA, commended Council on their decision to work together. He spoke of the October 2015 meeting in which certain Council members made disparaging remarks about the LTMUA. He spoke of the need to move past it. He went on to explain that the LTMUA is currently working on their five year plus plan.

Closed Session

Res. #2016-72

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. – **POLICE NEGOTIATION UPDATE / ACQUISITION/SALE OF PROPERTY / LITIGATION UPDATES**

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

Council adjourned to Executive Session at 8:06

Council returned to Open Session at 9:05

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Perry, seconded by Councilmember Simonsen. Motion to adjourn unanimous. Meeting adjourned at 9:06 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784 CAPE MAY STAR & WAVE								
	16-00223	01/22/16	4 X 15 BALLOT ADVER 12/16/15	Open	498.00	0.00		
	16-00448	02/18/16	LEGAL PUBLICATION 2-10-16	Open	83.70	0.00		
					<u>581.70</u>			
00807 CDW-GOVERNMENT INC*								
	15-03030	12/07/15	SONY CAMERA	Open	275.00	0.00		
00825 COMCAST*								
	16-00471	02/22/16	FIRE SAFETY 8499050090215761	Open	2.00	0.00		
	16-00551	03/02/16	INTERNET SERVICE	Open	156.53	0.00		
					<u>158.53</u>			
00933 CAPE MAY CO. COURT ADMIN. ASSN.								
	16-00207	01/20/16	JUDGES DUES 2016	Open	75.00	0.00		
01132 CUMMINS POWER SYSTEMS, LLC*								
	16-00234	01/22/16	UPDATE SOFTWARE SUBSCRIPTION	Open	468.74	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	16-00547	03/02/16	CELL PHONE 02/24/16-3/23/16	Open	545.61	0.00		
01602 THOMSON WEST*								
	15-03149	12/23/15	LAND USE PAMPHLETS	Open	43.50	0.00		
01657 GOPHER SPORT*								
	16-00052	01/06/16	WRESTLING MAT TAPE	Open	386.10	0.00		
	16-00385	02/08/16	GAME ROOM SUPPLIES	Open	454.96	0.00		
					<u>841.06</u>			
01781 HATCH MOTT MACDONALD, LLC*								
	15-01369	06/02/15	BAYSHORE ESTATES ENGINEERING	Open	3,925.00	0.00		B
	15-02866	11/16/15	ENGINEERING FOR ROSEANN AVE	Open	5,160.00	0.00		B
	16-00500	02/25/16	PROFESSIONAL ENGINEERING	Open	3,356.00	0.00		
	16-00501	02/25/16	PROFESSIONAL ENGINEERING	Open	1,407.30	0.00		
	16-00502	02/25/16	PROFESSIONAL ENGINEERING	Open	1,027.60	0.00		
	16-00503	02/25/16	PROFESSIONAL ENGINEERING	Open	683.05	0.00		
	16-00504	02/25/16	PROFESSIONAL ENGINEERING	Open	551.00	0.00		
	16-00505	02/25/16	PROFESSIONAL ENGINEERING	Open	344.50	0.00		
	16-00506	02/25/16	PROFESSIONAL ENGINEERING	Open	868.25	0.00		
	16-00507	02/25/16	PROFESSIONAL ENGINEERING	Open	1,095.00	0.00		
					<u>18,417.70</u>			
01782 HEALTH INSURANCE SOLUTIONS INC								
	16-00451	02/18/16	FUNDING FOR DEFICIT BALANCE	Open	60,153.99	0.00		
01788 HEART TO HEART FLORISTS								
	16-00529	03/01/16	DOUGLASS WREATH	Open	85.00	0.00		
01873 HOME DEPOT*								
	16-00232	01/22/16	EMER SUPPLIES 01/22/16 STORM	Open	454.65	0.00		

March 2, 2016
02:47 PM

Lower Township
Bill List By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01974 I.A.C.P MEMBERSHIP*	16-00291	01/26/16	2016 RENEWAL CHIEF MASTRIANA	Open	150.00	0.00		
02025 HUNTER JERSEY PETERBILT*	16-00350	02/05/16	PARTS FOR TRUCKS	Open	2,911.76	0.00		
02108 KEEN COMPRESSED GAS CO*	16-00079	01/08/16	BOTTLED GAS/DPW/JAN	Open	247.75	0.00		
02125 KDI*	16-00322	01/29/16	COPIER DPW SAVIN	Open	3,051.00	0.00		
02136 TED KINGSTON INC*	16-00383	02/08/16	TEMPORARY ANTENNA	Open	158.69	0.00		
02183 KLENSWITE POOL SPA SUP. CO INC*	16-00304	01/27/16	POOL SUPPLIES/EMERGENCY WORK	Open	223.75	0.00		
02248 LAWREN SUPPLY*	15-03096	12/15/15	BALLISTIC VESTS	Open	1,490.00	0.00		
02294 MARIE A. LOMONACO	16-00442	02/16/16	CONTRACTUAL REIMBURSEMENT-M	Open	172.20	0.00		B
02334 LOWER TWP CHAMBER OF COMMERCE	16-00436	02/16/16	LUNCHEON MEETING FEB 11,2016	Open	20.00	0.00		
02418 MAJESTIC SEWER AND DRAIN*	16-00338	02/02/16	EMERGENCY WORK- RECREATION	Open	195.00	0.00		
02521 JOSEPH MARKER	16-00491	02/24/16	CONTRACTUAL REIMBURSEMENT- M	Open	2,549.52	0.00		
02632 N J PLANNING OFFICIALS*	16-00327	02/02/16	BOARD MEMBER TRAINING	Open	160.00	0.00		
02714 MITCHELL HUMPREY*	16-00317	01/29/16	MAINTENACE FEE 2/1/16-1/31/17	Open	4,100.00	0.00		
02902 J. BYRNE INSURANCE*	16-00510	02/25/16	ANNUAL ROAD OPENING BOND	Open	100.00	0.00		
03026 NJ STATE HEALTH BENEFITS	16-00552	03/02/16	HEALTH BENEFITS- MARCH 2016	Open	385,186.40	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*	16-00306	01/27/16	NORMANDY "D-DAY LEADERSHIP	Open	2,250.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	16-00166	01/12/16	PLOW BLADE & HOSES	Open	997.79	0.00		
	16-00370	02/05/16	PARTS RDS/ SANT/ REYC/ FEB.	Open	1,422.50	0.00		
					2,420.29			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03158 NYS&A*	16-00362	02/05/16	LACROSSE RECERTIFICATIONS	Open	140.00	0.00		
03226 OLD DOMINION BRUSH CO.*	16-00305	01/27/16	LEAF VAC PARTS	Open	2,749.17	0.00		
03284 STEPHEN H. PARKER	16-00540	03/01/16	BASKETBALL OFFICIAL	Open	1,240.00	0.00		
03285 PARA PLUS TRANSLATIONS, INC.*	16-00446	02/17/16	INTERPRETER	Open	259.50	0.00		
03305 PEDRONI FUEL*	16-00494	02/24/16	NO LEAD FUEL	Open	133.41	0.00		
03330 PENNANT SPORTS, INC*	16-00386	02/08/16	SOCCER BALLS & MEDICAL KITS	Open	509.66	0.00		
03377 JULIE PICARD	16-00435	02/16/16	REIMBURSING OFFICE SUPPLIES	Open	33.96	0.00		
03435 PUBLIC ENGINES INC*	16-00140	01/11/16	CRIME REPORTS.COM 1/16-12/16	Open	1,188.00	0.00		
03466 R & R SPECIALTIES	16-00368	02/05/16	SPONSOR PLAQUES	Open	225.00	0.00		
03518 RIGGINS, INC.*	16-00455	02/22/16	OFF HIGHWAY DIESEL	Open	569.24	0.00		
03537 RUTGERS, THE STATE UNIVERSITY*	15-03165	12/23/15	COURSE PP2213-SP16-1	Open	323.00	0.00		
03611 SERVICE TIRE TRUCK CENTERS*	16-00084	01/08/16	TIRES/RDS/SANT/RECY/DPW/JAN	Open	6,076.66	0.00		
	16-00357	02/05/16	TIRES/RDS/SANT/DPW/FEB	Open	6,796.99	0.00		
					12,873.65			
03688 SOUTHERN NJ CHAPTER NIGP*	16-00513	02/25/16	MARCH 9/2016 SJNIGP MEMBERSHIP	Open	110.00	0.00		
03692 SOUTH JERSEY GAS CO*	16-00468	02/22/16	FEBRUARY 2016 GAS BILL	Open	9,792.62	0.00		
03766 JOAN TAYLOR	16-00452	02/18/16	CONTRACTUAL REIMBURSEMENT-M	Open	800.00	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	16-00438	02/16/16	WATER BILL- DUE 3/4/16	Open	1,183.31	0.00		
	16-00439	02/16/16	SEWER DUE 3/4/16 POLICE	Open	160.00	0.00		
					1,343.31			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03820 MUNICIPAL UTIL. AUTH ON CALL								
	16-00495	02/24/16	REIMBURSE HALF OF TOTAL BILL	Open	85.58	0.00		
03904 LOWE'S HOME CENTER INC*								
	16-00233	01/22/16	EMER SUPPLIES 01/22/16 STORM	Open	656.82	0.00		
	16-00359	02/05/16	SUPPLIES/DPW/FEB.	Open	132.92	0.00		
	16-00417	02/10/16	BOCA MONTHLY ANNEX	Open	1,083.80	0.00		
					<u>1,873.54</u>			
03969 VERIZON								
	16-00555	03/02/16	VERIZON PHONE BILL FEB 2016	Open	3,414.82	0.00		
03971 VERIZON WIRELESS MDT POLICE								
	16-00554	03/02/16	VERIZON - MDT	Open	691.17	0.00		
03992 VAL-U AUTO PARTS LLC*								
	16-00078	01/08/16	RDS/SANT/RECY/DPW/JAN	Open	4,657.22	0.00		
04097 CINTAS FIRST AID AND SAFETY*								
	16-00485	02/24/16	FIRST AID SUPPLIES	Open	126.53	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS								
	16-00548	03/02/16	DOG LICENSE FEES FEBRUARY 2016	Open	404.40	0.00		
04300 W B MASON CO INC*								
	16-00196	01/19/16	OFFICE SUPPLIES	Open	290.49	0.00		
	16-00307	01/28/16	PAPER TOWEL DISPENSER-KITCHEN	Open	57.82	0.00		
	16-00345	02/04/16	TOWNHALL PAPER/SUPPLIES	Open	690.36	0.00		
	16-00349	02/05/16	OFFICE-DISPATCH SUPPLIES	Open	486.88	0.00		
	16-00363	02/05/16	SUPPLIES	Open	105.65	0.00		
					<u>1,631.20</u>			
04445 TRICOMM SERVICES CORP*								
	16-00342	02/03/16	TELEPHONE SERVICE	Open	191.25	0.00		
	16-00343	02/04/16	POLICE CABLE FOR TELEPHONE T1	Open	1,525.00	0.00		
	16-00472	02/22/16	CUT OVER T-1 2/12/16	Open	255.00	0.00		
					<u>1,971.25</u>			
05066 MICHAEL REEB								
	16-00453	02/18/16	DJ FOR SKILLS COMPETITION	Open	200.00	0.00		
5027 CAPE MAY COUNTY FIRE PROTECTIO								
	16-00382	02/08/16	2016 ASSOCIATION DUES-BLACKLEY	Open	50.00	0.00		
6018 KENNETH BROWN								
	16-00557	03/02/16	REIMBURSEMENT- LACROSSE COACH	Open	25.00	0.00		
6059 USABLE LIFE								
	16-00469	02/22/16	MARCH 2016 LIFE INSURANCE	Open	543.40	0.00		
6061 AMERHEALTH ADMINISTRATORS								
	16-00440	02/16/16	2/16/2016 HEALTH INS	Open	17,914.68	0.00		
	16-00549	03/02/16	2/29/2016 HEALTH INS	Open	27,150.64	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6061 AMERIHEALTH ADMINISTRATORS				Continued				
	16-00550	03/02/16	2/22/2016 HEALTH INS	Open	14,277.36	0.00		
					59,342.68			
6071 UNITED UNIFORMS LIMITED LIAB*								
	15-02187	08/27/15	UNIFORMS	Open	1,215.94	0.00		
	15-02946	11/24/15	UNIFORMS	Open	565.94	0.00		
					1,781.88			
6074 CAPE ATLANTIC JUNIOR FOOTBALL								
	16-00177	01/13/16	2016 APPLICATION FEE	Open	100.00	0.00		
7098 SHORE VETERINARIAN ANIMAL *								
	16-00064	01/07/16	16-26 FINAL YEAR ANIMAL CONT	Open	4,250.00	0.00		B
7119 ENGINEERING DESIGN ASSOC*								
	15-01760	07/06/15	2014-323 COASTAL RESIL GRANT	Open	4,320.00	0.00		B
7132 BUSINESS WATCH INTERNATIONAL*								
	16-00348	02/05/16	ANNUAL LICENSE	Open	250.00	0.00		
7142 LINDSAY BECHTLER								
	16-00508	02/25/16	ZUMBA INSTRUCTOR FEBRUARY 2016	Open	135.00	0.00		
7196 LAUREN HUGGINS SUIT*								
	16-00063	01/07/16	RES 2016-30 PIO DNE \$10,400	Open	866.67	0.00		
7199 STAPLES CREDIT PLAN-INSTORE PU								
	16-00312	01/28/16	OFFICE SUPPLIES	Open	489.10	0.00		
	16-00319	01/29/16	OFFICE SUPPLIES	Open	32.99	0.00		
					522.09			
7335 MAIL FINANCE/NEOPOST								
	16-00259	01/26/16	11/17-2/16/2016 POSTAGE MACHI	Open	1,890.00	0.00		
7354 FLEETPRIDE INC.*								
	16-00080	01/08/16	RDS/SANT/RECY/DPW/JAN	Open	1,263.02	0.00		
7461 DEGLER WHITING, INC*								
	15-03071	12/09/15	SCOREBOARD- HOCKEY RINK	Open	3,999.00	0.00		
7478 WINDSTREAM COMMUNICATION INC*								
	16-00441	02/16/16	PHONE SERVICE- MILLMAN/PW	Open	559.67	0.00		
7496 AMERICAN PARTS DISTRIBUTION*								
	16-00418	02/10/16	ROLL OUT SWITCH PD HEATER	Open	195.45	0.00		
7497 BIRCHMEIER & POWELL LLC*								
	16-00445	02/17/16	LEGAL SERVICES - STANGO V TWP	Open	119.88	0.00		
7507 STEFANKIEWICZ & BELASCO LLC								
	16-00059	01/07/16	2016 LEGAL MONTHLY DNE \$28k	Open	2,333.33	0.00		B

March 2, 2016
02:47 PM

Lower Township
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7507 STEFANKIEWICZ & BELASCO LLC Continued								
	16-00060	01/07/16	2016-01 LITIGATION DNE 97k	Open	5,412.55	0.00		
					7,745.88			
7515 LIFELINE TRAINING LP*								
	16-00201	01/19/16	TRAINING 2/23&24 AC NJ	Open	756.00	0.00		
7521 SOUTHERN COMPUTER WHSE INC*								
	16-00344	02/04/16	APC BACK UPS	Open	531.63	0.00		
7523 NJ-IAAO								
	16-00388	02/08/16	NJ-IAAO ASSOCIATION DUES	Open	35.00	0.00		
7528 PAUL SUDELL								
	16-00492	02/24/16	RES# 16-77 REFUND 1ST QRT TAX	Open	655.59	0.00		
7529 LAWRENCE CALLAHAN								
	16-00493	02/24/16	RES# 16-77 REFUND 1ST QRT TAX	Open	705.18	0.00		
7531 EXPRESS SCRIPTS INC*								
	16-00527	02/26/16	02/24/16 PRESCRIPTION	Open	3,277.20	0.00		
7532 HEATHER MCNULTY*								
	16-00532	03/01/16	HIFITNESS ACADEMY FEB 2016	Open	465.00	0.00		
7536 ALS ASSOCIATION OF GREATER								
	16-00553	03/02/16	RES#15-303 DONATION BBALL TOUR	Open	1,000.00	0.00		
AMENH TOM AMENHAUSER								
	16-00541	03/01/16	BASKETBALL OFFICIAL	Open	550.00	0.00		
BOSNA KAREN MANETTE BOSNA								
	16-00509	02/25/16	YOGA PAYMENT FEBRUARY 2016	Open	165.00	0.00		
MARGATE MARGATE RECREATION								
	16-00330	02/02/16	3RD/4TH GRADE BASKETBALL TOURN	Open	150.00	0.00		
SALINSKY NICOLE SALINSKY								
	16-00558	03/02/16	REIMBURSEMENT-LACROSSE COACH	Open	15.00	0.00		
SEAGE SEAGEAR MARTINE SUPPLY*								
	16-00093	01/08/16	SUPPLIES FOR RDS/DPW	Open	236.36	0.00		
TACPR TAC PRINTING & MARKETING SERV*								
	15-03193	12/28/15	CONTRACTORS LICENSE 2016	Open	231.25	0.00		
Total Purchase Orders: 134 Total P.O. Line Items: 0 Total List Amount:					716,769.08	Total Void Amount:	0.00	

RESOLUTION # 2016-74

Payment of Vouchers \$ 716,769.08

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION #2016-75

Title: AUTHORIZING PAYMENT OF 2016 ANIMAL SHELTER AND SPAY/NEUTER FEES

WHEREAS, the amounts listed below are due to Cape May County and it is necessary to receive authorization for the payment of bills; and

WHEREAS, payment of County fees may be remitted through electronic payment (EFT); and

WHEREAS, it is the recommendation of the Chief Financial Officer that authorization for electronic payments be made through a resolution so that such payments are made in a timely and efficient manner; and

WHEREAS, Animal shelter payments are charged to appropriation 6-01-27-340-200 as certified by the Chief Financial Officer _____ and are payable as follows:

- \$ 17,828.00 due 3/15/2016 Annual Spay/Neuter fees
- \$ 24,742.25 due 3/15/2016 1st Qtr Shelter fees
- \$ 24,742.25 due 5/15/2016 2nd Qtr Shelter fees
- \$ 24,742.25 due 8/15/2016 3rd Qtr Shelter fees
- \$ 24,742.25 due 11/15/2016 4th Qtr Shelter fees

NOW, THEREFORE BE IT RESOLVED by the Township Council that the aforementioned payments to Cape May County are hereby authorized.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION # 2016-76

Title: AUTHORIZING THE PAYOUT OF TERMINAL LEAVE

WHEREAS, the employee listed below is scheduled to retire from the Township and is entitled to payment for accumulated vacation, sick, 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 in the current budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a payment due to Margaret Crompton in the amount of \$ 10,113.83 is authorized and chargeable to the 2016 Budget Account 6-01-56-910-199.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 2015

EMPLOYEE: Crompton, Margaret
 DATE OF RETIREMENT 3/1/2016
 DATE OF PAYMENT: _____
 RESOLUTION #: 2016

Annual Salary:	\$49,764.65
Longevity	
Hourly Rate:	\$27.34
College Credits	

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	5.25	27.34	143.55
Personal	3.81	27.34	104.11
Sick	298.40	27.34	8,159.32
Vacation	62.42	27.34	1,706.85
Holidays			0.00
104 Hrs			0.00
Terminal Leave Payout			\$10,113.83

	(A)	(B)	(C)	(B * C)	(E)	A + D - E
	Carryover	Annual Accrual	8 weeks / 52 weeks	(D) Prorated Time Due	(E) Time Used	(F) Hours Available
Comp	12.25	0.00	0.15	0.00	7.00	5.25
Personal	2.50	28.00	0.15	4.31	3.00	3.81
Sick	296.25	105.00	0.15	16.15	14.00	298.40
Vacation	35.50	175.00	0.15	26.92	0.00	62.42
						0.00
						0.00
Total	346.50	308.00		47.38	24.00	369.88

Accrual and time used are current to 02/24/2016 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 #2016-77

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>
273.02	5	Lawrence Callahan	paid twice	705.18
510	24.27	Paul Sudell	paid twice	655.59

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION #2016-78

Title: RESOLUTION FOR SELF-EXAMINATION OF BUDGET

WHEREAS, N.J.S.A. 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS N.J.A.C. 5:30-7.2 through 7.5 the Township of Lower has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Township of Lower that in accordance with N.J.A.C. 5:30-7.6 a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A: 4-45.2 and appropriations for exceptions to limits on appropriations found at 40A: 4-45.3 et seq. are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth in itemization, form, arrangement, and content
 - c. the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A: 4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the Director of the Division of Local Government Services upon adoption.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION # 2016-79

Title: **SUPPORTING THE USE OF THE ATLANTIC CITY RESCUE MISSION FOR EMERGENCY HOUSING**

WHEREAS, there is currently no homeless shelter in Cape May County; and

WHEREAS, the Atlantic City Rescue Mission has expressed its interest in providing services to Cape May County's homeless population; and

WHEREAS, the Atlantic City Rescue Mission currently has memorandums of understanding with Cumberland County, Ocean County and Atlantic County to accept vouchers to house, train and counsel the homeless; and

WHEREAS, there exists a memorandum of understanding which currently remains in the hands of the Department of Human Services and is yet to be approved, all while the homeless population of Cape May County continues to be placed in local motels with no on-site job training or counseling; and

WHEREAS; the Atlantic City Rescue Mission works with over 50 agencies to provide job training, drug and alcohol counseling, spiritual counseling, life skills training and provides a safe and secure temporary housing environment for those in need; and

WHEREAS, it is statistically proven that counseling and job training are necessary to break the cycle of homelessness; and

WHEREAS, the increasing homeless population in Cape May County deserves access to a better life through counseling and training.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower hereby supports the use of the Atlantic City Rescue Mission to temporarily house homeless individuals and further urges the Department of Human Services to approve the memorandum of understanding between the County of Cape May and the Atlantic City Rescue Mission.

BE IT FURTHER RESOLVED a certified copy of this resolution be sent to the following: Senator Jeff Van Drew, Assemblyman Bob Andrzejczak, Assemblyman Bruce Land the Cape May County Board of Chosen Freeholders, all Cape May County municipalities, the Atlantic City Rescue Mission and the New Jersey Department of Human Services.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION #2016-80

TITLE: RESOLUTION AMENDING RESOLUTION #2015-356; APPROVING ADDITIONAL OUT-OF-SCOPE WORK (POWER POINT PRESENTAITON AND ADDITIONAL DESIGN OF HANDICAPPED ACCESSIBLE BEACH ON NEW YORK AVENUE) REQUESTED BY COUNCIL FOR THE BEACH ACCESS PATH UPGRADES

WHEREAS, the Township of Lower is given authority by N.J.S.A. 40A:11-1 et seq. to enter into contracts for "Professional Services" without competitive bidding, when the need arises, so long as the award of such contract is made public by a Resolution of the Governing Body and satisfies the requirements of the New Jersey Pay-to-Play law; and

WHEREAS, Hatch Mott MacDonald was requested to provide a presentation to the public regarding the Professional Engineering Services for the NJDEP Beach Maintenance Permit and Design of Beach Access Path Upgrades; and

WHEREAS, the Township Council desires to approve the additional charges for the out-of-scope work that was presented at the February 1, 2016 Council Meeting and the CFO has certified the availability of funds by her signature in the budget as follows:

Account:

Signature

Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower, County of Cape May, State of New Jersey, that Resolution # 2015-356 be amended and increased by \$ 3,956.00, for a total amount of \$ 23,806.00.

The Project Amendment between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for an amount of \$ 3,956.00, total amount of contract \$ 23,806. is hereby approved.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above award shall be published in the Township's Official paper.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

Julie Picard

From: Morey, Steven C <Steven.Morey@hatchmott.com>
Sent: Wednesday, March 02, 2016 11:59 AM
To: Julie Picard (jpicard@townshipoflower.org)
Cc: 'jridgway@townshipoflower.org'; 'mvitelli@townshipoflower.org'; recreation@townshipoflower.org; Sray, Mark R
Subject: NJDEP Beach Maintenance Permit and Design of Beach Access Path Upgrades - Out of Scope Engineering Fees

Julie;
As you requested the following is a breakdown of additional engineering fees relating to out of scope work for the Beach Path Improvements and Beach Maintenance project described in HMM's proposal dated December 1, 2015. This proposal is for the preparation of the necessary engineering plans and CAFRA Individual permit application by HMM for approval by the NJDEP.

As described in the above referenced proposal our lump sum cost under Task 1 does not include the cost for any additional requests from regulatory and governmental agencies not previously specified or identified, or subsequent revisions to the CAFRA application based on 1) project revisions or modifications; 2) issues resulting from public comment; or 3) responses to permit conditions. Any work associated with the above additional requests, revisions or modifications will be considered outside our scope of work and invoiced as described under Task 3 of the proposal.

Task 3 Reimbursable Services and Direct Expenses

The scope of work under this section includes the following services and direct expenses not specifically identified in Tasks 1 and 2.

- Travel & Postage
- Attendance at additional meetings
- Reproduction of plans
- Additional Work as required and approved by the client

The majority of these expenses will be the cost of plan reproduction. For budgeting purposes, we estimate that printing and other direct expenses will total approximately **\$675**.

The following describes out of scope work requested by the Township to date:

Power Point and presentation at the February 1 Council Meeting =	\$3,223.00
Additional design of handicapped accessible beach access and parking on NY Avenue =	<u>\$733.00</u>
Requested increase of reimbursable budget	\$3956.00

Original Reimbursable Budget =	<u>\$675.00</u>
Total revised reimbursable budget under Task 3 for the Project to date =	\$4631.00

If you have any questions, please do not hesitate to contact me.

Thanks,
Steve

Steven C. Morey, CEP | Associate
Hatch Mott MacDonald | steven.morey@hatchmott.com
Mailing: PO Box 373
Delivery: 833 Route 9 North

*total of Contract
\$23,806*

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

RESOLUTION #2016-81

Title: TRANSFER OF 2015 APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three months of the succeeding year when it has been determined that any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during the preceding year, which were chargeable to said appropriation, and there is an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following transfers, and totaling \$235,000.00 be made between the 2015 budget appropriation reserves.

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>FROM</u>	<u>TO</u>
Dispatch	S&W	5-01-25-250-100	20,000.00	
Police	S&W	5-01-25-240-100	100,000.00	
Public Works	S&W	5-01-26-305-100	75,000.00	
Gasoline	OE	5-01-31-460-200	30,000.00	
Street Lighting	OE	5-01-31-435-200	10,000.00	
Health Insurance	OE	5-01-23-220-400		235,000.00
			<u>235,000.00</u>	<u>235,000.00</u>

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION #2016-82

Title: APPROVAL OF 2016 ROTARY TOWING LICENSE

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the following applicant shall be issued a Rotary Towing License for the year 2016.

Edward Cooper - Eddie's Auto Body Shop Inc

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION #2016-83

TITLE: ISSUANCE OF ICE CREAM PEDDLING AND ICE CREAM SALESMAN LICENSES FOR THE YEAR 2016

WHEREAS, James Brown t/a Mr. Softee Ice Cream and Armen Avetisyan t/a A & T Ice, LLC have submitted applications for Ice Cream Peddling and Ice Cream Salesman Licenses for the year 2016; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the Clerk be authorized to issue the following licenses for the year 2016, after inspection of the vehicle with the Police Department:

Ice Cream Peddling Salesman License

James Brown – Mr. Softee Ice Cream
Armen Avetisyan – A & T Ice
Tatiana Romanova – A & T Ice

Ice Cream Peddling Business License

2000 W4Z Workhorse Vin #35B4HP32W2Y3325153 (Mr. Softee)
2003 Ford E350 Vin #1FDWE35F03HA44320 (A & T Ice)
2005 Ford E450 Vin # 1FDXE4SP35HA52269 (A & T Ice)

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION # 2016-84

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

WHEREAS, a civil action has been commenced in the United States District Court, District of New Jersey captioned Emily Docherty v. Cape May County, et al., Docket Number 1:15-CV-08785-RBK-JS naming the Township of Lower (the "Township") and certain individuals employed by the Township as defendants (the "Litigation"); and

WHEREAS, the individuals named in the Litigation as defendants in their individual and official capacities are the Chief of Police William Mastriana, Detective Joseph Boyle and Township Clerk Julie Picard (the "Individual Defendants"); and

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

WHEREAS, the Township Council of the Township of Lower determines that it is in the best interests of the Township to indemnify and hold harmless the Individual Defendants in accordance with the terms and provisions of the Township Code against all claims and damages, including punitive damages as the alleged acts do not constitute actual fraud, actual malice, willful misconduct or an intentional wrong doing as provided for in the New Jersey Tort Claims Act, N.J.S.A. 59:10-1 et seq.

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

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION #2016-85

Title: AWARD OF AN EXTRAORDINARY UNSPECIFIED SERVICE CONTRACT WITHOUT PUBLIC BIDDING FOR STEWART FARRELL OF THE RICHARD STOCKTON COLLEGE OF NEW JERSEY COASTAL RESEARCH CENTER – APPEAL PHASE

WHEREAS, the Township of Lower ("Township") has the need to acquire a Specialist in Coastal Research to appeal to the Scientific Resolution Panel (SRP) decision regarding the FEMA Flood Hazard maps and attend meetings as required and to advise officials regarding map data and potential outcomes for Lower Township property owners 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 at a fee not to exceed \$15,000; and

WHEREAS, in Lower Township's efforts to resolve the ongoing issue with FEMA regarding the Flood Insurance Mapping Data there now exists the need for a new contract – Appeal Phase at a fee of Not To Exceed \$15,000.

WHEREAS, the CFO has determined sufficient funds are available in the budget as evidenced by her signature:

Appropriation # C-04-55-413-910

Signature _____

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Stewart Farrell of the Richard Stockton College of New Jersey Coastal Research Center for the services herein described and that the notice of Award shall be published in the Township's Official paper.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk

The Coastal Research Center

Ph. 609-652-4245

Fax 609-748-0656



30 Wilson Avenue
Port Republic, NJ 08241

www.stockton.edu/crc

NEW JERSEY'S DISTINCTIVE PUBLIC UNIVERSITY

Mayor Michael Beck
Township of Lower
2600 Bayshore Road
Township of Lower, NJ 08251

March 2, 2016

Dear Mayor Beck,

The Stockton University Coastal Research Center received a copy of FEMA's decision on the appeal submitted with regard to the Preliminary Flood Maps for the Delaware Bay shoreline in Lower Township. Their denial of consideration of reasons submitted that the proposed V-zone boundary inland based on the Primary Frontal Dune (PFD) policy is both excessive and not supported by their alternative science presented from the Wave Height Analysis for Flood Insurance studies (WHAFIS) modeling program run at 25 transects across the township's bayshore, inland is simply relying on a rule formulated for the open ocean coastline.

The next step appears to be the submission within 30 days of an appeal to the Scientific Resolution Panel (SRP) consisting of independent scientists selected by FEMA to review the merits of their decision versus the fact the municipality has placed on the table for review. I concur that this must be the next step prior to attempting any form of litigation over the issue. Do the SRP, and if the thesis that the V-zone is excessive is rejected solely based on the Primary Frontal Dune rule, then you could decide to enter a legal challenge based on the fact that the application of this rule to the Delaware Bay shoreline is "arbitrary and capricious".

The SRP step should have additional scientific data beyond that provided already. It is not mandatory, but we feel that your case for a positive decision should be improved with the submission of an additional model run for the Base Flood elevation storm wave expected on the bayshore in the Township. There is a Dutch model named Delft-3D, which is both better and more complex than the WHAFIS, but generally produces fairly similar results under moderate conditions.

The CRC has a staff member with an engineering degree at the MS level in Coastal Engineering with Delft-3D experience. We have sent him the WHAFIS transect data to review and provide a proposal as to costs involved to run the Lower Township transects in Delft-3D or an alternative model and compare to WHAFIS results. The goal is to show the "outside" scientists that the best wave modeling produces a V-zone threat that puts the damage limit hundreds of feet toward the bay as compared to the arbitrary application of the PFD rule especially along the Delaware Bay with its 25-mile limit on wave fetch needed to generate destructive waves.

The proposal continues with the funds needed for the complete action leading to the SRP review including a potential meeting with them (contingency fund) over the facts and maybe a site visit.

Please review and consider this option and let the CRC know of your thoughts.

Sincerely,

A handwritten signature in black ink that reads "Stewart Farrell". The signature is written in a cursive, flowing style.

Dr. Stewart Farrell
Executive Director

Township of Lower
 Treasurer's Report
 YTD: 2016

Treasurer's Report

	<u>Total</u>	<u>Jan</u>
BEG. BAL. JAN. 1, 2016	8,187,891.43	8,187,891.43
RECEIPTS:		
Per Revenue Status	3,960,999.37	3,960,999.37
Interest due from Capital	(1,774.05)	(1,774.05)
	3,959,225.32	3,959,225.32
Grants Received:		
RECYCLING TONNAGE \$ 46,517.52	46,517.52	46,517.52
TOTAL RECEIPTS:	4,005,742.84	4,005,742.84
DISBURSEMENTS:		
2015 Reserves	371,359.57	371,359.57
2016 Current	4,225,827.30	4,225,827.30
2016 Capital 4,642,947.90	45,761.03	45,761.03
Appropriation Refunds:	(35,204.27)	(35,204.27)
TOTAL DISBURSEMENTS	4,607,743.63	4,607,743.63
END. BAL. DEC. 31, 2016	7,585,890.64	7,585,890.64
Total Appropriation Refunds	(35,204.27)	(35,204.27)
Bank Balance		
Checking		165,909.98
Online Payment Acct		6,854,679.89
Total Bank Balance		7,020,589.87
ADD: Deposits in Transit		663,087.43
LESS: Outstanding Checks		(97,786.66)
Adjusted Bank Balance		7,585,890.64
		0.00

Monthly Interest Received- Current Fund	4,265.38	4,265.38
Interest Rate	0.45%	

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

RESOLUTION # 2016-86

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.

X (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.

POSSIBLE LITIGATION

_____ (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 March 7, 2016 that an Executive Session closed to the public shall be held on this date at approximately _____ 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.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
SIMONSEN						
CLARK						
BECK						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 7, 2016.

Julie A Picard, Township Clerk