

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

SEPTEMBER 4, 2013 - 6:00 P.M.

Meeting called to order.

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

Work Session

Francis Campbell, Esquire - School Funding Issue
Terrance Crowley - School Funding Issue

Consent Agenda

Approval of Minutes August 19, 2013
Res. #2013-236 Payment of Vouchers \$319,010.39
Res. #2013-237 Approval of Place to Place Transfer - Expansion of Licensed Premises, Liquor License #0505-44-028-003, T/A Acme Markets, Inc (allowing liquor to be sold throughout the store)
Res. #2013-238 Approval of Precious Metal License (J & J Pawn Shop 1425 Bayshore Rd)
Res. #2013-239 A Resolution Requesting Release of a Demolition Bond for Block 174, Lot 11 - 2 Mowery Avenue (\$500.)
Res. #2013-240 Tax Refunds (3 properties \$ 2,290.46)
Res. #2013-241 Authorizing Payout of Terminal Leave (D.DeNote \$46,797.24)
Res. #2013-242 Resolution Supporting Participation in the Sustainable Jersey Municipal Certification Program (Lower has been a part of Sustainable Jersey - this is renewing our commitment)
Res. #2013-243 Re-Appointment to the Green Team (part of Sustainable Jersey - same employees)
Res. #2013-244 Approval of Change Order #1 Fire Suppression System - Millman Community Center (change from wet system to antifreeze system required by fire inspector \$17,500.91)
Res. #2013-245 Authorization for Waiver of Fees for Fire District #3 (planning board application and escrow fees for solar energy system)

Regular Agenda

Council Comments

Call to the Public

Adjournment

COUNCIL MEETING MINUTES – AUGUST 19, 2013

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on August 19, 2013 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

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

Work Session

Consent Agenda

Mayor Beck pointed out resolution #2013-231 allowing for the appointment of Special Counsel, Francis Campbell for the purpose of opposing the City of Cape May's attempt to withdraw from the Lower Cape May Regional School District. Mayor Beck intends to have Mr. Campbell present at the next council meeting to explain our options and position. Terrance Crowley, who will be conducting the feasibility study, will also be present.

Solicitor Sandman disclosed Mr. Campbell's credentials and remarked that he comes highly recommended by the attorneys who have appeared before the Supreme Court on this issue.

Ed Butler of Villas addressed Council to inquire about Resolutions #2013-229 and #2013-230, awarding of vehicles. Mayor Beck and Manager Voll affirmed that these are replacement vehicles for the police department, equipped with the police package and emergency equipment.

Mr. Butler also inquired about Resolution #2013-233. Manager Voll explained that West Cape May is looking to make a safer bike route along Sunset Boulevard and asking for our support. Mayor Beck added that the resolution is simply a commitment encouraging the use of bicycles for various reasons. He assured Mr. Butler that it will not cost the Township any money.

Approval of Minutes	August 5, 2013
Res. # 2013-221	Payment of Vouchers \$ 3,082,932.54
Res. #2013- 222	Resolution of the Township of Lower Consenting To The Issuance By The Township of Lower Municipal Utilities Authority of Revenue Bonds (Junior Lien), Series 2013 to the United States Of America, Acting Through the Rural Utilities Service, Department of Agriculture, for the Financing of Certain Water System Capital Improvements (approval for MUA bonds not to exceed \$8,167,000.)
Res. #2013-223	Authorization for Refund of Taxes (10 properties \$10,262.76)
Res. #2013-224	Authorizing the Payout of Accumulated Compensatory Time (P. Greene \$22,215.50)
Res. #2013-225	Approval of Good Samaritan Baptist Church's Application to Conduct Flea Markets (Aug 22-24/Aug 29-31)
Res. #2013-226	Drive Sober or Get Pulled Over 2013 Statewide Crackdown Grant (\$4,400. Aug 16 - Sept 2)
Res. #2013-227	Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (drive sober or get pulled over \$4,400.)

- Res. #2013-228 Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (click it or ticket \$4,000.)
- Res. #2013-229 Award of One (1) 2014 Chevrolet Tahoe SSV 4x4 or Equal (Mall Chevrolet \$28,650.96)
- Res. #2013-230 Award of one (1) 2014 Dodge Ram Pick-up Truck 4X4 or equal (Hertrich \$24,670.)
- Res. #2013-231 Appointment of Special Counsel for the Purpose of Opposing the City of Cape May's Attempt to Withdraw From the Lower Cape May Regional School District (Francis Campbell - not to exceed \$7,500.)
- Res. #2013-232 Issuance of an Ice Cream Operator License for the Year 2013 (Ferad Ferhat)
- Res. #2013-233 Action Plan For Bicycle Friendly Communities (requested by Cape May Point)

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

Regular Agenda

- Res. #2013-234 Approval of Vouchers (Douglass Landscaping \$1,700.)

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

- Res. #2013-235 Approval of Vouchers (L/T Rescue Squad \$10,000.)

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

- Ordinance #2013-16 An Ordinance Amending Chapter Seven Entitled "Traffic" of the Revised General Ordinances of the Township Of Lower (approving stop signs on Farmstead at Farmstead & Cape; on Cold Spring at Cold Spring & Cape and on Mayflower at Mayflower & Cape) 2nd reading & public hearing

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

Ordinance #2013-17 An Ordinance Amending Chapter 230 of the Revised General Ordinances of the Township of Lower (unobstructed views at corners - changing the requirement from 8 feet to 12 feet)- 2nd reading and public hearing

Councilmember Conrad agreed that the ordinance is a good idea considering the size of the vehicles on the road and for the safety of the school buses.

Mayor Beck agreed.

Councilmember Douglass agreed that this will help with obstructed corners.

Manager Voll announced that Public Works has been trimming back trees that obstruct stop signs and intersections in an effort to get ready for the new school year.

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

Ordinance #2013-18 An Ordinance for the Township of Lower to Establish an Energy Aggregation Program, 2nd reading & public hearing

Councilmember Neville motioned to Table Ordinance #2013-18 to establish more information pertaining to this matter.

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

Administrative Reports

Personnel Actions Report

Monthly: Animal Control, Construction, Dog, Municipal Clerk, Police, Tax Collector, Treasurer, Vital Statistics

Council Comments

Councilmember Conrad commented on the public education session on substance abuse. He hopes this is the first of a series to come.

Councilmember Neville made reference to the dolphins washing up on the beach. He advised people to keep their distance if they encounter one and instructed them to call Animal Control.

Deputy Mayor Clark informed about Mayor Beck's awareness of every line on the expense ledger, flagging the cost of dog bags for the beach. He also gave an update on the Economic Development Committee.

Mayor Beck announced the following: Lower Township is on Facebook, the Blood Drive takes place tomorrow at Township Hall from 10:00-3:00. He also spoke about the 15-minute Child Break Presentation, commending the parent educator, Kyran Killian and thanking Colleen Crippen for organizing it. In addition, the Township wide substance abuse program will be held on September 23.

Call to Public

Janet Pitts of Villas addressed Council to speak about the situation with Cape May City Council's attempt to withdrawal from the regional school district. In doing research, she found that the problem is much bigger throughout the state. She expressed a desire for the state of NJ to come up with a different method of funding the local schools that does not cause opposition between towns.

Steve Sheftz of Townbank addressed Council regarding Cape May City Council's attempt to withdrawal from the regional school district. He thanked the Cape May County Herald for publishing his letter. Attached is a copy of his findings upon further research.

Deputy Mayor Clark found the silver lining throughout the school funding discussions, revealing that many of Cape May's leaders disagree with Wichterman's statements. Additionally, Clark feels that this will prompt discussions on how to educate our children more cost effectively.

Solicitor Sandman added that Mr. Campbell will be here at the next Council meeting to educate on the history of the situation and objectively present the facts. Sandman believes we should invite anyone who has an interest in this matter to attend.

Jay Young of Cape May Beach addressed Council to inquire again about repairs to Clubhouse Road. Manager Voll informed that we have not yet received the approval back from the Department of Transportation. His best guess, after speaking with the Township MUA, Public Works Director and Township Engineer, is that by November they will be repaving Clubhouse Road. Mr. Young also addressed the infrastructure problem on Roseann Avenue. Mayor Beck referred to the Cox Hall Creek Watershed Initiative that began in 2004 as a means of controlling flooding in that area. He argued that the township has not been neglecting the problem, but rather waiting on approval from the state.

Robert Rizzo of Mickel's Run addressed Council to suggest an idea to Mr. Young about speeding up the DOT. He also requested that Deputy Mayor Clark comment on the Fishing Creek School events. Deputy Mayor Clark informed that the Friends of Fishing Creek School are responsible for running the fund-raisers; however he continued to give an update on the progress of renovations to the Fishing Creek School. He explained that we are waiting for permission from the Historical Commission, but are able to proceed with the work on the lead abatement. He still hopes to be open for business to children by sometime next year.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. Motion to adjourn unanimous. Meeting adjourned at 6:52 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00775 CAPRIONI PORTABLE TOILETS, INC*								
	13-01974	07/03/13	4 PORT TOILET SUMMER CONCERT	Open	372.00	0.00		
	13-02112	07/18/13	MONTHLY RENTAL PORTABLE TOILET	Open	239.50	0.00		
	13-02486	08/19/13	PORTABLE TOILET/PARKS & FIELD	Open	<u>371.50</u>	0.00		
					983.00			
00784 CAPE MAY STAR & WAVE								
	13-02459	08/15/13	LEGAL PUBLICATIONS 8-7-13	Open	71.92	0.00		
	13-02572	08/27/13	LEGAL PUBLICATION 8-21-13	Open	<u>58.90</u>	0.00		
					130.82			
00820 COMCAST OF WILDWOOD* DPW								
	13-02594	08/29/13	MONTHLY INTERNET	Open	105.68	0.00		
00825 COMCAST*								
	13-02539	08/22/13	INTERNET 08/30/13-9/29/13 FIRE	Open	109.93	0.00		
00893 STATE OF NJ DEPT LABOR/WORKFC								
	13-02525	08/21/13	ANNUAL ASSESSMENT BILL	Open	1,941.69	0.00		
01170 VERIZON WIRELESS* F/S								
	13-02460	08/15/13	CELL SERVICE 6/27/13-7/26/13	Open	67.34	0.00		
01239 DIANA L DeNOTE								
	13-02483	08/19/13	MEDICAL CLAIMS	Open	212.00	0.00		
01389 EDDIE'S AUTO BODY*								
	13-02101	07/17/13	TOWING	Open	230.00	0.00		
01480 E-Z PASS								
	13-02549	08/26/13	EZPASS/PA TURNPIKE	Open	100.00	0.00		
	13-02585	08/28/13	EZPASS	Open	<u>100.00</u>	0.00		
					200.00			
01502 PAMELA FELDER								
	13-02577	08/27/13	MEDICAL CLAIMS	Open	146.97	0.00		
01703 HARBOR SALES COMPANY*								
	13-02179	07/25/13	SIGN MATERIALS	Open	787.19	0.00		
01859 HESS CORPORATION								
	13-02591	08/29/13	07/22/13-08/20/13 ELECTRIC	Open	9,095.06	0.00		
02063 JOHNSTONE SUPPLY*								
	13-02251	08/05/13	RESCUE FAN	Open	287.91	0.00		
02101 KELLY PRODUCTS CO., INC.*								
	13-02575	08/27/13	MICROWAVE FOR MILLMAN/UPGRADE	Open	93.25	0.00		
02183 KLENSWITE POOL SPA SUP.CO INC*								
	13-02294	08/06/13	POOL SUPPLIES/EMERGENCY POOL	Open	78.60	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02280 LINDEMOM WINCKELMANN & ASSOC.	13-01475	05/29/13	ADA/SC FISHING SCHOOL 2013-84	Open	5,576.60	0.00		B
02902 J. BYRNE INSURANCE*	13-02547	08/23/13	VOLUNTEERS INS - HIST BLDG	Open	500.00	0.00		
03022 PRICE CHOPPER, INC*	13-02190	07/25/13	WRIST BANDS FOR THE POOL	Open	391.64	0.00		
03158 NYSCA*	13-02293	08/06/13	COACHES CERTIFICATION/CHEERL	Open	20.00	0.00		
03274 P & J GAS SERVICE*	13-02246	08/05/13	PROPANE FOR PAVING	Open	40.00	0.00		
03305 PEDRONI FUEL*	13-02569	08/26/13	NO LEAD GAS	Open	862.65	0.00		
03452 THOMAS QUINN	13-02482	08/19/13	MEDICAL CLAIMS	Open	557.64	0.00		
03466 R & R SPECIALTIES	13-02488	08/19/13	PLAQUE- 4"x8" MEMORIAL BENCH	Open	270.00	0.00		
03518 RIGGINS, INC.*	13-02568	08/26/13	HIGHWAY DIESEL	Open	1,559.65	0.00		
03607 SEASHORE FOOD SUPPLY*	13-01982	07/03/13	FOOD SUPPLIES FOR BAYRUN	Open	993.37	0.00		
03613 SEA ISLE ICE CO. INC.*	13-02311	08/08/13	ICE	Open	250.00	0.00		
03683 SNAP-ON TOOLS*	13-01912	06/25/13	UPDATE COMPUTER PROGRAM/DPW	Open	863.18	0.00		
03692 SOUTH JERSEY GAS CO*	13-02554	08/26/13	GAS FOR AUGUST 2013	Open	321.36	0.00		
03723 STAPLES, INC.*	13-02284	08/06/13	IPAD KEYBOARD MANAGER	Open	59.90	0.00		
	13-02335	08/12/13	OFFICE SUPPLIES	Open	464.00	0.00		
	13-02463	08/15/13	OFFICE SUPPLIES-MANAGERS OFFIC	Open	180.78	0.00		
					<u>704.68</u>			
03810 MUNICIPAL UTIL AUTH USAGE COST	13-02589	08/28/13	SEWER CHARGES DUE 10/01/2013	Open	1,160.00	0.00		
	13-02590	08/29/13	WATER OVRAGE-POOL 9873-0	Open	1,196.45	0.00		
					<u>2,356.45</u>			
03904 LOWE'S HOME CENTER INC*	13-01977	07/03/13	SUPPLIES/AUG	Open	54.10	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03969 VERIZON	13-02553	08/26/13	AUGUST 2013 PHONE SERVICE	Open	4,060.95	0.00		
03985 VILLAS NAPA AUTO PARTS	13-01747	06/07/13	RDS/SANT/RECY/AUG	Open	2,264.60	0.00		
04075 BARBER CONSULTING SERVICES LLC	13-02467	08/15/13	CAT 5 NETWORK LINE	Open	350.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*	13-02537	08/22/13	FIRST AID SUPPLIES- TOWNHALL	Open	94.24	0.00		
	13-02567	08/26/13	FIRST AID SUPPLIES	Open	<u>166.47</u>	0.00		
					260.71			
04216 PRIVATE ISLAND EMBROIDERY*	13-02132	07/22/13	ANIMAL CONTROL SHIRTS	Open	180.00	0.00		
04300 W B MASON CO INC*	13-02235	08/01/13	20 CASES OF 8.5 X 11 PAPER	Open	439.80	0.00		
04449 TRIPLE B SQUARED, LLC	13-02469	08/15/13	NATIONAL NIGHT OUT	Open	400.00	0.00		
06025 O'DONNELL PLUMBING/HEAT LLC*	13-01170	04/24/13	PLUMBING AT MILLMAN RENOV	Open	5,500.00	0.00		B
06030 JACK FICHTER*	13-01455	05/24/13	PUBLIC INFORMATION OFFICER	Open	1,000.00	0.00		B
5032 NORTH WILDWOOD \$ CREST SHIRT*	13-01794	06/14/13	72 HIGH SCHOOL SUMMER SHIRTS	Open	600.00	0.00		
6004 LERETA, LLC	13-02574	08/27/13	RES#2013-240 REFUND OVERPAYMEN	Open	2,058.66	0.00		
6059 USABLE LIFE	13-02571	08/27/13	SEPTEMBER 2013 LIFE INSURANCE	Open	457.56	0.00		
6061 AMERHEALTH ADMINISTRATORS	13-02534	08/22/13	AUG 19TH HEALTH INS & RX	Open	101,638.00	0.00		
	13-02570	08/27/13	AUG 26TH HEALTH INS & RX	Open	67,260.64	0.00		
	13-02587	08/28/13	SEPTEMB 2013 ADMIN & STOP LOSS	Open	<u>25,702.90</u>	0.00		
					194,601.54			
6071 UNITED UNIFORMS LIMITED LIAB*	13-02091	07/15/13	UNIFORMS	Open	1,976.40	0.00		
	13-02516	08/21/13	UNIFORMS	Open	<u>110.00</u>	0.00		
					2,086.40			
6075 PARKER MCCAY P.A. *	13-02487	08/19/13	PROFESSIONAL SERVICES	Open	544.69	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6080 OMAHA STANDARD, LLC*	13-02008	07/09/13	PARTS FOR ROLL OFF #8	Open	598.34	0.00		
6086 CAPE MAY LEWES FERRY	13-02148	07/23/13	VIP PARTY	Open	1,770.00	0.00		
6088 CRAFT OIL CORPORATION*	13-02187	07/25/13	FLEET MAINTENANCE OIL	Open	3,228.72	0.00		
6093 GLOBAL EQUIPMENT COMPANY INC*	13-02270	08/06/13	TRAFFIC BARRICAFES / 8'	Open	2,161.25	0.00		
6097 CIVIL SERVICE COMMISSION	13-02309	08/08/13	CIVIL SERVICE TRAINING-FOURNIE	Open	75.00	0.00		
	13-02471	08/15/13	CIVIL SERVICE TRAINING-KREIS	Open	75.00	0.00		
					<u>150.00</u>			
7013 BRANDI CARDACI	13-02489	08/19/13	REFUND FOOTBALL FEE DIFFERENCE	Open	5.00	0.00		
7014 THERESA ROBINSON	13-02528	08/22/13	BACKGROUND/CHEERLEADING/REFUND	Open	26.00	0.00		
7015 NICOLE DIFALCO	13-02529	08/22/13	COACH BACKGROUND/CERTIFICATION	Open	46.00	0.00		
7016 R.F.C. CONSTRUCTION	13-02531	08/22/13	RETURN OF DEMO BOND-RFC CONSTR	Open	1,000.00	0.00		
7017 MCM, LLC	13-02538	08/22/13	RELEASE OF DEMO BOND-2 MOWERY	Open	500.00	0.00		
7018 NICASIO & ANICETA RABINO	13-02573	08/27/13	RES#2013-240 REFUND HOMESTEAD	Open	231.80	0.00		
7020 MICHELE WALSH	13-02576	08/27/13	REFUND FOR FOOTBALL SUPPLIES	Open	71.43	0.00		
BOSNA KAREN MANETTE BOSNA	13-02548	08/26/13	YOGA INSTRUCTOR	Open	30.00	0.00		
CALLINAN JOHN F CALLINAN, ESQUIRE	13-02030	07/10/13	HEARING OFFICER-POLICE DISCIPL	Open	2,580.00	0.00		
G-YAP CENTER FOR COMMUNITY ARTS	13-02530	08/22/13	YAP SUMMER ARTS PROGRAM	Open	3,250.00	0.00		
JAJAS JAJA'S PONY RIDES	13-02468	08/15/13	NATIONAL NIGHT OUT	Open	300.00	0.00		
NJASRO NJASRO	13-01421	05/21/13	NJ ASSOCIATION OF SRO'S	Open	375.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
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Total Purchase Orders: 93 Total P.O. Line Items: 260 Total List Amount: 318,910.39 Total Void Amount: 0.00

COMPUTER GENERATED BILL LIST TOTAL	\$318,910.39
MANUAL CHECK Marsh & McLennan Agency	\$100.00
TOTAL BILL LIST TO BE APPROVED BY COUNCIL	\$319,010.39

I hereby certify the foregoing to be the original Resolution adopted by Township Council at a meeting held on September 4, 2013.

Julie A Picard, Township Clerk

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013-237

**TITLE: APPROVAL OF PLACE TO PLACE TRANSFER
EXPANSION OF LICENSED PREMISES,
LICENSE #0505-44-028-003, T/A ACME MARKETS, INC**

WHEREAS, an application has been filed for a place to place transfer of Plenary Retail License 0505-44-028-003, for the purpose of expansion of licensed premises; and

WHEREAS, the application has been reviewed, all required fees paid and no written objections have been filed.

NOW, THEREFORE, BE IT RESOLVED that the Lower Township Council does hereby approve, effective September 5, 2013, the place to place transfer with expansion of premises located at 3845 Bayshore Road, North Cape May, under license number 0505-44-028-003 with the area delineated in the application form and the sketch of the licensed premises attached thereto.

I hereby certify the foregoing to be a resolution adopted by the Township Council on September 4, 2013

Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION # 2013-238

TITLE: **APPROVAL OF PRECIOUS METALS LICENSE**

WHEREAS, applications have been made for a Precious Metal License by the following applicant in accordance with Ordinance #2012-14; and

WHEREAS, the applicant has paid the proper fees, posted the required bonds and the Police have no objection to the issuance of said license.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that a Precious Metal License for the year 2013 be approved and is hereby approved for the following applicant:

J & J Pawn Shop

1425 Bayshore Road

I hereby certify the foregoing to be a Resolution adopted by the Township Council on September 4, 2013.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013-239

TITLE: A RESOLUTION REQUESTING **RELEASE** OF DEMOLITION BOND FOR
BLOCK 174, LOT 11, 2 MOWERY AVENUE

WHEREAS, MMCM, LLC posted a Demolition Bond with the Township of Lower,
in the amount of \$500.00, and

WHEREAS, the Township Building Inspector made a final inspection and the
Certificate of Occupancy was issued August 20, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township
of Lower, the Governing Body thereof, that the demolition bond be and hereby is **released**.

BE IT FURTHER RESOLVED, that the Township Treasurer is granted permission
to issue a check in the amount of \$500.00 plus any accrued interest for payment of the above
released demolition bond.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on September 4, 2013.

Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

MEMORANDUM

TO: Mayor Michael Beck &
Council Members

FROM: William J. Galestok, PP, AICP
Director of Planning

DATE: August 22, 2013

RE: Release of Demolition Bond
MMCM, LLC
2 Mowery Avenue
Villas, NJ 08251
Block 174, Lot 11
Resolution #2013-239

Please release to the applicant the demolition bond that the Township is hold in trust, to assure the required demolition. A certificate of occupancy was issued August 20, 2013. Thank you.

WJG:las

att.

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

RESOLUTION #2013-240

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>
499.02	10	Nicasio & Aniceta Rabino	Disabled veteran	231.80
494.01	27.23	Lereta	paid twice	603.33
512.04	2886	Lereta	paid twice	1,455.33

I hereby certify the foregoing to be the original Resolution adopted by Township Council at a meeting held on September 4, 2013.

Julie Picard, Township Clerk

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION # 2013-241

Title: AUTHORIZING PAY OUT OF TERMINAL LEAVE

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a payment due to Diana DeNote in the amount of \$ 46,797.24 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify this to be the original Resolution adopted by the Township Council on September 4, 2013.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE: 9/1/2013

EMPLOYEE: DeNote, Diana
 DATE OF RESIGNATION: 8/31/2013
 DATE OF PAYMENT:
 RESOLUTION #:

Annual Salary:	\$56,822.95
Hourly Rate:	\$31.22
Longevity	

SALARY:		
Salary due to	8/31/2013	\$39,338.97
Salary paid through	8/31/2013	\$39,339.00
longevity due		
Longevity paid		
Balance due		-\$0.03

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	31.22	0.00
Personal	45.60	31.22	1,423.58
Sick	1,260.00	31.22	39,338.96
Vacation	193.29	31.22	6,034.74
Terminal Leave Payout			\$46,797.28
Final pay			\$46,797.24

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)
	Carryover	Annual Accrual	35 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp	0.00	31.00		31.00	31.00	0.00
Personal	28.00	28.00	0.67	18.85	1.25	45.60
Sick	1,610.50	105.00	0.67	70.67	10.50	1,260.00
Vacation	131.50	175.00	0.67	117.79	56.00	193.29
Total	1,770.00	339.00		238.31	98.75	1,498.88

Accrual and time used are current to _____ subject to change if time is used or not currently reported.

Employee Signature: _____
 Date: _____

Treasurer's Signature: _____
 Date: _____

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

RESOLUTION #2013-242

TITLE: RESOLUTION SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY™ MUNICIPAL CERTIFICATION PROGRAM

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Lower Township strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Lower Township hereby acknowledges that the residents of Lower Township desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Lower Township wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Lower Township is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Lower Township, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within Lower Township on matters of sustainability, the Lower Township Mayor and Council wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Mayor and Council of Lower Township that we do hereby authorize Colleen Crippen, Coordinator for Federal and State Aid to serve as Lower Township's agent for the Sustainable Jersey Municipal Certification process and authorize the her to complete the Municipal Registration on behalf Lower Township.

I hereby certify this to be the original Resolution adopted by the Township Council on September 4, 2013.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013- 243

TITLE: RE- APPOINTMENT TO THE GREEN TEAM

WHEREAS, the Green Teams term expired December 31, 2012 and each member is required to be appointed annually; and

WHEREAS, the Green Team is an important part of Lower Township's Sustainable Jersey Municipal Program.

NOW, THEREFORE, BE IT RESOLVED the following re-appointments to the Green Team are hereby approved:

<u>Name</u>	<u>Term Expiration</u>
Michael Voll	December, 2013
William Galestok	December, 2013
Matthew Ecker	December, 2013
Margaret Vitelli	December, 2013
Colleen Crippen	December, 2013
Julie Picard	December, 2013
George Curvan	December, 2013

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on September 4, 2013.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION # 2013-244

TITLE: APPROVAL OF CHANGE ORDER #1 FIRE SUPPRESSION SYSTEM MILLMAN COMMUNITY CENTER

WHEREAS, Affordable Fire Protection Inc was originally awarded a contract in the amount of \$55,000.00 on February 4, 2013; and

WHEREAS, Change Order #1 requires the fire suppression system for the Millman Community Center to be converted from the original wet system to an antifreeze system to cover the attic area based on Fire Safety requirement which will result in an increase of \$17,500.91; and the total contract will be \$72,500.91; and

WHEREAS, as per N.J.A.C. 5:30-11.9 Procedures for Change Orders which exceed 20% limitation, notice will be sent to the Department of Community Affairs and published in the newspaper; and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation # : Ordinance # 05-20/ C-04-55-391-530

CFO Signature: _____

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Change Order #1 for Affordable Fire Protection Inc is hereby approved to increase the contract total to \$72,500.91.

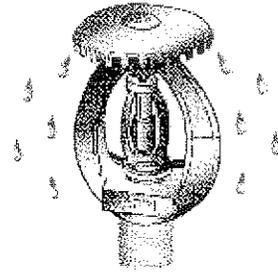
I hereby certify the foregoing to be an original Resolution adopted by the Township Council at a meeting held on February 4, 2013.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

AFFORDABLE FIRE PROTECTION, INC.

540 HAMILTON AVENUE LINWOOD, NJ 08221
PH: (609) 927-9220 FAX: (609) 927-9001



DATE: August 29, 2013

PROJECT: 2013-03 Millman Community Center
Fire Suppression System
209 Bayshore Rd.
Villas, NJ 08251

AFPI Project # C-932

To: Township of Lower
2600 Bayshore Rd.
Villas, NJ 08251

Attn: Margaret Vitelli QPA
(Lower Township Purchasing Agent)

Re: Explanation of the proposed contract scope changes for the Millman Center.

Margaret,

The original contract scope called for the fire sprinkler system to be wet (water filled) and for the Attic to be excluded. Since, the scope has changed and the fire sprinkler system is now required to protect the attic as well. AFPI has submitted a change quotation for the additional/ changed scope. Now we would have exposed pipe within the attic that may be subject to freezing conditions. Therefore, we are proposing to convert the fire sprinkler system to an antifreeze filled system. The major changes with converting the system to antifreeze are the replacement of the Ames 2000 backflow to a RPZ style backflow (Code required on antifreeze systems), the installation of a UL listed Expansion tank with associated piping and the antifreeze solution (also listed for fire sprinkler). The other major change is the piping, fittings and sprinkler heads within the attic. Some of the existing piping will be utilized to add the attic sprinkler heads while the remaining areas will be supplied by new pipe connected to the existing system mains. Included with these changes are the required design/engineering, Labor, Material and associated equipment to complete this additional scope.

Should you need any other documentation regarding this, Please don't hesitate to call.

Steve Gaddy
Project Manager, AFP, Inc.

AFFORDABLE FIRE PROTECTION, INC.

540 Hamilton Ave., Linwood, NJ 08221
(609) 927-9220 Fax (609) 927-9001

CONTRACT CHANGE QUOTATION

Date: Submittal Date Revised August 26, 2013
 Project Name: Millman Center AFP's QUOTATION # 1
 PCI #

Description of Change(s):

This change is for additional work to our contract scope and as per the Permit review comments by the construction office. The scope changes on this change quote is to convert the fire sprinkler system to an antifreeze system and install sprinkler heads within the attic. Included is the redesign, additional materials, antifreeze and associated labor to make the changes to the installed piping and install the necessary piping/sprinkler heads within the attic space.

ITEMIZED BREAKDOWN

DESIGN:	Drawings, submittals, coordination, calculations, ordering materials, etc.....				
	32 Hr(s) Straight Time @ \$76.48 =	Design Cost			\$2,447.36
MATERIALS:	Pipe, fittings, hangers, sprinkler heads etc.				
	Unit per sprinkler (pipe, Fittings, hanger, heads)	Mat. Cost			\$4,188.00
		Sales Tax @ 7%			\$0.00
FABRICATION: (SHOP)					
	8 Hr(s) Straight Time @ \$76.75 =	Fab. Cost			\$614.00
FREIGHT:	4 Hr(s) Straight Time @ \$76.75 =	Freight Cost			\$307.00
	load, transport, unload from shop				
FIELD LABOR:	35 Hr(s) Straight Time (Foreman) @ \$97.21 =	F. Labor: Foreman			\$3,402.35
	35 Hr(s) Straight Time (Journeyman) @ \$82.92 =	F. Labor: Journeyman			\$2,902.20
	(SEE ATTACHED BREAKDOWN)	(SEE ATTACHED BREAKDOWN)			
LABOR SUPERVISION	@ 5% of Field Labor Cost	Super. Cost			\$0.00
EQUIPMENT DESCRIPTION:					
	\$0.00				
	\$0.00	Equipment Cost			\$2,640.00
	antifreeze 165 gallons				
	\$2,640.00				
MISCELLANEOUS ITEMS:					
	\$0.00				
	\$0.00	Misc. Cost			\$1,000.00
	Contingency fund				
	\$1,000.00				
	\$0.00				
PERMIT		Permit Cost			\$0.00
	\$0.00				
TOTAL COST.....					\$17,500.91
10% OVERHEAD.....					N/C
5% PROFIT.....					N/C
SUB TOTAL.....					\$17,500.91
Add for Bond (if applicable) @ 1.5%					N/A
Add for General Liability & Umbrella @ 1.7%					N/A
TOTAL>>>>>>>>					\$17,500.91

CHANGE ORDER NO. 1



**TOWNSHIP
OF LOWER**

CONTRACTOR: Affordable Fire Protection, Inc
540 Hamilton Avenue
Linwood, NJ 08221

REASON FOR CHANGE: Provide attic fire protection

THE TIME PROVIDED FOR COMPLETION OF THIS PROJECT IS: Increased
TIME EXTENTION FOR CHANGE ODRDER: 30 Days

UPON EXECUTION THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT

TYPE OF CHANGE	ITEM	DESCRIPTION	QTY	UNITS	UNIT PRICE	AMOUNT
SUPPLEMENTAL	CO1	Fire Suppression System (Attic)	1	LS	17,500.91	17,500.91
SUBTOTAL:						\$17,500.91
EXTRA						
SUBTOTAL:						
REDUCTION						
SUBTOTAL:						

CHANGE ORDER SUMMARY

PREVIOUS CHANGE ORDERS			CURRENT CHANGE ORDER	
NO.	AMOUNT	REASON FOR CHANGE	TYPE OF CHANGE	TOTAL
1	\$17,500.91	Provide attic fire protection		
2			+ SUPPLEMENTAL	\$17,500.91
3				
4			+ EXTRA	
5				
6			- REDUCTIONS	
7				
8			NET CONTRACT CHANGE	
9			THIS CHANGE ORDER	\$17,500.91
10				
ORIGINAL CONTRACT AMOUNT			\$55,000.00	
AMENDED CONTRACT AMOUNT			\$72,500.91	
TOTAL CONTRACT CHANGE (AMOUNT)			\$17,500.91	
TOTAL CONTRACT CHANGE (PERCENT)			31.82%	
ACCEPTED BY: _____				
		Affordable Fire Protection, Inc	DATE	
RECOMMENDED BY: _____				
		George Curvan, P.E. Lower Township Engineer	DATE	
APPROVED BY: _____				
		Mitch Pienn Lower Township Superintendent of Recreations	DATE	

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

RESOLUTION #2013-245

TITLE: AUTHORIZATION FOR WAIVER OF FEES FOR FIRE DISTRICT #3

WHEREAS, Lower Township Fire District #3, intends to have a solar energy system installed to service the Erma Firehouse, which requires a development application and escrow fees; and

WHEREAS, Lower Township Fire District has requested the Township waive any and all application and permit fees associated with their application; and

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

NOW, THEREFORE, BE IT RESOLVED that all permissible Township application & permit fees associated with Fire District #3's application be waived.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on September 4, 2013.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

PETER M. TOURISON
ATTORNEY AT LAW
3823 BAYSHORE ROAD
PO BOX 766
NORTH CAPE MAY, NJ 08204

PHONE (609) 886-5388
PTOURISON@COMCAST.NET

FAX (609)886-5571

August 29, 2013

Mayor & Council
Lower Township
2600 Bayshore Road
Villas, NJ 08251

Re: Board of Fire Commissioners District No. 3

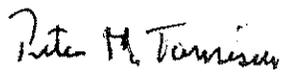
Gentlemen:

The Board of Fire Commissioners intends to have a solar energy system installed to service the Erma Firehouse.

I am writing to request that you waive all development application and escrow fees in connection with the Board's application to the Planning Board for the proposed solar project.

Should you have any questions or desire any further information, please feel free to contact me.

Very truly yours,


Peter M. Tourison

Mw

Cc: Michael Voll, Township Manager
Board Members, via email