

Signed Resolutions - March 7, 2016

- Res. #2016-73 Adoption of 2016 Budget
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 (\$239,000)
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)
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**

SECTION 2 - UPON ADOPTION FOR CALENDAR YEAR 2016
 (Only to be included in the Budget as Finally Adopted)
RESOLUTION #2016-73

Be it Resolved by the TOWNSHIP COUNCIL of the TOWNSHIP of CAPE MAY County of LOWER that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 20,086,897.94 (Item 2 below) for municipal purposes, and
 (b) \$ 0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
 (c) \$ 0.00 (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

RECORDED VOTE (insert last name)	Ayes	Conrad Simonsen Perry	Nays	Beck Clark	Abstained	Absent

SUMMARY OF REVENUES

1. General Revenues						
Surplus Anticipated			40003-10	\$		2,180,000.00
Miscellaneous Revenues Anticipated			40004-10	\$		4,046,856.48
Receipts from Delinquent Taxes			41419-10	\$		800,000.00
			41415-10	\$		20,086,897.94
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)						
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:						
Item 6, Sheet 42			40010-10	\$		0.00
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)			41416-10	\$		0.00
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only						
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:						
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)			41416-10	\$		0.00
Total Revenues			40000-10	\$		27,113,754.42

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:		XXXXXX	XXXXXXXXXXXXXXXXXX
Within "CAPS"		XXXXXX	XXXXXXXXXXXXXXXXXX
(a & b) Operations Including Contingent		34-201	\$ 19,178,030.76
(e) Deferred Charges and Statutory Expenditures - Municipal		34-209	\$ 2,414,508.00
(g) Cash Deficit		46-885	\$ -
Excluded from "CAPS"		XXXXXX	XXXXXXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"		34-305	\$ 734,123.48
(c) Capital Improvements		44-999	\$ 150,000.00
(d) Municipal Debt Service		45-999	\$ 2,776,000.00
(e) Deferred Charges - Municipal		46-999	\$ 47,000.00
(f) Judgments		37-480	\$ -
(h) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)		29-405	\$ -
(g) Cash Deficit		46-885	\$ -
(k) For Local District School Purposes		29-410	\$ -
(m) Reserve for Uncollected Taxes		50-899	\$ 1,814,092.18
		07-195	
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S. 40A:4-13)			
Total Appropriations		34-499	\$ 27,113,754.42

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on 7th day of March, 2016. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2016 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 7th day of March, 2016,  Signature, Clerk

Sheet 42

Adoption

Township of Lower

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		

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 LAWMEN 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 NYSCA*	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		
					1,873.54			
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		
					1,631.20			
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		
					1,971.25			
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 AMERIHEALTH 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 AMERHEALTH 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

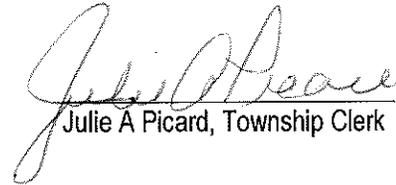
Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7507 STEFANKIEWICZ & BELASCO LLC Continued	16-00060	01/07/16	2016-01 LITIGATION DNE 97k	Open	5,412.55 7,745.88	0.00		
7515 LIFELINE TRAINING LP*	16-00201	01/19/16	TRAINING 2/23&24 AC NJ	Open	756.00	0.00		
7521 SOUTHERN 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 MARINE 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			X			
PERRY		X	X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

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 [Signature] 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			X			
PERRY		X	X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

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.

[Signature]
Julie A Picard, Township Clerk

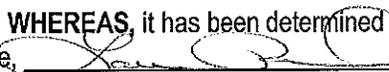
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

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

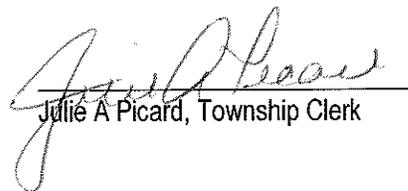
WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance; and

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			X			
PERRY		X	X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

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) (D)	(E)	A + D - E (F)
	Carryover	Annual Accrual	8 weeks / 52 weeks	Prorated Time Due	Time Used	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

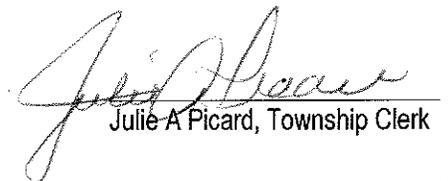
WHEREAS, a refund is due.

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			X			
PERRY		X	X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

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.

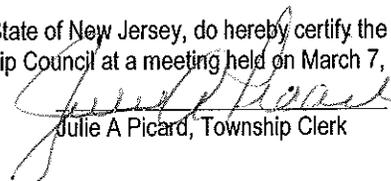
NOW THEREFORE, BE IT RESOLVED, by the governing body of the Township of Lower that in accordance with N.J.A.C. 5:30-7.6 a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

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.

Table with 7 columns: Name, MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT. Rows include CONRAD, PERRY, SIMONSEN, CLARK, and BECK with handwritten checkmarks in the AYE column.

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.

Handwritten signature of Julie A. Picard and printed name: 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: 01-20-165-299

Signature 
Lauren Read, CFO

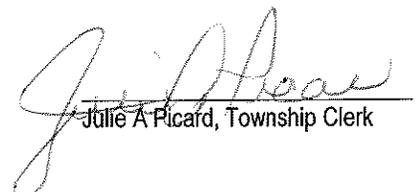
NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower, County of Cape May, State of New Jersey, that Resolution # 2015-356 be amended and increased by \$ 3,956.00, for a total amount of \$ 23,806.00.

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.

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

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 \$239,000.00 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	79,000.00	
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		239,000.00
				<u>239,000.00</u>	<u>239,000.00</u>

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

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

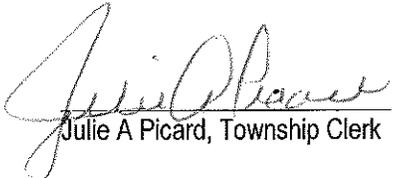
WHEREAS, the Police have reviewed said application as required by Chapter 600, Subsection 4 and have no objection to the issuance of said license.

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			X			
PERRY		X	X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

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

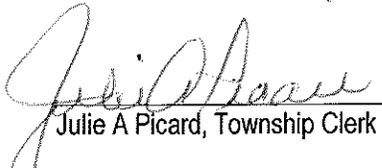
Ice Cream Peddling Business License

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			X			
PERRY		X	X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

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

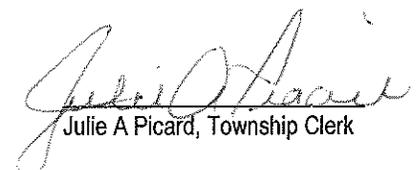
WHEREAS, the Township Council of the Township of Lower determines that it is in the best interests of the Township to indemnify and hold harmless the Individual Defendants in accordance with the terms and provisions of the Township Code against all claims and damages, including punitive damages as the 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			X			
PERRY		X	X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

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

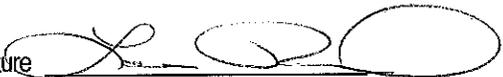
Title: AWARD OF AN EXTRAORDINARY UNSPECIFIED SERVICE CONTRACT WITHOUT PUBLIC BIDDING FOR STEWART FARRELL OF THE RICHARD STOCKTON COLLEGE OF NEW JERSEY COASTAL RESEARCH CENTER – APPEAL PHASE

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:

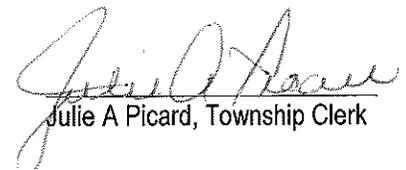
Appropriation # C-04-55-413-910

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 cursive script that reads "Stewart Farrell".

Dr. Stewart Farrell
Executive Director

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
P.O. BOX 222
TRENTON, NJ 08646-0222

TAXPAYER NAME: THE RICHARD STOCKTON COLLEGE OF NEW JERSEY
TRADE NAME:
TAXPAYER IDENTIFICATION#: 222-832-788/000
SEQUENCE NUMBER: 0528815
ADDRESS: JIMMIE LEEDS ROAD
POMONA NJ 08240
ISSUANCE DATE: 08/08/04
EFFECTIVE DATE: 07/01/86
FORM-BRC(08-01)

J.P. S. Tully
Acting Director

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.



Office of Research and Sponsored Programs

P: 609.652.4844 • F: 609.626.3467
stockton.edu/orsp

101 Vera King Farris Drive | Galloway NJ 08205-9441
stockton.edu

March 4, 2016

RE: Exception to the Disclosure Statement Requirements

PROJECT: Stockton University Proposal on the "Lower Township Scientific Panel 2016"

To Whom It May Concern:

Stockton University is exempt from the Disclosure Statement requirement. As noted on the Disclosure form, this requirement doesn't apply to Stockton University as it is designated an Institution of Higher Education, which is reflected on the attached Middle States Commission on Higher Education directory.

If you have any questions or require additional documentation on this matter, please don't hesitate to contact me.

Sincerely,

Pantelia Bairaktaris

Associate Director, Office of Research & Sponsored Programs



MIDDLE STATES COMMISSION
ON HIGHER EDUCATION

back

Institution Directory

Stockton University [Accredited]

Formerly:

Richard Stockton College of New Jersey, The (1993 to 2015)

Stockton State College (1993 and prior years)

Address: 101 Vera King Farris Drive
Galloway, NJ 08205-9441

Phone: (609) 652-1776

Fax: (609) 652-4958

Website: www.stockton.edu

CEO Name: Dr. Harvey Kesselman
CEO Title: Interim President

CAO Name: Dr. Susan Davenport
CAO Title: Interim Provost and Executive Vice President

ALO Name: Dr. Susan Davenport
ALO Title: Interim Provost and Executive Vice President

Carnegie Classification: Master's - Medium Programs

Distance Education Programs: Fully Approved

Control: Public

Affiliation: Government-State - None

Adjusted Enrollment: 8057

Head Count: 8570

First Accredited Year: 1975

Year Reaccredited: 2012

Last Accredited Method: Self-Study Review

Next Self Study Review: 2021 - 22

Next Periodic Review: 2017

CHE Staff Liaison: Dr. Ellie A. Fogarty

Branch Campuses: None.

Degrees: Bachelor's, Doctor's - Research/Scholarship, Master's, Doctor's - Professional Practice, Postbaccalaureate Award/Cert/Diploma, Post-Master's Award/Cert/Diploma

Institution Code: 0248

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POLICY

Policy Prohibiting Discrimination in the Workplace*

Policy Administrator: Chief Officer for Institutional Diversity and Equity

Authority: N.J.A.C. 4a:7-3.1 & 3.2

Effective Date: December 16, 1999; June 3, 2005; August 20, 2007; February 16, 2011

Index Cross-References: Procedure 6360: Procedures for Internal Complaints Alleging Discrimination in the Workplace

Policy File Number: VI-28

Approved By: Board of Trustees

I. POLICY

A. Protected Categories

The Richard Stockton College of New Jersey is committed to providing every College employee and prospective College employee with a work environment free from prohibited discrimination or harassment. Under this policy, forms of employment discrimination or harassment based upon the following protected categories are prohibited and will not be tolerated: race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability.

To achieve the goal of maintaining a work environment free from discrimination and harassment, the College strictly prohibits the conduct that is described in this policy. This is a zero tolerance policy. This means that the state and its agencies reserve the right to take either disciplinary action, if appropriate, or other corrective action, to address any unacceptable conduct that violates this policy, regardless of whether the conduct satisfies the legal definition of discrimination or harassment.

*This policy is a replica of the New Jersey State Policy Prohibiting Discrimination in the Workplace except that it includes a statement on Consensual Relationships.

B. Applicability

Prohibited discrimination/harassment undermines the integrity of the employment relationship, compromises equal employment opportunity, debilitates morale and interferes with work productivity. Thus, this policy applies to all employees and applicants for employment in State departments, commissions, State colleges or universities, agencies and authorities. Richard Stockton College will not tolerate harassment or discrimination by anyone in the workplace including supervisors, co-workers, or persons doing business with the College. This policy also applies to both conduct that occurs in the workplace and conduct that occurs at any location which can be reasonably regarded as an extension of the workplace (any field location, any off-site business-related social function, or any facility where College business is being conducted and discussed).

This policy also applies to third party harassment. Third party harassment is unwelcome behavior involving any of the protected categories referred to in (a) above that is not directed at an individual but exists in the workplace and interferes with an individual's ability to do his or her job. Third party harassment based upon any of the aforementioned protected categories is prohibited by this policy.

II. PROHIBITED CONDUCT

A. Defined

It is a violation of this policy to engage in any employment practice or procedure that treats an individual less favorably based upon any of the protected categories referred to in I, (a) above. This policy pertains to all employment practices such as recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, demotion, discipline, compensation, fringe benefits, working conditions and career development.

It is also a violation of this policy to use derogatory or demeaning references regarding a person's race, gender, age, religion, disability, affectional or sexual orientation, ethnic background, or any other protected category set forth in I, (a) above: A violation of this policy can occur even if there was no intent on the part of an individual to harass or demean another.

Examples of behaviors that may constitute a violation of this policy include, but are not limited to:

- Discriminating against an individual with regard to terms and conditions of employment because of being in one or more of the protected categories referred to in 1(a) above;
- Treating an individual differently because of the individual's race, color, national origin or other protected category, or because an individual has the physical, cultural or linguistic characteristics of a racial, religious, or other protected category;
- Treating an individual differently because of marriage to, civil union to, domestic partnership with, or association with persons of a racial, religious or other protected category; or due to the individual's membership in or association with an organization identified with the interests of a certain racial, religious or other protected category; or because an individual's name, domestic partner's name, or spouse's name is associated with a certain racial, religious or other protected category;
- Calling an individual by an unwanted nickname that refers to one or more of the above protected categories, or telling jokes pertaining to one or more protected categories;
- Using derogatory references with regard to any of the protected categories in any communication;
- Engaging in threatening, intimidating, or hostile acts toward another individual in the workplace because that individual belongs to, or is associated with, any of the protected categories; or
- Displaying or distributing material (including electronic communications) in the workplace that contains derogatory or demeaning language or images pertaining to any of the protected categories.

B. Sexual Harassment

It is a violation of this policy to engage in sexual (or gender-based) harassment of any kind, including hostile work environment harassment, quid pro quo harassment, or same-sex harassment. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of prohibited behaviors that may constitute sexual harassment and are therefore a violation of this policy include, but are not limited to:

- Generalized gender-based remarks and comments;
- Unwanted physical contact such as intentional touching, grabbing, pinching, brushing against another's body or impeding or blocking movement;
- Verbal, written or electronic sexually suggestive or obscene comments, jokes or propositions including letters, notes, e-mail, text messages, invitations, gestures or inappropriate comments about a person's clothing;
- Visual contact, such as leering or staring at another's body; gesturing; displaying sexually suggestive objects, cartoons, posters, magazines or pictures of scantily-clad individuals; or displaying sexually suggestive material on a bulletin board, on a locker room wall, or on a screen saver;
- Explicit or implicit suggestions of sex by a supervisor or manager in return for a favorable employment action such as hiring, compensation, promotion, or retention;
- Suggesting or implying that failure to accept a request for a date or sex would result in an adverse employment consequence with respect to any employment practice such as performance evaluation or promotional opportunity; or
- Continuing to engage in certain behaviors of a sexual nature after an objection has been raised by the target of such inappropriate behavior.

III. CONSENSUAL RELATIONSHIPS*

Because the relationship between supervisor/supervisee is central to the working relationship, it is essential to establish that a standard of expected conduct in that relationship goes beyond the proscription against sexual harassment. With respect to sexual relations in particular, what might appear to be consensual, even to the parties involved, may in fact not be so. On this basis, any sexual relations between supervisor and subordinate of that supervisor are inappropriate. Any person in a supervisory capacity or a position of authority enters at peril into sexual relations with a subordinate.

IV. EMPLOYEE RESPONSIBILITIES

Any employee who believes that she or he has been subjected to any form of prohibited discrimination/harassment, or who witnesses others being subjected to such discrimination/harassment, is encouraged to promptly report the incident(s) to a supervisor or directly to the College's Chief Officer for Institutional Diversity and Equity or to any other persons designated by the College to receive workplace discrimination complaints.

All employees are expected to cooperate with investigations undertaken pursuant to VII below. Failure to cooperate in an investigation may result in administrative and/or disciplinary action, up to and including termination of employment.

V. SUPERVISOR RESPONSIBILITIES

Supervisors shall make every effort to maintain a work environment that is free from any form of prohibited discrimination/harassment. Supervisors shall immediately refer allegations of prohibited discrimination/harassment to the College's Chief Officer for Institutional Diversity and Equity, or any other individual designated by the College to receive complaints of workplace discrimination/harassment. A supervisor's failure to comply with these requirements may result in administrative and/or disciplinary action, up to and including termination of employment. For purposes of this section, a supervisor is defined broadly to include any manager or other individual who has authority to control the work environment of any other staff member (for example, a project leader).

VI. DISSEMINATION

The College shall annually distribute the policy described in this section, or a summarized notice of it, to all of its employees, including part-time and seasonal employees. The policy, or summarized notice of it, shall also be posted in conspicuous locations throughout the buildings and grounds of the College. The College shall distribute the policy to vendors/contractors with whom the College has a direct relationship.

VII. COMPLAINT PROCESS

The College shall follow the Model Procedures with regard to reporting, investigating, and where appropriate, remediating claims of discrimination/harassment. See N.J.A.C. 4A:7-3.2. The College is responsible for designating an individual or individuals to receive complaints of discrimination/harassment, investigating such complaints, and recommending appropriate remediation of such complaints. In addition to the Chief Officer for Institutional Diversity and Equity, the College shall designate an alternate person to receive claims of discrimination/harassment.

All investigations of discrimination/harassment claims shall be conducted in a way that respects, to the extent possible, the privacy of all the persons involved. The investigations shall be conducted in a prompt, thorough and impartial manner. The results of the investigation shall be forwarded to the College President to make a final decision as to whether a violation of the policy has been substantiated.

Where a violation of this policy is found to have occurred, the College shall take prompt and appropriate remedial action to stop the behavior and deter its reoccurrence. The College shall also have the authority to take prompt and appropriate remedial action, such as moving two employees apart, before a final determination has been made regarding whether a violation of this policy has occurred.

The remedial action taken may include counseling, training, intervention, mediation, and/or the initiation of disciplinary action up to and including termination of employment.

The College shall maintain a written record of the discrimination/harassment complaints received. Written records shall be maintained as confidential records to the extent practicable and appropriate.

VIII. PROHIBITION AGAINST RETALIATION

Retaliation against any employee who alleges that she or he was the victim of discrimination/harassment, provides information in the course of an investigation into claims of discrimination/harassment in the workplace, or opposes a discriminatory practice, is prohibited by this policy. No employee bringing a complaint, providing information for an investigation, or testifying in any proceeding under this policy shall be subjected to adverse employment consequences based upon such involvement or be the subject of other retaliation.

Following are examples of prohibited actions taken against an employee because the employee has engaged in activity protected by this subsection:

- Termination of an employee;
- Failing to promote an employee;
- Altering an employee's work assignment for reasons other than legitimate business reasons;
- Imposing or threatening to impose disciplinary action on an employee for reasons other than legitimate business reasons; or
- Ostracizing an employee (for example, excluding an employee from an activity or privilege offered or provided to all other employees).

IX. FALSE ACCUSATIONS AND INFORMATION

An employee who knowingly makes a false accusation of prohibited discrimination/harassment or knowingly provides false information in the course of an investigation of a complaint, may be subjected to administrative and/or disciplinary action, up to and including termination of employment. Complaints made in good faith, however, even if found to be unsubstantiated, shall not be considered a false accusation.

X. CONFIDENTIALITY

All complaints and investigations shall be handled, to the extent possible, in a manner that will protect the privacy interests of those involved. To the extent practical and appropriate under the circumstances, confidentiality shall be maintained throughout the investigatory process. In the course of an investigation, it may be necessary to discuss the claims with the person(s) against whom the complaint was filed and other persons who may have relevant knowledge or who have a legitimate need to know about the matter. All persons interviewed, including witnesses, shall be directed not to discuss any aspect of the investigation with others in light of the important privacy interests of all concerned. Failure to comply with this confidentiality directive may result in administrative and/or disciplinary action, up to and including termination of employment.

XI. ADMINISTRATIVE AND/OR DISCIPLINARY ACTION

Any employee found to have violated any portion or portions of this policy may be subject to appropriate administrative and/or disciplinary action which may include, but which shall not be limited to: referral for training, referral for counseling, written or verbal reprimand, suspension, reassignment, demotion or termination of employment. Referral to another appropriate authority for review for possible violation of State and Federal statutes may also be appropriate.

XII. TRAINING

The College shall provide all new employees with training on the policy and procedures set forth in this section within a reasonable period of time after each new employee's appointment date. Refresher training shall be provided to all employees, including supervisors, within a reasonable period of time. The College shall also provide supervisors with training on a regular basis regarding their obligations and duties under the policy and regarding procedures set forth in this section.

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.

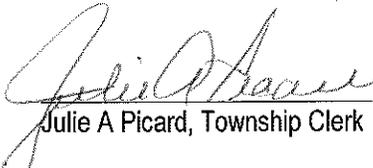
_____ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding 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 8:04 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