

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

May 16, 2011 - 7:00 P.M.

Meeting called to order.

Opening Announcement
Pledge of Allegiance & Moment of Silence
Roll Call & Determination of Quorum
Certificate of Recognition - Joan Koeck
Presentation - Zachary Zelwak

Work Session

Review of Consent & Regular Agenda Items

Consent Agenda

Approval of Minutes May 2, 2011
Res. #2011-130, Payment of Vouchers, \$255,876.51
Res. #2011-131, Authorizing an Agreement Between the County of Cape May and the Township of Lower for the Purchase of Gasoline and Diesel Fuel Through the Commodity Resale System (Renewal agreement 5 years)
Res. #2011-132, Resolution of the Township of Lower Authorizing the State of New Jersey to Enforce the Elevator Subcode
Res. #2011-133, Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Green Communities \$3, 000)
Res. #2011-134, Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:8-87, Chapter 159 (Clean Communities \$59,941.40)
Res. #2011-135, Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Small Cities \$700,000)
Res. #2011-136, Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Click it or Ticket \$4,000)
Res. #2011-137, Authorization for Refund of Taxes (2 properties - 1 paid twice - 1 rec'd. disabled Vet status)
Res. #2011-138, Acceptance of Bid & Award of Contract for Roof Replacement & Related Work at the Recreation Center, Contract M-5 (Gen II Contracting Co., Inc. \$426,620.00)
Res. #2011-139, Award of Contract for Telecommunication Service to Verizon New Jersey (\$39,800)
Res. #2011-140, Award of Contract to Center for Community Arts (Summer Art Camp - \$13,000)
Res. #2011-141, Resolution Determining the Form and Other Details of Not to Exceed \$3,000,000 of General Improvement Refunding Bonds of the Township of Lower, in the County of Cape May, New Jersey or Such Other Amount as Determined by the Chief Financial Officer to Accomplish the Refunding on the Terms Approved by the Local Finance Board Consistent with the Refunding Provisions of the Internal Revenue Code and Providing for the Sale and the Delivery of Such Bonds to Janney Montgomery Scott
Res. #2011-142, Authorization for Off Shore Taxi to Transfer Taxi License from 1996 Chevy Caprice to a 1997 Chrysler Town 7 Country (change in vehicle)
Res. #2011-143, Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Homeland Security Emergency Management Performance Grant, \$5,000)
Res. #2011-144, Acceptance of Bid Award for 24 Month HVAC Service Agreement for Lower Township Various Locations (Polar Bear Mechanical Services - \$7,000 per year)

Regular Agenda

Ord. #2011-11, An Ordinance Authorizing Execution of a Lease of Certain Property for Use by the Lower Township Rescue Squad in Connection with Providing Emergency First Aid Services to the Township of Lower, 1st rdg. (Renewal of 10 year lease for Rescue Squad office at Public Safety Complex)

Ord. #2011-10, Refunding Bond Ordinance of the Township of Lower, in the County of Cape May, New Jersey, Providing for the Refunding of All or a Portion of Certain General Improvement Bonds, Appropriating \$3,000,000 Therefor and Authorizing the Issuance by the Township of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$3,000,000 for Financing the Cost Thereof, 2nd rdg.

Administrative Reports

Personnel Action Report

April Report CFO

May Reports Animal Control, Construction (Lower & WCM), Dog Licensing, Engineer, Municipal Clerk, Municipal Court, Tax Collector, Vital Statistics

Council Comments

Call to the Public

Closed Session

Res. #2011-145 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." (Litigation - Martinelli Suit

Adjournment

Public Information

MAY 21, 2011 - SHREDDING DAY - Township Hall front parking lot - 9 a.m. to Noon

MAY 21, 2011 - COMMUNITY DAY -12 NOON TO 3 P.M. at the Recreation Center - Bike Auction at 2 p.m.

ANNUAL DOG LICENSES DUE. Any dog over 6 months, must be licensed. Proof of rabies vaccination required. If spayed/neutered, vet certificate required. Fee \$7.20 if not spayed/neutered and \$4.20 if spayed/neutered

YARD SALE LICENSES - Required for all yard, sales, attic sales, garage sales etc. Permit fee \$5.00 for two consecutive days and choice of rain date. Three permits permitted per year to a residence/person.

ALL RENTAL PROPERTIES REQUIRE LICENSE - All rentals, commercial or residential, whether yearly, seasonal or weekly require a mercantile license. R.E. Taxes must be current. Residential rental properties owners may be subject to license revocation for actions of their tenants. Detailed info and applications available in the Clerk's Office or by calling 886-2005.

NEW RECYCLING REGULATIONS IN EFFECT - Information available at Public Works or Township Hall.

Trash & Recycling Calendars available at Public Works, Township Hall and Villas Branch of the C.M. County Library

Regular & Work Session Meeting Minutes - May 2, 2011

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on May 2, 2011 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

Councilmember Thomas Conrad
Councilmember Erik Simonsen
Councilmember Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: Michael Donohue, Solicitor, Michael Voll, Manager and Asst. Clerk Horwath

Certificate of Recognition - Office Jennifer Anzelone

Mayor Beck presented Officer Anzelone a Certificate of Recognition and was recognized for the most DWI cases.

Work Session

Matt Ecker, MUA Presentation on Solar Energy

Mayor Beck said they had began a quest to have the MUA work with the Township towards solar energy. He said Matt Ecker from the MUA would give a short overview.

Mr. Ecker gave Council a handout to show the area in question and said originally they had planned to put solar on the roof but many of them were in bad shape. He said they would have only been two kilowatts. He said now they had a proposal for a solar fields that could now cover the Township buildings, School and the County buildings the savings could be up to \$100,000 per year. He said more data needed to be gathered to see if they used enough to cover the field proposed. He said the field would be close to the property.

Deputy Mayor Lare asked if the proposed field was MUA property.

Mr. Ecker said yes it was.

Deputy Mayor Lare asked if the MUA was offering the land to the Township for the solar project.

Mr. Ecker said it would have to be approved by the board. He said it was a remote parcel of land that was close to the Township.

Deputy Mayor Lare asked if it would require DEP or CAFRA permits.

Mr. Ecker said no, it may need a transitional area waiver.

Deputy Mayor Lare said it was a potential win for all agencies involved.

Mayor Beck thanked Matt Ecker for his help and said it saved the Township a lot of money by the MUA doing the design and bid specs. He asked how the MUA project was going.

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Mr. Ecker said they just started construction and it was a 7.5 acre field and it would provide 85% of the electric.

Manager Voll said he reached out to the Library, Senior Center and the School.

James Rutala, PP, AICP, MBA - Presentation on Solar Energy for Municipal Complex

Manager Voll said the solar proposed by the MUA was an excellent concept. He said Jim Rutala had done a lot of work in the County and was currently working with the school system .

Jim Rutala , Rutala Associates presented Council with a handout to review at their leisure. He said he currently was retained by Lower Cape May Regional High School to do a 2 kilowatt project and also were working with Atlantic City on a 600 kilowatt project. He said what they were discussing was very exciting and cutting edge. He said there were very few governments working together on solar. He said there were some areas doing County wide projects. He said the process was highly regulated by the State Comptroller, Local Finance Board and the DCA.

Mr. Rutala said an RFP just couldn't be put together, there were a number of steps involved and timing was critical. He said solar was now at its peak and the state was providing significant incentives and the Federal Government had considerable incentives as well. He said one incentive was 30% to the developer at the start of the project and the other was the project could be depreciated in a year. He stated the program ended this year so timing was very critical.

Councilmember Conrad asked if his firm would write the RFP's and work with the MUA?

Mr. Rutala said they would need the Solicitor and Engineer involved and everyone to work together.

Deputy Mayor Lare asked Mr. Rutala to elaborate on the high school project.

Mr. Rutala said a developer wanted to do a project on a piece of property adjacent to the school. He said it did go out to bid and that project was moving forward.

Deputy Mayor Lare said he had some reservations about a project of that size. He said everyone was now selling solar and how did you select the one to stand behind the project.

Mr. Rutala said not often did a town enter into a 15 year agreement which was a guideline of the power purchasing agreement. He said to make sure the firm they were doing business with met all the requirements during the life of the agreement. He said performance standards were placed in the RFP, they would have to provide five references and make sure they had done major projects in New Jersey, also review their financial documents. He said there were many requirements to ensure long term success. He said there were many firms throughout the country that met the requirements.

Deputy Mayor Lare asked if his firm was hired to manage the project would they provide the vendor.

Mr. Rutala said he would interview and the State did have a list of solar providers. He said once the proposals were submitted and evaluated, references were interviewed and that was prior to negotiating an agreement. He said it was a team approach.

Deputy Mayor Lare asked how the firm would be paid.

Mr. Rutala said a contract was entered into with the governing body. He said once the proposals were accepted and the RFP was written they usually includes a cost for the soft costs of the project. He said once the agreement was signed that cost was paid by the vendor.

Mayor Beck asked Mr. Rutala if he knew Mr. Ecker.

Mr. Rutala said "no".

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Mayor Beck said Matt Ecker was the point person and they would need to have a meeting with him. He said he would like to set up a meeting with Mr. Ecker, Mr. Rutala, Councilmember Conrad and himself to discuss the concept. He felt the consensus of Council was to move forward.

Mr. Rutala said it was the right thing to do and they would find significant benefits.

Deputy Mayor Lare asked if the Public Safety Building and the County Buildings could be addressed as part of the project?

Mr. Rutala said more than one building could be done.

Discussion on Rescue Squad Lease Renewal

Mayor Beck said the discussion had been postponed.

Review of Consent & Regular Agenda Items

Deputy Mayor Lare said he would like to move the April 18th minutes moved off the consent agenda.

Councilmember Conrad said he would like to have Debbie Johns move to a regular member of the Recreation Advisory Board and hold off on the Alternate appointment.

Public Comment on the Consent Agenda

Joe Winters of Florida Avenue asked if Resolution #124 was a limited agreement on the fencing.

Solicitor Donohue said what it did was put it on paper what had existed for a long time and they had a fence encroaching into the right of way. He said it indemnified the Township which they didn't have for years.

Consent Agenda

Approval of Minutes	April 4
Applications	NJ State Firemen's Association - Villas Volunteer Fire - Dianna L. Pitts & Justin A. Jordan
Res. #2011-120,	Payment of Vouchers, \$4,821,091.11
Res. #2011-121,	Resolution of Township of Lower in the County of Cape May, New Jersey Making Application to the Local Finance Board Pursuant to N.J.S.A. 40A:2-51(Resolution required with introduction of the Refunding Bond Ordinance)
Res. #2011-122,	Authorization for Greater Cape May Elks #2839 to Conduct Outdoor Flea Markets in 2011 (3 rd Saturday in May to October
Res. #2011-123,	Resolution to Reject Bids for 24 Month Contract for Auto Parts (Bid specs being revised)
Res. #2011-124,	A Resolution Approving A Limited Encroachment Agreement Related to A Fence On Greenwood Avenue (Discussed and authorized on March 4 - fence encroaches on Township property approx. 3 feet)
Res. #2011-125,	Approval for Roadside Solicitation by Villas Volunteer Fire Company (May 28, July 2 & Sept 3 in front of firehouse)
Res. #2011-126,	Appointment to Recreation Advisory Board (filling term of Reg. Member who resigned)

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- Res. #2011-127, Amendment to Resolution #2011-06, Appointment of Municipal Prosecutor for the year 2011 (correcting salary amount to \$20,500 from \$18,500)
- Ord. #2011-10, Refunding Bond Ordinance of the Township of Lower, in the County of Cape May, New Jersey, Providing for the Refunding of All or a Portion of Certain General Improvement Bonds, Appropriating \$3,000,000 Therefor and Authorizing the Issuance by the Township of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$3,000,000 for Financing the Cost Thereof, 1st rdg. (2nd rdg. May 16)

Councilmember Douglass motioned to adopt the consent agenda, seconded by Councilmember Conrad. The consent agenda was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

Regular Agenda

Public Hearing Budget Amendment (hearing on amendment items only)
Mayor Beck opened the meeting for public comment on the budget amendment.
There were no comments from the public.

Res. #2011-128, Adoption of Budget as Amended

Councilmember Douglass motioned to adopt the resolution, seconded by Councilmember Conrad. The resolution was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

Approval of Minutes April 18th
Councilmember Conrad motioned to adopt the minutes, seconded by Councilmember Douglass. The minutes was approved by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "abstain", Mayor Beck, "yes".

Administrative Reports

Personnel Action Report

Council Comments

Ponder Lodge

Councilmember Simonsen asked Manager Voll if the Township would be putting up signs at Ponder Lodge for littering?

Manager Voll said there was a meeting planned on May 11th with Lee Widjeskog from Fish and Wildlife to discuss trash and the fence issue along Bayshore Road and he wanted to know what their plans were.

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Make a Wish Foundation Fundraiser

Councilmember Simonsen said Thursday at Menz Restaurant there would be a fundraiser for the Make a Wish Foundation and it was a good cause.

Councilmember Douglass said the Make a Wish Fundraiser was a great event and people should try to attend.

Ponder Lodge

He said regarding Ponder Lodge he said he received favorable feedback from the residents and they were happy with the changes made. He did get complaints regarding Cresse Avenue about trash being thrown there. He wanted the Manager to also discuss that with Fish and Wildlife.

Citizen Advisory Board

Deputy Mayor Lare said he would like to have the first Citizen Advisory Board meeting on May 25th at 7:00 p.m.

Mayor Beck said May 21st was Community Day and Shredding Day.

Call to the Public

Closed Session Meeting

Joe Winters asked if the closed session meeting would result in a vote.

Mayor Beck said no action would be taken.

Rescue Squad

Maureen Serrato of 2 Cardinal Avenue said she had written a letter to the Mayor with concerns about the Rescue Squad Building on Georgia Avenue. She commended Manager Voll for responding to her letter and addressing one of her concerns which was the lot across from the Rescue Squad. She was told they were not going to build on the property. She was told by Councilmember Conrad it may be paved for parking.

Councilmember Conrad said part of the lot had already been used for parking so they may put down some gravel or recycled concrete.

Mrs. Serrato asked where it was stated that the lot could be a parking lot.

Solicitor Donohue said it raised the question to use and when it was grandfathered in. He said they would look into the matter.

Mrs. Serrato said Chapter 185 stated in ten days after notification the debris had to be removed from the lot. She asked if the ten days started when she notified the Township Officials of the problem.

Mayor Beck said the information was given to the Manager since Council didn't have the power of enforcement. He had been over to the property and it was time to get code enforcement involved.

Mrs. Serrato said she read the code and it did say the Township could clean it up and place a lien on the property.

Manager Voll asked Mrs. Serrato to stop by his office and he would have a plan to get the property cleaned up.

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Councilmember Douglass said he also went by the property and some of the mater could be recycled for mulch.

Mrs. Serrato said she wasn't a fulltime resident and she was disappointed to find out the rescue squad discussion was postponed.

Bill Ludlam of Francis Avenue said the Rescue Squad was discussed at the last meeting and they needed to put a "keep out" sign on the lot to keep the kids out. He said they really needed to put some trees back.

South Jersey Gas Company

Mr. Ludlam mentioned South Jersey Gas had put lines in and now a lot of yards were ruined form the work and some spots in the road were sinking. He said they needed to come back and fix the roads.

Redwood Avenue Beach Access

Mary Packer of 15 Redwood Avenue said at the last meeting they discussed the problem of access to the beach. She said the surrounding residents had received a letter showing the step would be there so no one complained about it. She said it was past thirty days and it was to late to complain. She felt it was an underhanded way to do it.

Solicitor Donohue said it wasn't too late to complain. He said they had been talking about how to get compliance with the steps. He said the permit issued was based on the plan submitted . He mentioned another thing that would be done was to mark out the right of way to make sure things weren't put there that were not supposed to be. He said they would also contact DEP.

Deputy Mayor Lare asked if the homeowner was willing to put in the steps?

Solicitor Donohue said he didn't know.

Councilmember Douglass said he looked at the area after the last council meeting. He said the Manager and Solicitor would continue working on it. He said they had to keep in mind the endangered species and when the building of the steps could take place.

Mayor Beck suggested contacting the owners.

Bill Greenfield of Villas, asked if Council had passed some type of ordinance mandating beach access.

Mayor Beck said it had to do with the area under construction for the outfall pipes.

Mr. Greenfield said New Jersey and New York Avenues both had large drop-offs and asked if those streets could be incorporated with the Redwood issue.

Joe Winters asked if the Township did the solar project did they own the ground the solar was going on.

Mayor Beck said it was actually MUA ground.

Rescue Squad Property

Bob Weber of Cardinal Avenue said since they complained about the property on Georgia Avenue one vehicle had been removed and the potholes had been filled. He said the building was still looking bad and there were two mattresses and furniture dumped there. He said the employees were washing and working on their personal vehicles at the building and he didn't think it was an appropriate use of funds. He said he would speak to code enforcement about the vacant lot across the street from the building.

Councilmember Conrad said there were no plans to put a building on the lot.

Councilmember Douglass said if the Rescue Squad were to build it would have to go through the Planning

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Office and the neighbors would be notified.

Deputy Mayor Lare asked if all interested parties could be at one meeting to work on the issue.

MUA

Ed Butler of Villas said it was nice to see the MUA working on a solar project and moving forward with some changes. He said it would help the MUA rates and maybe the taxpayers.

Redwood Avenue

Kathleen Gula of Redwood Avenue said some of the neighbors were present for the meeting.

Arbor Day Ceremony

Robert Rizzo said he attended the Arbor Day ceremony and it was nice.

Deputy Mayor Lare said he also attended the ceremony.

Ponder Lodge

Wayne Weissman thanked the Mayor for working to remove the fence at Ponder Lodge along Bayshore Road.

Beach Access

Mr. Weissman said he agreed with Mrs. Packer about the beach access and said they had to walk a couple blocks to get down to the bay.

Bill Ludlam said he noticed some street ends had signs posted no beach access.

Solar Energy

John Skrowski asked if the Township was looking to own the solar exclusively.

Mayor Beck said it was a power purchase agreement. He said the company installed the solar and the Township received lower rates.

Redwood Avenue

Mary Packer asked if the people at the end of Redwood Avenue could put in a solid fence then what stopped everyone from doing it.

Mayor Beck said they would look into it.

Closed Session

Res. #2011-129, 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.
(Collective Bargaining - PBA & Matters Employment - Police Chief, Possible Land Acquisition & Litigation - Martinelli)

Councilmember Douglass motioned to adopt the resolution, seconded by Councilmember Simonsen. The resolution was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Simonsen, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck, "yes".

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Council returned to open session and there being no further comment, Councilmember Douglass motioned to adjourn the meeting, seconded by Councilmember Simonsen the meeting unanimously adjourned by verbal "ayes" at 8:22 p.m.

Mayor

Township Clerk

Approved:

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
11-00916		04/11/11		PARTS FOR RECYCLING TRUCKS	Open	1,533.50	0.00		
01170	VERIZON WIRELESS* F/S								
11-01291		05/09/11		CELL SVC - FIRE SAFETY	Open	82.69	0.00		
01171	VERIZON WIRELESS - TOWNHALL								
11-01179		05/02/11		CELL PHONE SERVICE	Open	1,266.75	0.00		
01239	DIANA L DeNOTE								
11-01060		04/28/11		CONTRACTUAL REIMBURSEMENT	Open	134.36	0.00		
01245	G & K SERVICES CO*								
11-01254		05/05/11		UNIFORM RENTALS/DPW	Open	787.56	0.00		
01284	ARLENE DOUGLASS								
11-01303		05/10/11		CONTRACTUAL REIMBURSEMENT	Open	79.00	0.00		
01443	ERMA VOLUNTEER FIRE CO								
11-01258		05/05/11		SCHOOL ELECTION APRIL 27, 2011	Open	150.00	0.00		
01450	ERMA DELI*								
11-00913		04/11/11		PROVIDE MEALS FOR CLEAN SHORES	Open	1,800.00	0.00		
01502	PAMELA FELDER								
11-01267		05/06/11		CONTRACTUAL REIMBURSEMENT	Open	61.00	0.00		
01513	GOODFELLOWS INC*								
11-01031		04/26/11		REPLACED ONE SPRINKLER HEAD	Open	20.50	0.00		
01532	JACQUELINE U HENDERSON								
11-01082		04/28/11		APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
01579	BEATRICE M. FLANIGAN								
11-01093		04/28/11		APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
01581	FIRST ASSEMBLY OF GOD CHURCH								
11-01259		05/05/11		SCHOOL ELECTION APRIL 27, 2011	Open	75.00	0.00		
01590	FORD, SCOTT & ASSOCIATES*								
11-01190		05/03/11		PROFESSIONAL SERVICES	Open	21,500.00	0.00		
01593	ANN F. FLYNN								
11-01120		04/29/11		APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
01598	DEARBORN NATIONAL								
11-01063		04/28/11		MAY, 2011 LIFE INSURANCE	Open	563.07	0.00		
01603	GENERAL CODE PUBLISHERS*								
11-01279		05/06/11		SUPPLEMENT #17 - CLERK	Open	1,814.35	0.00		
01690	GRANTURK EQUIPMENT CO*								
11-00962		04/14/11		PARTS FOR LEAF TRUCK/DPW	Open	143.52	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01703	HARBOR SALES COMPANY*	11-01058	04/27/11	REFLECTIVE TAPE	Open	176.84	0.00		
01730	GTBM INC.*	11-00967	04/14/11	INFO COP CONTRACT 2011	Open	3,937.50	0.00		
01733	FRANCIS MCLAUGHLIN	11-01107	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
01736	NORMAN J GUNN	11-01094	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
01749	R.A. WALTERS & SONS INC*	10-02641	10/19/10	OUTFALL EXTENSIONS/DPW	Open	14,185.40	0.00		B
		11-00504	02/23/11	CHANGE ORDER#1-OUTFALL/BEVERLY	Open	3,254.00	0.00		B

						17,439.40			
01767	WILLIAM R. HARTLEY, SR	11-01073	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
01781	HATCH MOTT MACDONALD, LLC*	10-00906	04/22/10	STORM DAMAGE @ HOLMS AVE	Open	135.00	0.00		B
		10-02579	10/13/10	PKE LOT PHASE 2 - RES 2010-250	Open	7,057.50	0.00		B
		10-03145	12/08/10	ROOFING SYSTEM - REC CENTER	Open	16,770.00	0.00		B
		11-00192	01/21/11	HOLMES AVENUE PROJECT/DPW	Open	588.00	0.00		B
		11-00665	03/11/11	ENGINEERING SERVICES/HOLMES AV	Open	3,545.20	0.00		B
		11-00781	03/25/11	ENGINEERING SERVICES/OUTFALLS	Open	18,555.28	0.00		B
		11-01274	05/06/11	ESCROW BILLING	Open	4,995.50	0.00		

						51,646.48			
01785	ROBERT HARTMAN SR	11-01264	05/05/11	CONTRACTUAL REIMBURSEMENT - V	Open	270.00	0.00		
		11-01265	05/05/11	CONTRACTUAL REIMBURSEMENT	Open	283.87	0.00		

						553.87			
01792	JOSEPH F. HASSON	11-01072	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
01793	ANNA M. HASSON	11-01076	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
01794	JOAN HAUSER	11-01116	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
01796	JENNIE HAUSER	11-01088	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
01797	GROVE SUPPLY INC*	11-00937	04/12/11	SUPPLIES	Open	46.63	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01806 ANTHONY J HARVATT, II, ESQ	11-01301	05/10/11	ESCROW RESOLUTION FEES	Open	600.00	0.00		
01885 JOHN HUGHES	11-01108	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
01912 GRUCCIO, PEPPER, DESANTO & RUTH PA	11-00157	01/14/11	2011 CONTRACT EXPENSES DNE	Open	3,647.00	0.00		B
02125 KDI*	11-00841	03/31/11	SAVIN MASTER ROLL TYPE 3160	Open	238.00	0.00		
02195 JOHN KOZAK	11-01122	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
02245 DAVID LEPOR	11-01189	05/03/11	SHOE ALLOWANCE FOR 2011/DPW	Open	103.60	0.00		
02247 LAWSON PRODUCTS, INC.*	11-00926	04/11/11	SUPPLIES FOR RDS/SANT/RECY/DPW	Open	1,292.61	0.00		
02303 ANNE E LONERGAN	11-01086	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
02402 MGL PRINTING SOLUTIONS	11-00726	03/21/11	PAYROLL CHECKS	Open	255.00	0.00		
02417 MAGELLAN HILL TECHNOLOGIES*	11-01209	05/04/11	PHONE SERVICE - MAY, 2011	Open	3,013.98	0.00		
02465 BARBARA MAHON	11-01081	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
02466 ROBERT E. MAHON	11-01097	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
02473 FRANCIS P. MAJANE	11-01296	05/10/11	CONTRACTUAL REIMBURSEMENT	Open	205.71	0.00		
02541 ROBERT D. MARTIN, JR	11-01266	05/06/11	CONTRACTUAL REIMBURSEMENT	Open	38.30	0.00		
02654 LORETTA MCKENZIE	11-01151	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
02961 NATIONAL TACT. OFFICERS ASSOC*	11-00968	04/14/11	2011 DUES	Open	150.00	0.00		
03104 NORTHEAST IND. & MARINE SUPPLY*	11-00915	04/11/11	PARTS FOR TRASH VEH./DPW	Open	682.43	0.00		
	11-01067	04/28/11	PARTS FOR RDS/SANT/RECY/DPW	Open	3,422.95	0.00		
					4,105.38			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-01251	05/05/11	OFF-HIGHWAY DIESEL/DPW	Open	1,236.27	0.00		
03537	RUTGERS, THE STATE UNIVERSITY*							
	11-00848	04/04/11	ADVANCED DUTIES OF MUN CLERK	Open	669.00	0.00		
	11-01182	05/03/11	M VITELLI PURCHASING CONF	Open	375.00	0.00		
					----- 1,044.00			
03611	SERVICE TIRE TRUCK CENTERS*							
	11-00600	03/04/11	TIRES FOR RDS/SANT/RECY/DPW	Open	3,259.71	0.00		
03640	MADELINE R. SHOWERS							
	11-01166	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
03679	BARBARA SLONIS							
	11-01130	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
03680	DOLORES SMARGIASSI							
	11-01138	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
03692	SOUTH JERSEY GAS CO*							
	11-01172	04/29/11	APRIL, 2011	Open	2,654.19	0.00		
03702	PAUL A. SMARGIASSI							
	11-01136	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
03706	NICHOLAS C. SMARGIASSI							
	11-01164	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
03803	TONY'S MARINE SUPPLY*							
	11-00770	03/25/11	SUPPLIES FOR RDS/DPW	Open	141.92	0.00		
03805	TOWNBANK VOLUNTEER FIRE CO.							
	11-01261	05/05/11	SCHOOL ELECTION APRIL 27, 2011	Open	225.00	0.00		
03821	TRANS AXLE*							
	11-00589	03/02/11	PARTS FOR RDS/DPW	Open	262.19	0.00		
03852	CATHERINE A. TURNEY							
	11-01126	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
03857	TRI-COUNTY BUILDING SUPPLIES*							
	11-00787	03/25/11	TW3042 WINDOW	Open	392.15	0.00		
03904	LOWE'S HOME CENTER INC*							
	11-00786	03/25/11	MATERIALS FOR WALL AROUND	Open	180.63	0.00		
	11-01069	04/28/11	MATERIALS FOR BUS STOP REPAIRS	Open	614.10	0.00		
					----- 794.73			
03910	UNIFORM CONST.CODE OFF. OF SJ*							
	11-00839	03/31/11	MEMBERSHIP FOR 2011	Open	150.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03935 STAPLES BUSINESS ADVANTAGE*	11-00970	04/14/11	office supplies	Open	269.00	0.00		
03960 VECTOR SECURITY*	11-01272	05/06/11	EMERGENCY SERVICE	Open	93.00	0.00		
03971 VERIZON WIRELESS	11-01220	05/05/11	VERIZON WIRELESS MDT	Open	644.14	0.00		
03994 MARGARET VITELLI	11-01308	05/11/11	TOLLS AND PARKING FOR CONFER	Open	23.90	0.00		
04043 FLORENCE WESOLOWSKI	11-01167	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
04075 BARBER CONSULTING SERVICES LLC	11-01061	04/28/11	COMPUTER SERVICES - MAY, 2011	Open	300.00	0.00		
04077 RONALD J. GELZUNAS	11-01014	04/21/11	SPECIAL SESSION 4/11/2011	Open	400.00	0.00		
04082 USA MOBILITY WIRELESS INC*	11-01320	05/11/11	MONTHLY PAGER BILL/DPW/MAY2011	Open	6.24	0.00		
04097 CINTAS FIRST AID AND SAFETY*	11-00662	03/11/11	FIRST AID KIT SUPPLIES/DPW	Open	182.47	0.00		
	11-01219	05/05/11	FIRST-AID KIT SUPPLIES/DPW	Open	195.85	0.00		
					----- 378.32			
04266 NJ DEPT OF HEALTH&SENIOR SVCS	11-01178	05/02/11	APRIL, 2011 DOG LICENSES	Open	502.80	0.00		
04283 CATHERINE JOSAPHOUITCH	11-01161	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
04284 ALICE SCATTONE	11-01079	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
04286 MICHAEL MULRANEY	11-01084	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
04301 SEASHORE ASPHALT CORPORATION*	11-00961	04/14/11	ASPHALT/DPW	Open	545.60	0.00		
ADAMC ROSEMARY ADAMCZYK	11-01096	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
AGHAK MARYAM AGHAKHANI	11-01131	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
ARMS WES ARMSTRONG	11-01268	05/06/11	LACROSSE GAME OFFICIAL	Open	60.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
11-01143		04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	85.00	0.00		
EGAR	JAKE EGAR	11-01271	05/06/11	LACROSSE GAME OFFICIALS	Open	60.00	0.00		
FREAS	JEAN FREAS	11-01095	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
FREG	ELIZABETH FREGA	11-01098	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
GAFF	PATRICIA A. GAFFNEY	11-01114	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
GASSER	COZETTE GASSER	11-01090	04/28/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
GIAIRO	ANN GIAIRO	11-01087	04/28/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
GILLE	EDWARD GILLESPIE	11-01165	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
HELVE	ANN HEAP-HELVESTON	11-01124	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	85.00	0.00	
HOLTJ	AL HOLTJE	11-01269	05/06/11	LACROSSE GAME OFFICIAL	Open	60.00	0.00		
HUGH	CHARLES HUGHES III	11-01099	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
HUGHC	CAROL MCCARTHY	11-01077	04/28/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
JAJAS	JAJA'S PONY RIDES	11-00940	04/12/11	2 PONIES FOR BIKE AUCTION	Open	280.00	0.00		
JASP	JANET JASPERSE	11-01149	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
KEEND	DOLORES RAMBO	11-01152	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	85.00	0.00	
KINGR	RICHARD KING	11-01145	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	60.00	0.00	
KIRSCHN	SCOTT KIRSCHNER	11-01132	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	72.50	0.00	
KOZAJ	JEAN S. KOZAK	11-01119	04/29/11	APRIL 27, 2011	SCHOOL ELECTION	Open	85.00	0.00	

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
LAMOC	CHARLES LAMONTE	11-01168	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
LETI	MARY LETIZIO	11-01150	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
LETIZIO	BARTOLOMEO J LETIZIO	11-01139	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
LIPS	JOHN LIPSETT	11-01111	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
LIPSM	MARGARET LIPSETT	11-01163	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
LISTW	JOAN LISTWAN	11-01123	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
LOGUEC	CHARLOTTA LOGUE	11-01170	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
LONEP	PATRICIA LONERGAN	11-01075	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
MCGR	DANIEL MCGRANAGHAN	11-01121	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
MCGRAN	CARLIE MCGRANAGHAN	11-01112	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
MCMAST	SANDIE MCMASTER	11-01064	04/28/11	LACROSSE OFFICIAL	Open	125.00	0.00		
		11-01210	05/05/11	LACROSSE GAME OFFICIAL	Open	30.00	0.00		

						155.00			
MENEI	DEBORAH MENEI	11-01294	05/10/11	REFUND OVERPAYMENT OF TAX	Open	206.32	0.00		
MOORER	REBECCA MOORE	11-01134	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
MUHOLL	ROSEMARY MULHOLLAND	11-01133	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	72.50	0.00		
NJEPA	NJEPA	11-00608	03/04/11	NJEPA 5/02/11 CONFERENCE	Open	225.00	0.00		
NOTO	JOSEPH J. NOTORFRANCESCO	11-01071	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
NOTOD	DIANNE NOTOFRANCESCO	11-01074	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-01155	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
TWEED GAIL TWEED								
	11-01089	04/28/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
VANDEN WILLIAM R VANDENACRE								
	11-01146	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
VANORDEN ROBERT VAN ORDEN								
	11-01293	05/10/11	REFUND OVERPAYMENT OF TAXES	Open	231.01	0.00		
WEISSM BEATRICE WEISSMAN								
	11-01118	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
WEISSMAN WAYNE WEISSMAN								
	11-01117	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	85.00	0.00		
WERN JOSEPH WERNER								
	11-01157	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
WISSM MARY JANE WISSMAN								
	11-01171	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		
WOLTJ JOAN WOLTJEN								
	11-01148	04/29/11	APRIL 27, 2011 SCHOOL ELECTION	Open	60.00	0.00		

Total Purchase Orders:	225	Total P.O. Line Items:	292	Total List Amount:	251,401.51	Total Void Amount:		0.00

**Lower Township
Bill List
05/15/2011**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Tom Thaler Signs	11-00619	Final Pymt	44834	05/10/11	\$ 4,475.00
Total Manual Checks					\$ 4,475.00
Total brought forward from computer generated bill list					\$ 251,401.51
TOTAL BILL LIST					<u>\$ 255,876.51</u>

I certify the foregoing to be a Resolution adopted by the Township Council on May 16, 2011.

Claudia R. Kammer, RMC, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYES					
NAYS					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-131

TITLE: AUTHORIZING AN AGREEMENT BETWEEN THE COUNTY OF CAPE MAY AND THE TOWNSHIP OF LOWER FOR THE PURCHASE OF GASOLINE AND DIESEL FUEL THROUGH THE COMMODITY RESALE SYSTEM

WHEREAS, there exists a need for the purchase of gasoline and diesel fuel in the Township of Lower in the County of May, State of New Jersey; and

WHEREAS, such services are to be provided by the County of Cape May through the Commodity Resale System, a program supervised and administered by Cape May County Board of Chosen Freeholders, and

WHEREAS, the funds are available in the 2011 Budget, account number 1-01-31-460-200 entitled Gasoline & Diesel Fuel as evidenced by the Chief Financial Officer's Certification below; and



Lauren Read, CFO

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for such services without competitive bids and the contract itself must be available for public inspection.

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with the County of Cape May for the purchase of gasoline & diesel fuel for a three year period ending June 6, 2016.

2. This contract is awarded without competitive bidding under the provisions of N.J.A.C. 5:34-7.15 to 7.17 and N.J.S.A. 40A:11-1 et. seq. the Local Public Contracts Law because the contract is with the County of Cape May.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Township at a meeting held on May 16, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSENT					
ABSTAIN					

**AGREEMENT FOR THE RESALE OF
GASOLINE AND DIESEL FUEL AS
PART OF A COMMODITY RESALE SYSTEM**

AN AGREEMENT for the resale of fuel made on this ____ day of _____, 2011, by and between Township of Lower, 2600 Bayshore Road, Villas, NJ 08251 (hereafter herein referred to as "Member") and the County of Cape May (hereafter herein referred to as "Lead Agency") entered into pursuant to the Commodity Resale Provisions of the *Cooperative Pricing and Joint Purchasing Rules (N.J.A.C. 5:37-7.1, et seq.)*.

WHEREAS, Lead Agency owns and operates fuel storage and dispensing facilities for its own needs that are maintained by the County Road Department; and

WHEREAS, as a matter of comity and in the interest of sparing taxpayers from a needless duplication of expensive fuel storage and dispensing facilities which are already in being at the Lead Agency's level, the Lead Agency is willing to grant the within request, subject to certain terms and conditions.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

1. The above recitals are incorporated herein as if repeated at length.
2. Immediately upon the execution of this Agreement by both parties, the Member shall supply to the Lead Agency its best estimate of how much fuel (gasoline and/or diesel) it will require for the calendar year ending December 31, 2011. In subsequent years under this Agreement, the Member shall supply this estimate for the following calendar year to the Lead Agency by October 1.
3. The Lead Agency, upon receipt of said estimate, will multiply the quantity reserved by the average price per gallon paid by the Lead Agency in the prior calendar year. The resulting sum will establish the amount that the Member will be assessed in dollars for the respective year in question.
4. Lead Agency shall bill the Member on a quarterly basis, based upon actual fuel consumption, and the billing shall include a service charge as specified in paragraph #17 *infra*. The quarterly billing shall take place on March 31, June 30, September 30 and December 31. Within fourteen days of

receiving the bill from the Lead Agency, the Member will issue a voucher to the Lead Agency for the full amount of the bill.

5. The Member agrees to keep the Lead Agency apprised, on a continuing basis, of additions or deletions to its vehicle inventory. In the event that it should appear during the course of any given contract year that the annual estimate was substantially "low" or "high" of its intended mark, the Lead Agency and the Member shall mutually agree on appropriate adjustments to the amounts of the quarterly vouchers.

6. For any given dispensation of fuel, the Lead Agency will bill the Member the price per gallon charged by the petroleum supplier for the delivery immediately prior to the dispensing date.

7. Upon the execution of this Agreement (receipt of payment on the Member's initial voucher as prescribed hereinabove in paragraph 4), including required documentation of insurance as prescribed hereinbelow in paragraph #12, the Lead Agency shall issue appropriate cards to the Member to enable access to the Lead Agency fuel dispensing facilities on an as-needed basis, in accordance with the existing computerized fuel delivery system at Lead Agency's facilities.

8. The Member will be entitled to get fuel from Lead Agency's pumps up to the dollar amount paid. In this connection, it is important to note that this Agreement is based on a dollar amount and not a gallon amount. The price of petroleum products is based on Philadelphia low posting in the Journal of Commerce (which changes four times per week on average). Accordingly, even though the calculation includes an estimated quantity, the actual gallonage received will vary because of variable prices.

9. Should the Member exceed its paid up fuel account, the Lead Agency will program all pumps so that no additional fuel will be available until acceptable financial arrangements are made.

10. The Member agrees that it shall be solely responsible for the appropriate and authorized use of the cards issued by the Lead Agency, and the Lead Agency takes no responsibility to supervise or monitor the day-to-day use of said cards. Any misuse of the cards, along with any resulting misappropriation of fuel, shall be the liability of the Member and the Lead Agency accepts no responsibility whatsoever for such irregularities.

11. The Member hereby agrees to indemnify the Lead Agency and to hold it harmless against any claims, losses, damages or expenses (including reasonable attorney's fees) for which the Lead Agency may become liable (or for

which the Lead Agency may be alleged to be liable), as a result of the use of Lead Agency's facilities by any persons or vehicles using the fuel dispensing cards issued to the Member under this Agreement.

12. Within fourteen days of receiving this Agreement, the Member shall provide to the Lead Agency a Certificate of Insurance showing the extent of the Member's liability coverage and the naming of the County of Cape May as an *Additional Insured*. Upon renewal, the Member shall provide to the Lead Agency a Certificate evidencing same prior to the expiration date of the policy. Failure to provide the required documentation within the specified time may cause suspension of service as provided in paragraph #16 infra.

13. This Agreement shall terminate on June 6, 2016. Either party may, however, terminate this Agreement effective on January 1 of the next succeeding contract year by serving notice in writing on the other party of its intention to do so on or before October 1 of the current contract year.

14. After appropriate consultation with the Member regarding its regular fuel-servicing needs, the Lead Agency will assign certain days, hours and locations for routine use of Lead Agency's fuel dispensing facilities by the Member. Additional access to the said facilities in emergency situations will be authorized by the County Road Supervisor on a case-by-case basis.

15. The Member shall be responsible for arranging and establishing its own emergency source of fuel for those rare occasions when the Lead Agency's system is unavoidably inoperable. The Lead Agency shall not be responsible to the Member for any losses or damages that might be incurred by the Member as a result of temporary closure of Lead Agency's fuel dispensing facilities.

16. In the event of any breach or default of the Member's obligations under this Agreement, the Lead Agency reserves the right to suspend or to terminate this Agreement, in the Lead Agency's sole discretion, upon fourteen days written notice to the Member.

17. The Member shall pay a service charge (for costs of administration, maintenance, insurance, wear and tear on equipment) in the amount of \$.081 per gallon of fuel dispensed. The service charge will remain at this level through December 31, 2011. If it should become the Lead Agency's intention to increase this charge, it will so advise the Member in writing on or before October 1, 2011. In any subsequent contract year, the Lead Agency shall notify the Member of any additional service charge increase on or before October 1 of the current contract year.

IN WITNESS WHEREOF, the parties affix their signatures to this Agreement, intending to be legally bound. If a party is a corporation, this Agreement is signed by its proper corporate officers and its corporate seal is affixed.

**LEAD AGENCY
COUNTY OF CAPE MAY:**

Date

BY: _____

Daniel Beyel, Director
Board of Chosen Freeholders

ATTEST: _____

Stephen O'Connor
Clerk/Administrator

MEMBER: Lower Township

Date

BY: _____

Print name

ATTEST: _____

Approved as to form:

Barbara Bakley-Marino, Esq.
County Counsel

/nh

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

RESOLUTION #2011-132

**TITLE: RESOLUTION OF THE TOWNSHIP OF LOWER AUTHORIZING THE
STATE OF NEW JERSEY TO ENFORCE THE ELEVATOR SUBCODE**

WHEREAS, the Township of Lower no longer finds it feasible to enforce the Elevator Sub Code; and

WHEREAS, the Township of Lower shall and hereby gives the State of New Jersey Elevator Safety Unit jurisdiction as of July 1, 2011 to enforce the Elevator Sub Code; and

WHEREAS, the elevator inspection cycles are March and September of each year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Lower, County of Cape May, State of New Jersey that as of July 1, 2011 Elevator Sub Code Official will no longer enforce the Elevator Sub Code.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on May 16, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011- 133

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$3,000.00 for an item of revenue in the budget of the year 2011 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - Green Communities
Total with increase to be \$3,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$3,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - Green Communities
State/Federal Share \$ 3,000.00
Non State Share \$
Total with increase to be \$ 3,000.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify this is the original resolution adopted by the Township Council on May 16, 2011

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
PRESENTED					
SECONDED					
AYE					
NAY					
ABSTAIN					
ABSENT					

Res. #2011- 133

**GRANT AGREEMENT
BETWEEN
LOWER TOWNSHIP
(print name of Grantee; all capitals)**
**AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

GRANT NUMBER: PF11-065

I. Grant Award Data and Signatures

Grantee's	- Name: Lower Township(the "Grantee") Address: 2600 Bayshore Road Villas, NJ 08251 Vendor ID #: 216005700 Grantee Telephone #: 609-886-2005 134
Financial Officer's	- Name: Lauren Read - Title: CFO (the "Chief Financial Officer")

The State of New Jersey (The "State")	
Department of Environmental Protection (the "Department" or the "DEP")	
Granting Agency's	- name: <u>Division of Parks and Forestry</u> (the Granting Agency") - address: 501 East State Street P.O. Box 404 Trenton, New Jersey 08625-0404
Grant Officer's	- name: Alexander J. McCartney, Forester (the "Grant Officer")

TITLE OF GRANT: 2011 Green Communities Grant

AMOUNT OF GRANT: 3000

WORK PERIOD: The effective date of this agreement is the date the Grantee executes it or the date the State executes it, whichever date is later. The "work period" for this agreement commences on April 1, 2010 or the effective date, whichever is earlier later, and runs to 24 months. Grant funds may be used only to satisfy obligations which arise during the work period.

REPORT(s)/DELIVERABLE(s) DUE: 30 days from end of work period

PAYMENT SCHEDULE: Reimbursement upon receipt of final expenditure report

PURPOSE AND AUTHORITY: Support to municipalities and countries for the development of comprehensive community forestry management plans; NJSA 13: 1L-1 et seq + NJSA 13: 1D-9(r)

Source of funds	AMOUNT	STATE ACCOUNT NUMBER	CFDA NUMBER/ FEDERAL AGENCY	ACCOUNT TITLE	
	State General Fund	0.00	FY11-100-042-4870-074		Green Communities Grant
	Federal	\$3000.00	FY10-100-042-4870-038		Green Communities Grant
	Grantee	\$1500.00			
	Other (i.e. bond fund, tax fund etc.)	0.00			
	\$4500.00	TOTAL APPROVED PROJECT AMOUNT			

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

RESOLUTION #2011- 134

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$59,941.40 for an item of revenue in the budget of the year 2011 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - Clean Communities
Total with increase to be \$59,941.40

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$59,941.40 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - Clean Communities
State/Federal Share \$ 59,941.40
Non State Share \$
Total with increase to be \$ 59,941.40

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify this is the original resolution adopted by the Township Council on May 16, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
PRESENTED					
SECONDED					
AYE					
NAY					
ABSTAIN					
ABSENT					

Res. #2011-134



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF THE COMMISSIONER

Mail Code 401-07

P.O. BOX 402

Trenton, NJ 08625-0402

TEL (609) 292-2885

FAX (609) 292-7695

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

**Clean Communities Notification
of
2011 Funding Allocations**

TO: Clean Communities Mayors and County Executive Directors

The Department of Environmental Protection has posted for your information and use the final allocation of Clean Communities Funding for 2011 on www.niclean.org

This posting and formal notification is in lieu of the Department's mailing 559 letters to the Mayors of each participating municipality and 21 letters to each county's Executive Director along with copies to each local governments' Clean Communities Coordinator.

The distribution and allocation of the local government funding is based on the collection and availability of \$17.57 million through April 15, 2011. The municipal distribution is based on 80% of the funding allocated to each municipal based on their proportionate share of municipal road mileage and housing units as compared to all municipal road mileage and housing units. The county distribution is based on 10% of the funding allocated to each county based on their proportionate share of county road mileage compared to all county road mileage.

The Department has posted the grant guidelines on the Clean Communities Council's website for the ease of your use. The disbursement of the 2011 Clean Community entitlements is scheduled for April 29, 2011. If you have any questions you may contact the Office of Trust Fund Management - Division of Budget and Finance at 609-292-9230

Bob Martin, Commissioner
Department of Environmental Protection

MUNICIPALITY	COUNTY	UPLOAD FY11 ACTUAL DISTRIBUTION
CHERRY HILL TWP	140 CAMDEN	\$ 115,368.52
CHESILHURST BORO	141 CAMDEN	\$ 4,372.48
CLEMENTON BORO	142 CAMDEN	\$ 8,274.01
COLLINGSWOOD BORO	143 CAMDEN	\$ 22,490.84
GIBBSBORO BORO	144 CAMDEN	\$ 4,000.00
GLOUCESTER CITY	145 CAMDEN	\$ 17,018.14
GLOUCESTER TWP	146 CAMDEN	\$ 95,029.82
HADDON HEIGHTS BORO	147 CAMDEN	\$ 11,826.59
HADDON TWP	148 CAMDEN	\$ 23,279.16
HADDONFIELD BORO	149 CAMDEN	\$ 18,325.20
HI-NELLA BORO	150 CAMDEN	\$ 4,000.00
LAUREL SPRINGS BORO	151 CAMDEN	\$ 4,000.00
LAWNSIDE BORO	152 CAMDEN	\$ 4,864.49
LINDENWOLD BORO	153 CAMDEN	\$ 26,069.78
MAGNOLIA BORO	154 CAMDEN	\$ 7,021.81
MERCHANTVILLE BORO	155 CAMDEN	\$ 5,681.74
MOUNT EPHRAIM BORO	156 CAMDEN	\$ 7,380.38
OAKLYN BORO	157 CAMDEN	\$ 5,956.93
PENNSAUKEN TWP	158 CAMDEN	\$ 52,111.18
PINE HILL BORO	159 CAMDEN	\$ 15,157.41
RUNNEMEDE BORO	160 CAMDEN	\$ 13,382.88
SOMERDALE BORO	161 CAMDEN	\$ 8,886.49
STRATFORD BORO	162 CAMDEN	\$ 10,794.39
VOORHEES TWP	163 CAMDEN	\$ 47,974.31
WATERFORD TWP	164 CAMDEN	\$ 20,778.35
WINSLOW TWP	165 CAMDEN	\$ 65,215.83
WOODLYNNE BORO	166 CAMDEN	\$ 4,000.00
AVALON BORO	167 CAPE MAY	\$ 20,020.58
CAPE MAY CITY	168 CAPE MAY	\$ 14,815.09
CAPE MAY POINT BORO	169 CAPE MAY	\$ 4,000.00
DENNIS TWP	170 CAPE MAY	\$ 17,297.56
LOWER TWP	171 CAPE MAY	\$ 59,941.40
MIDDLE TWP	172 CAPE MAY	\$ 40,555.72
NORTH WILDWOOD CITY	173 CAPE MAY	\$ 27,845.77
OCEAN CITY	174 CAPE MAY	\$ 72,454.01
SEA ISLE CITY	175 CAPE MAY	\$ 22,033.46
STONE HARBOR BORO	176 CAPE MAY	\$ 11,917.96
UPPER TWP	177 CAPE MAY	\$ 29,359.60
WEST CAPE MAY BORO	178 CAPE MAY	\$ 4,187.34
WEST WILDWOOD BORO	179 CAPE MAY	\$ 4,000.00
WILDWOOD CITY	180 CAPE MAY	\$ 22,334.66
WILDWOOD CREST BORO	181 CAPE MAY	\$ 19,182.91
WOODBINE BORO	182 CAPE MAY	\$ 6,260.32
BRIDGETON CITY	183 CUMBERLAND	\$ 25,206.34
COMMERCIAL TWP	184 CUMBERLAND	\$ 13,308.70
DEERFIELD TWP	185 CUMBERLAND	\$ 4,733.07
DOWNE TWP	186 CUMBERLAND	\$ 6,493.90
FAIRFIELD TWP	187 CUMBERLAND	\$ 10,742.68
GREENWICH TWP	188 CUMBERLAND	\$ 4,000.00
HOPEWELL TWP	189 CUMBERLAND	\$ 9,251.29
LAWRENCE TWP	190 CUMBERLAND	\$ 7,839.95
MAURICE RIVER TWP	191 CUMBERLAND	\$ 11,759.39
MILLVILLE CITY	192 CUMBERLAND	\$ 47,968.31
SHILOH BORO	193 CUMBERLAND	\$ 4,000.00
STOW CREEK TWP	194 CUMBERLAND	\$ 4,000.00
UPPER DEERFIELD TWP	195 CUMBERLAND	\$ 12,876.38
VINELAND CITY	196 CUMBERLAND	\$ 98,904.08
BELLEVILLE TWP	197 ESSEX	\$ 45,760.31
BLOOMFIELD TWP	198 ESSEX	\$ 62,118.88
CALDWELL BORO	199 ESSEX	\$ 11,349.13
CEDAR GROVE TWP	200 ESSEX	\$ 17,825.15
EAST ORANGE CITY	201 ESSEX	\$ 84,315.32
ESSEX FELS TWP	202 ESSEX	\$ 4,680.00
FAIRFIELD TWP	203 ESSEX	\$ 14,086.79
GLEN RIDGE BORO	204 ESSEX	\$ 9,594.90
IRVINGTON TWP	205 ESSEX	\$ 67,345.24
LIVINGSTON TWP	206 ESSEX	\$ 44,683.20
MAPLEWOOD TWP	207 ESSEX	\$ 31,205.42
MILLBURN TWP	208 ESSEX	\$ 32,456.76
MONTCLAIR TWP	209 ESSEX	\$ 55,074.21
NEWARK CITY	210 ESSEX	\$ 327,986.78
NORTH CALDWELL BORO	211 ESSEX	\$ 10,683.16

Date: 4/29/2011

AGREEMENT DATA SHEET

(X) GRANT () LOAN

PROJECT INFORMATION

FUNDING PROGRAM NAME: **Small Cities CDBG 2011**
PROJECT TITLE: **Villas Storm Water Outfall Project - Phase II**
SERVICE AREA(S): **Township of Lower**

RECIPIENT INFORMATION

AGENCY NAME: **Township of Lower**
ADDRESS: **2600 Bayshore Road
Villas, New Jersey 08251-1397**

CHIEF FINANCIAL OFFICER: **Ms. Lauren Read**
VENDOR ID #: **V-216005700-99**
TELEPHONE NUMBER: **(609) 886-2005**
CHARITIES REGISTRATION #: **EX0000000**
(Nonprofit Agencies Only)

STATE INFORMATION

DEPARTMENT: **NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS**
DIVISION: **Division of Housing and Community Resources**
ADDRESS: **101 South Broad Street, 5th Floor
PO Box 811
Trenton, NJ 08625-0806**

CONTACT PERSON: **Terence Schrider**
TELEPHONE NUMBER: **(609) 633-6283**

FUNDING AMOUNT AND SOURCE OF FUNDS

	<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>	<u>CFDA #</u>
1 (Federal Funds)	2011-100-022-8020-078-F292-10SC-6120	\$500,000.00	14.228
SUBTOTAL		\$500,000.00	
OTHER FUNDS		\$232,482.00	
TOTAL		\$732,482.00	

GRANT/LOAN AWARD PERIOD

GRANT/LOAN AWARD PERIOD: **February 01, 2011 THROUGH: January 31, 2013**
LENGTH OF AWARD PERIOD: **2 Years**
LIQUIDATION OF OBLIGATIONS MUST BE MADE BY: **May 01, 2013**

PURPOSE OF GRANT/LOAN

This award will provide funding to eliminate flooding in the Villas neighborhood through extension and reconstruction of five storm water beach outfalls.

GRANT/LOAN AGREEMENT NUMBER: 2011-02292-0353-00

AGREEMENT DATA SHEET

(X) GRANT () LOAN

PROJECT INFORMATION

FUNDING PROGRAM NAME: **Small Cities CDBG 2011**
PROJECT TITLE: **Lower Township Housing Rehabilitation Program**
SERVICE AREA(S): **Township of Lower**

RECIPIENT INFORMATION

AGENCY NAME: **Township of Lower**
ADDRESS: **2600 Bayshore Road
Villas, New Jersey 08251-1397**

CHIEF FINANCIAL OFFICER: **Ms. Lauren Read**
VENDOR ID #: **V-216005700-99**
TELEPHONE NUMBER: **(609) 886-2005**
CHARITIES REGISTRATION #: **EX0000000**
(Nonprofit Agencies Only)

STATE INFORMATION

DEPARTMENT: **NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS**
DIVISION: **Division of Housing and Community Resources**
ADDRESS: **101 South Broad Street, 5th Floor
PO Box 811
Trenton, NJ 08625-0806**

CONTACT PERSON: **Terence Schrider**
TELEPHONE NUMBER: **(609) 633-6283**

FUNDING AMOUNT AND SOURCE OF FUNDS

	<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>	<u>CFDA #</u>
1 (Federal Funds)	2011-100-022-8020-078-F292-10SC-6120	\$200,000.00	14.228
SUBTOTAL		\$200,000.00	
OTHER FUNDS		\$30,000.00	
TOTAL		\$230,000.00	

GRANT/LOAN AWARD PERIOD

GRANT/LOAN AWARD PERIOD: **February 01, 2011 THROUGH: January 31, 2013**
LENGTH OF AWARD PERIOD: **2 Years**
LIQUIDATION OF OBLIGATIONS MUST BE MADE BY: **May 01, 2013**

PURPOSE OF GRANT/LOAN

This award will provide funding to rehabilitate approximately 9 units of low-mod income, owner-occupied, single-family housing.

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

RESOLUTION #2011-136

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$4,000.00 for an item of revenue in the budget of the year 2011 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - Click It or Ticket
Total with increase to be \$4,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$4,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - Click It or Ticket
State/Federal Share \$ 4,000.00
Non State Share \$
Total with increase to be \$ 4,000.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify this is the original resolution adopted by the Township Council on May 16, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
PRESENTED					
SECONDED					
AYE					
NAY					
ABSTAIN					
ABSENT					

Res. #2011-136



State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF HIGHWAY TRAFFIC SAFETY
PO Box 048
TRENTON, NJ 08625-0048

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

PAULA T. DOW
Attorney General

March 10, 2011

Re: *Click It or Ticket* Seat Belt Campaign May 23-June 5, 2011 Enforcement Grant

Dear Chief:

I am pleased to offer your department the opportunity to participate in our next *Click It or Ticket* Enforcement Grant. You are receiving this application because of your prior efforts in this program. The Division of Highway Traffic Safety is prepared to offer your department **\$4,000 in overtime enforcement grant funding**, to be utilized during the **two-week *Click It or Ticket* campaign from May 23 – June 5, 2011**. This is the only *Click It or Ticket* seat belt enforcement campaign that will be conducted this year and our office is looking for maximum participation throughout the state.

In order to be considered for funding, please complete the attached six-page grant application and return it to my attention by the deadline of **April 20, 2011**. On Page 1 of the application please fill in Box A and Boxes C through J. On Page 3 please obtain the signatures and email addresses of the Project Director, Chief Financial Officer and Authorizing Government Official (Mayor).

In addition, please familiarize yourself with the Project Guidelines, as you will be expected to adhere to all components of the grant. This is a reimbursement grant, meaning your agency will incur the costs and then submit documentation to this Division to be reimbursed. The maximum hourly rate that will be reimbursed for the enforcement overtime is \$50 per hour.

Please be advised that we are still waiting for a large portion of the funding for this campaign from the federal government. Because of this, we may be forced to limit the participation, therefore, submitting the application does not guarantee funding for your department. If you have any questions, please do not hesitate to call me at (609) 633-9048.

Sincerely,

Edward J. O'Connor
NJ Division of Highway Traffic Safety
140 East Front Street, 7th Floor
PO Box 048
Trenton, NJ 08625



TEL: (609) 633-9300 (800) 422-3750 FAX: (609) 633-9020
www.njsaferoads.com



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

RESOLUTION #2011-137

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 has been requested.

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>
507.03	17	Deborah Menei	already paid	206.32
512.38	11	Robert Van Orden	disable veteran	231.01

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on May 16, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-138

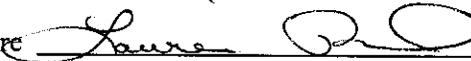
TITLE: BID ACCEPTANCE AND CONTRACT AWARD FOR ROOF REPLACEMENT AND RELATED WORK AT THE RECREATION CENTER

WHEREAS, the Notice to Bidders for Roof Replacement & Related Work at the Recreation Center was advertised on April 13 and April 20 and accepted on May 5, 2011 at 11:00 a.m., and

WHEREAS, one proposal were submitted and reviewed by the QPA and the Engineer, and

WHEREAS, the bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Budget Year & Appropriation (Ord # 1008) C-04-55-397-661

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 contract for the above is hereby awarded to the lowest **qualified responsible** bidder as follows:

AWARD TO: GEN II CONTRACTING CO., INC.

TOTAL: \$426,620.00

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on May 16, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					



**Hatch Mott
MacDonald**

Hatch Mott MacDonald
833 Rt 9 North
PO Box 373
Cape May Court House, NJ 08210
T 609.465.9377 www.hatchmott.com

May 9, 2011
Via Email (mvoll@townshipoflower.org) & 1st Class Mail

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

**RE: Report on Bids
Roof Replacement and Related Work at the Recreation Center
Contract M-5
Township of Lower, Cape May County
HMM No. 287096**

Dear Mr. Voll:

On May 5, 2011 at 11:00 A.M. sealed bids were received for the above referenced project. Two (2) contractors picked up bid documents during the bidding period with one contractor submitting a bid for the project. The bid is summarized below.

Bidder's Name	Bid Amount
Gen II Contracting Co., Inc.	\$426,620.00

The bid is approximately 14% below the Engineer's Estimate of \$497,562 and therefore is favorable to the Township. Subject to the availability of Township funds and a review of the bid/contract documents by the Township Purchasing Agent, we recommend the Township award the contract to Gen II Contracting Co., Inc. of Clarksburg, New Jersey, for the amount of **\$426,620.00**.

We recommend that the contract be awarded at the May 16, 2011 Council Meeting in order to meet the proposed construction schedule. Should you have any questions or require additional information, please feel free to contact our office.

Very truly yours,

Hatch Mott MacDonald

Mark R. Sray, PE, CME
Senior Associate
T 609.465.9377 F 609.465.5270
mark.sray@hatchmott.com

cc (via Email): Claudia R. Kammer
Margaret A. Vitelli, RPPS, QPA
Gary Douglass, CPWM
Mitch Plenn
Steven C. Morey, CEP

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

RESOLUTION #2011-139

TITLE: AWARD OF CONTRACT FOR TELECOMMUNICATION SERVICE TO VERIZON NEW JERSEY

WHEREAS, there is a need to purchase telecommunication service for the Township of Lower, in the County of Cape May, State of New Jersey; and

WHEREAS, public bids are not required when the purchase is under a State contract in accordance with 40A:11-12 of the Local Public Contracts Law, and

WHEREAS, Verizon New Jersey telecommunication service can be purchased through State Contract #T-1776; and is also exempt from public bidding pursuant to N.J.S.A. 40A:11-5(f) which is subject to the jurisdiction of the Board of Public Utilities, and

WHEREAS, the approximate amount of the purchase is \$39,800.00 and funds are available in the Utilities/Telephone -1-01-31-440-299 as evidenced by the Finance Director's

CFO Signature 

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower, in the County of Cape May that Verizon New Jersey is hereby awarded the contract for Lower Township's telecommunication service for a period of 24 months subject to the completion of any work or installation of facilities needed to provide the service in accordance with the attached contract.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on May 16, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					



APPLICATION FOR SERVICE
(FCC Tariff)

Customer Name: Lower Township	Main Billing Tel. No: TBD
Address: 2600 Bayshore Rd Villas NJ 08251	

Customer applies for and agrees to purchase from the undersigned Verizon operating telephone company the services identified below and as further described in Verizon's applicable tariffs (the "Services"), for a minimum period of 24 months () consecutive months (the "Service Period"). The Services will be provided subject to the terms and conditions of Verizon's applicable tariffs in effect during the Service Period (the "Tariffs"), which are incorporated by this reference.

The Service Period will be scheduled to commence on or about TBD (21) days after signature by both parties below, subject to Verizon's completion of any work or installation of facilities needed to provide the Services. If Customer terminates this Application or any Services prior to expiration of the Service Period, Customer will promptly pay Verizon any termination and cancellation charges specified in the Tariffs. The rates for the Services shall be as set forth in the Tariffs, which rates are summarized below. Customer shall also pay all applicable charges, taxes and tariff surcharges that may be required under applicable law, regulations or tariffs.

Quantity	Service	Monthly Unit Rate	Non-recurring Charges
1	ISDN PRI Voice T1	\$455	NA
1	20 DIDs	\$3.65	NA
	Verizon Business Phone lines	\$20	

The Services will be provided at the following Customer locations:

Location 1: 2600 Bayshore Rd Villas NJ 08251

Location 2: 405 Breakwater Rd Erma NJ08204

Verizon may assign or transfer part or all of this Application to any of its affiliates. Provided that Customer provides Verizon with reasonable prior written notice, Customer may assign or transfer this Application to any company that is the successor to substantially all of its assets. All other attempted assignments shall be void without the prior written consent of the other party.

Upon signature below by both parties, this Application and the Tariffs constitute the entire agreement between Customer and Verizon regarding the Services, and supersede all prior oral or written quotations, communications, understandings or agreements. In the event of a conflict between the Tariffs and this Application, the Tariffs shall control. Each party represents that its execution of this Application is based solely on its independent assessment of the rights and obligations set forth herein and not on any other oral or written quotations, communications, understandings or agreements. This Application may not be modified or rescinded except by a writing signed by an authorized representative of each party.

AGREED AND ACCEPTED:

(Customer)

VERIZON - BPC 97 Gordon Dr., Exton PA 19341

By _____

By _____

Name/title

Name/title

Date

Date

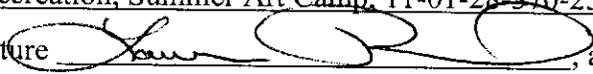
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2011-140

TITLE: AWARD OF CONTRACT TO CENTER FOR COMMUNITY ARTS

WHEREAS, there exists a need for the services of the Center for Community Arts in the Township of Lower in the County of Cape May, State of New Jersey; and

WHEREAS, the amount of said contract shall be in accordance with the services set forth on Exhibit A with the total cost for all services not to exceed Thirteen Thousand Dollars (\$13,000.00), pursuant to contract between the Township and the Center for Community Arts and,

WHEREAS, the CFO has determined sufficient funds are available in the budget under Parks and Recreation, Summer Art Camp, 11-01-28-370-257 as evidenced by the CFO's signature , and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower in the County of Cape May as follows:

The Mayor is hereby authorized and directed to sign the attached agreement with the Center for Community Arts.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of MAY 14, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
PRESENTED					
SECONDED					
AYE					
NAY					
ABSTAIN					
ABSENT					



Contract

Between Center for Community Arts and Township of Lower

Regarding YAP Summer Arts Camp 2011

1. The Center for Community Arts, (CCA) a 501(c)(3) nonprofit organization, with offices at 712 Lafayette Street, Cape May, NJ 08204, will provide eight weeks of “YAP” (Youth Arts Program) Summer Art camp during the summer of 2011 to the Township of Lower.
2. Camp will meet five days a week, from 9:00 a.m. to noon, Mondays – Fridays, June 27 – August 19, 2011 at the Millman Center in Lower Township. We will not operate on July 4, 2011.
3. The Township will provide use of the space free of charge, opening the building at 8:45 a.m. and reserving it for use through at least 12:15 p.m. each day.
4. Center for Community Arts will promote the program through flyers, press releases and its website.
5. The program will be offered free to participants ages 10-14. Participants must be residents of Lower Township.
6. Center for Community Arts will provide one adult art teacher, one adult art teaching assistant and one student intern; all art supplies, a snack and drink each day. A different theme will be explored each week using a curriculum developed by CCA staff.
7. Center for Community Arts will coordinate registration, and provide a permission slip and registration forms.
8. Participants will be asked for a \$5 per week deposit to hold their place in camp. Deposits will be returned in September to participants who came to camp at least four days of a given week.
9. All art works created become the property of camp participants who created them. Some art works will be temporarily retained for inclusion in a fall 2011 art show, and returned to participants after the show.

10. The cost to Lower Township is \$1625 per week, a total of \$13,000. Half, \$6,500 is to be paid in advance of June 30, 2011. We will invoice the balance as follows: \$3,250 will be invoiced by CCA on July 15, with payment anticipated by July 31, 2011. The final payment of \$3,250 will be invoiced on the last day of the program, August 19, 2011, with payment anticipated by September 15, 2011.

Agreed to by Center for Community Arts

by Township of Lower

Bernadette Matthews, Executive Director



May 4, 2011

Date

Date

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

RESOLUTION #2011-141

TITLE: RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$3,000,000 OF GENERAL IMPROVEMENT REFUNDING BONDS OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, NEW JERSEY OR SUCH OTHER AMOUNT AS DETERMINED BY THE CHIEF FINANCIAL OFFICER TO ACCOMPLISH THE REFUNDING ON THE TERMS APPROVED BY THE LOCAL FINANCE BOARD CONSISTENT WITH THE REFUNDING PROVISIONS OF THE INTERNAL REVENUE CODE AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS TO JANNEY MONTGOMERY SCOTT.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. An amount not to exceed \$3,000,000 of General Improvement Refunding Bonds of the Township of Lower, in the County of Cape May, New Jersey (the "Township"), in specific amounts to be determined as provided herein and as more fully described in a bond ordinance finally adopted by the Township pursuant to the Local Bond Law on May 16, 2011, and entitled, "Refunding Bond Ordinance of the Township of Lower, in the County of Cape May, New Jersey, Providing for the Refunding of All or a Portion of Certain General Improvement Bonds, Appropriating \$3,000,000 Therefor and Authorizing the Issuance by the Township of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$3,000,000 for Financing the Cost Thereof" shall be issued as "General Improvement Refunding Bonds" (the "Bonds").

Section 2. The Bonds are hereby authorized to be sold to Janney Montgomery Scott (the "Underwriter") at a purchase price determined by the parameters set forth below and otherwise consistent with the terms included in the approval by the Local Finance Board in the Department of Community Affairs, State of New Jersey (the "Local Finance Board") on May 11, 2011:

- (a) the principal amount of the Bonds does not exceed \$3,000,000;
- (b) the Net Interest Cost of the Bonds does not exceed an interest rate that would enable the Township to complete the refunding within the parameters established by the Local Finance Board;
- (c) the Underwriter's discount does not exceed the amount referenced in the approved Local Finance Board application;
- (d) the maturity structure or weighted average maturity for the Bonds is substantially similar to the structure submitted to and approved by the Local Finance Board together with any adjustments recommended by the Underwriter on the sale date designed to reduce the total costs of the borrowing to the Township;
- (e) all conditions required by the Local Finance Board for the sale of the Bonds are satisfied.

Section 3. The Chief Financial Officer is hereby authorized and directed, without further authorization, to enter into and execute a purchase contract (the "Purchase Contract") on behalf of the Township with the Underwriter in the form satisfactory to bond counsel to the Township and upon terms consistent with the above parameters. Upon execution of the Purchase Contract, the signature of the Mayor and/or the Chief Financial Officer shall be conclusively presumed to evidence any necessary approvals for the sale of the Bonds. If the Chief Financial Officer, after consultation with the Underwriter, determines that the above parameters cannot be satisfied in the present market, the Bonds shall not be sold until such time as said parameters may be amended, in whole or in part, or a sale on different terms is otherwise approved by resolution of this Township Council.

Section 4. (a) The Bonds shall be issued in the par amounts consistent with the parameters set forth in Section 2 hereof and determined by the Chief Financial Officer to be necessary to pay costs of issuance and to provide an escrow fund that, when invested, will be sufficient to provide for the timely payment of the principal and redemption premium, if any, of and interest on all or a portion of the Township's \$2,740,000 outstanding principal amount of General Improvement Bonds, originally issued in the aggregate principal amount of \$7,000,000 on January 24, 2002, which amount matures on July 15 in each of the years 2012 through 2015, inclusive (the "Refunded Bonds").

(b) The Bonds shall be dated and shall bear interest at the rates per annum as the Chief Financial Officer shall determine.

(c) The Bonds shall be numbered and have such prefix or prefixes as determined necessary by the Chief Financial Officer and be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Township as determined in the Purchase Contract.

(d) The Bonds shall mature in each of the years 2012 to 2015, inclusive, or such other dates deemed consistent with the approved Local Finance Board resolution and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

(e) The Bonds are not subject to redemption prior to their stated maturities.

(f) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of CEDE & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any integral multiple thereof through book-entries made on the books and the records of the Securities Depository and its participants except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in the denominations of \$1,000 or any integral multiple thereof.

(g) The principal of and the interest due on the Bonds will be paid to the Securities Depository by the Township on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of the 15th day next preceding each maturity date (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal of the Township (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk.

Section 5. The Bonds shall be substantially in the following forms with such additions, deletions and omissions as may be necessary for the Township to effectuate the transaction contemplated by this Resolution:

REGISTERED
No. GIRB-___

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY

TOWNSHIP OF LOWER

GENERAL IMPROVEMENT REFUNDING BOND

DATED DATE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
___/___/11	___/___/___	_____%	_____

TOWNSHIP OF LOWER, a municipal corporation of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to CEDE & Co., as nominee of The Depository Trust Company which will act as Security Depository on the Maturity Date specified above, upon presentation and surrender of this bond, the principal sum of _____ DOLLARS (\$ _____), and to pay interest (computed on a 12-month/360-day year basis) for such sum from the Dated Date stated above until it matures at the Rate of Interest Per Annum specified above semiannually on the first day of _____ and _____ in each year until maturity, commencing _____. Principal of and interest on this bond will be paid to the Security Depository by the Township and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the _____ and _____ next preceding the date of such payments (the "Record Dates"). The principal of and interest on this bond are payable in lawful money of the United States of America.

This bond is not transferable as to principal or interest. The participants are responsible for maintaining the records regarding the beneficial ownership interest in the bonds on behalf of the individual purchasers except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants.

This bond is not subject to redemption prior to its stated maturity.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, a bond ordinance of the Township finally adopted May 16, 2011, and entitled, "Refunding Bond Ordinance of the Township of Lower, in the County of Cape May, New Jersey, Providing for the Refunding of All or a Portion of Certain General Improvement Bonds, Appropriating \$3,000,000 Therefor and Authorizing the Issuance by the Township of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$3,000,000 for Financing the Cost Thereof" and a resolution of the Township adopted May 16, 2011.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, the Township has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual or facsimile signature of its Clerk and this bond to be dated the Dated Date as specified above.

TOWNSHIP OF LOWER

By _____

Mayor

ATTEST:

By: _____
Township Clerk

By: _____
Chief Financial Officer

Section 6. The law firm of McManimon & Scotland, L.L.C. is authorized to arrange for the printing of the Bonds. The proper officials of the Township are hereby authorized and directed to execute the Bonds and to deliver them to the purchaser upon receipt of payment therefor.

Section 7. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon & Scotland, L.L.C., complete except for omission of its date. The Clerk is hereby authorized and directed to certify the truth and the correctness of the copy of such opinion by executing on each of the Bonds by facsimile signature a certificate in form satisfactory to that law firm and to file a signed duplicate of such written opinion in the Clerk's office. Alternatively, each Bond may be accompanied by the signed legal opinion or copy thereof.

Section 8. The Bonds are being issued to refund the Refunded Bonds. The Chief Financial Officer shall take all steps necessary to call the Refunded Bonds on the first available call date at the applicable redemption price, deposit the proceeds of the Bonds with a bank for the purpose of defeasing the Refunded Bonds, invest the proceeds of the Bonds for this purpose and assist with the redemption of the Refunded Bonds. The Chief Financial Officer is hereby authorized to enter into an agreement with a bank (the "Escrow Deposit Agreement") to effectuate the purpose of this Section 8.

Section 9. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code") in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Bonds under the Code.

Section 10. The Township hereby approves the preparation and the distribution of the Preliminary Official Statement on behalf of the Township in the form approved or to be approved by the Chief Financial Officer. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Township by the Mayor or the Chief Financial Officer. The Preliminary Official Statement shall be prepared in final form in connection with the issuance of the Bonds and the Mayor and/or the Chief Financial Officer of the Township are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Underwriter of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the Underwriter's confirmations that request payment for the Bonds.

Section 11. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository, as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

Section 12. In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of \$5,000, or any integral multiple thereof, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of such Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 13. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Township shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31, 2011, to the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access Dataport (the "MSRB"), or any State of New Jersey recognized municipal securities information repository ("State Repository"), if any, annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (i) Township and overlapping indebtedness including a schedule of outstanding debt issued by the Township, (ii) the Township's most current adopted budget, (iii) property valuation information, and (iv) tax rate, levy and collection data. The audited financial information will be prepared in accordance with modified cash accounting as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law and shall be filed electronically and accompanied by identifying information with the National Repository;

(b) in a timely manner not in excess of ten business days after the occurrence of the event, to the MSRB, and to the State Repository, if any, notice of any of the following events with respect to the Bonds (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(c) in a timely manner to the MSRB, and to the State Repository if any, notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this certificate, the Township shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 14. If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

Section 15. The Chief Financial Officer shall determine, in consultation with bond counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

Section 16. In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Township shall not be liable for any monetary damages, remedy of the beneficial owners of the Bonds being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 17. The undertaking may be amended by the Township from time to time, without the consent of the Bondholders or the beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or change in law, which in the opinion of nationally recognized bond counsel complies with the Rule.

Section 18. There can be no assurance that there will be a secondary market for the sale or purchase of the Bonds. Such factors as prevailing market conditions, financial condition or market position of firms who may make the secondary market and the financial condition of the Township may affect the future liquidity of the Bonds.

Section 19. The Mayor, the Chief Financial Officer, the Clerk and other appropriate representatives of the Township are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the refunding of the Refunded Bonds, including preparing and executing such agreements, including but not limited to the Purchase Contract and the Escrow Deposit Agreement, and such documents on behalf of the Township, satisfying in full the requirements of notice of redemption of the Refunded Bonds and taking all steps necessary or desirable to implement this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby.

Section 20. The Chief Financial Officer is hereby authorized and directed to pay all costs of issuance in connection with the sale of the Bonds pursuant to a certificate of the Chief Financial Officer to be executed upon delivery of the Bonds in an aggregate amount not to exceed the aggregate amount authorized.

Section 21. This resolution shall take effect immediately.

I hereby certify the foregoing resolution was adopted by the Township Council at a regular meeting held on May 16, 2011.

 Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-142

TITLE: AUTHORIZATION FOR OFF SHORE TAXITO TRANSFER TAXI LICENSE FROM 1996 CHEVY CAPRICE TO A 1997 CHRYSLER TOWN 7 COUNTRY

WHEREAS, Off Shore applied for and received a taxi license for a 1996 Chevy Caprice Vin#1G1BL52WXTR182846, and

WHEREAS, Off Shore Taxi has replaced the above vehicle with a 1997 Chrysler Town & Country , VIN #1C4GP64LOVB446016 and has requested the license be transferred to the new vehicle, and

WHEREAS, Off Shore Taxi has paid the required Twenty Five Dollar (\$25) transfer fee and provided the required insurance certificate showing the new vehicle.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the license transfer is hereby approved.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on May 16, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

Resolution #2011-142

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

RESOLUTION #2011-143

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$5,000.00 for an item of revenue in the budget of the year 2011 as follows:

Miscellaneous Revenues –

Revenue Offset with Appropriations - Homeland Security Emergency Management
Performance Grant

Total with increase to be \$5,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –

Public & Private Programs Offset by Revenues - Homeland Security Emergency
Management Performance Grant

State/Federal Share \$ 5,000.00

Non State Share \$

Total with increase to be \$ 5,000.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify this is the original resolution adopted by the Township Council on May 16, 2011

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
PRESENTED					
SECONDED					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-144

TITLE: ACCEPTANCE AND BID AWARD FOR 24 MONTH HVAC SERVICE AGREEMENT FOR LOWER TOWNSHIP VARIOUS LOCATIONS

WHEREAS, bids for HVAC Service Agreement for Lower Township Various Locations were advertised on May 4, 2011 and due by May 12, 2011 at 9:00 a.m. for 24 months; and

WHEREAS, two proposals were submitted and reviewed by the QPA and Gary Douglass, Superintendent of Public Works, and

WHEREAS, the vendor has supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Budget Year & Appropriation 2011 1-01-20-310-365 B & G OE

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 contract for the above is hereby awarded to the lowest qualified responsible bidders as follows:

AWARD TO: Polar Bear Mechanical Services
TOTAL: \$7,000.00 per year
\$ 55.00 hourly rate during normal business hours
\$ 82.50 hour rate outside of normal business hours

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute the contract for the same.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on May 16, 2011.

Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798
(609) 886-2005

BID# 2011-09 HVAC Service Agreement for all Lower Township Locations

12 Month Maintenance Service Contract Price	\$	7,000.00
12 Month Hourly Rate Normal Business Hours	\$	60.00
12 Month Hourly Rate Outside Normal Business Hours	\$	90.00
24 Month Maintenance Service Contract Price	\$	14,000.00
24 Month Hourly Rate Normal Business Hours	\$	55.00
24 Month Hourly Rate Outside Normal Business Hours	\$	82.50

**Must include normal business hours schedule*

POLAR BEAR MECHANICAL SERVICES
Company Name

01-0582994
Federal I.D. # or Social Security #

801 HEATHER LANE
Address

CAPE MAY, NJ 08204

[Signature]
Signature of Authorized Agent

JOE CICCARO
Type or Print Name

609-884-4402
Telephone Number

OWNER
Title

609-536-2557
Fax Number

5/5/11
Date

CAPESEA.BEAR@COMCAST.NET
E-mail address

LIST EXCEPTIONS BELOW OR USE ADDITIONAL SHEET:

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

ORDINANCE #2011-11

TITLE: AN ORDINANCE AUTHORIZING EXECUTION OF A LEASE OF CERTAIN PROPERTY FOR USE BY THE LOWER TOWNSHIP RESCUE SQUAD IN CONNECTION WITH PROVIDING EMERGENCY FIRST AID SERVICES TO THE TOWNSHIP OF LOWER

Section 1. In accordance with N.J.S.A. 40A:2-14, this special ordinance is introduced to be adopted for the purpose of extending and creating a new lease term for the Lower Township Rescue Squad the use of certain Township property in connection with providing emergency first aid service to the citizens of the Township of Lower.

Section 2. The aforementioned lease is on file with the Township Clerk and is hereby incorporated herein by reference. As required by N.J.S.A. 40A:2-14, the following requirements/information shall pertain in addition to the terms within the lease:

- a. The Lower Township Rescue Squad shall be the Lessee and is a nonprofit entity formed for a public purpose;
- b. Consideration for the lease shall be the provision of emergency first aid services to the Township of Lower as well as \$1.00 per year as set forth in the lease;
- c. The lease serves the important public service of providing volunteer rescue squad services to the citizens of the Township of Lower;
- d. The entire citizenry and visitors to the Township benefit from the granting of this lease to the Rescue Squad;
- e. The term of the lease is ten years and the Township Official responsible for administration of the lease terms shall be the Township Manager;
- f. The Lower Township Rescue Squad shall report annually as required by N.J.S.A. 40A:12-14 to the Township Manager as to the status of the Lower Township Rescue Squad and its use of the facilities of the Township.

Section 2. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. Upon final adoption and approval of this Ordinance, the Mayor and Clerk shall be and hereby are authorized and directed to execute the aforementioned lease on behalf of the Township of Lower for the purposes aforesaid.

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 5. This Ordinance shall take effect after final passage and publication as provided by law.

Thomas Conrad, Councilman

Erik K. Simonsen, Councilman

Glenn Douglass, Councilman

Kevin Lare, Deputy Mayor

Michael E. Beck, Mayor

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

ORDINANCE #2011-10

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF CERTAIN GENERAL IMPROVEMENT BONDS, APPROPRIATING \$3,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$3,000,000 FOR FINANCING THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township of Lower, in the County of Cape May, New Jersey (the "Township") is hereby authorized to refund all or a portion of the Township's \$2,740,000 outstanding principal amount of General Improvement Bonds, originally issued in the aggregate principal amount of \$7,000,000 on January 24, 2002, which amount matures on July 15 in each of the years 2012 through 2015, inclusive (the "Refunded Bonds"), and which are subject to redemption on or after July 15, 2011 at a redemption price equal to 101% of the principal amount of the Refunded Bonds to be redeemed.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof and the costs of issuance associated therewith, negotiable refunding bonds are hereby authorized to be issued in one or more series in the aggregate principal amount not exceeding \$3,000,000 (the "Refunding Bonds") pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding \$85,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The Township desires to provide for all or a portion of the principal amount of the Refunded Bonds outstanding and the interest and redemption premium, if any, thereon in order to provide for savings in debt service as a result of lower interest rates in the bond markets.

Section 5. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township is increased by the authorization of the Refunding Bonds provided in this refunding bond ordinance by \$3,000,000, and that an amount representing the principal amount of the Refunded Bonds equal to \$2,740,000 will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by that law.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Ord. #2011-10

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF CERTAIN GENERAL IMPROVEMENT BONDS, APPROPRIATING \$3,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$3,000,000 FOR FINANCING THE COST THEREOF (continued)

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

Thomas Conrad, Councilmember

Erik Simonsen, Councilmember

Glenn Douglass, Councilmember

Kevin Lare, Councilmember

Michael E. Beck, Mayor

Adopted: _____

Attest: _____
Claudia R. Kammer, Township Clerk

PERSONNEL ACTIONS

Report for Council Meeting of 05/16/11

<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
DPW	Magnavita, Zackary	5/9/11		New hire	temp laborer	yes
DPW	Damiana, William	5/9/11		New Hire	temp laborer	yes
DPW	Thomas Connelly	5/16/11		New Hire	temp laborer	yes

Date of report 5/11/11
c: Manager
Clerk
Payroll
Asst. Treasurer
Personnel Director
Bulletin Board
File

	<u>Total</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>
BEG. BAL. JAN. 1, 2011	4,995,207.31	4,995,207.31	4,981,393.59	5,432,925.81	972,424.61
RECEIPTS:					
Per Revenue Status	19,331,410.27	5,854,274.77	7,136,855.31	1,168,067.17	5,172,213.02
less: post cash surplus	0.00				
Interest due from- Dev. Escrow	(244.76)	(78.87)	(56.39)	(79.72)	(29.78)
Capital	(79.83)	(5.85)	(5.34)	(68.34)	(0.30)
	19,331,085.68	5,854,190.05	7,136,793.58	1,167,919.11	5,172,182.94
Transfers:					
Capital	1,050,000.00				1,050,000.00
Trust	1,000,000.00				1,000,000.00
Grants Received					
JIF \$ Recd	3,050.00	3,050.00			
OLUA \$ Recd	4,850.00		4,850.00		
Body Armor \$ Recd	4,032.00				4,032.00
TOTAL RECEIPTS:	21,388,985.68	5,857,240.05	7,141,643.58	1,167,919.11	7,226,214.94
DISBURSEMENTS:					
2010 Reserves	370,946.30	208,057.93	144,728.45	14,014.56	4,145.36
2011 Current	22,575,950.40	5,497,057.89	6,298,592.93	5,468,508.38	5,311,791.20
2011 Capital	680,964.02	170,864.57	255,576.30	168,200.69	86,322.46
23,627,860.72					
Appropriation Refunds:	(55,834.04)	(4,926.62)	(8,786.32)	(22,303.32)	(19,817.78)
TOTAL DISBURSEMENTS	23,572,026.68	5,871,053.77	6,690,111.36	5,628,420.31	5,382,441.24
END. BAL. DEC. 31, 2011	2,812,166.31	4,981,393.59	5,432,925.81	972,424.61	2,816,198.31
Total Appropriation Refunds	(55,834.04)	(4,926.62)	(8,786.32)	(22,303.32)	(19,817.78)

Bank Balance				
Checking	5,729,594.93	6,962,142.73	2,367,365.83	4,275,539.13
MBIA	1,060,645.01	6,952.27	6,952.68	6,952.90
Total Bank Balance	6,790,239.94	6,969,095.00	2,374,318.51	4,282,492.03
ADD: Deposits in Transit	989,748.32	100,090.83	48,849.63	460,093.55
LESS: Outstanding Checks	(2,798,594.67)	(1,636,260.02)	(1,450,743.53)	(1,926,387.27)
Adjusted Bank Balance	4,981,393.59	5,432,925.81	972,424.61	2,816,198.31
	0.00	0.00	0.00	0.00

ANIMAL CONTROL REPORT

MONTH OF April, 2011

ACO STEPHEN PARKER DATE: 4/30/11

	DOG\$ CALLS	CAT\$ CALLS	OTHER*
TOTAL	31	6	
PICKED-UP	5	5	
TO SHELTER	6	0	
RETURNED	6	0	
TO VET	0	3	1 put down - cat
DOA	2	4	opossum - 2 raccoons - 2 PDPD
WARNINGS	0	0	
TICKETS	0	0	
BITES	0	0	
QUARANTINES	0	0	

*OTHER includes snakes, squirrels, raccoons, opossums, birds and other wildlife

Additional Comments

RACCOON CALLS - 17 opossum CALLS - 3
SEAL CALL - 1 Donkey CALL - 1 SNAKE CALL - 1
CHECK WELL BEING - 3 RABBIT CALL - 1
Good Intent - 5

TOTAL CALLS - 68

RESPECTFULLY SUBMITTED
S. PARKER - AC-2

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

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 04/01/2011 To 04/30/2011

May 03 , 2011 4:08:19PM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$1,036,460.00	Cubic Footage:	177741 Cu.ft	Permit Issued:	141
Cost Of Alteration:	\$481,239.00	Square Footage:	15732 Sq.ft	Updates Issued:	3
Cost Of Demolition:	\$1,500.00			All Fees Waived:	4
Total Cost:	\$1,519,199.00			Municipal Fees Waived:	0

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$16,714.00	Building:	\$0.00	Building:	\$3,725.00	Building Fees:	\$12,989.00
Electrical:	\$4,011.00	Electrical:	\$0.00	Electrical:	\$50.00	Electrical Fees:	\$3,961.00
Fire :	\$2,808.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$2,808.00
Plumbing:	\$6,014.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$6,014.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$3,775.00	Technical Fees:	\$25,772.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$594.00	\$0.00	\$594.00
Alteration Training Fee:	\$817.00	\$207.00	\$610.00
DCA Minimum Fee:	\$24.00	\$2.00	\$22.00
Sub total Training Fee:	\$1,435.00	\$209.00	\$1,226.00

TECHNICAL ISSUES

Building Technical:	76
Electrical Technical:	53
Fire Protection Technical:	25
Plumbing Technical:	61
Elevator Technical:	
Mechanical Technical:	

CERTIFICATE ISSUES

Certificate of Occupancy:	11
Certificate of Approval:	3
Certificate of Continued Occupancy:	1

Certificate of Occupancy Fee:	\$1,260.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$1,260.00

PERMIT FEES:	\$25,772.00
DCA FEES:	\$1,226.00
CERTIFICATE FEES:	\$1,260.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$28,258.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$151.00
OTHER FEES:	\$50.00
GRAND TOTAL FEES:	\$28,459.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 04/01/2011 To 04/30/2011

May 3, 2011 4:09:11PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$1,686.00	\$26,622.00	\$0.00	\$28,308.00
LICENSE FEES	Sub Totals:	\$25.00	\$875.00	\$0.00	\$900.00
CCO FEES	Sub Totals:	\$0.00	\$151.00	\$0.00	\$151.00
GRAND TOTALS:		\$1,711.00	\$27,648.00	\$0.00	\$29,359.00

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 04/01/2011 To 04/30/2011

May 03 , 2011 4:12:37PM

SUMMARY

CONSTRUCTION COSTS

Cost Of Construction:	\$0.00
Cost Of Alteration:	\$27,420.00
Cost Of Demolition:	\$0.00
Total Cost:	\$27,420.00

Cubic Footage:	0 Cu.ft
Square Footage:	0 Sq.ft

COUNT

Permit Issued:	9
Updates Issued:	2
All Fees Waived:	0
Municipal Fees Waived:	0

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$326.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$326.00
Electrical:	\$220.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$220.00
Fire :	\$58.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$58.00
Plumbing:	\$299.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$299.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$0.00	Technical Fees:	\$903.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$0.00	\$0.00	\$0.00
Alteration Training Fee:	\$49.00	\$0.00	\$49.00
DCA Minimum Fee:	\$0.00	\$0.00	\$0.00
Sub total Training Fee:	\$49.00	\$0.00	\$49.00

TECHNICAL ISSUES

Building Technical:	3
Electrical Technical:	4
Fire Protection Technical:	1
Plumbing Technical:	5
Elevator Technical:	
Mechanical Technical:	

CERTIFICATE ISSUES

Certificate of Occupancy:	1
Certificate of Approval:	0
Certificate of Continued Occupancy:	0

Certificate of Occupancy Fee:	\$0.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$0.00

PERMIT FEES:	\$903.00
FEES:	\$49.00
CERTIFICATE FEES:	\$0.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$952.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$952.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 04/01/2011 To 04/30/2011

May 3, 2011 4:12:04PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$183.00	\$769.00	\$0.00	\$952.00
	GRAND TOTALS:	\$183.00	\$769.00	\$0.00	\$952.00

New Jersey State Department of Health and Senior Services
 Infectious and Zoonotic Disease Program
 PO Box 369
 Trenton, New Jersey 08625-0360

FOR STATE USE ONLY	
Check #	Amount
Date of check	_____
Trans. Number	_____
Date of Trans.	_____

Monthly Dog License Report

A: IDENTIFICATION

Municipality : TOWNSHIP OF LOWER

County: CAPE MAY

Date: 5/2/2011

B: LICENSE DATA

1. Period Covered	From: 04/01/2011	To: 04/30/2011
2. First License # of this report	1100	
3. Last License # of this report	1380	
4. Last License # of last report	1099	
5. Total Licenses issued this report	281	

C: LICENSES ISSUED FOR WHICH NO MONEY IS SUBMITTED

List individually all licenses issued for which no fee is submitted.

Replace License # 1038 [1134]; Replace License # 677 [1219]

D: PILOT CLINIC FUND

Surcharge for all licenses issued except for seeing eye & hearing ear .

Numbers: 279 Amount : \$55.80

E: ANIMAL POPULATION CONTROL FUND

Additional surcharge for licenses issued for non-spayed & non-neutered dogs except for seeing eye and hearing ear.

Number: 56 Amount: \$168.00

F: FEE DATA

1. Total licenses reported with registration fee :	\$279.00
2. Total Amount due for pilot clinic fund (sec. D) :	\$55.80
3. Total Amount due for Animal population control fund (sec. E) :	\$168.00
4. Total Amount due for this report :	\$502.80

G: CERTIFICATION

I certify this report is a true and complete statement of licenses issued during the period indicated above.

Officer Name : Claudia R Kammer

Title : Township Clerk

Signature : *Claudia R Kammer*

Date: 5/2/11

Phone : 609-886-2005



TOWNSHIP OF LOWER

Engineer's Report

Meeting Date: May 16, 2011

➤ Holmes Avenue Stormwater Outfall

Channel Marine Construction, Inc. was awarded the project at the February 23rd Council meeting. A preconstruction meeting was held on February 25th where the Notice to Proceed was issued to the Contractor. The contractor completed the work at Holmes Avenue on April 8, 2011. The final payment application in the amount of \$29,800 was forwarded to the Township for processing on April 11, 2011. Project is complete.

➤ Fall 2010 Outfall Extension Project

The contractor finished the remediation work at the Broadway and Beverly Road outfalls on March 21, 2011. The final payment application in the amount of \$17,439.40 was forwarded to the Township for processing on May 4, 2011. Project is complete.

➤ Municipal Parking Lot Improvements – Phase 3

HMM has completed the design work on Station Road and the Municipal Parking Lot Improvements. The project will be publicly advertised on May 11, 2011 with bids to be received on June 1, 2011.

➤ Lower Township Recreation Center Roof Replacement

The Roof Replacement project was publicly advertised on April 13, 2011 and bids were received on May 5, 2011. Two contractors picked up bid documents with one contractor submitting a bid for the project. The bid of \$426,620 by Gen II Contracting Co., Inc. was approximately 14% below the Engineer's Estimate. A report on the bid was forwarded to the Township on May 9, 2011.

➤ 2011 Delaware Bay Shore Outfalls

HMM met with the Manager, Public Works Superintendent and Township Solicitor to coordinate site investigations, permitting and the acquisition of access easements that will be required prior to construction activities. Preliminary investigation into the condition of each of the outfalls has begun and a topographic survey at each of the outfalls has been completed. Base Map preparation is currently underway. Applications to the USACE and NJDEP are being prepared concurrently with the field survey and plan preparation.

Municipal Clerk's Report
 Register Report

4/1/2011 Through 4/30/2011

5/2/2011

Page 1

Account	Description	Memo	Category	Amount
INCOME				
	TOTAL Business Mercantile			125.00
	TOTAL Business Mercantile One Day Event			60.00
	TOTAL Campgrounds & Trailers			128.00
	TOTAL Copies & Postage			1.00
	TOTAL Opra Request			2.10
	TOTAL Pre-Paid Rental License 2011-12			825.00
	TOTAL Pre-Paid Rental License 2011-2012			3,550.00
	TOTAL Rental Merc. 2010-2011			450.00
	TOTAL Rental Mercantile			150.00
	TOTAL Searches			20.00
	TOTAL Street Openings			180.00
	TOTAL Taxi & Limo			310.00
	TOTAL Yard Sales			160.00
	TOTAL INCOME			5,961.10
TRANSFERS				
	TOTAL Council Checking			-5,961.10
	TOTAL TRANSFERS			-5,961.10
			OVERALL TOTAL	0.00

**LOWER TOWNSHIP MUNICIPAL COURT
MONTHLY DISBURSEMENTS**

TRAFFIC (All fines split w/ County)	\$1,086.00
TRAFFIC COSTS (We receive all costs)	\$2,501.08
CRIMINAL FINES (We receive both Criminal & Local Ordinance fines)	\$1,722.00
CRIMINAL COSTS	\$512.99
REINSTATED BAILS	\$ -
LOCAL PARKING	\$ 25.50
CONTEMPT CHARGES	
PUBLIC DEFENDER FEES	
MISCELLANEOUS FEES (Spinal & Overpayments)	\$ 1.47
DWI SURCHARGE	\$ 287.34

APRIL 2011 DISBURSEMENTS

APRIL 2011 COMPLAINTS ISSUED	CRIMINAL IND.	CRIMINAL DP	TRAFFIC	DUI	TOTAL
	24	55	70	5	154

TOTAL RECEIPTS	TOWNSHIP SHARE
\$21,823.75	\$8,836.38

COMPLAINTS IN WARRANT STATUS	CRIMINAL	TRAFFIC	TOTAL
	188	130	318

**2011 CASH RECEIPTS
APRIL**

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Current year taxes (2011)	4,930,720.18	17,918,621.29
Prior year taxes (2010)	96,921.18	788,830.30
ARREARS (2009)	813.23	813.23
6% Penalty		3,446.95
Tax Search Fees	40.00	110.00
Interest	10,327.82	63,580.10
Lot clearing	1,325.00	2,790.00
Returned Check Fees	20.00	160.00
Duplicate Bills	90.00	285.00
Tax Sale Costs	2,744.44	2,744.44
Municipal Service Fees	1,680.00	35,640.00
Sewer	3,344.04	3,344.04
Water	2,532.48	2,532.48
Trash	5,560.00	26,727.50
DEPOSITED COUNCIL CHECKING	5,056,118.37	18,849,625.33
TOTAL DEPOSITS	5,056,118.37	18,849,625.33
NSF Reversals		-9,419.09
TOTAL	5,056,118.37	18,840,206.24

Prepared by Susan Jackson

VITAL STATISTIC
APRIL DEPOSIT
2011

COPY

Marriage License Total	10
C.U. Lic. Total	0
D.P. Lic. Total	0
Total Burial Permits	0

State Marriage Fee	\$ 250.00
Twp. Marriage Fee	\$ 30.00
State C.U. Fee	\$ -
Twp. C.U. Fee	\$ -
State D.P. Fee	\$ -
Twp. D.P. Fee	\$ -
State Burial Permit Fee	\$ -
Twp. Burial Permit Fee	\$ -
Twp. Cert. Copy Fee	\$ 1,960.00

TOTAL	\$ 2,240.00
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TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2011-145

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

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

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

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

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

_____ (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 May 16, 2011 that an Executive Session closed to the public shall be held on this date at approximately _____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

I hereby certify the foregoing to be a resolution adopted by the Township Council on May 16, 2011.

 Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					