

PRELIMINARY AGENDA

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

APRIL 20, 2009 - 7:00 P.M.

Meeting called to order

Opening Announcement

Pledge of Allegiance & Moment of Silence

Roll Call & Determination of Quorum

Proclamation - April 2009, Autism Awareness Month

Certificate of Recognition - 85th Anniversary of Kiwanis Club of Cape May

Work Session

Council Review of Consent & Regular Agenda Items

Public Questions/Comments on Consent Agenda Items

Consent Agenda

Approval of Minutes

April 6, 2009

Res. #2009-116,

Payment of Vouchers, \$1,677,858.01

Res. #2009-117,

Resolution for Self-Examination of the Budget (Permits the CFO & Auditor to review & exam budget items)

Res. #2009-118,

Resolution Authorizing the Mayor and Clerk to Execute a Deed of Easement Between the Cape May Beach Property Owner's Association, Inc and the Township of Lower (Block 533.02 Lot 1.10 for outfall repair work)

Res. #2009-119,

Click It or Ticket 2009 Mobilization

Res. #2009-120,

Resolution Supporting Participation in the Sustainable Jersey Municipal Certification Program

Res. #2009-121,

Authorization for Villas Fire Company to Conduct Outdoor Flea Markets in 2009

Res. #2009-122,

Approval for Pyrotechnico Fireworks to Load and Unload a Fireworks Barge in Lower Township

Res. #2009-123,

Renewal of 2009 Campground Licenses (Annual renewal of 6 Campgrounds)

Res. #2009-124,

Approving the Application of Animal Alliance Cape May County to Conduct a Flea Market on May 9, 2009

Res. #2009-125,

Authorizing Pay Out of Terminal Leave (balance of time due G. Slobodjian - retired)

Res. #2009-126,

Amendment to 2009 Budget (reduction of 2/10 of a cent)

Res. #2009-127,

Resolution Approving New Fee Schedule for the Recreation Department

Regular Agenda

Public Hearing

2009 Municipal Budget

Res. #2009-128

Adoption of the 2009 Municipal Budget (as amended by Res. #2009-126)

Administrative Reports

Personnel Action Report

March Reports - Animal Control, Code Enforcement, Construction Official, Dog Licensing, Fire Safety, MUA, Municipal Clerk, Municipal Court, Municipal Judge, Tax Collector, Vital Statistics

Council Comments

Call to the Public

Closed Session

Res. #2009-129 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." (Contract Negotiations & Attorney Client Privilege)

Adjournment

PROCLAMATION

APRIL 2009, AUTISM AWARENESS MONTH

WHEREAS, autism is a complex pervasive developmental disorder that affects a person's social, learning and behavioral skills and manifests itself uniquely in each affected individual and;

WHEREAS, we can now estimate that one in every 94 individuals in New Jersey is likely to be diagnosed with autism and;

WHEREAS, the Autism Spectrum Disorder knows no racial ethnic or social boundaries and includes High Functioning Autism Asperger's Syndrome and Pervasive Developmental Disorder;

WHEREAS, as Autism manifests itself in the first three years of life, acute early diagnosis accompanied by appropriate education is vital to the growth and development of the affected individual and;

WHEREAS, autism affects not only the diagnosed individual but the entire family and community at large and;

WHEREAS, throughout the State of New Jersey various organizations offer a wide range of services to support programs, such as FACES Autism Support Groups, to ensure that all people with autism receive appropriate effective services to maximize their growth potential and to enhance the overall awareness of autism in the general public.

NOW, THEREFORE BE IT RESOLVED, the Township of Lower hereby proclaims the month of April 2009 as Autism Awareness Month in Lower Township and joins in the efforts to educate parents, professionals and the general public about autism and its effects.

Michael E. Beck, Mayor

Regular & Work Session Meeting Minutes - April 6, 2009

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on April 6, 2009 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 Wayne Mazurek
Councilmember Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: Anthony Monzo, Solicitor and Kathleen McPherson, Manager

National Start! Walking Day Proclamation

Mayor Beck read the proclamation for National Start which encourages people to get more active and get a healthier life style.

WORK SESSION

Senator Jeff Van Drew

Mayor Beck said he was pleased to have Senator Van Drew present. He said he would like to do this more often at all levels of government. He said the lines of communication were very important.

Senator Van Drew thanked Mayor and Council and said he was committed to trying to do his best in representing the area he also had all of Cape May County, Cumberland and part of Atlantic County and sometime he was stretched to thin.

Senator Van Drew said he had some people discuss the Ponder Lodge issue and said there had been some problems there. He said it was a unique and beautiful area. Most recently it had become an eyesore and a problem and very close to being demolished. He said the President of Stockton College met with him last week to discuss Ponder Lodge and if something couldn't be done in a short period of time as in the property cleaned up, safe, supervised then it would have to be demolished. He said it could be a satellite college and would have environmental studies there.

Senator Van Drew said it would create some jobs and be great for Lower Township but couldn't guarantee it would happen. He said they would determine in a short period of time if they could use it and it wouldn't be any cost the Township or taxpayers.

Senator Van Drew said another issue he had been asked about was the state budget. He said he struggled for years and believed in telling the truth and how it was. He stated it was extraordinary times and required tough decisions. The current situation was fault of both democrats and republicans and started in the Florio era and a 2.8 million increase that caused outrage. Then Whitman came in and cut sales tax, increased taxes and increased

Regular & Work Session Meeting Minutes - April 6, 2009

spending. He said then McGreevy, the Democrats were back and 6 million short so they didn't want to raise taxes so they went into more debt and that was why the State is where it was today.

He said new legislation would now require voter approval for all borrowing. He said when municipalities do their budgets they had to make sure there are recurring revenues.

Senator Van Drew said another thing was the State spent too much on paper they had flyers, pamphlets, handouts, etc. which was a huge expense to the taxpayers. He felt there should be 10% cut out on bureaucracy. He said attrition should be used and also the state purchasing plan wasn't always the best price and reduce the number of vehicles used.

He said the last issue was a report on immigration. He felt it was very controversial and it was brought up to reduce tuition for immigrants which he fought against. He said everyone's family started from somewhere and they learned and shoulder their responsibilities.

Senator Van Drew said we needed a system of immigration that worked. He said he wouldn't support low cost tuition and granting licenses to people here illegally.

He said the final issue was fishing licenses and NJ didn't have a saltwater fishing license. He said the Federal Government approved a law to go into effect by 2010 that a registry be started. If registry wasn't started then the State would do it and collect the fees. He sponsored a bill for a NJ Registry with no fee. He said some people felt there should be a charge and the money go towards information and education on fishing. He felt there were too many fees now.

Mayor Beck asked if there was a spending CAP at the State level.

Senator Van Drew said no, he sponsored a bill that would establish the same CAP as towns, schools, etc..

Mayor Beck said he had asked Senator Van Drew with some help with grants.

Deputy Mayor Lare thank the Senator for attending and asked him about COAH and said the Township was in the midst of the process and had spent thousands on plans. He said once the application had reached the State level things got kicked around and what could be done about that?

Senator Van Drew said COAH started in Mount Laurel when towns had exclusionary zoning. A lawsuit was filed and now New Jersey was the only State in the union that mandated affordable housing. He said some towns were doing nothing and that left the town subjected to developers suing and putting in their plans. He felt the State had screwed it up and it was too complicated and costly. He said there was a 2 1/2% fee on development that would be repealed for at least 18 months. He said the answer was to get the law done for now and then it needed to be changed.

Senator Van Drew said in all communities there had to be some balance. He said there was legislation that if it met certain criteria then it met COAH mandates. He said there were other changes that needed support and it would be difficult to get done. He stated then there were the fair housing advocates who felt enough wasn't being done.

Deputy Mayor Lare asked the status of the Homestead Rebate and stimulus.

Senator Van Drew said the homestead rebate and tax (PTR) for seniors were fine. He said he wouldn't vote for the current budget. He said the NJ saver rebate didn't go to those whose income was over \$75,000.00. He said if something was done with the College some of the stimulus money may come towards energy costs.

Councilmember Conrad said if Stockton came would they get security?

Senator Van Drew said yes.

Councilmember Conrad inquired about the bill that would allow Assessors to lower assessments for certain areas.

Senator Van Drew said it was in committee and would rely on Councils support. He said so many communities had revals at the height of the market. As for Ponder Lodge if it wasn't secured and monitored then the buildings would have to be demolished. He said if Stockton came it would be a tremendous benefit to the area. He felt it was a 50/50 chance. He said Stockton had a foundation and resources, the question was whether or not the property was good enough to be restored and the College would maintain the property.

Mayor Beck asked that when the decision was made, maybe someone from Stockton and the Senator's Office could

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come down and discuss it with the residents.
Senator Van Drew said absolutely.

Public Questions for Senator Van Drew

Joe Winters of Florida Avenue asked what was the work being done at Ponder Lodge, it looked like electrical work?
Senator Van Drew said the State was probably taking a good close look at the property.

Councilmember Douglass said there was a bid out to disconnect the power.

Steve Sheftz of Townbank apologized to Senator Van Drew for missing a meeting last week. He sent a letter of support for the project with Stockton.

Ed Butler of Delaware Bay Drive thank Mayor and Council for the town meeting and if they had another meeting to invite Assemblymen Albano and Milam to attend and they could discuss many issues and problems. He suggested the used of the Lower Cape May Regional High School. He said they needed more State representation.

Senator Van Drew said that was a good idea.

Bill Greenfield asked why wasn't any of the stimulus money put towards the Garden State Parkway project to eliminate the lights and it went to the Route 52 project.

Senator Van Drew said he wasn't happy with that. He said the Route 52 project was shovel ready and with the stimulus funds that should free up other State funds. He said the lights were dangerous and a detriment to Cape May County and said the project was moving forward and should be done by 2012.

Wayne Weissman of Beechwood Avenue thanked Senator Van Drew for attending the meeting and said he had numerous questions on Ponder Lodge. He said the Elks group wanted to take it over 3 years ago but weren't allowed. He said there had been a lot of vandalism and arsons there. He felt the buildings should come down and feared the Police and Firemen could be hurt there on a call. He said if Stockton came in the people from Lower Township should be hired.

Mr. Weissman stated Lower Township Police were still responding to the state owned property and felt the buildings should go. He said if they got hurt there who would pay for that, surely not the State. He said Lower Township wasn't heaven, but you could see it from here.

Senator Van Drew agreed with Mr. Weissman it had to be resolved rapidly.

Janet Pitts of Villas said CMC and Lower Township had lost a lot of population. She said she was pro consolidation but didn't believe it could be a win win situation. She said less and less families were on the barrier islands so kids were sent to other areas. She felt education was everyone's responsibility. She said the barrier islands didn't want to pay for students in town. She said help was needed with that as school taxes were 50% of the tax bill.

Senator Van Drew said that was a good question and the very argument she used was used for Cape May Point and Lower Township same issue North Jersey towns used. He said North Jersey want equalized school tax. The North counties want consolidated school taxes and years ago the budget challenges should have made it attractive to consolidate school districts. He said there were many layers of school administration in schools. He said an administrator could cover a few school districts.

Senator Van Drew said trying to consolidate schools was like a war zone, very difficult.

Eric Kutepow of Shirley Avenue said he worked 4 jobs two were his own business. He asked about the family leave benefits and how did that get passed. He asked when were they going to close the loopholes on immigration.

Senator Van Drew said legislation was introduced and an employer hire someone here illegally they would be subjected to a large fine. He explained how an employer hired an independent contractor to benefit the employer.

He said the law was changed to eliminate that, again if they were caught they would be heavily fined. He went over a few scenarios on how employers skirt around paying taxes. He said if they act like an employee and are there all day, then they were an employee.

Senator Van Drew said the paid family leave was a tough issue. He said the debate was whether or not it would

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apply to all businesses across the board. He said they fought and changed the law to apply to those who had 50 or more employees. He said it came about when working for small businesses people could not get off to take care of a dying family member.

Mayor Beck thanked Senator Van Drew for coming to speak and he considered the meeting a success.

Overview - Function of the Office of Emergency Management - Art Treon, EM Coordinator

Art Treon, Emergency Management Coordinator said he had been in that position for 10 years and his job was to prepare for emergencies in Lower Township. He said he had the support of the Council, Police, Fire and agencies. He said you had to prepare for what happened after an emergency.

Mr. Treon said you couldn't prevent things that happen and recovery was important. He said when evacuating you had to use the Garden State Parkway and Route 47 and you were not to use Route 9.

Steve Sheftz asked how they planned to use the airport.

Mr. Treon said there were exercises planned for September 29th & 30th, October 1st & 2nd. He said the exercise would be done with FEMA and other agencies. He said they would use the CMC Airport and others would use the Woodbine Airport. He said the airport would also be used to store equipment.

Mayor Beck said that Art Treon was held in high esteem with other Municipalities and Managers.

Review of Consent and Regular Agenda Items

Deputy Mayor Lare questioned a bill from Remington Vernick. He asked if the Recreation Center issue with the water was determined if it was a design flaw.

Manager McPherson said the snow leaked in and ruined it.

Deputy Mayor Lare said he felt the payment should be held until it was determined if it was a design flaw. He said they paid for a new HVAC and snow leaked into it, was it going to happen again?

Solicitor Monzo suggested pulling it from the list.

Public Questions on Consent Agenda and/or Regular Agenda Items

No questions from the public.

Consent Agenda

Approval of Minutes	Jan. 15, March 16, March 30
Res. #2009-102	Payment of Vouchers, \$2,745,322.56
Res. #2009-103	Resolution Approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower For Engineering Services Related to Public Safety Building Roofing Systems & Leak Investigation Proposal (for the Rescue Squad Roof and Court entrance)
Res. #2009-104	Resolution Appointing Members to the Mayor's Advisory Board
Res. #2009-105	Resolution Authorizing the Bid Award for Mobile Data Terminals for Police Vehicles Including Installation (\$5,995 per unit - not to exceed 11 units total)
Res. #2009-106	Payout of Terminal Leave (T. Nagel - retired - terminal leave payment due for unused time)
Res. #2009-107	Payout of Terminal Leave (G. Slobodjian - retired - terminal leave payment due for unused time)
Res. #2009-108,	Resolution Approving Memorandum of Understanding Confirming Waiver of Eligible Employee Health Insurance Benefits Be Without Prejudice to Contract Rights (Waiver by two Police employees of Township's benefit plan while they are receiving benefits from

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- their current employer)
- Res. #2009-109, Resolution Honoring our Troops and "Support our Troops Day"
Res. #2009-110, A Resolution requesting RELEASE of Demolition Bond for Block 452, Lot 7; 611 Seashore Road, Cape May; Escrow #Z08-07-04 (Releasing demolition bond - project completed)
- Res. #2009-111, A Resolution Requesting Release of Demolition Bond for Block 680, Lot 22; 1200 Rosehill Parkway, North Cape May (Releasing demolition bond - project completed)
- Res. #2009-112, Resolution in Support of Naming of the Route 109 Cape May Canal Bridge the "Cape May County Veteran's Memorial Bridge"
- Res. #2009-113, Resolution Endorsing Submission of Recycling Tonnage Grant (Annual resolution to county)
- Res. #2009-114, Emergency Temporary Appropriations (Required to operate for the month of April when the budget is scheduled for adoption - Increases Temporary Budget by 1/12)
- Res. #2009-115, Issuance of Ice Cream Peddling Licenses for the Year 2009 to Summer Daze Ice Cream

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

Administrative Reports

Personnel Action Report
February 2009 - Municipal Court Judge
Certificate of Determination & Award - Bond Anticipation Note - 2.5% Sturdy Savings Bank

Council Comments

Councilmember Conrad said the Boy Scouts cleaned up Bethel Cemetery, also the concert for Nan La Corte was a success. The Lower Township Talent Show would be held on April 24th. He said Troop 87 and the Founding Fathers would be having a beach clean up day in May, starting at Miami Avenue to the Ferry and there would be more information on it to come.

Councilmember Douglass said the program for Nan LaCorte was great she dedicated many years to the Township and wished her well.

Deputy Mayor Lare said the Solicitor and he had been working on the Adopt a Road Program and it should be done by next month.

Mayor Beck said the Mayor's Advisory Board decision was really tough. He said so many good people applied and it was very difficult to whittle down. He said he wanted a variety of people and have new people involved with the Township. He said he was taking a chance with the board and had total confidence in everyone. He wanted to push for more people to get active and involved. He said Deputy Mayor Lare was trying for a road program and would like more involvement with a town watch.

Public Comments

Joe Winters reminded everyone to go vote on the school budget April 21st from 4:00pm to 9:00 pm.

John Skronwinski of Arctic Avenue asked if there was any representation from North Cape May on the Mayor's Advisory Board?

Mayor Beck said "yes".

Marty Fernandi said he was representing the Condo Association on Seaview Avenue said the noise from the new

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pumps was intolerable. He said it ran 24 - 7 from May until the end of the summer. He said maybe if the water pump was enclosed it would be alright. He said the Cape May County Health Department verified the noise levels. He said they would file suit if necessary if the Township didn't do something.

Mayor Beck asked the Manager if someone could contact Wildwood Water to see if they could do something about the noise.

Jack Sparks asked the people who were appointed to the Mayor's Advisory Board if they could meet briefly after the council meeting.

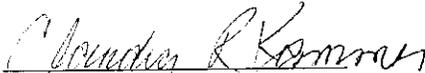
A resident from Rochester Avenue said they went through the process of the Grand getting permits and then they came back to Council to vacate Rochester Avenue which wasn't granted so now the builder has taken half of Rochester Avenue. He said there was a problem also with beach access which he reviewed and said it looked like they were building a blockage at the end of Rochester Avenue.

Solicitor Monzo said a right of way was given through the Township Zoning Board. He said there had been no vacation of the right of way. He said there was a 10 ft. walkway and more information and other conditions on the permits could be received through an OPRA request.

Ed Butler said on April 16th at the Planning Board Meeting they would be discussing COAH.

Council returned to open session and there being no further comment, Councilmember Douglass motioned to adjourn the meeting, seconded by Councilmember Mazurek the meeting unanimously adjourned by verbal "ayes" at 8:35 p.m.

Mayor


Township Clerk

Approved:

04/16/09
10:40:24

Lower Township
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
	09-00733	03/31/09	TERMITE TREATMENT - RESCUE	Open	775.00	0.00	
00611 COUNTY OF CAPE MAY	09-00814	04/08/09	MARCH, 2009 FUEL	Open	13,358.00	0.00	
00616 ANIMAL ALLIANCE OF CAPE	09-00819	04/08/09	TNR AND SPAY/NEUTER PROGRAM	Open	260.00	0.00	
	09-00853	04/13/09	TNR AND SPAY/NEUTER PROGRAM	Open	290.00	0.00	

					550.00		
00651 MUNICIPAL UTIL AUTH DUMP FEES	09-00849	04/13/09	TIPPING FEES/DPW/MARCH/09	Open	59,220.49	0.00	
00733 CAPE POWER EQUIPMENT INC*	09-00408	02/20/09	MISC. SUPPLIES REC. MARCH 09	Open	414.71	0.00	
00739 CAPE MAY VETERINARY HOSPITAL	09-00801	04/06/09	2009 RABIE CLINIC 4/04/09	Open	125.00	0.00	
00772 CAPE VETERINARY HOSPITAL	09-00826	04/08/09	STRAY SPAY/NEUTER PROGRAM	Open	228.00	0.00	
00784 CAPE MAY STAR & WAVE	09-00772	04/02/09	LEGALS	Open	45.88	0.00	
	09-00880	04/16/09	LEGALS	Open	172.05	0.00	

					217.93		
00807 CDW-GOVERNMENT INC*	09-00679	03/23/09	INK	Open	259.00	0.00	
00825 COMCAST*	09-00844	04/13/09	INTERNET ACCESS - TOWNHALL	Open	95.24	0.00	
00870 CHURCH'S GARDEN CENTER AND*	09-00702	03/25/09	(2) TREES-REPLACE DAMAGED ONES	Open	287.10	0.00	
01118 DAYCARE CLEANING SERVICE*	09-00785	04/03/09	APRIL, 2009 CLEANING SERVICE	Open	2,279.17	0.00	
01122 CVR COMPUTER SUPPLIES*	09-00678	03/23/09	INK	Open	884.00	0.00	
01170 VERIZON WIRELESS* F/S	09-00800	04/06/09	CELL SERVICE - FIRE SAFETY	Open	171.52	0.00	
01236 ROCCO DENOTE	09-00865	04/15/09	CONTRACTUAL REIMBURSEMENTS	Open	166.00	0.00	
01245 G & K SERVICES CO*	09-00409	02/20/09	MAINTENANCE STAFF UNIFORMS	Open	85.12	0.00	

04/16/09
10:40:24

Lower Township
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
01460 EXECUTIVE BUSINESS PRODUCTS*							
	09-00604	03/12/09	PROJECTION SCREEN	Open	421.90	0.00	
	09-00714	03/27/09	ESS-1602121512 12 COLUMN BOOKS	Open	33.96	0.00	

					455.86		
01519 TOM FOLS ELECTRICALCONTRACTOR*							
	09-00704	03/25/09	WORK AT BENNETT'S CROSSING	Open	325.00	0.00	
01590 FORD, SCOTT, SEIDENBURG, ET AL*							
	09-00796	04/03/09	PROF SVCS-08 AUDIT / 09 BUDGET	Open	5,500.00	0.00	
	09-00797	04/03/09	PROF SVCS - BOND SALE COSTS	Open	11,300.00	0.00	

					16,800.00		
01602 THOMSON WEST*							
	09-00655	03/18/09	DISCIPLINARY BULLETIN	Open	305.00	0.00	
01641 GALL'S INC*							
	09-00397	02/20/09	NEW DURANGO OUTFITTING	Open	200.00	0.00	
01660 GENERAL SPRING SERVICE*							
	09-00671	03/23/09	PARTS FOR TRUCK 34 - DPW	Open	3,117.98	0.00	
01690 GRANTURK EQUIPMENT CO*							
	09-00658	03/18/09	PARTS FOR SWEEPER-DPW	Open	665.50	0.00	
01703 HARBOR SALES COMPANY*							
	09-00403	02/20/09	VINAL APP TAPE	Open	536.85	0.00	
01768 ROBERT HARTMAN JR							
	09-00877	04/16/09	CONTRACTUAL REIMBURSEMENTS	Open	272.00	0.00	
01781 HATCH MOTT MACDONALD, LLC*							
	09-00817	04/08/09	ESCROW BILLING	Open	540.00	0.00	
01806 ANTHONY J HARVATT, II, ESQ							
	09-00319	02/09/09	PROFESSIONAL SERVICE/ZONING BO	Open	300.00	0.00	
	09-00719	03/27/09	CONFLICT PUB DEF 3/17/09	Open	200.00	0.00	
	09-00767	04/01/09	CONFLICT PUB DEF 3/21/09	Open	200.00	0.00	
	09-00818	04/08/09	ESCROW RESOLUTIONS	Open	450.00	0.00	

					1,150.00		
01814 DARRIN & SHARON HICKOK							
	09-00773	04/03/09	SOCCER REFUND FOR VOLUNTEER	Open	15.00	0.00	
02006 MEDIA PASSPORT*							
	09-00802	04/06/09	COMPUTER MAINT. CONTRACT	Open	4,560.00	0.00	
02035 MEDIA IN MOTION, INC*							
	09-00425	02/24/09	LAMINATE POLICE TRIANGLES	Open	64.00	0.00	

04/16/09
10:40:24

Lower Township
Bill List By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
02108	KEEN COMPRESSED GAS CO*	09-00131	01/16/09	BOTTLED GAS FOR GARAGE/DPW	Open	344.67	0.00	
02134	THOMAS KEYWOOD	09-00852	04/13/09	MEAL REIMBURSEMENT3/18&3/19/09	Open	12.75	0.00	
02140	KINDLE FORD LINC/MERC., INC.*	09-00667	03/18/09	PARTS FOR DPS VEHICLES	Open	102.62	0.00	
02175	BRUCE KLAUSING	09-00863	04/15/09	CONTRACTUAL REIMBURSEMENTS	Open	130.00	0.00	
02236	NIGP MEMBERSHIP DEPT*	09-00619	03/16/09	2009 NIGP VITELLI/PICARD	Open	330.00	0.00	
02247	LAWSON PRODUCTS, INC.*	09-00585	03/10/09	SUPPLIES FOR GARAGE/DPW	Open	1,210.22	0.00	
02320	LOWER TOWNSHIP BRD OF EDUCATN	09-00879	04/16/09	SCHOOL TAX DUE 5/01/09	Open	1,436,986.30	0.00	
02417	MAGELLAN HILL TECHNOLOGIES*	09-00799	04/06/09	PHONE SERVICE	Open	2,897.02	0.00	
02473	FRANCIS P. MAJANE	09-00866	04/15/09	CONTRACTUAL REIMBURSEMENTS	Open	369.00	0.00	
02517	BRIAN MARKER	09-00851	04/13/09	MEAL REIMBURSEMENT	Open	16.81	0.00	
02521	JOSEPH MARKER	09-00783	04/03/09	2009 OVER 65 MEDICAL FUND	Open	1,944.00	0.00	
02537	MARSHA MARTIN	09-00768	04/01/09	SPANISH INTERPRETER 3/21/09	Open	150.00	0.00	
02541	ROBERT D. MARTIN, JR	09-00782	04/03/09	CONTRACTUAL REIMBURSEMENTS	Open	10.00	0.00	
02658	MCELWEE & QUINN, LLC*	09-00717	03/27/09	PRINTING SVCS FOR BOND SALE	Open	1,798.00	0.00	
02715	MODERN HANDLING EQUIP CO*	09-00803	04/06/09	GENERATOR MAINT. CONTRACT	Open	1,942.50	0.00	
03104	NORTHEAST IND.&MARINE SUPPLY*	09-00664	03/18/09	PARTS FOR RDS/SANT/RECY/DPW	Open	366.26	0.00	
03158	NYSICA*	09-00740	03/31/09	CONTINUING MEMBERSHIPS	Open	200.00	0.00	
03177	OCEAN CREST PRINTING*	09-00494	03/03/09	FORMS	Open	449.00	0.00	

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
09-00651	03/18/09		BAYRUN APPLICATIONS	Open	429.00	0.00	
					878.00		
03178	OCEANPORT INDUSTRIES INC*						
09-00613	03/12/09		ROAD SALT-DPW	Open	7,015.98	0.00	
03279	PARDO'S TRUCK PARTS WHSE*						
09-00275	02/03/09		PARTS FOR RDS/SANT/RECY/DPW	Open	239.68	0.00	
03305	PEDRONI FUEL*						
09-00789	04/03/09		FUEL OIL FOR MILLMAN CENTER	Open	422.67	0.00	
09-00861	04/15/09		FUEL OIL FOR REC. CENTER	Open	2,119.69	0.00	
					2,542.36		
03347	DAVID PERRY						
09-00823	04/08/09		SPAY/NEUTER PROGRAM	Open	35.00	0.00	
03356	BARBARA PETRUCCELLI						
09-00784	04/03/09		OVER 65 MEDICAL SUPP	Open	129.70	0.00	
03366	AMERI-GAS*						
09-00858	04/15/09		PROPANE FOR CONCESSION STAND	Open	622.51	0.00	
03448	REMINGTON, VERNICK & WALBERG*						
08-00530	02/22/08		ENGINEERING HVAC 67,800 DNE	Open	2,550.00	0.00	
03537	RUTGERS, THE STATE UNIVERSITY*						
09-00460	02/25/09		2007 NJ LEGISLATIVE DISTRICT	Open	128.00	0.00	
03608	SEAWAVE CORPORATION*						
09-00786	04/03/09		HELP WANTED AD 3/25/09	Open	250.66	0.00	
03620	SHARE CORP*						
09-00656	03/18/09		SUPPLIES FOR GARAGE-DPW	Open	947.13	0.00	
03663	SOUTH JERSEY AUTO SUPPLY*						
09-00666	03/18/09		PARTS FOR DPS/POLICE VEH.	Open	41.53	0.00	
03803	TONY'S MARINE SUPPLY*						
09-00684	03/23/09		SUPPLIES FOR SIGN DEPT/DPW	Open	251.00	0.00	
03820	MUNICIPAL UTILIL. AUTH ON CALL						
09-00685	03/23/09		ONE CALL MESSAGES-DPW	Open	42.35	0.00	
03863	TREASURER, STATE OF NEW JERSEY						
09-00820	04/08/09		SATATE SURCHARGE JAN-MARCH,09	Open	3,013.00	0.00	
03917	STATE OF NJ DEPT OF CHILD/FAML						
09-00816	04/08/09		QRTLQ MARRIAGE LIC-CORRECTION	Open	25.00	0.00	
03923	STANDARD AND POOR'S						

04/16/09
10:40:24

Lower Township
Bill List By Vendor Id

Page No: 6

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
09-00710		03/25/09		RATING SERVICES FOR BOND SALE	Open	9,500.00	0.00	
03932	REEL FIRE PROTECTION*	09-00120	01/16/09	2009 FIRE EXTINGUISHERS CERT	Open	1,470.07	0.00	
03953	VESPIA TIRE CENTERS, INC.*	09-00587	03/10/09	TIRES FOR DPS-POLICE	Open	550.48	0.00	
03969	VERIZON	09-00843	04/13/09	201 Z433-6305 ANALOG	Open	78.31	0.00	
03971	VERIZON WIRELESS	09-00778	04/03/09	MDT WIRELESS	Open	777.51	0.00	
03975	VERIZON CABS T-1*	09-00791	04/03/09	VERIZON T-1	Open	774.30	0.00	
03992	VAL-U AUTO PARTS LLC*	09-00586	03/10/09	PARTS FOR RDS/SANT/RECY/DPW	Open	2,422.21	0.00	
03994	MARGARET VITELLI	09-00878	04/16/09	REIMB - ENERGY SVGS RESOURCES	Open	206.55	0.00	
04076	ASSOC OF NEW JERSEY RECYCLERS*	09-00618	03/13/09	RECYCLING REALITY WORKSHOP	Open	75.00	0.00	
04077	RONALD J. GELZUNAS	09-00728	03/27/09	SUB. PRESECUTOR 3/20/09	Open	440.00	0.00	
04263	GRANTSTREET GROUP*	09-00741	03/31/09	BOND SALE COSTS	Open	1,750.00	0.00	
04266	NJ DEPT OF HEALTH&SENIOR SVCS	09-00771	04/02/09	STATE DOG LIC FEES MARCH, 2009	Open	348.00	0.00	
AMPM	A.M./P.M. SERVICES	09-00435	02/24/09	CEU'S FOR CPWM-DPW	Open	198.00	0.00	
BLAUE	BLAUER ASSOCIATES INC*	09-00848	04/13/09	2008 SMALL CITIES ADA TWP BLDG	Open	150.00	0.00	
COOKW	WILLIAM COOK	09-00774	04/03/09	SOCCER REFUND FOR VOLUNTEER	Open	15.00	0.00	
HICKSC	CURTIS HICKS	09-00876	04/16/09	BACKGROUND INVESTIGATION FOR	Open	26.25	0.00	
JANCHUK	MELISSA JANCHUK	09-00790	04/03/09	SOCCER REFUND FOR VOLUNTEER	Open	15.00	0.00	
MOTTCA	MOTCTA	09-00660	03/18/09	TCTA SEMINAR 4/3/09	Open	30.00	0.00	

04/16/09
10:40:24

Lower Township
Bill List By Vendor Id

Page No: 7

Vendor # Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract
<hr/>						
SALINSKY NICOLE & SCOTT SALINSKY						
09-00788	04/03/09	SOCCER REFUND FOR VOLUNTEER	Open	15.00	0.00	
SMITHS SHEILA D SMITH						
09-00862	04/15/09	MILEAGE/LUNCH REIMBURSEMENT	Open	169.26	0.00	
VENTURIN DENISE VENTURINI						
09-00859	04/15/09	SOCCER REFUND FOR	Open	15.00	0.00	
<hr/>						
Total Purchase Orders:	110	Total P.O. Line Items:	263	Total List Amount:	1,624,463.21	Total Void Amount: 0.00
<hr/>						

**Lower Township
Bill List
04/20/09**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Kindle Ford	08-02521	2 Patrol Vehicles	39483	04/13/09	\$ 53,394.80
		Total Manual Checks			\$ 53,394.80
		Total brought forward from computer generated bill list			\$ 1,624,463.21
		TOTAL BILL LIST			<u>\$ 1,677,858.01</u>

I certify the foregoing to be a Resolution adopted by the Township Council on April 20, 2009.

Claudia R. Kammer, RMC, Township Clerk

	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYES					
NAYS					
ABSTAIN					
ABSENT					

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

RESOLUTION #2009-117

TITLE: RESOLUTION FOR SELF-EXAMINATION OF BUDGET

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Lower has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2009 budget year, so now therefore

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

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A: 4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A.40A: 4-45.3 et seq. are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

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

RESOLUTION #2007-117

Title: Resolution for Self-Examination of Budget (continued)

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A: 4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled

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

I hereby certify the foregoing to be a resolution adopted by the Township Council on April 20, 2009.

Claudia R. Kammer, RMC, Township Clerk

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

RESOLUTION #2009-118

TITLE: RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A DEED OF EASEMENT BETWEEN THE CAPE MAY BEACH PROPERTY OWNERS ASSOCIATION, INC AND THE TOWNSHIP OF LOWER

WHEREAS, Cape May Beach Property Owners Association, Inc. is the owner of certain land known as Block 533.02, Lot 1.01 on the official Tax Map of the Township of Lower, and

WHEREAS, the beach located along the Delaware Bay is necessary for the construction and extension of outfall pipes in order for the Township to maintain an adequate stormwater management system necessary for the protection and preservation of public health, safety and welfare of the citizens of the Township of Lower, and

WHEREAS, in order to accomplish the objectives of maintaining an adequate stormwater management system the Township requires a perpetual easement on the property, known as Block 533.02, Lot 1.01 owned by Cape May Beach Property Owners Association, Inc. more fully described in the Deed of Easement, attached hereto.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Clerk are hereby authorized and directed to execute the Deed of Easement between Cape May Beach Property Owners Association, Inc. and the Township of Lower.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on April 20, 2009.

Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

Prepared by:

Anthony P. Monzo, Esquire

*Will be getting
new front page*

DEED OF EASEMENT

THIS DEED OF EASEMENT is made on _____, 2009,

BETWEEN: CAPE MAY BEACH PROPERTY OWNERS ASSOCIATION, INC.

whose address is 201 Clubhouse Drive, P. O. Box 911, North Cape May, New Jersey 08204, referred to herein as Grantor,

AND: TOWNSHIP OF LOWER, a municipal corporation of the State of New Jersey, whose address is 2600 Bayshore Road, Villas, New Jersey 08251, referred to herein as the Grantee.

WITNESSETH:

WHEREAS, Grantor is the owner of that certain tract of land, located in the Township of Lower, County of Cape May, State of New Jersey, and identified as Block 533.02, Lot 1.01, on the official tax map of the Township of Lower, hereinafter the "Property," and Grantor holds the requisite interest to grant this Deed of Easement. A legal description of the Property is set forth on EXHIBIT A attached hereto and by this reference made a part hereof; and

WHEREAS, the Grantee recognizes that the beach located along the Delaware Bay in the Township of Lower, New Jersey, is necessary for the construction and extension of outfall pipes that service the Township of Lower's stormwater management system, which is necessary for the protection and preservation of public health, safety and welfare and is a benefit to the property of Grantor and to all of the citizens of the Township of Lower; and

WHEREAS, in order to accomplish the objectives of the Township of Lower in maintaining an adequate stormwater management system through the construction, extension and maintenance of outfall pipes along the Delaware Bay beaches within the Township of Lower, Grantee requires a perpetual easement on portions of said Property herein described and Grantor desires to grant said easement in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration for ONE (\$1.00) DOLLAR and other good and valuable consideration, and for the benefits to be received by the Grantor from the successful management of the stormwater management system within the Township of Lower, Grantor grants and conveys to Grantee an irrevocable, assignable, perpetual and permanent easement as set forth herein:

GRANT OF EASEMENT: A perpetual and assignable easement and right-of-way for the Township of Lower in, on, over and across that land of the Property described for the Blocks and Lots listed above for use by the Township of Lower, its representatives, agents, contractors and assigns:

a) To construct, preserve, operate, maintain, repair, rehabilitate, extend and replace outfall pipes for stormwater management and storm damage reduction, together with appurtenances thereto, subject to the receipt and compliance with all applicable federal, state and local permits (the "Governmental Approvals");

b) In connection with the permitted activities set forth in subsection (a) above and also subject to the receipt and compliance with all necessary Governmental Approvals, to do one or more of the following:

- 1) Move, temporarily store and remove equipment and supplies;
- 2) Erect and remove temporary structures;
- 3) Post signs, plant vegetation on dune areas and berms and other related activities;
- 4) Erect, maintain, and remove silt screens and snow fences;

5) Trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures, and obstacles within the limits of the easement.

DURATION OF EASEMENT: The easement granted hereby shall be in perpetuity, and in the event that the Township of Lower shall become merged with any other geo-political entity or entities, the easement granted hereby shall run in favor of surviving entities. The covenants, terms, conditions and restrictions of this Deed of Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the land.

MISCELLANEOUS:

1) Grantee shall be responsible for the maintenance of the outfall pipes installed as part of the storm management system pursuant to this Easement and shall hold the Grantor harmless from any and all claims and liability occurring as a result of the Grantee's installation and/or maintenance of the outfall pipe during construction and at all times thereafter.

2) The enforcement of the terms of this Easement shall be at the discretion of the Grantee and any forbearance by Grantee to exercise its rights under this Easement in the event of any violation by Grantor shall not be deemed or construed to be a waiver by Grantees of such term or of any subsequent violation or of any of Grantee's rights under this Easement. No delay or omission by Grantees in the exercise of any right or remedy upon any violation by Grantor shall impair such rights or remedies or be construed as a waiver of such rights or remedies.

3) The interpretation and performance of this Deed of Easement shall be governed by the laws of the State of New Jersey.

4) If any provision of this Deed of Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Easement or the application of such provision to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

5) Any notice, demand, request, consent, approval or communication under this Deed of Easement shall be sent by regular first class mail, postage prepaid and by certified mail, return receipt requested, addressed to the mailing addresses set forth above or any other address of which the relocating party shall notify the other, in writing.

6) The captions in this Deed of Easement have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.

IN WITNESS WHEREOF, with the parties understanding and agreeing to the above, they do hereby place their signatures on the date at the top of the first page.

GRANTEE:

ATTEST:

TOWNSHIP OF LOWER

Claudia R. Kammer, Township Clerk

BY: _____
Michael F. Beck, Mayor

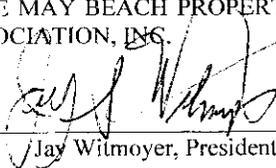
GRANTOR:

ATTEST:

CAPE MAY BEACH PROPERTY OWNERS ASSOCIATION, INC.



Nancy Barnes, Secretary

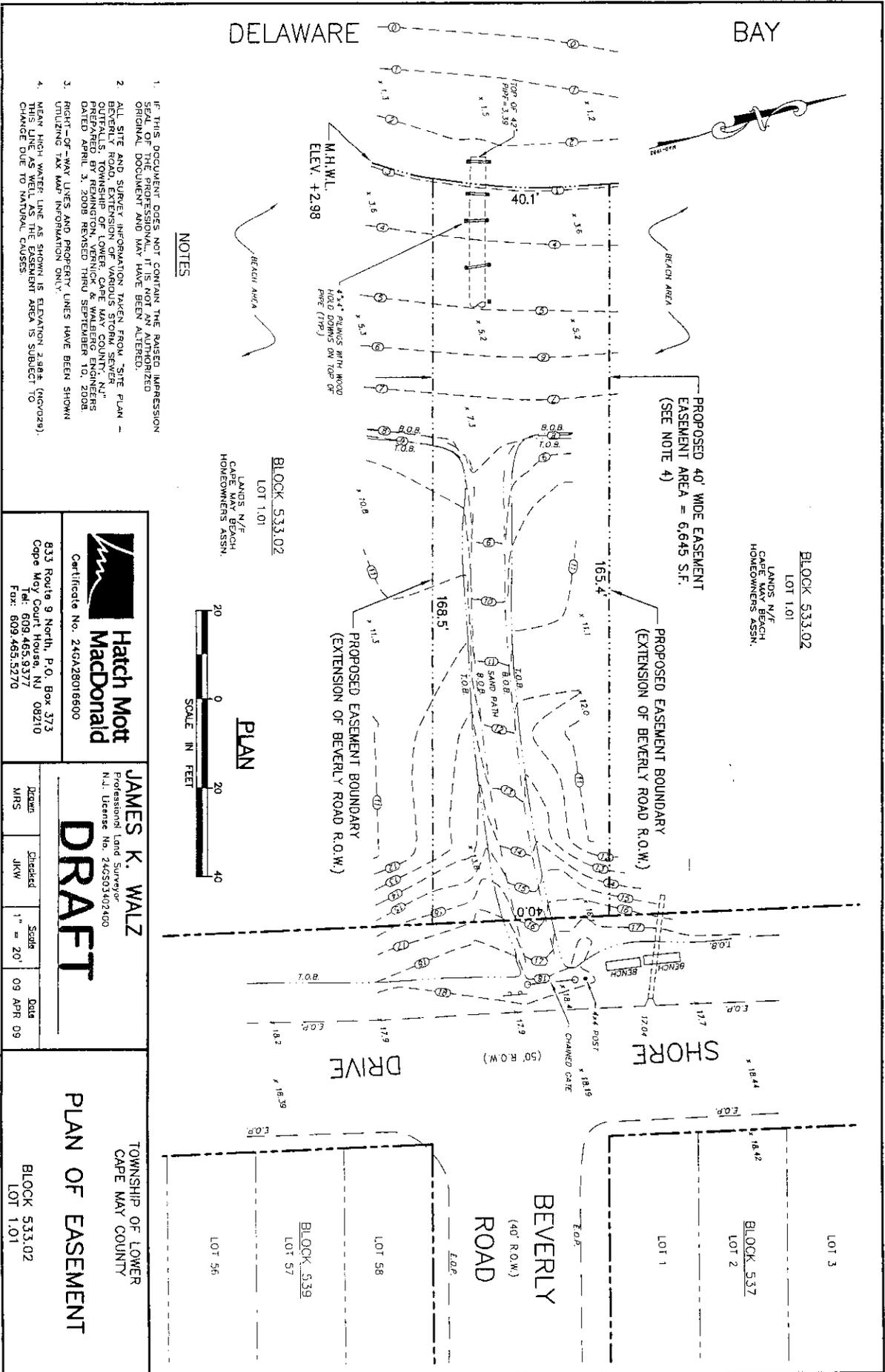
BY: 

Jay Wilmoyer, President

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY
TO BE SUPPLIED

Beginning at the intersection of the westerly line of Shore Drive and the southerly line of Beverly Road as if extended and extending thence:

- (1) Westwardly along the extended southerly line of Beverly Road 168.5± feet to the mean high water line of the Delaware Bay; thence
- (2) Northwardly along the mean high water line 40.1 feet to the extended northerly line of Beverly Road; thence
- (3) Eastwardly along the extended northerly line of Beverly Road 165.4± feet to the westerly line of Shore Drive; thence
- (4) Southwardly along the westerly line of Shore Drive 40 feet to the point and place of beginning.



- NOTES**
1. IF THIS DOCUMENT DOES NOT CONTAIN THE RAISED IMPRESSION SEAL OF THE PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED.
 2. ALL SITE AND SURVEY INFORMATION TAKEN FROM "SITE PLAN - BEVERLY ROAD, EXTENSION OF VARIOUS STORM SEWER" DATED APRIL 3, 2009, LOWER CAPE MAY COUNTY, NEW JERSEY, PREPARED BY JAMES K. WALZ, LICENSE NO. 24503407400, DATED APRIL 3, 2009 REVISED THRU SEPTEMBER 10, 2008.
 3. RIGHT-OF-WAY LINES AND PROPERTY LINES HAVE BEEN SHOWN INCLUDING TAX MAP INFORMATION ONLY.
 4. MEAN HIGH WATER LINE AS SHOWN IS ELEVATION 2.98 (NGVD29), AS WELL AS THE USACE AREA IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES.



PLAN

Hatch Mott MacDonald
 Certificate No. 24628016600

833 Route 9 North, P.O. Box 373
 Cape May Court House, NJ 08210
 Tel: 609.465.9377
 Fax: 609.465.5270

JAMES K. WALZ
 Professional Land Surveyor
 N.J. License No. 24503407400

DRAFT

DESIGN	CHECKED	SCALE	DATE
MHS	JKW	1" = 20'	09 APR 09

PLAN OF EASEMENT

TOWNSHIP OF LOWER CAPE MAY COUNTY
 BLOCK 533.02
 LOT 1.01

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

RESOLUTION #2009-119

TITLE: CLICK IT OR TICKET 2009 MOBILIZATION

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety for \$4000.00 to carry out a Click It or Ticket Seat Belt Campaign from May 18 – May 31, 2009.

BE IT THEREFORE RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

(Signature)
Michael E. Beck, Mayor

(Signature)
Edward Donohue, Chief of Police

I hereby certify this is the original resolution adopted by the Township Council on April 20, 2009

Claudia R. Kammer, Township Clerk

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

RESOLUTION #2009-120

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

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

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

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

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

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

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

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

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

I hereby certify the foregoing to be a resolution adopted by the Township Council on April 20, 2009.

Claudia R. Kammer, Township Clerk

Project Partners

.....

History and Mission

.....

Sustainable Communities Working Group

.....

Funders

.....

Get Involved

.....

About the Certification

.....

Contact Us

.....

About Sustainable Jersey

Sustainable Jersey™ is a certification and incentive program for municipalities in New Jersey that want to go green, save money, and take steps to sustain their quality of life over the long term. Sustainable Jersey will have required and elective “actions” that municipalities can implement to receive the certification. The actions address issues such as global warming, pollution, biodiversity, buying locally, community outreach, green building, and sustainable agriculture.

Achieving the certification does not mean a municipality is "sustainable". Rather, it connotes that the municipality has taken the first significant step on a long journey towards sustainability.

Sustainable Jersey will provide municipalities that enter the program with a comprehensive package of tools, guidance materials, training, and financial incentives, to support and reward progress. Sustainable Jersey will provide direction and resources for municipalities to institute programs that address sustainability and green communities.

Sustainable Jersey is an initiative of the New Jersey State League of Municipalities' Mayors' Committee for a Green Future, the Municipal Land Use Center at the College of New Jersey, The New Jersey Sustainable State Institute at Rutgers University, the NJ Department of Environmental Protection, the Rutgers Center for Green Building, the New Jersey Board of Public Utilities, and a coalition of NJ non-profits, state agencies, and experts in the field.

The Mayors' Committee for a Green Future and NJ State League of Municipalities will provide recognition to “sustainable communities” - those communities that adopt, support, and implement a specified set of sustainability and greening initiatives. After the first year, the project partners will release a second round of actions, tools, and incentives, raising the bar

REGISTER MUNICIPALITY

ACTION CERTIFICATION

and moving municipalities further down the road to a green future. The process is intended to be a long term effort that builds on past success and becomes a staple among local greening and sustainability efforts in New Jersey.

Sustainable Jersey plans to accept the first municipal participants into the program in February 2009. Municipalities that complete the certification requirements will be recognized at an annual awards event held at the New Jersey League of Municipalities Conference in Atlantic City.

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

RESOLUTION #2009-121

**TITLE: AUTHORIZATION FOR VILLAS FIRE COMPANY TO CONDUCT
OUTDOOR FLEA MARKETS IN 2009**

WHEREAS, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13b, and

WHEREAS, Section 359-13 of the General Ordinances of the Township of Lower permits non-profit, charitable, civic and religious organizations to conduct four (4) outdoor flea markets within the confines of the Township if approved by the Township Council.

WHEREAS, the Villas Fire Company. has applied to the Township Council for an exemption to the limitation of only four (4) flea markets per year and has requested permission to five flea markets in 2009 in the Villas Fire Hall parking lot, and

WHEREAS, the Township Council has reviewed the application and the current ordinance, and

WHEREAS, the Council has determined the applicant meets the ordinance requirements of a non-profit, charitable, civic and/or religious organization.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that approval for Outdoor Flea Markets on April 26, May 31, June 29, July 26 and August 30 and September 27 in the year 2009 is hereby granted.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on April 20, 2009.

Claudia R. Kammer, Township Clerk

APPLICATION FOR OUTDOOR FLEA MARKET
NO FEE LICENSE

Name of Organization: Villas Volunteer Fire Company

Name of Applicant (Responsible Party): John Stalford, Flea Market Chairman
Address & Phone Number: 605 DeSoto Avenue, Villas, NJ 08251

Location of Event: 1643 Bayshore Road, Villas, NJ 08251

Proceeds to Benefit: Villas Volunteer Fire Company

Dates of Flea Market: 2009 - April 26th, May 31st, June 28th, July 26th,
(Two Days Only) August 30th, and September 27th.

Rain Date: _____

State Applicable Status: Non-Profit Civic _____
Charitable _____ Religious _____

See attached
Signature of Person in Charge

FOR TOWNSHIP USE ONLY

Date Approved by Council: _____



Mr John Stalford
605 Desoto Ave
Villas NJ 08251-2830



Villas Volunteer Fire Company

P.O. Box 99
Villas, New Jersey 08251

"
Dear Sirs'

The Villas Fire Co. would like
to hold their out door Flea
Markets on the following dates,
for 2009. 4-26, - 5-31, 6-28,
7-26, 8-30, & 9-27, these dates
are all Sunday's from 9:00Am
to 3:00 P.m.

Thank You

John Stalford, 605 de Soto Ave.
Flea Market Chairman

886-3233 - 609-425-4731

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

RESOLUTION #2009-122

TITLE: APPROVAL FOR PYROTECNICO FIREWORKS TO LOAD AND UNLOAD A FIREWORKS BARGE IN LOWER TOWNSHIP

WHEREAS, Pyrotecnico Fireworks has requested permission to load and unload barge in Lower Township for a fireworks display on July 2 for the DRBA, July 4 (rain date July 5) for the Congress Hall, Ocean City and for the Borough of Avalon July 4 (rain date July 5), and

WHEREAS, Pyrotecnico Fireworks will be required to provided proof of liability insurance as required by Uniform Fire Code Section 5:18-3.27 and sign a Hold Harmless agreement required before a permit by the Fire Official will be issued, and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower that Pyrotecnico Fireworks is hereby granted permission to load and unload the "fireworks barge" for the DRBA display on July 2, for the Congress Hall, Ocean City and Avalon displays on July 4 in Lower Township in accordance with all other necessary approvals and permits.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of April 20, 2009.

Claudia Kammer, Township Clerk



Headquarters

P.O. Box 149
New Castle, PA 16103

PHONE
724. 652. 9555
800. 854. 4705

FAX
724. 652. 1288

E-MAIL
info@pyrotecnico.com

WEB
www.pyrotecnico.com

U.S. Locations

Atlanta, GA	877. 924. 0102
Las Vegas, NV	800. 956. 7976
Montgomery, AL	800. 255. 1199
New Orleans, LA	800. 788. 2513
Tampa, FL	888. 352. 7976

April 10, 2009

Ms. Cathy McPherson
Lower Township
2600 Bay Shore Road
Villas NJ 08251-1399

Subject: Request for Fireworks Resolution

Dear Ms. McPherson:

I am requesting for a fireworks resolution for the following for Loading/Unloading of fireworks:

- 1) Delaware River & Bay Authority July 2, 2009/ RD: None
- 2) Ocean City July 4, 2009 / RD: July 5, 2009
- 3) Borough of Avalon July 4, 2009 / RD: July 5, 2009
- 4) Congress Hall Hotel July 4, 2009 / RD: July 5, 2009

Please be aware that Pyrotecnico has merged with Vineland Fireworks Company. We will now be operating under Pyrotecnico. I will forward to you all of the necessary paperwork once I receive it.

If you have any questions, please contact me at 856-697-1023.

Respectfully,

Raque. L. Flowers
Fireworks Coordinator

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

RESOLUTION #2009-123

TITLE: RENEWAL OF 2009 CAMPGROUND LICENSES

WHEREAS, Seashore Campsites, Inc., Beachcomber Campground, Inc., Robbro, LLC, Doug/Ted McPherson, Lake Laurie Inc. and Robert Lepor have applied for renewal of their Campground Licenses, and

WHEREAS, the applicants have paid the required license fees.

NOW, THEREFORE, BE IT RESOLVED by the Township Council the governing body of the Township of Lower that the Campground Licenses for the following are hereby renewed for the period of April 1, 2009 through March 31, 2010 subject to all real estate taxes being current.

Seashore Campsites, Inc.	t/a Seashore Campsites Inc.
Beachcomber Campground Inc.	t/a Beachcomber Campground
Robbro LLC	t/a Holly Shores Campground
Doug/Ted McPherson	t/a Cold Spring Campground, Inc.
Lake Laurie Inc.	t/a Lake Laurie Campground
Robert Lepor	t/a Cape Island Campground

I hereby certify this is the original resolution adopted by the Township Council at the meeting of April 20, 2009.

Claudia R. Kammer, Township Clerk

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

RESOLUTION #2009-124

**TITLE: APPROVING THE APPLICATION OF ANIMAL ALLIANCE CAPE
MAY COUNTY TO CONDUCT A FLEA MARKET ON MAY 9, 2009**

WHEREAS, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13b, and

WHEREAS, Section 359-13 of the General Ordinances of the Township of Lower permits non-profit, charitable, civic and religious organizations to conduct four (4) outdoor flea markets within the confines of the Township if approved by the Township Council.

WHEREAS, the Township Council has reviewed the application of Animal Alliance Cape May County to conduct a flea market/yard sale on Saturday, May 9, 2009 at 721 Seashore Road, and

WHEREAS, the Council has determined the applicant meets the ordinance requirements of a non-profit, charitable, civic and/or religious organization.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that approval is hereby granted.

I hereby certify this resolution was adopted by the Township Council at the meeting held on April 20, 2009.

Claudia R. Kammer, Township Clerk

124

APPLICATION FOR OUTDOOR FLEA MARKET

Name of Organization Animal Alliance of CMC, Inc.

Name of Applicant (Responsible Party) : Melissa Atkinson

Address/Phone # of Responsible Party: 721 Seashore Road, Erma
898-3661

Location of Flea Market: Carriage House Grooming, 721 Seashore Road

Proceeds to Benefit: Spay/Neuter Program

Date of Flea Market: May 9

Rain Date: _____

Please check appropriate category for organization

Non-Profit Civic Charitable Religious


Signature of Person in Charge

FOR TOWNSHIP USE ONLY

Approved by Council on _____

Resolution # _____

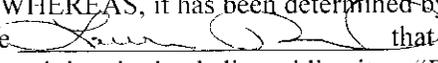
Notes/Conditions _____

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2009-125**

Title: Authorizing Pay Out of Terminal Leave

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a revised payment due to George Slobodjian in the amount of \$1493.03 bringing the full payment to \$26784.61 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify the foregoing to be a resolution adopted by the Township Council on _____.

Claudia R. Kammer, RMC, Township Clerk

George Slobodjian

TOWNSHIP OF LOWER
RETIREMENT PAYOUT ANALYSIS
31-Mar-09

EMPLOYEE:	George Slobodjian
DATE OF EVENT:	3/31/2009
DATE OF PAYMENT:	
RESOLUTION #:	2009

Annual Salary:	\$50,163.07
Longevity	\$3,000.00
Hourly Rate:	\$32.16

1.90

SALARY:		
Salary due to	3/31/2009	\$12,540.77
Salary paid through	3/19/2009	-\$11,576.09
Balance due		\$964.67

Revised 4/15/2009

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	34.06	0.00
Personal	(0.15)	34.06	(5.24)
Sick	785.92	34.06	26,768.54
Vacation	0.04	34.06	1.31
Terminal leave paid 4/16/2009			25,271.58
Terminal Leave Payout			\$26,764.61
balance due			\$1,493.03

	(A)	(B)	(C)	(B * C)	(E)	A + D - E
	Carryover	Annual	4 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp			0.08	0.00		0.00
Personal	24.00	24.00	0.08	1.85	26.00	(0.15)
Sick	1,079.00	90.00	0.08	6.92	300.00	785.92
Vacation	34.00	150.00	0.08	11.54	45.50	0.04
Total	1,137.00	264.00	0.31	20.31	371.50	785.81

Totals include terminal leave scheduled

Employee Signature: *George Slobodjian*
Date: 4-16-09

Treasurer's Signature: _____
Date: _____

RESOLUTION #2009- 126 TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2009 was approved on the 16th day of March, 2009 and
WHEREAS, the public hearing on said budget & amendment have been held as advertised, and
WHEREAS, it is desired to amend said approved budget, now
THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May
that the following amendments to the approved budget of 2009 be made:

<u>Recorded Vote</u>	(((
	((Abstained(
	Ayes(Nays((
	(((
	((Absent(
	(((

CURRENT FUND:

ANTICIPATED REVENUES:

	<u>From</u>	<u>To</u>
6. Amount to be Raised by Taxes for Support of Municipal Budget		
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	17,305,326.06	17,214,611.04
7. Total General Revenues	<u>24,016,575.18</u>	<u>23,925,860.16</u>

ANTICIPATED APPROPRIATIONS:

8. General Appropriations:		
a) Operations - within "CAPS"		
Police		
Salaries & Wages	4,430,000.00	4,378,500.00
Total Operations within "CAPS"	16,866,261.00	16,814,761.00
Total Operations Including Contingent - within "CAPS"	16,866,561.00	16,815,061.00
Detail: Salaries & Wages	9,660,757.00	9,609,257.00
Detail: Other Expenses		
e) Deferred Charges and Statutory Expenditures within "CAPS"		
Public Employees Retirement System	10,880.00	394,400.00
Social Security System (O.A.S.I.)	735,000.00	731,200.00
Total Deferred Charges and Statutory Expenditures within "CAPS"	1,492,980.00	1,872,700.00
H-1 Total General Appropriations for Municipal Purposes within "CAPS"	18,359,541.00	18,687,761.00
a) Operations - excluded from "CAPS"		
Public Employees Retirement System	383,520.00	0.00
Total Other Operations - excluded from "CAPS"	383,520.00	0.00
Total Operations - excluded from "CAPS"	1,343,735.05	960,215.05
Detail: Other Expenses	778,778.68	395,258.68
d) Debt Service - Excluded from CAPS		
Interest on Bonds	190,650.00	157,775.00
Total Debt Service - Excluded from CAPS	2,497,250.00	2,464,375.00
H-2 Total General Appropriations for Municipal Purposes Excluded from "CAPS"	4,137,885.05	3,721,490.05
O) Total General Appropriations Excluded from "CAPS"	4,137,885.05	3,721,490.05
I) Subtotal General Appropriations (Items (H-1) and (O))	22,497,426.05	22,409,251.05
M) Reserve for Uncollected Taxes	1,519,149.13	1,516,609.11
9. Total General Appropriations	<u>24,016,575.18</u>	<u>23,925,860.16</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the local municipal budget so amended.

It is hereby certified that all additions and math in this amendment are correct.

Leon P. Costello, CPA, RMA

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 20th day of April, 2009.

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

RESOLUTION NO. 2009-127

TITLE: RESOLUTION APPROVING NEW FEE SCHEDULE FOR THE RECREATION DEPARTMENT

WHEREAS, the Township desires approve a new fee schedule for the Recreation Department.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the following fee schedule is hereby adopted:

Football:

Resident Fee - 1 child = \$30, 2 children = \$40, 3 or more = \$45.

Nonresident fee: 1 child = \$40, 2 children = \$50 & 3 or more + \$55.

Wrestling, Basketball, Soccer & Cheerleading:

Resident Fee - 1 child = \$20, 2 children = \$30 & 3 or more + \$35.

Nonresident fee: 1 child = \$25, 2 children = 435 & 3 or more = \$40.

Pool Daily Fee:

2.00 for children 12 years of age & under. \$3.00 13 years of age & up.

Children 2 years of age and under free.

Facility Fees:

Fields (day use) by nonprofit groups + \$50, Profit group = \$150.

Fields (night Use) by nonprofit groups = \$75, Profit group = \$175

Gymnasium use by nonprofit groups = \$50, Profit Group + \$150

Meeting Room Rec. Center by Non-profit group = No Charge
by Profit group = \$25

Meeting Room Millman Center by Non-profit group = No Charge
by Profit group = \$150 for building, \$25 a meeting
for two hours or less.

I hereby certify the foregoing to be an original Resolution adopted by the Township Council at a meeting held on April 20, 2009.

Claudia R. Kammer, Township Clerk

PERSONNEL ACTIONS

Report for Council Meeting of April 20, 2009

<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
Public Safety	Nagel, Theodore	4/1/09		Retired	Police Officer	yes
Construction	Slobodjian, George	4/1/09		Retired	Plumbing SubCode Off	yes
Construction	Vito, Louis	3/26/09		Resigned	Plumbing Subcode Off	yes
Recreation	Melo, Justin	4/29/09		New Hire	Temp Laborer	yes

Date of report: 4/14/09

c: Manager
Clerk
Payroll
Asst. Treasurer
Personnel Director
Bulletin Board
File

ANIMAL CONTROL REPORT

MONTH OF March, 2009

ACO Donald R Montgomery

DATE: 3-31-09

	DOGS	CATS	OTHER*
TOTAL	5	0	
PICKED-UP	5	0	
TO SHELTER	1	0	
RETURNED	4	0	
TO VET	0	0	
DOA	0	0	
WARNINGS	5	0	
TICKETS	3	0	
BITES	1	0	
QUARANTINES	1	0	

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

Additional Comments:

was out sick 15 days

ANIMAL CONTROL REPORT

MONTH OF MARCH, 2009

ACO STEPHEN PARKER

DATE: 3/31/09

	DOG\$ CALLS	CAT\$ CALLS	OTHER*
TOTAL	38	10	2 KITTEN 2 PUPPY
PICKED-UP	13	6	
TO SHELTER	8	4	1 - KITTEN
RETURNED	5	0	
TO VET	1+1 (2)	0	1 - KITTEN
DOA	0	0	1 - PUPPY
WARNINGS	2	0	
TICKETS	0	0	
BITES	2	0	
QUARANTINES	1	0	

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

Additional Comments

bat calls - 1 SEAL CALLS - 3
 RACCOON CALLS - 3 bird calls - 1
 (G.O.A.)
 unfounded calls - 10
 Total calls - 65

RESPECTFULLY Submitted
 STEPHEN PARKER - LTACO

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798
(609) 886-2005

MEMORANDUM

TO: Township Manager
From: Walter Fiore, Code Enforcement Officer
RE: Code Enforcement Report
March 2009
Date: April 3, 2009

The following report is submitted per your request:

	<u>New</u>	<u>Accumulated</u>
Total Assignments-	51	157
Property Maintenance-	38	110
Auto Complaints-	05	15
Miscellaneous-	13	47
Summons Issued-	1	8

Disposition of Summons: 0 - Dismissed
5 - Waiting for Trial
3- Guilty
0- Not Guilty

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

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 03/01/2009 To 03/31/2009

April 06, 2009 1:22:06PM

SUMMARY

CONSTRUCTION COSTS

Cost Of Construction: \$1,351,585.00
 Cost Of Alteration: \$622,355.00
 Cost Of Demolition: \$2,000.00
 Total Cost: \$1,975,940.00

COUNT

Cubic Footage: 274492 Cu ft
 Square Footage: 25797 Sq ft
 Permit Issued: 91
 Updates Issued: 5
 All Fees Waived: 2
 Municipal Fees Waived: 1

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$19,886.00	Building:	\$0.00	Building:	\$4,469.00	Building Fees:	\$15,417.00
Electrical:	\$4,110.00	Electrical:	\$0.00	Electrical:	\$134.00	Electrical Fees:	\$3,976.00
Fire :	\$2,330.00	Fire :	\$0.00	Fire :	\$45.00	Fire Fees:	\$2,285.00
Plumbing:	\$3,399.00	Plumbing:	\$0.00	Plumbing:	\$57.00	Plumbing Fees:	\$3,342.00
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:	\$4,705.00	Technical Fees:	\$25,020.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$917.00	\$0.00	\$917.00
Alteration Training Fee:	\$1,007.00	\$253.00	\$754.00
DCA Minimum Fee:	\$8.00	\$0.00	\$8.00
Sub total Training Fee:	\$1,932.00	\$253.00	\$1,679.00

TECHNICAL ISSUES

Building Technical: 77
 Electrical Technical: 43
 Fire Protection Technical: 25
 Plumbing Technical: 34
 Elevator Technical:
 Mechanical Technical:

Certificate of Occupancy Fee: \$1,523.00
 Waived Certificate Fees: \$98.00
 Sub Total Certificate Fees: \$1,425.00

CERTIFICATE ISSUES

Certificate of Occupancy: 2
 Certificate of Approval: 13
 Certificate of Continued Occupancy: 0

PERMIT FEES:	\$25,020.00
DCA FEES:	\$1,679.00
CERTIFICATE FEES:	\$1,425.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$28,124.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$250.00
GRAND TOTAL FEES:	\$28,374.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 03/01/2009 To 03/31/2009

April 6, 2009 1:23:55PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$1,644.00	\$26,730.00	\$0.00	\$28,374.00
DUMPSTER	Sub Totals:	\$10.00	\$0.00	\$0.00	\$10.00
Copies	Sub Totals:	\$2.70	\$0.00	\$0.00	\$2.70
LICENSE FEES	Sub Totals:	\$0.00	\$1,100.00	\$0.00	\$1,100.00
GRAND TOTALS:		\$1,656.70	\$27,830.00	\$0.00	\$29,486.70

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: 4/2/2009

B: LICENSE DATA

1. Period Covered	From: 03/02/2009	To: 03/31/2009
2. First License # of this report	1128	
3. Last License # of this report	1313	
4. Last License # of last report		
5. Total Licenses issued this report	186	

C: LICENSES ISSUED FOR WHICH NO MONEY IS SUBMITTED

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

VOID License # 1133 [1133]

D: PILOT CLINIC FUND

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

Numbers: 185 Amount : \$37.00

E: ANIMAL POPULATION CONTROL FUND

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

Number: 42 Amount: \$126.00

F: FEE DATA

1. Total licenses reported with registration fee :	\$185.00
2. Total Amount due for pilot clinic fund (sec. D) :	\$37.00
3. Total Amount due for Animal population control fund (sec. E) :	\$126.00
4. Total Amount due for this report :	\$348.00

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 : Lower Township Clerk

Signature : 

Date: 04/02/09

Phone : 609-886-2005



BUREAU OF FIRE SAFETY - TOWNSHIP OF LOWER

Public Safety Building
1389 Langley Road
Cape May County Airport
Phone: (609) 889-0404
Fax: (609) 889-8876

Mailing Address:
407 Breakwater Road
Erma, NJ 08204

For the month of MARCH **2009, the**

Lower Township Bureau of Fire Safety made deposits

of \$15,657.15 **in the Lower Township Tax**

Office.

Sincerely,

**David P. Perry
Fire Official**

**C: file
Board members
Lauren Read
Township Manager**

2900 Bayshore Road
Villas, NJ 08251
Phone: (609) 886-7146 ext.20
Fax: (609) 886-2547
Email: CMDLTMUA@comcast.net

Lower Twp. M.U.A.

Memo

To: LTMUA Board Members
From: C. Mike DeMarcantonio, Executive Director
Date: March 4, 2009
Re: Monthly Report

Tasks Completed

- Completed bar screen installation at station 23
- Installing 2 new pumps at station 23
- Repaired heater in chlorine building
- Received at \$148,900.00 rebate for a 45.36 kW solar project, project estimated cost \$350,000
- Matt Ecker started work on 2/19/09
- Lower Township approved mandatory water connections on 2/18/09
- Working on NJHMFA blanket funding for water connections in Villas & Townbank
- Fixed and painted both bathrooms in Administration building

Planned Tasks

- General house keeping in the wastewater treatment plant, water wells, inventory of all supplies and completion of necessary repairs to all systems.
- Review sludge process, dewatering and disposal (Preliminary completed)
- Discuss possibility of water main extensions
- Review grease trap requirements for commercial properties
- New structure for chlorine electrical panels
- New piping from air compressor room to grit chamber and sludge holding tanks
- Finish painting fire hydrants in the water system
- Inventory pipe fittings and supplies

Submitted by: C. Mike DeMarcantonio, Executive Director

MUNICIPAL CLERK'S OFFICE

Register Report

3/1/2009 Through 3/31/2009

4/2/2009

Page 1

Account	Description	Category	Amount
INCOME			
	TOTAL Business Mercantile		475.00
	TOTAL Campgrounds & Trailers		4,678.00
	TOTAL Copies & Postage		45.95
	TOTAL Liquor Licenses		200.00
	TOTAL Rental Mercantile		600.00
	TOTAL Searches		20.00
	TOTAL Street Openings		70.00
	TOTAL Yard Sales		80.00
	TOTAL INCOME		6,168.95
TRANSFERS			
	TOTAL Council Checking		-6,168.95
	TOTAL TRANSFERS		-6,168.95
	OVERALL TOTAL		0.00

LOWER TOWNSHIP MUNICIPAL COURT

MONTHLY DISBURSEMENTS

TRAFFIC (All fines split w/ County)	\$ 7,162.00
TRAFFIC COSTS (We receive all costs)	\$ 3,392.50
CRIMINAL FINES (We receive both Criminal & Local Ordinance fines)	\$ 2,784.00
CRIMINAL COSTS	\$ 472.00
REINSTATED BAILS	\$ -
LOCAL PARKING	\$ 50.00
CONTEMPT CHARGES	\$ 523.00
PUBLIC DEFENDER FEES	
MISCELLANEOUS FEES (Spinal & Overpayments)	\$ 12.18
DWI SURCHARGE	\$ 506.21

MARCH 2009 DISBURSEMENTS

MARCH 2009 COMPLAINTS ISSUED	CRIMINAL IND.	CRIMINAL DP	TRAFFIC	DUI	TOTAL
	27	69	168	7	271

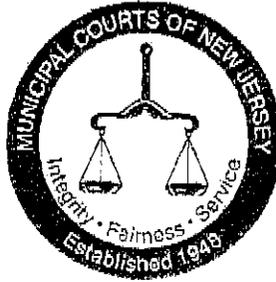
TOTAL RECEIPTS **TOWNSHIP SHARE**
\$34,095.76 **\$14,901.89**

COMPLAINTS IN WARRANT STATUS	CRIMINAL	TRAFFIC	TOTAL
	177	151	328

MUNICIPAL COURT OF LOWER TOWNSHIP

DAVID S. DEWEESE
Judge
Municipal Court

ELIZABETH M. BYRNE
Court Administrator



Cape May County Airport Complex
Public Safety Building
401 Breakwater Road
Erma, New Jersey 08204
(609) 886-6040
Fax: (609) 886-6536
3747-2

April 14, 2009

*(via electronic mail only to:
ckammer@townshipoflower.org
manager@townshipoflower.org)*

Kathleen McPherson, Township Manager
TOWNSHIP OF LOWER
2600 Bayshore Road
Villas, New Jersey 08251

RE: Monthly Report, Month of March, 2009

Dear Ms. McPherson:

Please accept this correspondence as the monthly report for the month of March, 2009, for the Municipal Court of Lower Township. Upon reviewing the Municipal Court Statistics for the month, I have compared same to the month of March, 2008, and that comparison indicates the following:

1. An increase in the number of criminal cases added by 31 cases; and
2. An increase in the number of traffic cases added by 6 cases; and
3. A decrease in the number of DWI cases added by 2 cases; and
4. A decrease in the total number of cases added by 35 cases.

Also, for the month of March, 2009, as compared to March, 2008, there was an increase in the total receipts by \$3,173.26 and an increase in the amount turned over to the Township, as compared to March, 2009, by \$2,368.83.

Kathleen McPherson, Township Manager
Monthly Report - March, 2009
April 14, 2009
Page Two

If you have any questions, or need for additional information, please do not hesitate to contact me.

Hoping this information is satisfactory, I am,

Very truly yours,
TOWNSHIP OF LOWER

David S. DeWeese, JMC

DSD/klw

cc: Mayor Michael Beck
Deputy Mayor Kevin Lare
Council Member Thomas Conrad
Council Member Wayne Mazurek
Council Member Glenn Douglass
Chief Edward Donahue
Court Administrator Elizabeth Byrne

Monthly Report

Township of Lower
Office of the Tax Collector

Revenues Collected for March 2009

Receipts	Month-to-date	Year-to-date
Current year taxes (2009)	614,699.93	12,107,025.84
Prior year taxes (2008)	119,171.13	441,373.44
6% year end penalty		1,600.07
Bankruptcy (2007)		
Bankruptcy (2006)		
Bankruptcy (2005)	43.57	130.86
Tax Search Fees	40.00	70.00
Interest	12,792.68	33,564.03
Lot clearing		
Municipal Service Fees	35,220.00	35,610.00
Returned Check Fees	20.00	100.00
Duplicate Bills	95.00	125.00
MUA		
Tax Sale Fees		
TOTALS	782,082.31	12,619,599.24

Prepared by: Susan Jackson, Tax Collector
Date April 6, 2009

**Vital Statistics
March Deposit**

Marriage License Total	17
C.U. Lic. Total	0
D.P. Lic. Total	0
Total Burial Permits	0
Total Due State Marriage	\$ 450.00
Twp. Marriage Fee	\$ 54.00
Total Due State C.U.	\$ -
Twp. Fee C.U.	\$ -
Total State D.P.	\$ -
Twp. Fee D.P.	\$ -
Twp. Fee Cert. Copies	\$ 2,080.00
Twp. Burial Permits @ \$15.00	\$ -
TOTAL	\$ 2,584.00

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

RESOLUTION # 2009-134

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

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. (Supervisors & Superior Officers)
- _____ (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. (Fondacaro)
- _____ (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 April 20, 2009 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 April 20, 2009.

Claudia R. Kammer, Township Clerk