PRELIMINARY AGENDA

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

OCTOBER 19, 2009 - 7:00 P.M.

Meeting called to order.
Opening Announcement
Presentation of Colors - Boy Scout Troop 73
Pledge of Allegiance & Moment of Respect - Led by Boy Scout Troop 73
Roll Call & Determination of Quorum
Presentation of Donation by Boy Scout Troop 73 to D.A.V. Post 44 for the benefit of Michael Scusa's family

Work Session
Review of Consent & Regular Agenda Items
Public Questions/Comments on Consent Agenda Items

Consent Agenda
Approval of Minutes

Res. #2009-273	Payment of Vouchers, $4,053,268.40
Res. #2009-274	Rejection of Bids for Replacement of Gymnasium Floor (3 bids received, 2 not compliant, 1 over budget)
Res. #2009-275,	A resolution requesting reduction of Performance Guarantee for Marie Nicole's Restaurant; Block 697; Lots 3-7; Escrow #Z02-12-03
Res. #2009-276,	Resolution to Petition the Council on Affordable Housing (COAH) For Substantive Certification of the Round 3 Affordable Housing Plan as Adopted by the Lower Township Planning Board
Res. #2009-277,	Resolution Requesting COAH to Review and Approve Township's Draft Development Fee Ordinance
Res. #2009-278,	Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (DOT $130,000 - Reconstruction of Station Road/Bayshore to States Avenue)

Regular Agenda

Administrative Reports
September Reports - Animal Control, Construction, Dog Licensing, Fire Safety, Municipal Clerk, Municipal Court, MUA, Tax Collector, Vital Statistics

Council Comments

Call to the Public

Adjournment

Public Information

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.

WEEKLY RECYCLING NOW IN EFFECT

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

Regular & Work Session Meeting Minutes - October 5, 2009

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on October 5, 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 Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: Anthony Monzo, Solicitor, and Kathleen McPherson, Manager
Absent: Councilmember Mazurek

Presentation - South Jersey Hurricanes - Beaver Division National Champions

Mayor Beck presented Certificates of Recognition to Coaches Blomkvest, Hughes and the team for their efforts in becoming the Beaver Division National Champions.

WORK SESSION

Discussion on Reassessment, Arthur Amonette, Assessor

Art Amonette, Lower Township Tax Assessor was present to discuss a possible reassessment. He said it was due to the declining real estate market and had 400-500 people inquire about reducing their assessments. He said he came up with a plan to revalue the properties to the current market, they were previously done in 2007 when it was the peak of the market.

Mr. Amonette said he couldn't do it during normal hours, time was short and he would need to do it nights and weekends. He said he had the application into the County Tax Board who indicated it would be approved and sent to the Division of Taxation who may add some additional conditions. He said he proposed to ask for $30,000.00-35,000.00 which included the mailing of the assessments if required. He suggested if possible to put the new assessments on the website to save money. He said if it wasn't done they would have to do another reval.

Mayor Beck asked if other towns were doing this?

Mr. Amonette said not in Cape May County. He said he was trying to take a pro-active approach. He said in 2007 there was a 10 million loss , in 2008 there were 100 appeals filed and in 2009 - 210 appeals were filed and would loose 10 million in ratables also everyone that filed an appeal had won.

Councilmember Conrad said he was in favor of it and the Township would save on the cost of appeals, he also felt the market had changed drastically.

Manager McPherson said the labor cost for the reval in 2007 was $900,000.00.

Mr. Amonette said it wouldn't mean a tax reduction it would bring the assessment close to market value.

Councilmember Douglass asked what triggered the reval?

Mr. Amonette said 15% more higher or lower and this year it was about 110%. He said the average in the Villas was 130%.

Deputy Mayor Lare asked if most assessment would go down?
Mr. Amonette said yes, all should go down except for those who filed appeals. He said he would look at all neighborhoods and would reduce the land values. He said a lot of the lots in the Villas were at $120,000.00.
Councilmember Douglass asked how the foreclosures affected the reassessments.
Mr. Amonette said he didn't include those in the count.
Mayor Beck asked if the market was corrected would this cause problems where in four more years another reval would have to be done.
Mr. Amonette said it could happen, but what could happen if they didn't do it? He said it was always controversial.
Mayor Beck opened for public comment.
Ed Butler, Vice President Lower Township Taxpayers Association said he felt the plan was to bring things into perspective for the Township. He said he pushed people to appeal their taxes and felt this may level things out.
Mike Rosenberg of Miami Avenue said in 2007 the Township paid $900,000.00 and now only $35,000.00.
Mr. Amonette said the prior cost was mostly labor costs and now the information was in the computer. He said he wouldn't be inspecting the properties he would be changing the land values.
Mr. Rosenberg asked what would happen to those who overpaid for their property and now this would affect the resale of their home.
George Dougherty asked what purpose was the reassessment?
Mr. Amonette said to bring the assessments more into line to the market values.
Manager McPherson asked if people could still file an appeal?
Mr. Amonette said yes, anyone could.
Mayor Beck said it would lower overall Township assessments, then the rate would have to go up. He said they worked hard to keep things stable and bring the budget in line. He said the papers would say the Township had a large tax increase.
Councilmember Conrad said alright if the money was there.
Mr. Amonette said some of the cost could go into the 2010 budget. He said it would be about 100 plus hours of work at $100.00 per hour. He said he could use other employees to help with explaining it to the people.
Solicitor Monzo said they would need a resolution authorizing the reval.

Review of Consent and Regular Agenda Items

No comments.

Public Questions on Consent Agenda and/or Regular Agenda Items

No comments.

Consent Agenda

Approval of Minutes	September 21, 2009
Res. #2009-261,	Payment of Vouchers, $1,767,959.13
Res. #2009-262,	Transfer of Taxi License for Ocean Cab Service (from a 1995 Ford Windstar to a 1998 Ford Windstar)
Res. #2009-263,	Authorization for Refund of Taxes (2 properties, paid twice in error)
Res. #2009-264,	Authorization Determination of Municipal Service Fee for 2010 (Renewing the annual Municipal Service Fee for manufactured homes in mobile home parks)
Res. #2009-265,	Approval For Pyrotecnico Fireworks To Load And Unload A Fireworks Barge In Lower Township (Loading a barge in Lower Twp for an Ocean City event - Insurance and proper

	paperwork provided)
Res. #2009-266,	Local Art Program Grant
Res. #2009-267,	Certification of Lot Clearing Charges (1 property)
Res. #2009-268,	Authorization to Transfer Funds from the Tax Premium Account (Transferring unclaimed premium of $8550 from Tax Premium Acct to Township Checking Account)
Res. #2009-269,	A Resolution Requesting Reduction of Performance Guarantee for Carlyle Realty Partners IV, L.P.; Block 699, Lots 3-14; Escrow #P06-01-02 (Reduction of Perf Guarantee for Grand Sales Trailer)
Res. #2009-270,	Authorizing Application for PetSmart Charities for Spay/Neuter Grant
Res. #2009-271,	A Resolution of the Township of Lower Authorizing A Fundraiser to Benefit the Shelton Family

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 Mazurek, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck , "yes".

Administrative Reports

Personnel Action Report

Council Comments

Councilmember Conrad said the breakfast fundraiser for the Shelton family was a great success. He mentioned there would also be another benefit at Bennett's field. He said people could drop off food Tuesday through Thursday 9:00 a.m. to 12:00 p.m. at the Holy Spirit Lutheran Church.

Deputy Mayor Lare said the pancake breakfast raised $8,000.00 and people could contact the Church if they wanted to help. He said the Cape May Canal Bridge would be dedicated to the Veterans on November 7th, he mentioned Senator Van Drew had sponsored the legislation. He stated they were in the process of finalizing the plans for the dedication, so there would be more information coming.

Mayor Beck said the primary focus was on open government and wanted to have the most open government in New Jersey. He said they had done many things and one thing they had done was a "green newsletter" only available through email and it would be out once a month. He said it was sent to all the community groups so they could forward it to their members, it was a way of reaching out to the people.

Mayor Beck said it was a trial and error process, but it was great for the residents and they have had a tremendous response. He thanked the Mayor's Advisory Board and Jay Witmoyer for their help.

Councilmember Conrad asked if the link was on the Township website?

Mayor Beck said people could email Township Hall and have their name put on the list for the newsletter.

7:38 Public Comments

Renaming of Canal Bridge

Steve Sheftz said he appreciated the renaming of the bridge. He said there was a need for drivers for the Disabled American Veterans van and you didn't have to be a veteran to help.

Maintenance of Residential Properties

Mr. Sheftz said he built his home years ago and asked if a sign could be put on his property and was told no. He saw many signs on lawns, and a neighbor near him had 6 trucks now and properties weren't being maintained. He said something had to be done. He said the Township needed to maintain the residential quality of neighborhoods. He said they needed to do more to attract business here.

Reval of Properties by Township Assessor

Robert Rizzo asked if Mr. Amonette's $100.00 per hour would be time and a half since it was on Saturdays.
Manager McPherson said no.
Mr. Rizzo said he felt Mr. Amonette's plan would work.

Shelton Family Fundraiser

Mr. Rizzo said he also attended the breakfast fundraiser for the Shelton family and said it was very nice.
Councilmember Conrad congratulated the Lower Cape May Regional Football Team and said they came to help with the cleanup after their game.

Joseph Boyle - 313 Arizon Avenue

Joseph Boyle of 313 Arizona Avenue said he had the paperwork for the jeep and it shouldn't have been taken. He said he didn't know why the Mayor wouldn't speak to him. He said the police checked it out and he would be at court.

Electronics Recycling at the CMC Airport

Frank Serracco asked about the recycling place at the airport.
Manager McPherson said they were working with the County on a lease. He said at the present time they would repackage it and send it out to companies who would use it.
Mr. Serracco asked if any incineration would be done at the site because he had read some material that said it could be dangerous.
Manager McPherson said they would be regulated by DEP.
Mayor Beck said he would check it out further.

Resolution #2009-272, A Resolution Providing for a Meeting Not Open to the Pubic in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12
Councilmember Conrad motioned to adopt the ordinance, seconded by Councilmember Douglass. The resolution was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck "yes".

Council returned to open session and there being no further comment, Councilmember Douglass motioned to adjourn the meeting, seconded by Councilmember Conrad the meeting unanimously adjourned by verbal "ayes" at 8:30 p.m.

_____ _____

Mayor Township Clerk

Approved:

P.O. Type: All Include Project Line Items: Yes Open: N Rcvd: Y Paid: N
Range: First to Last Held: Y Aprv: N Void: N
Format: Condensed Bid: Y State: Y Other: Y

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00028 ACTION SUPPLY*							
09-02484	09/14/09	CONCRETE FOR CURBING-DPW	Open	313.75	0.00		
00061 ALERT-ALL CORPORATION*							
09-02520	09/16/09	FIRE SAFETY EXTREME TEAM ACTIV	Open	330.00	0.00		
00067 ALL AMERICAN SPORTS CORP.*							
09-01269	05/18/09	HELMET RECONDITIONING	Open	485.88	0.00		
09-02212	08/11/09	EXTRA SMALL FOOTBALL HELMETS	Open	383.39	0.00		
				869.27			
00085 AMERICAN SWIMMING POOLS*							
09-02335	08/26/09	MISC. SUPPLIES FOR POOL SEPT.	Open	174.60	0.00		
00086 AMERICAN PLANNING ASSOCIATION							
09-02546	09/18/09	SEMINAR NOV 5&6, 2009	Open	195.00	0.00		
00110 ANCO HOME CENTER*							
09-02336	08/26/09	MISC. SUPPLIES REC. SEPT. 09	Open	476.79	0.00		
09-02436	09/08/09	SUPPLIES FOR SIGNS/BLDG/DPW	Open	157.32	0.00		
				634.11			
00111 APEX AUTO ELECTRIC*							
09-02668	10/05/09	SUPPLIES FOR DPW	Open	525.00	0.00		
00179 AVERY TEITLER*							
09-00885	04/16/09	PROFESSIONAL SERVICES	Open	300.00	0.00		
09-02732	10/13/09	RESOLUTIONS ESCROW ACCTS	Open	300.00	0.00		
				600.00			
00180 AUTO PARTS CO, INC*							
09-02337	08/26/09	MISC. SUPPLIES REC. SEPT. 09	Open	99.99	0.00		
00195 B.F. MOLZ, INC*							
09-02592	09/24/09	LATERAL 5 DRAWER FILE	Open	686.79	0.00		
09-02595	09/24/09	OPEN END LEGAL ENVELOPES	Open	265.92	0.00		
				952.71			
00231 HOWARD A BAILEY III							
09-02664	10/05/09	SHOE ALLOWANCE FOR 2009-DPW	Open	114.99	0.00		
00301 BELMONT AND CRYSTAL SPRINGS*							
09-02736	10/14/09	BOTLED WATER - TOWNHALL	Open	46.11	0.00		
09-02762	10/15/09	BOTTLED WATER FOR SEPTEMBER	Open	74.44	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
				120.55			
00365 BLUE STAR*							
09-02544	09/18/09	SEA BREEZE MIST CANISTERS	Open	236.00	0.00		
09-02552	09/18/09	SUPPLIES FOR GARAGE - DPW	Open	1,792.00	0.00		
				2,028.00			
00455 DALLAS BOHN							
08-01836	07/01/08	2008 EQUIP ALLOW	Open	17.88	0.00		
09-01325	05/20/09	2009 EQUIP ALLOW	Open	106.32	0.00		
				124.20			
00616 ANIMAL ALLIANCE OF CAPE							
09-02699	10/07/09	TNR AND SPAY/NEUTER PROGRAM	Open	235.00	0.00		
09-02758	10/15/09	TNR & SPAY/NEUTER PROGRAM	Open	120.00	0.00		
				355.00			
00733 CAPE POWER EQUIPMENT INC*							
09-02338	08/26/09	MISC. SUPPLIES REC. SEPT. 09	Open	286.20	0.00		
00739 CAPE MAY VETERINARY HOSPITAL							
09-02654	10/02/09	STRAY SPAY/NEUTER PROGRAM	Open	30.00	0.00		
00784 CAPE MAY STAR & WAVE							
09-02738	10/14/09	PUBLIC NOTICE	Open	11.78	0.00		
00820 COMCAST OF WILDWOOD* DPW							
09-02667	10/05/09	INTERNET PROVIDER - DPW-OCT	Open	95.24	0.00		
00825 COMCAST*							
09-02698	10/07/09	INTERNET ACCESS - TOWNHALL	Open	95.24	0.00		
00991 COLONIAL ELECTRIC SUPPLY*							
09-02560	09/22/09	EMERGENCY EXIT LIGHT - DPW	Open	182.14	0.00		
00997 S.A.COMUNALE, INC.*							
09-02366	09/01/09	SPRINKLER SYS INTERNAL INSPEC	Open	3,140.00	0.00		
01170 VERIZON WIRELESS* F/S							
09-02661	10/05/09	CELL SVC - FIRE SAFETY	Open	171.44	0.00		
01239 DIANA L DeNOTE							
09-02734	10/13/09	CONTRACTUAL REIMBURSEMENTS	Open	342.40	0.00		
01245 G & K SERVICES CO*							
09-02339	08/26/09	MAINTENANCE STAFF UNIFORMS	Open	84.20	0.00		
09-02673	10/05/09	UNIFORM RENTALS-DPW	Open	819.39	0.00		
				903.59			

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01296 RUSTIC GARDEN LANDSCAPING,LLC*							
09-02577	09/23/09	RELOCATE TREE AT BENNETT'S	Open	150.00	0.00		
01389 EDDIE'S AUTO BODY*							
09-02524	09/16/09	TOW EVIDENCE	Open	125.00	0.00		
01437 ERCO CEILINGS*							
09-01972	07/15/09	BATHROOM RENOVATIONS	Open	292.61	0.00		
01500 FEDEX							
09-02759	10/15/09	LOWER TWP ACCT#1843-5961-8	Open	38.93	0.00		
01530 FIRE DISTRICT #1							
09-00456	02/25/09	SUPPLEMENTAL FIRE SERVICES	Open	3,193.39	0.00		
01540 FIRE DISTRICT #2							
09-00457	02/25/09	SUPPLEMENTAL FIRE SERVICES	Open	4,256.18	0.00		
01550 FIRE DISTRICT #3							
09-00455	02/25/09	SUPPLEMENTAL FIRE SERVICES	Open	1,419.56	0.00		
01603 GENERAL CODE PUBLISHERS*							
09-02674	10/05/09	CODE BOOK SUPPLEMENT #14	Open	2,973.41	0.00		
01653 GENTILINI FORD*							
09-02521	09/16/09	TRANS. FOR POLICE CAR	Open	1,653.13	0.00		
01781 HATCH MOTT MACDONALD, LLC*							
09-01216	05/11/09	QUALIFIED WITNESS IN FACT	Open	270.00	0.00		B
09-02321	08/24/09	BAYSHORE ESTATE STORM WATER RE	Open	437.00	0.00		B
09-02362	09/01/09	OUTFALL PIPES CHANGE-09-00576	Open	202.50	0.00		B
09-02590	09/24/09	NJ NATURAL LAND TRUST ACCESS	Open	135.00	0.00		B
09-02656	10/05/09	EXCROW BILLING	Open	2,365.00	0.00		
09-02733	10/13/09	ESCROW BILLING	Open	1,234.28	0.00		
				4,643.78			
01785 ROBERT HARTMAN SR							
09-02702	10/07/09	CONTRACTUAL REIMBURSEMENTS	Open	487.92	0.00		
01806 ANTHONY J HARVATT, II, ESQ							
09-00319	02/09/09	PROFESSIONAL SERVICE/ZONING BO	Open	300.00	0.00		B
09-02657	10/05/09	RESOLUTION FEES - ESCROW	Open	750.00	0.00		
				1,050.00			
02021 JERSEY CAPE DOOR*							
09-02076	07/28/09	REPAIRS TO GARAGE DOOR-DPW	Open	173.00	0.00		
02116 FRAN KENNEDY COFFEE CO.*							
09-02706	10/08/09	COFFEE SUPPLIES - TOWNHALL	Open	49.19	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02136 TED KINGSTON INC*							
09-01298	05/20/09	COMMUNICATIONS MAINT.	Open	2,493.27	0.00		
02223 LANDSMAN UNIFORMS*							
09-01282	05/20/09	UNIFORMS	Open	1,851.00	0.00		
02247 LAWSON PRODUCTS, INC.*							
09-02437	09/08/09	SUPPLIES FOR GARAGE-DPW	Open	1,285.27	0.00		
02320 LOWER TOWNSHIP BRD OF EDUCATN							
09-01062	04/27/09	SCHOOL TAXES DUE 1ST OF MONTH	Open	1,437,188.90	0.00		
02334 LOWER TWSP CHAMBER OF COMMERCE							
09-02594	09/24/09	ANNUUAL DUES OCT 09 TO SEPT 10	Open	100.00	0.00		
02417 MAGELLAN HILL TECHNOLOGIES*							
09-02676	10/05/09	PHONE SERVICE	Open	2,950.18	0.00		
02541 ROBERT D. MARTIN, JR							
09-02701	10/07/09	CONTRACTUAL REIMBURSEMENT	Open	70.99	0.00		
02640 FRANK MCCLOSKEY							
09-02761	10/15/09	SHOE ALLOWANCE FOR 2009-DPW	Open	84.80	0.00		
02709 ANTHONY MONZO*							
09-02737	10/14/09	LITIGATION EXPENSE - AUG,2009	Open	10,185.93	0.00		
02726 MIDDLE TOWNSHIP							
09-02557	09/22/09	ACO COVERAGE FOR JUNE	Open	502.14	0.00		
02731 MOBILE LIFTS, INC							
09-00653	03/18/09	2009 OR NEWER TRUCK W/SIGN LIF	Open	74,850.00	0.00		
02940 MUNICIPAL RECORD SERVICE*							
09-02593	09/24/09	PLEA AGREEMENT FORMS	Open	91.00	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*							
09-02079	07/28/09	EMBLEMS	Open	127.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*							
09-02157	08/05/09	PARTS FOR RDS/SANT/RECY/DPW	Open	332.40	0.00		
03132 NEXTEL COMMUNICATIONS							
09-02760	10/15/09	NEXTEL	Open	1,254.91	0.00		
03135 NEXT GENERATION IND, INC*							
09-02187	08/07/09	SUPPLIES FOR GARAGE-DPW	Open	2,286.60	0.00		
03158 NYSCA*							
09-02559	09/22/09	COACHING CERTIFICATIONS	Open	60.00	0.00		
03211 BRUCE OLEXA							
09-02700	10/07/09	CONTRACTUAL REIMBURSEMENT - V	Open	88.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03280 PARAMOUNT SANITARY SUPPLY*							
09-02610	09/29/09	C- FOLD TOWELS	Open	76.96	0.00		
03301 RED BANK VETERINARY HOSPITAL							
09-02653	10/02/09	ANIMAL CONTROL EMERGENCY SVC	Open	417.61	0.00		
03305 PEDRONI FUEL*							
09-02672	10/05/09	NO LEAD GAS - DPW	Open	799.92	0.00		
03354 PERNA FINNIGAN, INC*							
09-02537	09/18/09	CONFLICT W/NEW DRAINAGE	Open	2,941.38	0.00		
03370 PHYSIO CONTROL CORPORATION							
09-02476	09/14/09	AED REPLACEMENT BATTERIES	Open	520.39	0.00		
03466 R & R SPECIALTIES							
09-02614	09/29/09	COSTUME PARADE MEDALLIONS	Open	104.00	0.00		
03478 RED THE UNIFORM TAILOR, INC.*							
09-02301	08/19/09	UNIFORMS	Open	416.35	0.00		
03611 SERVICE TIRE TRUCK CENTERS*							
09-02438	09/08/09	TIRES FOR RDS/SANT/RECY/DPW	Open	626.31	0.00		
03683 SNAP-ON TOOLS*							
09-02277	08/18/09	ABRASIVE BLAST CABINET	Open	2,454.31	0.00		
03687 SOUTH JERSEY WRESTLING ASSOC.*							
09-02648	10/02/09	YOUTH WRESTLING LEAGUE FEES	Open	500.00	0.00		
03700 SPORTS-N-STUFF*							
09-02558	09/22/09	SOCCER SHIRTS	Open	35.00	0.00		
03733 JAMES D. STRICKLAND							
09-02703	10/07/09	CONTRACTUAL REIMBURSEMENTS	Open	78.00	0.00		
03803 TONY'S MARINE SUPPLY*							
09-02156	08/05/09	SUPPLIES FOR SIGNS/BLDG/DPW	Open	123.00	0.00		
03831 TREASURER, COUNTY TAXES							
09-02707	10/08/09	4TH QTR. 2009 COUNTY TAX	Open	2,443,627.69	0.00		
03863 TREASURER, STATE OF NEW JERSEY							
09-02660	10/05/09	STTE SURCHARGE - 3RD QTR 2009	Open	3,523.00	0.00		
03899 UPS							
09-02549	09/18/09	SHIPPING - ADA CONTRACT	Open	15.49	0.00		
03914 ULINE INC*							
09-02482	09/14/09	PATROL OPERATION SUPPLIES	Open	29.10	0.00		
03917 STATE OF NJ DEPT OF CHILD/FAML							

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
09-02662	10/05/09	QRTLY MARRIAGE/CIVIL UNIONS	Open	1,200.00	0.00		
03918		TREASURER, STATE OF NJ BURIAL					
09-02663	10/05/09	3RD QTR BURIAL PERMIT FEES	Open	40.00	0.00		
03926		STEVEN WINTER ASSOCIATES*					
09-02615	09/29/09	CLEAN ENERGY AUDIT PROGRAM	Open	6,711.00	0.00		B
03935		STAPLES BUSINESS ADVANTAGE*					
09-02539	09/18/09	PRINTER/OFFICE SUPPLIES	Open	603.34	0.00		
09-02583	09/23/09	OFFICE SUPPLIES	Open	150.91	0.00		
				754.25			
03960		VECTOR SECURITY*					
09-02480	09/14/09	COURT ENTRY DOORS	Open	90.00	0.00		
03963		US LUBES, LLC *					
09-02600	09/28/09	SUPPLIES FOR SANITATION-DPW	Open	1,717.08	0.00		
03992		VAL-U AUTO PARTS LLC*					
09-02432	09/08/09	PARTS FOR RDS/SANT/RECY/DPS	Open	2,389.52	0.00		
04150		BARRY, CORRADO, GRASSI &					
09-02398	09/03/09	PUBLIC DEFENDER EXPENSE	Open	655.05	0.00		
04266		NJ DEPT OF HEALTH&SENIOR SVCS					
09-02675	10/05/09	STATE DOG LICENSE FEES SEPT,09	Open	96.60	0.00		
04275		CLARKTON, LLC*					
09-00616	03/12/09	FIELD MAINTENANCE FOR	Open	4,010.00	0.00		B
04277		UNIVERSAL INSTRUMENT SERVICES*					
09-02464	09/11/09	CALIBRATION AND CERTIFICATION	Open	600.00	0.00		
04290		E L & M AUTOMOTIVE RECYCLING*					
09-02579	09/23/09	WEHICLE REPAIR/INSURANCE CLAIM	Open	2,600.00	0.00		
04301		SEASHORE ASPHALT CORPORATION*					
09-02424	09/08/09	PATCH FURNISHED AT PLANT-DPW	Open	288.75	0.00		
09-02530	09/16/09	ASPHALT FURNISHED AT PLANT	Open	1,357.28	0.00		
				1,646.03			
AUTO		AUTO PARTS STORE					
09-02375	09/01/09	PARTS FOR RDS/SANT/RECYC/DPS	Open	3,430.66	0.00		
BLAUE		BLAUER ASSOCIATES INC*					
09-02199	08/11/09	DCA 08 PUB FACILITIES - ADA	Open	975.00	0.00		B
DOHERTY		THOMAS & JACQUELINE DOHERTY					
09-02652	10/02/09	SPAY/NEUTER PROGRAM	Open	35.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
FRO-ME FRO-ME-A-PARTY							
09-02039	07/24/09	BALOON ANIMAL MAN/NAT NIGHT OU	Open	260.00	0.00		
G-DB DB ELECTRONICS							
09-02483	09/14/09	REPAIRS TO MEETING ROOM SOUND	Open	405.00	0.00		
HOOVER ROBERT HOOVER & SONS INC*							
09-02442	09/08/09	PARTS FOR SANT. TRUCKS	Open	299.76	0.00		
LERARIO LEONARD LERARIO							
09-02763	10/15/09	FOOTBALL REFUND FOR VOLUNTEER	Open	20.00	0.00		
MOUSTAFA CAROLINE MOUSTAFA							
09-02651	10/02/09	SOCCER REFUND FOR VOLUNTEER	Open	41.25	0.00		

Total Purchase Orders: 112 Total P.O. Line Items: 325 Total List Amount: 4,053,268.40 Total Void Amount: 0.00

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on October 19, 2009.

Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2009-274

TITLE: REJECTION OF BIDS FOR REPLACEMENT OF GYMNASIUM FLOOR

WHEREAS, the Township advertised for bids on September 24, 2009 for Replacement of Gymnasium Floor and sealed bids were received by the Township QPA on October 14, 2009 at 11:00 a.m. , and

WHEREAS, three bids were submitted, and were opened and reviewed by the QPA and the Recreation Director, and

WHEREAS, two bids were not for the specified product and the only compliant bidder exceed the budget appropriation; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council, of the Township of Lower the all bids hereby rejected and the QPA is authorized to readvertise for bids.

I hereby certify the foregoing to be a resolution adopted by the Township Council on October 19, 2009.

_____

Claudia R. Kammer, Twp. Clerk

MEMORANDUM

TO: Township Council

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

DATE: October 14, 2009

RE: Resolution #2009-275

The Land Development Ordinance of the Township of Lower, Chapter XVI, Subsection 400-81E, requires that "The governing body shall by resolution, release or declare in default each Performance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution #2009-275 is required to reduce the Performance Guarantee held in trust by the Township of Lower for Marie Nicole's Restaurant, 9510 Associates, Inc., Cape Savings Bank LOC #1063.

The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer, Hatch Mott MacDonald. The Township Engineer recommends the reduction of the retained $49,026.00.

The inspection and construction costs of the bonded improvements have been paid for by the developer. All mandated improvements must be completed for the project's final approval.

Improvements having a total value of $45,390.00 have been completed. Therefore, the Township Engineer recommends the reduction of the Performance Guarantee.

Township of Lower policy requires that a Maintenance Guarantee shall be posted upon complete release of a Performance Guarantee.

cc: financial file

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

RESOLUTION #2009-275

TITLE: A resolution requesting reduction of Performance Guarantee for Marie Nicole's Restaurant; Block 697; Lots 3-7; Escrow #Z02-12-03

WHEREAS, 9510 Associates, Inc., posted a Performance Guarantee with the Township of Lower in the amount of $49,026.00 for the site plan referenced above; and

WHEREAS, the Township Engineer has recommended that improvements having a total value of $45,390.00 have been properly installed and are presently acceptable; and

WHEREAS, the Township Engineer has recommended that the Performance Bond be reduced $16,342.00 (30% retained to ensure completion 40:55D-53.e(1))

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the Performance Guarantee be and hereby is reduced leaving a remaining balance of $16,3642.00

I hereby certify this is the original resolution adopted by the Township Council at the meeting of October 19, 2009

_____

Claudia R. Kammer, Township Clerk

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

RESOLUTION #2009-276

TITLE: RESOLUTION TO PETITION THE COUNCIL ON AFFORDABLE HOUSING (COAH) FOR SUBSTANTIVE CERTIFICATION OF THE ROUND 3 AFFORDABLE HOUSING PLAN AS ADOPTED BY THE LOWER TOWNSHIP PLANNING BOARD

WHEREAS, the Planning Board of the Township of Lower, Cape May County, State of New Jersey, adopted a Housing Element of the Master Plan and Fair Share Plan on April 16, 2009; and

WHEREAS, the Township Council of the Township of Lower, Cape May County, State of New Jersey, endorsed the Housing Element of the Master Plan and Fair Share Plan on May 4, 2009; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element and Council endorsing the Housing Plan are attached pursuant to N.J.A.C. 5:96-3.2.; and

NOW THEREFORE BE IT RESOLVED that the Township Council of Lower Township pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Lower Township municipal clerk's office located in the Lower Township Municipal Building at 2600 Bayshore Road, Villas, New Jersey, during normal business hours Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

I, Claudia Kammer, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey do hereby certify that the foregoing Resolution was duly adopted by the Township Council of the Township of Lower at a regular meeting on October 19, 2009.

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

RESOLUTION #2009-277

TITLE: RESOLUTION REQUESTING COAH TO REVIEW AND APPROVE TOWNSHIP'S DRAFT DEVELOPMENT FEE ORDINANCE

WHEREAS, the Township Council of the Township of Lower, County of Cape May petitioned the Council on Affordable Housing (COAH) for substantive certification on October 19, 2009; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

1. A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
2. A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
3. A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d) ;
4. A description of collection procedures per N.J.A.C. 5:97-8.3(f);
5. A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
6. A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, Lower Township has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, Cape May County requests that COAH review and approve Lower Township's development fee ordinance.

I hereby certify the foregoing to be an original resolution adopted by the Township Council of the Township of Lower at a meeting held on October 19, 2009.

_____

Claudia R. Kammer, Township Clerk

THOMAS PLANNING ASSOCIATES, LLC
Professional Planning and GIS Consultants
P. O. Box 363
Brielle, New Jersey 08730-0363

Thomas A. Thomas PP
Tel: (732) 223-3215
Fax: (732) 223-4512
tomplan@optonline.net

T. Andrew Thomas PP, AICP
Tel: (732) 556-6711
Fax: (732) 556-6711
andyplan@aol.com

October 12, 2009

William Galestock, P.P., A.I.C.P.
Lower Township
2600 Bayshore Road
Villas, N.J. 08251

Re: Lower Township Housing Plan Element
Filing of Plan for Substantive Certification and Approval of Fee Ordinance

Dear Mr. Galestock:

In accordance with the Township's request to proceed with Substantive Certification of the Housing Plan Element enclosed are the following documents for your review:

1. Township Council Resolution to petition COAH for substantive certification of the Township's Housing Plan. The Resolution is based upon the COAH model.

2. Township Council Resolution requesting COAH to review and approve the Township Draft Development Fee Ordinance. The Resolution is based upon the COAH model.

3. Draft Development Fee Ordinance based upon latest COAH model.

If you have any comments or corrections to the documents please let me know. The final Resolutions and Draft Development Fee Ordinance should be forwarded to the Township Council to be placed on their next available agenda for adoption. Once the Resolutions are adopted I will forward to COAH along with a revised petition for their review and approval.

If you have any questions or I can be of further assistance please do not hesitate to contact me.

Very truly yours,

THOMAS PLANNING ASSOCIATES

T. Andrew Thomas

T. ANDREW THOMAS, P.P., A.I.C.P.

cc: Kathleen McPherson, Township Manager
Anthony Monzo, Esq., Township Solicitor

-DRAFT-

AMENDMENTS
To
CODE OF THE TOWNSHIP OF LOWER

ARTICLE XII AFFORDABLE HOUSING REGULATIONS
§ 400-91 DEVELOPMENT FEES

TOWNSHIP OF LOWER, CAPE MAY COUNTY

October 15, 2009

PREPARED BY:

T. ANDREW THOMAS, P.P., A.I.C.P.
THOMAS PLANNING ASSOCIATES, L.L.C.

P.O. Box 363
Brielle, New Jersey 08730-0363
Telephone: 732-556-6711
E-Mail: andyplan@aol.com

TOWNSHIP OF LOWER
COUNTY OF CAPE MAY

ORDINANCE 2009 - __

AN ORDINANCE AMENDING ARTICLE XII, AFFORDABLE HOUSING REGULATIONS OF THE CODE OF THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY

BE IT ORDAINED by the Township Council of the Township of Lower, County of Cape May, and State of New Jersey as follows:

I.

PURPOSES: The purposes of this Ordinance are to amend Article XII, Affordable Housing Regulations as follows:

1. To amend § 400-91 Development Fees in accordance with COAH regulations

Deletions are shown with ~~strikethroughs~~ and additions are <u>underlined</u>.

II.

Article XII, Affordable Housing Regulations, §400-91 Development Fees, is hereby amended as follows:

ARTICLE XII AFFORDABLE HOUSING REGULATIONS

§ 400-91 Development Fees

<u>A. Purpose.</u>

<u>(1) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.</u>

<u>(2) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction</u>

and have a COAH-approved spending plan may retain fees collected from non-residential development.

(3) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

~~A.~~ B. Basic requirements.

(1) The Township of Lower shall not impose development fees on any applicant pursuant to this article until COAH or a court has approved the Development Fee Ordinance pursuant to N.J.A.C. 5:96-5.1, except that residential fees may be collected pursuant to the previously approved fee ordinance until such time as this article takes effect, and nonresidential fees shall be collected in accordance with the Statewide Nonresidential Development Fee Act, N.J.S.A. 40:55D-8.1 et seq.

(2) The Township of Lower shall not spend development fees until COAH or a court has approved a plan for spending such fees in conformance with N.J.A.C. 5:97-8.10 and N.J.A.C. 5:96-5.3.

~~B.~~ C. Residential development fees.

(1) Imposed fees.

(a) Within the Township of Lower zoning districts, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted.

(b) When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 6% of the equalized assessed value (EAV) for each additional unit above that permitted by right that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

(c) Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and the specified higher percentage up to 6% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

(2) Eligible exactions, ineligible exactions, and exemptions for residential development.

(a) Affordable housing developments where the developer is providing for the construction of affordable developments elsewhere in the Township, and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.

(b) Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

(c) Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

(d) Nonprofit organizations which have received tax-exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code, providing current evidence of that status is submitted to the Township Clerk, together with a certification that services of the organization are provided at reduced rates to those who establish an inability to pay existing charges, shall be exempted from paying a development fee.

(e) Federal, state, county and local governments shall be exempted from paying a development fee.

(f) The owner of a residential unit who rebuilds when the owner's existing dwelling unit was destroyed due to fire, flood or other natural disaster shall be exempt from paying a development fee.

(g) A residential construction permit which involves construction costs of fifty thousand ($50,000.00) dollars or less shall be exempt from paying a development fee.

~~C.~~ D. Nonresidential development fees.

(1) Imposed fees.

(a) Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new nonresidential construction on an unimproved lot or lots.

(b) Nonresidential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.

(c) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly-improved structure, i.e., land and improvement, at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the nonresidential development fee shall be zero.

(2) Eligible exactions, ineligible exactions and exemptions for nonresidential development.

(a) The nonresidential portion of a mixed-use inclusionary or market-rate development shall be subject to the 2.5% development fee, unless otherwise exempted below.

(b) The fee of 2.5% shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

(c) Nonresidential developments shall be exempt from payment of nonresidential development fees in accordance with the exemptions required pursuant to N.J.S.A. 40:55D-8.4b, as specified in Form N-RDF State of New Jersey Nonresidential Development Certification/Exemption Form. Any exemption claimed by a developer shall be substantiated by that developer.

(d) A developer of a nonresidential development exempted from the nonresidential development fee pursuant to N.J.S.A. 40:55D-8.4b shall be subject to it at such time as the basis for the exemption no longer applies, and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the nonresidential development, whichever is later.

(e) If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Township of Lower as a lien against the real property of the owner.

~~D.~~ E. Collection procedure.

(1) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the Lower Township Construction Official responsible for the issuance of a building permit.

(2) For nonresidential developments only, the developer shall also be provided with a copy of Form N-RDF, State of New Jersey Nonresidential Development Certification/Exemption, to be completed as per the instructions provided. The developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the nonresidential developer as per the instructions provided in Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

(3) The Construction Official responsible for the issuance of a building permit shall notify the Tax Assessor of the issuance of the first building permit for a development which is subject to a development fee.

(4) Within 90 days of receipt of that notice, the Tax Assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.

(5) The Construction Official responsible for the issuance of a final certificate of occupancy notifies the Tax Assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

(6) Within 10 business days of a request for the scheduling of a final inspection, the Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

(7) Should the Township of Lower fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in N.J.S.A. 40:55D-8.6b.

(8) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of the certificate of occupancy.

(9) Appeal of development fees.

(a) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by the Township of Lower. Appeals

from a determination of the Board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

(b) A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Township of Lower. Appeals from a determination of the Director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

~~E.~~ F. Affordable Housing Trust Fund.

(1) There is hereby created a separate, interest-bearing Affordable Housing Trust Fund to be maintained by the Lower Township Chief Financial Officer for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls.

(2) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

(a) Payments in lieu of on-site construction of affordable units;

(b) Developer-contributed funds to make ten percent (10%) of the affordable entrances in a townhouse or other multistory attached development accessible;

(c) Rental income from municipally operated units;

(d) Repayments from affordable housing program loans;

(e) Recapture funds;

(f) Proceeds from the sale of affordable units; and

(g) Any other funds collected in connection with the Township of Lower's affordable housing program.

(3) Within seven days from the opening of the Affordable Housing Trust Fund account, the Township of Lower shall provide COAH with written authorization, in the form of a three-party escrow agreement between the Township of Lower, the Township's banking institution, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).

(4) All interest accrued in the Affordable Housing Trust Fund shall only be used on eligible affordable housing activities approved by COAH or the court.

~~F.~~ G. Use of funds.

(1) The expenditure of all funds shall conform to a spending plan approved by COAH or the Court. Funds deposited in the housing trust fund may be used for any activity approved by COAH or the court to address the Township of Lower's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to, preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing nonresidential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

(2) Funds shall not be expended to reimburse the Township of Lower for past housing activities.

(3) At least 30% of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the Township Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of median income by region.

(a) Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners' association or condominium fees and special assessments, and assistance with emergency repairs.

(b) Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the Township Fair Share Plan to make them affordable to households earning 30% or less of median income.

(c) Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

(4) The Township of Lower may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.

(5) No more than 20% of all revenues collected from development fees may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20% of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the Affordable Housing Trust Fund.

~~G.~~ H. Monitoring. The Township of Lower shall complete and return to COAH all monitoring forms included in the annual monitoring report related to the collection of development fees from residential and nonresidential developers, payments in lieu of constructing affordable units on site, and funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Township of Lower's housing program, as well as to the expenditure of revenues and implementation of the plan approved by COAH or the court. All monitoring reports shall be completed on forms designed by COAH.

~~H.~~ I. Ongoing collection of fees. The ability of the Township of Lower to impose, collect and expend development fees shall expire with its substantive certification or judgment of compliance unless the Township of Lower has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned COAH for substantive certification, or brought a declaratory relief action in court pursuant to N.J.S.A. 52:27D-313 and has received approval of its development fee ordinance by COAH or the court. If the Township of Lower fails to renew its ability to impose and collect development fees prior to the expiration of its substantive certification or judgment of compliance, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to N.J.S.A. 52:27D-320. The Township of Lower shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the Township of Lower retroactively impose a development fee on such a development. The Township of Lower shall not expend development fees after the expiration of its substantive certification or its judgment of compliance from a court.

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

RESOLUTION #2009-278

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 $130,000.00 for an item of revenue in the budget of the year 2009 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - NJDOT Municipal Aid
Total with increase to be $130,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of $130,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - NJDOT Municipal Aid

State/Federal Share	$	130,000.00
Non State Share	$	
Total with increase to be	$	130,000.00

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 October 19, 2009

_____
Claudia R. Kammer, Township Clerk

State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

JON S. CORZINE
Governor

STEPHEN DILTS
Commissioner

October 14, 2009

The Honorable Michael E. Beck
Mayor, Lower Township
2600 Bay Shore Road
Villas, NJ 08251

Dear Mayor Beck:

On behalf of Governor Jon S. Corzine, I am pleased to inform you that your community has been selected to receive funding from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2010 Municipal Aid Program for the Reconstruction of Station Road/Bayshore Road to States Avenue in the amount of $130,000.00.

As you know, NJDOT's Municipal Aid Program has become more popular and more competitive statewide. Annually, the Department provides $78.75 million in Municipal Aid from the Transportation Trust Fund (TTF). Under Governor Corzine's leadership, this year, an additional $25.0 million from the TTF has been programmed in an effort to further assist municipalities statewide address their transportation needs.

NJDOT is committed to providing statewide assistance for local governments for improvements to and preservation of the local transportation network. The completion of your project will help achieve this goal and pursue a transportation strategy that provides mobility through managing the local roadway system.

Should you have any questions regarding your grant, please contact the NJDOT Local Aid District Office in your area.

Mt. Arlington - 973-770-5070
Newark - 973-877-1500
Freehold - 732-625-4291
Cherry Hill - 856-486-6618

Again, thank you for your support of this program and good luck with your project.

Sincerely,

Steven Dilts
Commissioner

c Municipal Clerk
Municipal Engineer

ANIMAL CONTROL REPORT

MONTH OF Sep 1, 2009

ACO Donald R Montgomery DATE: Sep 31

	DOGS	CATS	OTHER*
TOTAL	29	60	6-Bird
PICKED-UP	15	15	4-Houses
TO SHELTER	4	15	1-Cow
RETURNED	10	45	6 Chickens
TO VET	2	3	8 Roosters
DOA	4	30	10 Found dog
WARNINGS	25	5	5 Found Cat
TICKETS	5	0	4 Dead
BITES	1	0	3 Sea Gull
QUARANTINES	1	0	22 Barking dog
	72	173	19

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

W 19

Additional Comments

Remove 3 dog from a house

3 Bat's 15-Sent 10-Call about Coyotes

44-Call about Raccoons 11-Call about Rabb

3-Call about missing dog + 2 Cat's 5-opossum

10-Call about Squirrels 106

ANIMAL CONTROL REPORT

MONTH OF Sept, 2009

ACO Stephen Parker DATE: 9/30/09

	DOGS calls	CATS calls	OTHER*
TOTAL	18	3	1 - puppy call
PICKED-UP	4	2	3 puppys
TO SHELTER	4	2	
RETURNED	2	0	3 puppys
TO VET	0	0	
DOA	0	0	1 - raccoon
WARNINGS	6 verbals	0	
TICKETS	0	0	
BITES	0	0	
QUARANTINES	0	0	

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

Additional Comments

opossum calls - 5 Squirrel calls - 3

raccoon calls - 4+1 (5) chicken call - 1 Seagull - 1

Check well being - 1

Total calls - 38

Monthly Report for Animal Control.wpd

respectfully submitted -

S. Parker - LTACO

Township of Lower

2600 Bayshore Road

Villas NJ,08251

609-886-1455

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 09/01/2009 **To** 09/30/2009

October 02 , 2009 2:07:52PM

SUMMARY

CONSTRUCTION COSTS				COUNT	
Cost Of Construction:	$1,178,885.00	Cubic Footage:	138826 Cu.ft	Permit Issued:	127
Cost Of Alteration:	$465,218.00	Square Footage:	20938 Sq.ft	Updates Issued:	3
Cost Of Demolition:	$0.00			All Fees Waived:	3
Total Cost:	$1,644,103.00			Municipal Fees Waived:	0

PERMIT FEES		ADMIN FEES		WAIVED FEES		TOTAL FEES	
Building:	$9,110.00	Building:	$0.00	Building:	$2,010.00	Building Fees:	$7,100.00
Electrical:	$3,496.00	Electrical:	$0.00	Electrical:	$126.00	Electrical Fees:	$3,370.00
Fire :	$2,320.00	Fire :	$0.00	Fire :	$0.00	Fire Fees:	$2,320.00
Plumbing:	$2,947.00	Plumbing:	$0.00	Plumbing:	$0.00	Plumbing Fees:	$2,947.00
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:	*$2,136.00*	Technical Fees:	*$15,737.00*

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	$464.00	$0.00	$464.00
Alteration TrainingFee:	$791.00	$136.00	$655.00
DCA Minimum Fee:	$13.00	$1.00	$12.00
Sub total Training Fee:	$1,268.00	$137.00	*$1,131.00*

Certificate of Occupancy Fee:	$724.00
Waived Certificate Fees:	$0.00
Sub Total Certificate Fees:	*$724.00*

TECHNICAL ISSUES

Building Technical:	74
Electrical Technical:	41
Fire Protection Technical:	29
Plumbing Technical:	57
Elevator Technical:	
Mechanical Technical:	

CERTIFICATE ISSUES

Certificate of Occupancy:	6
Certificate of Approval:	9
Certificate of Continued Occupancy:	1

PERMIT FEES:	$15,737.00
DCA FEES:	$1,131.00
CERTIFICATE FEES:	$724.00
MIN FEES:	$0.00
NET TOTAL FEES:	*$17,592.00*
PENALTIES COLLECTED:	$0.00
CCO FEES:	$120.00
OTHER FEES:	$50.00
GRAND TOTAL FEES:	*$17,762.00*

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 09/01/2009 To 09/30/2009 October 2, 2009 2:11:32PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	$940.00	$16,702.00	$0.00	$17,642.00
LICENSE FEES	Sub Totals:	$300.00	$1,250.00	$0.00	$1,550.00
Copies	Sub Totals:	$5.30	$0.00	$0.00	$5.30
CCO FEES	Sub Totals:	$0.00	$120.00	$0.00	$120.00
	GRAND TOTALS:	$1,245.30	$18,072.00	$0.00	$19,317.30

DOG REGISTER SEPTEMBER 2009

Date	#'s	Void/Dup	4.2	7.2	1.2	4.2	$5.00	Prior Y4r.	Total D	Total E	Total F	Total G	
			# S/N	Non S/N	FW S/N	FW Non S/N	Late Fee	Prior Year					Deposit
9/1/2009	1810-1814		4	1			$25.00	$5.00	$16.80	$7.20	$0.00	$0.00	$54.00
9/2/2009	1815-1819		4		1		$20.00	$10.00	$16.80	$0.00	$1.20	$0.00	$48.00
9/4/2009	1820-1824	1820 - Dup.	3	1			$10.00	$5.00	$12.60	$7.20	$0.00	$0.00	$34.80
9/8/2009	1825-1830		3	3			$30.00	$5.00	$12.60	$21.60	$0.00	$0.00	$69.20
9/9/2009	1831-1833		3				$10.00		$12.60	$0.00	$0.00	$0.00	$22.60
9/10/2009	1834-1835		2				$10.00		$8.40	$0.00	$0.00	$0.00	$18.40
9/11/2009	1836-1841	1840 - Void	3	2			$15.00		$12.60	$14.40	$0.00	$0.00	$42.00
9/14/2009	1842-1843		1	1			$5.00		$4.20	$7.20	$0.00	$0.00	$16.40
9/15/2009	1844		1				$5.00		$4.20	$0.00	$0.00	$0.00	$9.20
9/16/2009	1845	1845 - Dup.							$0.00	$0.00	$0.00	$0.00	$0.00
9/17/2009	1846		1						$4.20	$0.00	$0.00	$0.00	$4.20
9/18/2009	1847		1						$4.20	$0.00	$0.00	$0.00	$4.20
9/22/2009	1848 -1851		3	1			$10.00		$12.60	$7.20	$0.00	$0.00	$29.80
9/28/2009	1852 -1853		1	1					$4.20	$7.20	$0.00	$0.00	$11.40
9/29/2009	1854 -1856		2	1			$5.00		$8.40	$7.20	$0.00	$0.00	$20.60
9/30/2009	1857-1860		1	2	1		$15.00	$15.00	$4.20	$14.40	$1.20	$0.00	$49.80
									$0.00	$0.00	$0.00	$0.00	$0.00
									$0.00	$0.00	$0.00	$0.00	$0.00
									$0.00	$0.00	$0.00	$0.00	$0.00
									$0.00	$0.00	$0.00	$0.00	$0.00
									$0.00	$0.00	$0.00	$0.00	$0.00
			33	13	2	0	$160.00	$40.00	$138.60	$93.60	$2.40	$0.00	$434.60
		Total Licenses Collected w/Fee	**48**										
	Twp. Fee	**$138.00**		**Paid to State**	**$96.60**								
	State Reg.	$48.00											
	Pilot Clinic	$9.60		**Twp. Fee**	**$298.00**								
	Anim. Pop.	$39.00											
	Late Fee	$160.00		**S/N Fund**	$40.00								
	Prior Year	$40.00											
	Total Collected	**$394.60**											

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

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

Monthly Dog License Report

A: IDENTIFICATION

Municipality : TOWNSHIP OF LOWER County: CAPE MAY Date: 10/ 1/2009

B: LICENSE DATA

1. Period Covered From: 09/01/2009 To: 09/30/2009
2. First License # of this report 1810
3. Last License # of this report 1860
4. Last License # of last report 1809
5. Total Licenses issued this report 51

C: LICENSES ISSUED FOR WHICH NO MONEY IS SUBMITTED

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

Replace License # 175 [1820]; VOID License # 1840 [1840]; Replace License # 1058 [1845]

D: PILOT CLINIC FUND

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

Numbers: 48 Amount : $9.60

E: ANIMAL POPULATION CONTROL FUND

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

Number: 13 Amount: $39.00

F: FEE DATA

1. Total licenses reported with registration fee : $48.00
2. Total Amount due for pilot clinic fund (sec. D) : $9.60
3. Total Amount due for Animal population control fund (sec. E) : $39.00
4. Total Amount due for this report : $96.60

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:** 10/01/09 **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 <u>SEPTEMBER 2009</u>, the Lower Township Bureau of Fire Safety made deposits of <u>$14,645.30</u> in the Lower Township Tax office.

Sincerely,

David P. Perry
Fire Official

cc: file
Board Members
Lauren Read
Township Manager

MUNICIPAL CLERK'S OFFICE

Register Report

9/1/2009 Through 9/30/2009

Date	Account	Description	Memo	Category	Amount
INCOME					
TOTAL Business Mercantile					**2,259.00**
TOTAL Campgrounds & Trailers					**174.00**
TOTAL Copies & Postage					**20.00**
TOTAL Rental Mercantile					**1,175.00**
TOTAL Street Openings					**530.00**
TOTAL Taxi & Limo					**25.00**
TOTAL Yard Sales					**400.00**
TOTAL INCOME					**4,583.00**
TRANSFERS					
TOTAL Council Checking					**-4,583.00**
TOTAL TRANSFERS					**-4,583.00**
				OVERALL TOTAL	**0.00**

LOWER TOWNSHIP MUNICIPAL COURT

MONTHLY DISBURSEMENTS

TRAFFIC (All fines split w/ County)	$11,922.31
TRAFFIC COSTS (We receive all costs)	$11,961.00
CRIMINAL FINES (We receive both Criminal & Local Ordinance fines)	$11,202.00
CRIMINAL COSTS	$977.50
REINSTATED BAILS	$ -
LOCAL PARKING	$225.00
CONTEMPT CHARGES	$414.00
PUBLIC DEFENDER FEES	$70.00
MISCELLANEOUS FEES (Spinal & Overpayments)	$ 6.18
DWI SURCHARGE	$ 250.97

SEPTEMBER 2009 DISBURSEMENTS

SEPTEMBER 2009 COMPLAINTS ISSUED	CRIMINAL IND.	CRIMINAL DP	TRAFFIC	DUI	TOTAL
	19	37	121	10	187

TOTAL RECEIPTS	TOWNSHIP SHARE
$31,515.00	$13,028.96

COMPLAINTS IN WARRANT STATUS	CRIMINAL	TRAFFIC	TOTAL
	177	145	322

2900 Bayshore Road
Villas, NJ 08251
Phone: (609) 886-7146 ext.12
Fax: (609) 886-1183
Email: EMLTMUA@comcast.net

Lower Twp. M.U.A.

10-13-09

Memo

To: Mike DeMarcantonio
From: Matthew V. Ecker, PE
Date: 8-25-09
Re: August Report

The following tasks were completed in August:

1. Continued review of Lunds NJDEP SIU permit.
2. Continued south basin sludge digestion modifications.
3. Continued generator service work at Airport PS.
4. Submitted insurance claim to JIF for 8-2-09 lightning strike damage to blower switchgear.
5. Continued with well control repairs and reprogramming.
6. Summer employees completed hydrant painting and lawn work on 8/24/09.
7. Completed water service repairs on Misty, Portsmouth, Atlantic, Beachhurst and Schellinger streets.
8. Installed sewer and water services at Miami Ave.
9. Assisted successful bidders with removal of all MRP related equipment.
10. Continued JIF safety training of new employees.
11. Continued mark outs for gas main installation.
12. AC Schultes repaired motor at well 2. Motor to be reset when electrical service is upgraded by ACE.
13. ACE agreed to upgrade three phase electrical service at well 2.
14. Completed power washing lower stained section of Shunpike standpipe.
15. KMR started new overlay metal roof on dewatering bldg.
16. Began electrical installation for new sludge pump at aeration basin.
17. Continued minor electrical repairs and maintenance of pump stations.
18. Completed sewer fixture inspection at Utsch's Marina, Grand and Route 9 Enterprises.
19. Cleaned and video inspected parallel sewer main on Rochester. Identified main damage at water and gas service installations. Notified SJGC and Wildwood Water Utility regarding damage and requested that they investigate/ repair.

20. Completed blower contract award and shop drawing review.
21. Modified air permits for generators at the plant, well 6 and Rt 9 pumping station.
22. Assisted Water's Edge Environmental with wetlands permitting renewal for plant site.
23. Completed NJDEP air quality inspection of generators at Rt 9 and Diamond Beach pumping station.
24. Placed well 9 into service.
25. Completed lead and copper sampling.
26. Began removing existing 250 hp blower to prepare for replacement.
27. Conducted polymer jar testing for sludge dewatering.
28. Met with solar vendors to review site conditions for solar bid.
29. Completed lab certification testing.
30. Replaced #4 bleach pump at plant.
31. Overhead Door installed new doors on admin. Bldg garage.
32. Two new employees began work.
33. Began replacement of 79 problem Trace type radio read transponders with new Orion units. Working with Badger Meter on warranty claim.

Pending Items:

1. Continue clean up of plant yard areas 9-1.
2. Complete primary tank sprocket replacements 10-14.
3. Complete all pending water service installations 9-20.
4. Complete pump seal reconstructions at PS 1 and Diamond Beach PS, 9-25.
5. Inspect North Pumping stations 9-30.
6. Inspect Manholes receiving force main discharge 9-30.
7. Test portable and permanent generators 10-5.
8. Complete well abandonment report for Villas NJDEP water main project 9-20 pending receipt of well records from NJDEP.
9. Complete technical sewer review of Lake Laurie Campground project 9-30.
10. Continue work on NJDEP Water Allocation restriction modification.
11. Complete fire hydrant replacement at Bayshore and Alabama, 9-7.
12. Complete NJDEP Air Quality inspections on 9-17.

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: September 2, 2009
Re: Monthly Report

Tasks Completed

- Received a letter from Kiley Company performing work for South Jersey Gas Company on damage claims related to new gas mains being installed in the Township. They are refusing to pay our claim. I will address this issue and then possible legal action.
- Received bids for the 50 kW Solar project under a PPA agreement.
- Working on plans for new dewatering equipment
- GPS location of fire hydrants in District 2 & 3. Will complete District 1 in September.
- Send letters to all three firs districts on the number of fire hydrants in their districts and the cost for 2010 so they may budget the proper amount.
- Telephone conference call with Senator Jeff Van Drew, Mayor Mike Beck, Steve O'Conner of Cape May County and Frank Minor Executive Director of the DRBA on water allocation issue. No progress to report.
- Working on 2009/2010 budgets
- New metal roof installed on dewatering building at a cost of $17,500.
- Power washed the mold off the Shun Pike water tower.
- Applied for wetlands five year permit renewal and to fill in old treatment lagoons at WWTP.
- Traded into Badger Meter Company 154 water meter trace units. Received credit for 135 units as the remainders were held too long and the warranty expired.
- Personnel issues; William Hammerstein waiting for Civil Service to schedule a hearing. Frank Clark an agreement for a Disability pension is very close.

Submitted by: C. Mike DeMarcantonio, Executive Director

Monthly Report

Township of Lower
Office of the Tax Collector

Revenues Collected for September 2009

Receipts	**Month-to-date**	**Year-to-date**
Preliminary taxes (2010)	49,394.46	476,767.94
Current year taxes (2009)	674,574.49	38,391,914.29
Prior year taxes (2008)	170,301.22	925,113.78
6% Penalty		2,433.78
Senior Deduction (2007)		250.00
Bankruptcy (2007)	3,156.20	6,484.30
Bankruptcy (2006)	57.15	2,547.40
Bankruptcy (2005)		1,658.66
Tax Search Fees		190.00
Interest	39,106.61	141,509.41
Lot clearing	745.00	5,580.00
Municipal Service Fees	7,170.00	49,950.00
Returned Check Fees		460.00
Duplicate Bills	35.00	465.00
MUA	26,621.39	28,882.79
Tax Sale Fees	4,322.60	4,482.78
Municipal Lien		1,640.23
Total to Council Checking	975,484.12	40,040,330.36
Premium	39,600.00	39,600.00
TOTALS	1,015,084.12	40,079,930.36

Prepared by: Susan Jackson, Tax Collector
Date October 5, 2009

COPY

VITAL STATISTICS
SEPTEMBER DEPOSIT
2009

Marriage License Total		19
C.U. Lic. Total		0
D.P. Lic. Total		0
Total Burial Permits		0
Total Due State Marriage	$	475.00
Twp. Marriage Fee	$	57.00
Total Due State C.U.	$	-
Twp. Fee C.U.	$	-
Total State D.P.	$	-
Twp. Fee D.P.	$	-
Twp. Fee Cert. Copies	$	1,610.00
Twp. Burial Permits @ $15.00	$	-
TOTAL	$	2,142.00