

**WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL**

**NOVEMBER 1, 2010 - 7:00 P.M.**

**Meeting called to order.**

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

**Work Session**

Review of Consent & Regular Agenda Items

**Consent Agenda**

Approval of Minutes      October 18, 2010  
Res. #2010-276,      Payment of Vouchers, \$3,996,889.81  
Res. #2010-277,      Authorization for Refund of Taxes (State DEP property purchased 8/3/09 12 1/2 acre tract on Seagrove Ave. Refund Amt \$72.83)  
Res. #2010-278,      Authorization Determination for Municipal Service Fees for 2011(Trailer Park pad fee - annual resolution required by law each year)  
Res. #2010-279,      A Resolution of the Township Council of the Township of Lower Authorizing the Adoption of the Cape May County Multi-Jurisdictional All Hazards Mitigation Plan (County Emergency Management request)  
Res. #2010-280,      Certification of Lot Clearing (1 property)

**Regular Agenda**

Res. #2010-281,      Payment of Voucher, \$35,000 (LT Rescue Final Audit rec'd for payment)

**Administrative Reports**

Personnel Action Report  
Reports      Sept. Fire Bureau & Safety Committee Report

**Council Comments**

**Call to the Public**

**Adjournment**

**PUBLIC INFORMATION**

**TUESDAY, NOVEMBER 2, 2010 - ELECTION DAY - ALL MUNICIPAL OFFICES CLOSED EXCEPT THE CLERK'S OFFICE - CHECK YOUR SAMPLE BALLOT FOR POLLING TIMES & LOCATION**

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

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

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

## Regular & Work Session Meeting Minutes - October 18, 2010

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on October 18, 2010 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, Kathleen McPherson, Manager and Asst. Clerk Horwath

### WORK SESSION

#### Nature Conservancy Letter - Request to Donate Parce 0.3085 Acres to Township on Beach Drive

Mayor Beck said they received a letter from the Nature Conservancy and wanted to donate .0385 of an acre to the Township on Beach Drive.

Manager McPherson said the lot were sandwiched in between property owned by the Township. She said they had beach access across from Roslyn Avenue and the Nature Conservancy wrote and asked the Township if they were interested in them donating the property. She said they were already maintaining the property since it was in their beach maintenance permit.

Councilmember Mazurek said it was a good idea, but said there was a pipe sticking up out of the ground and may want to look into it.

Deputy Mayor Lare supported what Councilmember Mazurek said and make sure the obstruction was removed before they took ownership.

#### Review of Consent and Regular Agenda Items

Deputy Mayor Lare said he would like Council to consider Mike Laing for the Recreation Advisory Board. Council agreed to the recommendation.

#### Public Questions on Consent Agenda and/or Regular Agenda Items

Brian McEwing of Townbank Road asked if the resolutions could be on the website for the public.

Manager McPherson said the whole agenda packet was on the website.

Joe Winters of Florida Ave. asked about Resolution #2010-273.

Manager McPherson said it was through the Office of Emergency Management.

Mr. Winters asked what it cost the Township.

## Regular & Work Session Meeting Minutes - October 18, 2010

Manager McPherson said it was no cost to the Township it was a matching grant for salaries.

### Consent Agenda

- Approval of Minutes      October 4, 2010
- Res. #2010-261,      Small Cities Housing Rehabilitation Program Policy and Procedural Manual -  
**Removed Oct. 4** (required by grant)
- Res. #2010-263,      Awarding Bid #2010-10, Miscellaneous Material/ Supplies for Outfall Drainage  
Project -**Removed Oct. 4**
- Res. #2010-264,      Awarding Bid #2010-11, Tideflex Check Valves or Equal for Outfall Project -  
**Removed Oct. 4**
- Res. #2010-267,      Payment of Vouchers, \$1,796,266.37
- Res. #2010-268,      Certification of Lot Clearing Charges to the Tax Collector (3 properties)
- Res. #2010-269,      A Resolution Requesting Release of Demolition Bond for Block 542, Lot 16, 212  
Iselin Road, North Cape May
- Res. #2010-270,      Renewal of Liquor License for DSSK Inc. License #0505-33-007-003 (Special  
ruling rec'd. From ABC permitting Council to renew the inactive license)
- Res. #2010-271,      Approving Application to Conduct A Flea Market for November 6, 2010 for Greater  
Cape May Elk's #2839 (Nov. 6)
- Res. #2010-272,      Over the Limit under Arrest 2010 Year End Statewide Crackdown Grant
- Res. #2010-273,      Authorization for the Township of Lower to Accept a Subgrant Award of the Federal Fiscal  
Year 2010 of Department of Homeland Security Emergency Management Performance  
Grant Program Funding and for the Township Chief Financial Officer to Amend the  
Budget and Certify the Availability of Funds
- Res. #2010-274,      Appointment to Recreation Advisory Board (filling vacancy of R. Osborne)

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

September Reports - Animal Control, Construction Official, Dog Licensing, Engineer, Municipal Clerk, Municipal Court, Tax Collector and Vital Statistics

### Council Comments

Councilmember Conrad said there was a talent show at the High School on the 21<sup>st</sup> and everyone was invited to attend.

Mayor Beck said October 31<sup>st</sup> from 6-8 pm was trick or treat, Saturday October 23<sup>rd</sup> was the Haunted Trails at the airport formerly the Haunted Hay Ride.

Mayor Beck said his last comment had to do with Bob Imler, he said Lower Township lost a favorite son and he was a great man. He said Mr. Imler sat on the boards for more than 40 years and deepest sympathy to the family it was a great loss. He said they would honor Mr. Imler at a future meeting.

Regular & Work Session Meeting Minutes - October 18, 2010

Public Comment

Nature Conservancy

Bill Greenfield of the Villas asked if the Nature Conservancy owned more property than that and why were they only donating one parcel?

Manager McPherson said they didn't have any need for it.

Mr. Greenfield said it didn't make sense that they weren't donating all their parcels.

Councilmember Mazurek said they didn't have any other parcels on the bayfront only that one. He said the Township owned from the Ferry down to Emerson Ave. and their parcel sat in the middle of what the Township owned.

Ponder Lodge

Wayne Weissman of Beechwood Avenue asked if Stockton was still going forward with Ponder Lodge?

Mayor Beck said they were still trying to get an answer. He said Fish and Wildlife still had a certain hold on until the proposal from DEP with Stockton was acceptable. He said it should be at any time and would do what needed to be done to protect the Township. He said he called to have it cleaned up.

Hiring Freeze

Brian McEwing of North Cape May asked if the Township had a hiring freeze. He said all he had heard was there was a budget deficit so why were they hiring a Recreation Aid?

Manager McPherson said it was a replacement for the one who had left.

Mr. McEwing said did they need to be replaced until they resolved the budget issues.

Manager McPherson said that wouldn't have an impact on the budget. She said the building had to be staffed.

Mr. McEwing said he asked 6 months ago if the Township had a staffing plan to base decisions on.

Manager McPherson said they had a staffing plan.

A discussion back and forth on the staffing plan issue.

Mayor Beck said it would have very little impact. He said they had a CAP and until they had all the information then they would determine which direction to go.

Res. #2010-275, 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 (Labor Relations & Acquisition of Property)

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

Council returned to open session and there being no further comment, Councilmember Mazurek motioned to adjourn the meeting, seconded by Councilmember Douglass the meeting unanimously adjourned by verbal "ayes" at 8:55 p.m.

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Mayor

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Township Clerk

Approved:



10/28/10  
14:41:09

Lower Township  
Bill List By Vendor Id

Page No: 2

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00455	DALLAS BOHN							
	09-01325	05/20/09	2009 EQUIP ALLOW	Open	43.68	0.00		
	10-01745	07/06/10	2010 EQUIP ALLOW	Open	135.06	0.00		
					-----			
					178.74			
00499	BUILD.INSPECT.UNDERWRITERSINC							
	10-02365	09/22/10	ELEVATOR INSPECTION	Open	214.00	0.00		
00616	ANIMAL ALLIANCE OF CAPE							
	10-02647	10/19/10	TNR AND SPAY/NEUTER PROGRAM	Open	255.00	0.00		
	10-02648	10/19/10	2010 PETSMA RT GRANT	Open	473.00	0.00		
	10-02701	10/26/10	TNR & SPAY/NEUTER PROGRAM	Open	205.00	0.00		
	10-02702	10/26/10	2010 PETSMA RT GRANT	Open	43.00	0.00		
					-----			
					976.00			
00739	CAPE MAY VETERINARY HOSPITAL							
	10-02646	10/19/10	TNR PROGRAM	Open	125.00	0.00		
00784	CAPE MAY STAR & WAVE							
	10-02644	10/19/10	LEGALS	Open	11.78	0.00		
	10-02688	10/22/10	LEGALS	Open	64.48	0.00		
					-----			
					76.26			
00807	CDW-GOVERNMENT INC*							
	10-02497	10/04/10	COMPUTER CABLES	Open	32.00	0.00		
00825	COMCAST*							
	10-02700	10/26/10	INTERNET ACCESS - FIRE SAFETY	Open	100.10	0.00		
00891	CITY SUPPLY CO, INC.*							
	10-02001	08/02/10	CLEANING SUPPLIES	Open	1,480.20	0.00		
00940	COASTAL BROADCASTING*							
	10-02622	10/14/10	LIVE REMOTE 6PM-9PM OCT. 23	Open	400.00	0.00		
00991	COLONIAL ELECTRIC SUPPLY*							
	10-02461	09/29/10	SYLLU150/55ECO 150W 55V CLR H\$	Open	19.53	0.00		
01200	DELTA DENTAL PLAN OF NJ							
	10-02686	10/21/10	NOVEMBER, 2010 DENTAL	Open	15,047.75	0.00		
01201	DELL CORPORATION*							
	10-02232	09/02/10	EM LAPTOP #1004361305445	Open	1,823.90	0.00		
	10-02564	10/12/10	COMPUTERS	Open	4,879.95	0.00		
					-----			
					6,703.85			
01251	BRIAN DICKINSON							
	10-02721	10/27/10	CONTRACTUAL REIMBURSEMENTS	Open	2,594.58	0.00		



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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	10-02616	10/14/10	CONTRACTUAL REIMBURSEMENT	Open	302.15	0.00		
01834 RICHARD HOOYMAN	10-02645	10/19/10	CONTRACTUAL REIMBURSEMENT	Open	26.00	0.00		
01859 HESS CORPORATION	10-02705	10/26/10	ELECTRIC - 9/20/10-10/20/10	Open	7,999.50	0.00		
02013 NICKOLAUS CONSTRUCTION CO*	10-02328	09/15/10	REPAIR AND COAT OF BASKETBALL	Open	7,500.00	0.00		
02016 JERSEY ARCH DOOR & SUPPLY INC*	10-02261	09/08/10	LCN CLOSERS 4041 RW PA	Open	660.00	0.00		
02351 LOWER CAPE MAY REGIONAL	10-01122	05/05/10	SCHOOL TAX DUE 15TH OF MONTH	Open	1,166,160.70	0.00		
02541 ROBERT D. MARTIN, JR	10-02624	10/15/10	CONTRACTUAL REIMBURSEMENT	Open	47.49	0.00		
02635 ARTHUR MCCLOSKEY	10-02692	10/22/10	SHOE ALLOWANCE FOR 2010-DPW	Open	275.00	0.00		
	10-02696	10/22/10	CONTRACTUAL REIMBURSEMENT - V	Open	276.00	0.00		
					551.00			
02655 WILLIAM MCPHERSON	09-01350	05/20/09	2009 EQUIP ALLOW	Open	150.00	0.00		
	10-01764	07/06/10	2010 EQUIP ALLOW	Open	62.93	0.00		
	10-02634	10/19/10	MEALS - TRAINING	Open	35.68	0.00		
					248.61			
02656 MICHAEL MCPHERSON*	10-02452	09/29/10	LOT CLEARING 8 ARIZONA	Open	150.00	0.00		
02709 ANTHONY MONZO*	10-02698	10/25/10	LITIGATION EXP SEPTEMBER, 2010	Open	4,871.38	0.00		
02774 ROSE MOORE	10-02615	10/14/10	CONTRACTUAL REIMBURSEMENT- V	Open	297.00	0.00		
02965 KEITH PALEK	10-02712	10/26/10	SHOE ALLOWANCE FOR 2010/DPW	Open	84.80	0.00		
02989 NJA-PHCC	10-02441	09/29/10	BOCA BOOKS	Open	177.00	0.00		
03026 NJ STATE HEALTH BENEFITS	10-02697	10/22/10	NOVEMBER, 2010 HEALTH BENEFITS	Open	209,547.69	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALITI*	10-02674	10/20/10	LEGISLATIVE BULLETIN 2010-2011	Open	28.00	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03104	NORTHEAST IND.&MARINE SUPPLY*							
	10-02309	09/13/10	PARTS FOR RDS/SANT/RECY/DPW	Open	932.02	0.00		
	10-02485	10/01/10	PUMP REPAIR/OHIO AVE PUMP HOUS	Open	2,745.34	0.00		
					-----			
					3,677.36			
03109	TRU GREEN CHEMLAWN							
	10-02300	09/09/10	SPRAY WEEDS IN WARNING TRACK	Open	100.00	0.00		
03158	NYSKA*							
	10-02448	09/29/10	COACHES RECERTIFICATION FOR	Open	100.00	0.00		
03184	OCEAN COUNTY COLLEGE							
	10-02094	08/12/10	REGISTRATION S.FLINTCROFT	Open	634.00	0.00		
	10-02095	08/12/10	BOOK FEE - S. FLINTCROFT	Open	91.60	0.00		
					-----			
					725.60			
03274	P & J GAS SERVICE*							
	10-02405	09/22/10	PROPANE FOR PAVER/DPW	Open	18.00	0.00		
03279	PARDO'S TRUCK PARTS WHSE*							
	10-02028	08/03/10	PARTS FOR SANITAITON TRUCKS	Open	2,405.18	0.00		
03280	PARAMOUNT SANITARY SUPPLY*							
	10-02447	09/29/10	TRASH BAGS	Open	266.00	0.00		
	10-02560	10/08/10	CLEANING SUPPLIES	Open	724.62	0.00		
					-----			
					990.62			
03285	PARA PLUS TRANSLATIONS, INC.*							
	10-02483	10/01/10	INTERPRETER	Open	185.00	0.00		
03305	PEDRONI FUEL*							
	10-02590	10/13/10	NO LEAD GAS-DPW	Open	569.39	0.00		
03347	DAVID PERRY							
	10-02627	10/15/10	REIMB UPS SHIPPING CHARGES	Open	20.79	0.00		
03365	LYNN JEFFERIS							
	10-02695	10/22/10	CONTRACTUAL REIMBURSEMENT	Open	106.00	0.00		
03366	AMERI-GAS*							
	10-02682	10/21/10	PROPANE FOR BENNETT'S	Open	207.90	0.00		
03387	POGUE INC. *							
	10-02514	10/06/10	PRE-EMPLOYMENT TESTING/DPW	Open	133.00	0.00		
03418	PROFESSIONAL PRINTING*							
	10-02561	10/12/10	BOCA SUPPLIES	Open	315.00	0.00		
03449	QC INC*							

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	10-02526	10/06/10	RETENTION POND WATER SAMPLE	Open	35.00	0.00		
03452	THOMAS QUINN							
	10-02720	10/27/10	CONTRACTUAL REIMBURSEMENTS	Open	871.62	0.00		
03466	R & R SPECIALTIES							
	10-02506	10/06/10	MEDALS FOR COSTUME PARADE	Open	105.50	0.00		
03478	RED THE UNIFORM TAILOR, INC.*							
	10-02150	08/23/10	UNIFORMS	Open	776.50	0.00		
03495	ELIZABETH BYRNE							
	10-02586	10/13/10	MILAGE	Open	193.28	0.00		
03518	RIGGINS, INC.*							
	10-02515	10/06/10	OFF-HIGHWAY DIESEL FUEL/DPW	Open	736.26	0.00		
	10-02677	10/20/10	OFF-HIGHWAY DIESEL/DPW	Open	1,058.06	0.00		
					-----			
					1,794.32			
03562	SHAW CRANE COMPANY INC.							
	10-02340	09/15/10	REMOVE PUMP	Open	1,000.00	0.00		
03573	SAFETY-KLEEN CORP*							
	10-02475	09/30/10	EQUIPMENT MAINTENANCE/DPW	Open	261.98	0.00		
03611	SERVICE TIRE TRUCK CENTERS*							
	10-02132	08/19/10	TIRES FOR BACKHOE-DPW	Open	1,184.50	0.00		
	10-02563	10/12/10	TIRES FOR RDS/DPW	Open	11,434.50	0.00		
					-----			
					12,619.00			
03659	SOUTH JERSEY WIPING CLOTH*							
	10-02484	10/01/10	RAGS FOR GARAGE/DPW	Open	360.00	0.00		
03678	SMELTZER & SONS INC.*							
	10-02607	10/13/10	MISC. SUPPLIES FOR HAYRIDE	Open	59.88	0.00		
03688	SOUTHERN NJ CHAPTER NIGP*							
	10-02629	10/19/10	OCTOBER 29 SJNIGP MEETING	Open	80.00	0.00		
03733	JAMES D. STRICKLAND							
	10-02717	10/27/10	CONTRACTUAL REIMBURSEMENTS	Open	92.09	0.00		
03734	STEWART INDUSTRIES, INC.*							
	10-02611	10/14/10	PRINTER MAINT 10/10-12/10	Open	1,113.00	0.00		
03831	TREASURER, COUNTY TAXES							
	10-02719	10/27/10	4TH QTR TAX - DUE 11/15/20	Open	2,437,982.72	0.00		
03889	TUCKAHOE SAND & GRAVEL *							
	10-00909	04/22/10	DRAINAGE MATERIAL FOR BENNETTS	Open	733.68	0.00		

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Lower Township  
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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03932 REEL FIRE PROTECTION*	10-02230	09/02/10	COURT REQUIREMENTS	Open	103.80	0.00		
03935 STAPLES BUSINESS ADVANTAGE*	10-02610	10/13/10	OFFICE SUPPLIES	Open	78.05	0.00		
03963 US LUBES, LLC *	10-02443	09/29/10	SUPPLIES FOR SANT/RECY/DPW	Open	450.62	0.00		
03969 VERIZON	10-02710	10/26/10	PHONE SERVICE	Open	478.62	0.00		
03978 USPS TMS ACCT#48503619	10-02707	10/26/10	POSTAGE FOR METER	Open	5,000.00	0.00		
03992 VAL-U AUTO PARTS LLC*	10-02507	10/06/10	PARTS FOR RDS/SANT/RECY/POLICE	Open	2,059.51	0.00		
04076 ASSOC OF NEW JERSEY RECYCLERS*	10-02532	10/06/10	RECYCLING SYMPOSIUM/DPW	Open	99.00	0.00		
04082 USA MOBILITY WIRELESS INC*	10-02678	10/20/10	PAGER/DPW	Open	6.24	0.00		
04261 STATE OF NEW JERSEY	10-02724	10/28/10	3RD QTR 2010	Open	6,231.84	0.00		
04275 CLARKTON, LLC*	10-01074	04/28/10	2010 FIELD MAINTENANCE	Open	1,200.00	0.00		B
04281 CAPRI CONSTRUCTION CO INC*	10-00638	03/19/10	PBS BLDG./BID AWARD \$141355.00	Open	25,310.76	0.00		
04295 PURCHASE POWER	10-02706	10/26/10	POSTAGE ON ACCOUNT - DPS	Open	2,019.99	0.00		
04301 SEASHORE ASPHALT CORPORATION*	10-02464	09/29/10	ASPHALT PROVIDED AT PLANT/DPW	Open	4,714.60	0.00		
04356 AMERICAN SOLUTIONS BUSINESS*	10-01600	06/17/10	TAX FORMS	Open	134.60	0.00		
	10-01935	07/27/10	PAYROLL CHECKS	Open	246.90	0.00		
	10-02035	08/05/10	PURCHASE ORDERS	Open	683.55	0.00		
					-----			
					1,065.05			
04445 TRICOMM SERVICES CORP*	10-02352	09/16/10	Phone Maint.	Open	531.00	0.00		
	10-02580	10/13/10	MOVE PHONE/FAX LINE - PAYROLL	Open	90.00	0.00		
					-----			
					621.00			

BOSNA KAREN MANETTE BOSNA

10/28/10  
14:41:09

Lower Township  
Bill List By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
10-02718	10/27/10	INSTRUCTOR -	YOGA CLASS	Open	80.00	0.00		
SNJDEP	ST OF NJ-DEP	GREEN ACRES	PROG					
10-02715	10/27/10	REF 2010 TAX -	792/6.03 QFARM	Open	72.83	0.00		

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Total Purchase Orders: 131 Total P.O. Line Items: 301 Total List Amount: 3,996,885.70 Total Void Amount: 0.00

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**Lower Township  
Bill List  
11/01/10**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
State of NJ – Div of Pensions	09-03589	Member Shortage	43450	10/15/10	4.11
Total Manual Checks				\$	4.11
Total brought forward from computer generated bill list				\$	3,996,885.70
TOTAL BILL LIST				\$	<u>3,996,889.81</u>

I certify the foregoing to be a Resolution adopted by the Township Council on November 1, 2010.

\_\_\_\_\_  
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 #2010-277

TITLE: AUTHORIZATION FOR REFUND OF TAXES

WHEREAS, the Township Tax Collector has certified an overpayment due to the reasons listed below:  
and

WHEREAS, a refund has been requested.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the CFO/Treasurer be and the same is authorized and directed to refund the overpayments according to the Tax Collector's certification on file with the CFO/Treasurer.

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
792	6.03 Q-farm	State of NJ DEP	Property exempt	72.83

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on November 1, 2010.

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

	Conrad	Mazurek	Douglass	Lare	Beck
Motion					
Second					
Aye					
Nay					
Abstain					
Absent					

Former Owner David Rutherford  
12 1/2 acres (File in triplicate)

RECEIVED

SEP 16 2010

COUNTY BOARD OF TAXATION

APPLICATION FOR

- DEDUCTION CHANGE
- CORRECTION OF TAX DUPLICATE (N.J.S.A. 54:4-53,54,55)
- ADDED/OMITTED DUPLICATE CORRECTION

Date SEPT 14 2010

Cape May County Board of Taxation  
4 Moore Road  
Cape May Court House, NJ 08210-1601

Gentlemen:

Application is hereby made for authority to make the following additions, deductions or corrections to the Tax Duplicate for the year 2010 in the taxing district of

Township of Lower.

Owner STATE OF NEW JERSEY DEP  
Street Number 628 SEA GROVE AVE

Block Number 792 Lot Number 6.03 Qual. Code Q FARM

	Land	Improvements	Deduction	Total
Assessed	\$	\$	\$	\$
Should be	\$	\$	\$	\$

Assessment added \$  
Assessment deducted \$

Explanation:

CHANGE TO CLASS 15C  
PROPERTY WAS SOLD ON 8-3-09  
DEED WAS NOT RECORDED UNTIL 3-8-10

Approved [Signature]  
County Tax Administrator

[Signature]  
Assessor

Copy to Tax Collector

SEP 21 2010

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

RESOLUTION #2010-278

**TITLE: AUTHORIZATION: DETERMINATION OF MUNICIPAL SERVICE FEES FOR 2011**

WHEREAS, the Township of Lower has by ordinance no. 2003-12 provided for the imposition of an annual municipal service fee on manufactured homes installed in mobile home parks within the confines of the Township of Lower; and

WHEREAS, section 2A-9.2 states that the municipal service fee shall be determined by resolution each year by the Township Council on or before November 1 of the pre-tax year; and

WHEREAS, the Tax Collector and CFO have established the annual fee based on the established formula.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Tax Collector is hereby authorized to bill the owners of the mobile home parks within the confines of the Township of Lower \$120.00 per each manufactured home for the year 2011 to be paid quarterly on March 15, June 15, September 15 and December 15.

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on November 1, 2010.

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

	Conrad	Mazurek	Douglass	Lare	Beck
Motion					
Second					
Aye					
Nay					
Abstain					
Absent					

# Lower Township: Municipal Service Fee

2010

## School Tax Portion:

1	2009-2010 School Budget	26,033,496.01
2	Children in School	3,487
3	Children from Mobile Home Parks	3
4	% of Mobile Home Park Children to Total Population (line 4 / line 3)	0.09%
5	School Costs for Mobile Home Parks (line 4 x line 1)	22,397.62

## Other Tax Portion

6	County Tax	7,633,199.20
7	County Library Tax	1,283,117.00
8	Open Space Tax	442,255.31
9	Local Purpose Tax	17,699,055.64
10	Fire District Levy	2,004,897.42
	Billing difference	125,977.63
11	Total Other Revenues	29,188,502.20

12	Total Line Items	15,380
13	less-#mobile home parks	(6)
14	add-#mobile home line items	556
15	Total Adjusted line items	15,930

16	Percentage (line 14 / line 15)	3.49%
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17	Total Other Revenues (line 16 x line 11)	1,018,757.52
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18	Mobile Home-Residential Home Value Ratio (formula 1)	27.02%
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19	Total Other Tax Portion for Mobile Home Parks (line 18 x line 17)	275,316.62
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20	Balance of Revenue required (line 19 + line 5)	297,714.23
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21	Less: Property Taxes Received (formula 2)	(262,595.52)
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22	Less: Mercantile Fee (formula 2)	(250.00)
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23	Total Revenue Required from Site Fees	34,868.71
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24	Total Number of Occupied Mobile Homes	556
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25	Total Revenue divided by occupied pad sites (line 23 / line 24)	62.71
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26	Divided by 12 Months	5.23
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27	Monthly Municipal Service Fee (Round to next highest \$5 increment)	10.00
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28	*Annual charge	120.00
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## Mobile Home-Residential Home Value Ratio

Year	2005	2006	2007	2008	2009	Average 2005-2009
Mobile Homes	62,600	64,300	65,100	64,900	63,100	64,000
Site Built Homes	240,900	246,500	247,900	232,100	216,700	236,820
% Mobile-Residential Value	25.99%	26.09%	26.26%	27.96%	29.12%	27.02%

FORMULA 1

INFO FROM BUREAU OF CENSUS  
 MANUFACTURING AND CONSTRUCTION DIV  
 RESIDENTIAL CONSTRUCTION BRANCH  
 (301) 457-4666/4703

[www.census.gov/const/mhs/mhstabavgsls.pdf](http://www.census.gov/const/mhs/mhstabavgsls.pdf)  
[www.census.gov/const/www/constpriceindex.html](http://www.census.gov/const/www/constpriceindex.html)

mobile homes:  
 site built homes:

**TOWNSHIP OF LOWER  
TAX BILLING AND PERCENTAGE OF TAX COLLECTIONS  
2010**

**2010 TAX BILLING**

	Amount Needed	Amount Billed per VITAL	Difference Excess/(Deficit)	
County Tax	7,633,199.20			
Library	1,283,117.00			
Open Space	442,255.31			
<b>Total County Taxes</b>	<b>9,358,571.51</b>			
District School	14,371,889.00			
Regional School	11,661,607.01			
Local Purpose	17,699,055.64			
<b>Amount per Duplicate</b>	<b>53,091,123.16</b>	<b>53,208,619.71</b>	<b>117,496.55</b>	
Add:				
per budgets				
Fire District #1	468,566.00	473,375.79	4,809.79	
Fire District #2	856,600.00	863,436.15	6,836.15	
Fire District #3	683,071.00	679,906.39	(3,164.61)	
Less:				<b>G/L Receivable:</b>
Verizon Share FD's		(3,339.58)		
<b>Total Special District</b>	<b>-3,339.58</b>	<b>2,013,378.75</b>	<b>8,481.33</b>	<b>55,221,998.46</b>
adj		(0.25)	(0.25)	
<b>Total Needed to be Raised</b>	<b>55,096,020.58</b>	<b>55,221,998.21</b>	<b>125,977.63</b>	
<b>Amount of Net Taxes per VITAL report</b>		<b>55,221,998.21</b>		
<b>Added &amp; Omitted</b>		<b>3,339.58</b>		
<b>Total Levy</b>		<b>55,225,337.79</b>		

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

RESOLUTION #2010-279

**TITLE:** A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER AUTHORIZING THE ADOPTION OF THE CAPE MAY COUNTY MULTI-JURISDICTIONAL ALL HAZARDS MITIGATION PLAN

**WHEREAS**, all of Cape May County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

**WHEREAS**; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

**WHEREAS**; a coalition of Cape May County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Cape May County; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Lower:

- 1) Adopts in its entirety, the Cape May County Multi-Jurisdictional All Hazards Mitigation Plan (the "Plan") as the jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on November 1, 2010.

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

	Conrad	Mazurek	Douglass	Lare	Beck
Motion					
Second					
Aye					
Nay					
Abstain					
Absent					

**Subject: CAPE MAY COUNTY PREDISATER HAZARD MITIGATION GRANT - FEMA APPROVAL**

1. OEM Coordinators & Municipal Clerks:

FEMA has approved the Cape May Hazard Mitigation Plan.

Congratulations on all your hard work.

This message will be followed by a formal letter of approval, but please accept this as official confirmation.

In order to be officially eligible to apply for any HMA grant project, the county and each municipal jurisdiction must submit a **signed adoption resolution** to my office.

A SAMPLE RESOLUTION is in the ATTACHMENT.

Please adopt this Resolution in November as your future FEMA funding depends on the adoption.

If you have any questions, don't hesitate to call me.

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

RESOLUTION #2010-280

TITLE: CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR

WHEREAS, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code, and

WHEREAS, according to Section 302.4 of the Property Maintenance Code, all premises and exterior property shall be maintained free from weeds or plant growth in excess of 10" and all obnoxious weeds shall be prohibited: and

WHEREAS, the properties listed below contained conditions which violated Section 302.4 of the Property Maintenance Code; and notice was duly sent to the property owners to abate the conditions and such conditions were not abated; and

WHEREAS, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

WHEREAS, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

NOW, THEREFORE, be it resolved by the Township Council of the Township of Lower, County of Cape May and State of New Jersey that the costs and fees set forth below incurred by the Township of Lower to abate the unlawful conditions on the properties listed below are charges as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

<u>Owner and Location of Property</u>	<u>Cost</u>	<u>Administrative Fee</u>
Mc Knight, Elizabeth 112 E. Jacksonville Ave. Block 39, Lot 7	\$300.00	\$500.00

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 18, 2010.

\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYE					
NAY					
ABSTAIN					
ABSENT					





**Township of Lower  
Code Enforcement  
2600 Bayshore Road**

**Villas NJ 08251  
(609)-886-2624**

**NOTICE OF VIOLATION AND ORDER TO CORRECT  
IDENTIFICATION**

Reference Number: 1009957	Notice Date: 09/10/2010	Comply Date: 09/25/2010
Name: MCKNIGHT, ELIZABETH Address: 112 E JACKSONVILLE AVE VILLAS NJ 08251	Block: 39 Site Address: 112 E JACKSONVILLE AVENUE LOWER TOWNSHIP	Lot : 7 Qual :
Phone:		

PLEASE TAKE NOTICE that as a result of an inspection of the above referred property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exist. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624 ext.154. Thank you for your cooperation

**VIOLATION LISTINGS**

Violation No.	Violation Date	Corrected Date	Violation Description
<b>Violation Comments.</b>			
302.1	09/10/2010		PM-302.1 Sanitation: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
302.4	09/10/2010		High grass & weeds on property need to be cut

Sincerely,

*Walter Fiore*

Walter Fiore, Code Enforcement

Date 9-10-10

Res. 2010-281

**Lower Township  
Bill List II  
11/01/10**

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<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Lower Twp Rescue Squad	10-01281	2010 Contribution Due 11/5/10 with final audit			\$35,000.00
TOTAL BILL LIST					<u>\$ 35,000.00</u>

I certify the foregoing to be a Resolution adopted by the Township Council on November 1, 2010.

\_\_\_\_\_  
Claudia R. Kammer, RMC, Township Clerk

	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
MOTION					
SECOND					
AYES					
NAYS					
ABSTAIN					
ABSENT					

# PERSONNEL ACTIONS

## Report for Council Meeting of 11/01/10

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<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
Recreation	Osborne, Robert	10/02/10		resigned	rec aide	yes
Recreation	Maloney, Rachal	10/22/10	Osborne, Robert	new hire	rec aide	yes

Date of report 10/28/10

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



## 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 September 2010, the Lower Township  
Bureau of Fire Safety made deposits of \$9,995.00 in the  
Lower Township Tax office.**

**Sincerely,**

**David P. Perry  
Fire Official**

**cc: file  
Board Members  
Lauren Read  
Township Manager**

**LOWER TOWNSHIP JOINT INSURANCE FUND SAFETY COMMITTEE**

**MEMORANDUM**

**TO: Mayor and Council, Mrs. Kathleen McPherson, Township Manager**

**FROM: Captain Brian Marker, Safety Coordinator**

**DATE: October 28, 2010**

**SUBJECT: 2010 Safety Committee Information**

I would like to provide you with an overview of our Joint Insurance Fund Safety Committee. The safety committee consists of the Township Manager, myself as the Safety Coordinator, our Claims Coordinator and a representative from each department; including the Department of Public Works, Recreation and Parks, Building and Code, Police, Fire and Rescue. The goal of the safety committee is to identify hazards and to rectify the hazards prior to employee injury. It is also a goal to ensure the compliance of all safety and risk management problems as well as educating employees regarding safety related issues. The safety committee meets six (6) times per year and the agenda for the meetings include: Hazard Recognition and Correction where we review self inspections of Township offices and buildings, job site observations and the road sign and walkway program. We also review and recommend the training and video report regarding any safety training, either attendant in person or on the Jif Website. Lastly, we discuss any new business, such as reviewing correspondence that has been received from our Joint Insurance Fund regarding safety education and ensure that it is relayed to employees.

We have also established as Accident Review Committee where members of the Police, Fire Safety, Department of Public Works and the Manager reviews each reported employee injury in determining whether or not the incident was preventable and ways to eliminate the same injury in the future. The safety committee forwards a mid-year and end of year report to our Joint Insurance Fund where we include all safety correspondence and activities provided.

In February of this year, the Joint Insurance Fund again rewarded Lower Township for its efforts with the distinction of the Gold Award. This is the second year in a row that this Township has received the Gold Award designation. This achievement would not have been possible without

the collaborate effort of all departments. We will continue to strive to reduce and eliminate employee injuries in making our work place as safe and efficient as possible.

Please find attached to this memo, our member update, dated September 22<sup>nd</sup>, 2010 from our Atlantic County Municipal Joint Insurance Fund. I thank you again for your continued support of our Safety Committee and our safety efforts.

Captain Brian Q. Marker

BQM/bem

C File

September 22, 2010

**ACMJIF  
Member Update  
Township of Lower**

Atlantic County  
Municipal Joint  
Insurance  
Fund



Below is a list of programs that are available to members of the ACMJIF, followed by a brief explanation. The corresponding column relates the utilization of these programs by the Township of Lower.

*Additional information about these programs can be found on the ACMJIF website: <http://www.acmjif.org>*

<p><b>Optional Safety Budget:</b> The Optional Safety Budget serves as a way for Lower to purchase safety related items without having to build these items into their municipal budget.</p>	<p>Utilization by Lower: 2010 OSB BUDGET: \$4,000.00 <b>AVAILABLE: \$4,000.00</b> Must be claimed by December 31, 2010</p>	<b>Premium and Surplus History</b>	
<p><b>MEL Safety Institute:</b> As a member of the MEL, ACMJIF municipalities have an expansive list of training classes available to them to assist in meeting the State of NJ municipal training requirements, and also to help train employees to identify and spread awareness of safety issues in the workplace.</p>	<p>Program Information: Please refer to the ACMJIF website at <a href="http://www.acmjif.org">http://www.acmjif.org</a> and the MELJIF website at <a href="http://www.njmel.org">http://www.njmel.org</a> for more information on the MSI.</p>	<p><b>YEAR</b></p>	<p><b>2010</b></p>
<p><b>Safety Incentive Program Money:</b> The Safety Incentive Program serves as a way for Lower to encourage safe behavior amongst workers. SIP money can be spent on items that will reward employees for their efforts to reduce workplace injuries and create a safer working environment.</p>	<p>Utilization by Lower: 2009 GOLD AWARD WINNER! 2009 SIP AWARD: \$3,050.00 <b>AVAILABLE: \$3,050.00</b> Must be claimed by December 31, 2010</p>	<p>Assessment</p>	<p>\$984,377</p>
<p><b>EPL Hotline:</b> The EPL hotline is a resource for Lower to address questions about the liability associated with employment practices. In 2010, Lower has \$1,450 available to utilize the legal expertise available through the EPL hotline program.</p>	<p>Utilization by Lower: 2010 EPL BUDGET: \$1,450.00 <b>BALANCE: \$1,450.00 for 2010</b> Must be used by December 31, 2010</p>	<p>Percent Increase</p>	<p>7.26%* <small>* reflects a 50% increase in JIF SIP</small></p>
<p><b>Elected Officials Training Seminars:</b> The Elected Officials Training Seminars are a way for Lower's elected officials to become more familiar with the ACMJIF. The training provided at these seminars also enable Elected Officials to better manage their risks. The MEL will provide a \$250 credit for those who attend.</p>	<p>2010 Seminars: Stay posted for updates with regards to dates for elected officials dinners for 2010!</p>	<p>Dividends paid to date</p>	<p>\$960,703, including a 2009 dividend of \$96,489</p>
<b>Results for Lower</b>		<b>Lower Attendance</b>	
<p><b>Lost Time Accident Frequency</b> i.e. The ratio of the number of accidents out of 100 that a township employee is out of work for more than 7 days, therefore resulting in an indemnity claim.</p>	<p><b>LTAF:</b> (as of 8-31-10): 5.31</p>	<b>2010 Combined Member Attendance (as of 8-31-10) 38% (3 out of 8 meetings)</b>	
<p><b>Loss Ratio</b> i.e. The amount of losses over a three-year period that Lower has incurred in proportion to the amount that Lower has been assessed by the JIF.</p>	<p><b>3-year Average Loss Ratio:</b> (As of 6-30-10) (2007,08,09): 67.7%</p>	<b>JIF Representatives</b>	
<p><b>Average Reporting Time</b> i.e. How long it takes Lower to report a possible claim to CSG, the Managed Care Provider. CSG recommends keeping this time below 3 days.</p>	<p><b>Average Reporting Time YTD:</b> (as of 6-30-10 ): 2.12 Days (41 claims)</p>	<p><b>JIF Fund Commissioner:</b> Claudia R. Kammer</p>	<p><b>JIF Alternate Fund Commissioner:</b> Kathleen McPherson</p>
<p><b>Lost Opportunity Days</b> i.e. The days in which an employee may return to work in transitional duty, however, the member town is unable to accommodate these work restrictions.</p>	<p><b>YTD Lost Opportunity Days:</b> (as of 7-25-10): Used 165, Available 332, Lost 167 (Using 49.7% of available)</p>	<p><b>JIF Safety Coordinator:</b> Brian Marker</p>	<p><b>JIF Claims Coordinator:</b> Marie Lomonaco</p>
<b>LTAF:</b> (As of 8-31-10): 3.11		<p><b>Risk Management Consultant:</b> Barbara Weigand</p>	

*Check out the ACMJIF website: <http://www.acmjif.org>*