

**MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD MARCH 15, 2011**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on March 15, 2011 with Mayor Ellen B. Pompper calling the meeting to order at 7:30 p.m.

**STATEMENT OF NOTICE GIVEN**

The Township Clerk read the following statement.

This is a Regular Meeting of the Township Committee of the Township of Lower Alloways Creek being held in compliance with the "Open Public Meetings Act" N.J.S.A. 10:4-6. To insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which any business affecting them is discussed or acted upon. Advance written notice of this meeting was given by way of an Annual Notice, which was filed with the Lower Alloways Creek Township Clerk, forwarded to the Today's Sunbeam and Bridgeton News and posted on the Bulletin Board in the lobby of the Lower Alloways Creek Township Municipal Building in compliance with said Act.

**FLAG SALUTE** Mayor Pompper led in the Flag Salute.

**ROLL CALL OF COMMITTEE**

**Present:** Mr. Breslin, Mr. Palombo, Mr. Venable, Mr. Wood and Mayor Pompper

**Absent:** None

**OTHERS IN ATTENDANCE:**

Also in attendance were -45- (Forty) members of the Public, Jack Lynch, Superintendent of Public Works; Lewis Fogg, Public Works Foreman; David Sowers, Director of Public Safety; George Rosenberger, Solicitor and the Township Clerk Ronald L Campbell Sr.

**APPROVAL OF AUDITED VOUCHERS**

Motion (Wood, Venable) that all properly audited vouchers be paid.

The motion to pay properly audited vouchers passed a vote of the Township Committee as follows: 5-0

Ayes: Wood, Venable, Breslin, Palombo, and Pompper

Nays: none Abstain: none Absent: none

**MONTHLY REPORTS TO THE COMMITTEE**

The Mayor requested that the minutes reflect that the February Monthly Reports to the Township Committee have been received from the following Departments and are on file with the Clerk: Police Department, Municipal Court, Tax Collector, Sewer Collector, Animal Control Officer, Construction Office, Engineer and Finance.

**APPROVAL OF THE MINUTES OF THE REGULAR TOWNSHIP COMMITTEE  
MEETING HELD FEBRUARY 15, 2011 & THE CLOSED SESSION MINUTES OF  
FEBRUARY 15, 2011, MINUTES OF THE SPECIAL MEETINGS HELD FEBRUARY  
10, 22 & 28, 2011 AND THE CLOSED SESSION MINUTES OF THE SPECIAL  
MEETINGS HELD FEBRUARY 22 and 28, 2011**

Motion (Breslin, Wood) to approve the February 15, 2011 Regular Township Committee Meeting Minutes, February 10, 22 & 28 Special Meeting Minutes and the February 15, 22, 28, 2011 Closed Session Minutes.

Mr. Breslin commented that the minutes of the meeting held on the 28 should reflect that he was absent.

The motion to approve the February 15, 2011 Regular Township Committee Meeting Minutes, February 10, 22 & 28 Special Meeting Minutes and the February 15, 22, 28, 2011 Closed Session Minutes passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Wood, Palombo, Venable and Pompper

Nays: none Abstain: Palombo (on minutes of February 10) Absent: none

## RESOLUTIONS

Motion (Breslin, Palombo) for Resolution 2011-46 A Resolution canceling the unexpended balances of specific Capital Budget Appropriations in the amount of \$58,165.43

### RESOLUTION 2011-46

#### A RESOLUTION CANCELING UNEXPENDED BALANCES IN THE AMOUNT OF \$ **58,165.43** OF SPECIFIC CAPITAL ORDINANCE APPROPRIATIONS

WHEREAS, it is the desire of the Township Committee of the Township of the Township of Lower Alloways Creek to cancel the unexpended balances of specific Capital Ordinance Appropriations previously authorized by the Township Committee, from which all encumbrances have been satisfied and projects completed; and

WHEREAS, the Municipal Auditor and CFO recommend canceling certain Capital Ordinance Appropriations and their unexpended balances totaling \$ 58,165.43 and that the canceled funds, be placed back in the General Capital Account Fund for use on other Capital Projects so authorized by future Ordinances.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the following Capital Projects, with unexpended funds be canceled and the funds in the amount of **\$ 58,165.43** be returned to the General Capital Account Fund as recommended by the Municipal Auditor and Chief Financial Officer.

Capital Account		Original Appropriation	Balance
ROAD IMPROVEMENTS	C-04-55-140-000	\$ 150,000.00	\$ 1,618.73
COMPUTERS FOR POLICE DEPARTMENT	C-04-55-144-000	\$ 40,000.00	\$ 9,800.00
ROAD REPAIRS	C-04-55-150-000	\$ 220,000.00	\$ 45,349.70
GENERATORS FOR WASTE WATER PLANTS	C-04-55-156-000	\$ 30,000.00	\$ 1,397.00
			\$ 58,165.43

The motion for Resolution 2011-46 canceling the unexpended balances of specific Capital Budget Appropriations in the amount of \$ 58,165.43 passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Palombo, Venable, Wood and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Breslin) for Resolution 2011-47 A Resolution setting the purchase price for a meal at the Senior Lunch program at \$ 4.00 and a second or additional lunches at \$ 8.00.

### RESOLUTION 2011-47

#### A RESOLUTION SETTING THE PURCHASE PRICE FOR A MEAL AT THE SENIOR LUNCH PROGRAM AT \$ 4.00

WHEREAS, the Township of Lower Alloways Creek currently provides a meal for Senior Citizens through the Senior Lunch Program at the Leisure Arms Community Building, and;

WHEREAS, the Township of Lower Alloways Creek currently charges \$3.00 per meal for the first lunch meal purchased and \$ 9.00 for a second or additional meals purchased, and;

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to raise the purchase price of a meal to \$ 4.00 for the first lunch meal and to \$ 8.00 for a second or additional lunches purchased.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek hereby sets the purchase price of a meal at the Senior Lunch Program at \$ 4.00 for the first lunch meal purchased and \$ 8.00 for a second or additional lunches purchased effective April 1, 2011.

The motion for Resolution 2011-47 setting the purchase price for a meal at the Senior Lunch program at \$ 4.00 and a second or additional lunches at \$ 8.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Breslin, Palombo, Wood and Pompper  
Nays: none                      Abstain: none                      Absent: none

Motion (Breslin, Palombo) for Resolution 2011-48 A Resolution authorizing Municipal consent for the March of Dimes to conduct raffles on March 25, April 1, 8, 15, 22, 29, October 7, 14, 21, 28 and Nov 4<sup>th</sup>, 2011

**RESOLUTION 2011-48**  
A RESOLUTION AUTHORIZING MUNICIPAL CONSENT  
FOR CONDUCT OF A RAFFLE

WHEREAS, the MARCH OF DIMES BIRTH DEFECTS FOUNDATION, CHAPTER OF NJ (5 Cedarbrook Dr., Cranbury, NJ), has submitted a properly executed Application for a License to operate an On-Premise Raffle at the PSEG Administration Building, LAC Township, and

WHEREAS, the Committee has reviewed said Application and has determined that the applicant is qualified and that the members designated to conduct these games are qualified, and

WHEREAS, the Committee has determined that the games will be conducted according to the regulations of the Legalized Games of Chance Act.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek, hereby grants municipal consent to the March of Dimes Birth Defects Foundation, Chapter of NJ to conduct and On-Premise Raffle on March 25, April 1, 8, 15, 22, 29, October 7, 14, 21, 28 and November 4, 2011 at 12:00 pm at 1 Alloway Creek Neck Road and does also hereby waive any municipal fee.

The motion for Resolution 2011-48 authorizing Municipal consent for the March of Dimes to conduct raffles on March 25, April 1, 8, 15, 22, 29, October 7, 14, 21, 28 and Nov 4<sup>th</sup>, 2011 passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Palombo, Venable, Wood and Pompper  
Nays: none                      Abstain: none                      Absent: none

Motion (Palombo, Breslin) for Resolution 2011-49 A Resolution authorizing the receipt of bids for HVAC services to be provided to the Township as needed

**RESOLUTION 2011-49**  
APPROVING THE BID SPECIFICATIONS FOR AND AUTHORIZING THE RECEIPT OF  
BIDS ON APRIL 7, 2011 AT 2:30 P.M., AT THE TOWNSHIP MUNICIPAL BUILDING,

COMMITTEE MEETING ROOM FOR HVAC SERVICES SPECIFICATIONS AND  
CONDITIONS SET FORTH BY AND AVAILABLE FROM THE TOWNSHIP  
PURCHASING AGENT.

WHEREAS, the Township Committee of the Township of Lower Alloways Creek does recognize the need for HVAC Services for the maintenance and repairs of such equipment for Township Buildings and at the Leisure Arms Senior Complex in a timely manner, and;

WHEREAS, bid specifications for HVAC services have been promulgated by the Purchasing Agent and made available for review by the Township Committee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that it does approve the specifications promulgated by the Purchasing Agent for HVAC services.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the Township Purchasing Agent is hereby authorized to advertise for the receipt of bids for HVAC services.

The motion for Resolution 2011-49 authorizing the receipt of bids for HVAC services to be provided to the Township as needed passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Breslin, Venable, Wood and Pompper

Nays: none

Abstain: none

Absent: none

Motion (Breslin, Venable) for Resolution 2011-50 A Resolution authorizing the cancelation of 2.3 million dollars from the Self-Insurance Fund Trust Reserve

**RESOLUTION 2011-50**

**A RESOLUTION AUTHORIZING THE CANCELING OF 2.3 MILLION DOLLARS FROM  
THE SELF-INSURANCE FUND TRUST RESERVE**

WHEREAS, the following amount from the Self Insurance Fund Trust Reserve is no longer needed for that purpose:

Reserve for Self-Insurance

\$ 2.3 Million Dollars and;

WHEREAS, the canceling of these funds will not adversely affect the Township's ability to meet its required commitments to the insurance coverages it is currently obligated to provide, and;

WHEREAS, it is necessary to formally cancel said amount, which is no longer needed for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that it does authorize the above balance be canceled and the funds be transferred to the to the Budget Current Fund as a 2011 Budget Revenue.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Lower Alloways Creek that, copies of this resolution be included to the Director of the Division of Local Government Services with the 2011 Budget introductory documents.

The motion for Resolution 2011-50 authorizing the cancelation of 2.3 million dollars from the Self-Insurance Fund Trust Reserve passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Venable, Palombo, Wood and Pompper

Nays: none

Abstain: none

Absent: none

**ORDINANCE (INTRODUCTION)**

Motion (Palombo, Breslin) to introduce Ordinance 2011-03 an Ordinance to amend the Capital Budget in the amount of \$ 240,000.00; appropriating \$125,000.00 for a Dump Truck, \$40,000.00 for Waste Oil Heaters for the Public Works Garage and adding \$75,000.00 to previously adopted Capital Ordinance 2008-05 Improvements to Buildings & Grounds.

**ORDINANCE 2011-03**

AN ORDINANCE AMENDING THE CAPITAL BUDGET OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK AND AUTHORIZING CAPITAL APPROPRIATIONS IN THE TOTAL AMOUNT OF \$240,000.00 FOR THE PURPOSE OF PURCHASING: A DUMP TRUCK , WASTE OIL HEATERS FOR THE PUBLIC WORKS GARAGE AND IMPROVEMENTS TO MUINCIPAL BUILDINGS AND GROUNDS.

BE IT ORDAINED BY THE, Township Committee of the Township of Lower Alloways Creek (not less than two-thirds of all the members thereof affirmatively concurring) as follows:

Section 1. **\$ 125,000.00** is hereby appropriated from the Capital Improvement Fund for the purpose of purchasing a Dump Truck with snowplow [C-04-55-160-000].

Section 2. **\$40,000.00** is hereby appropriated from the Capital Improvement Fund for the purpose of purchasing Waste Oil Heaters for the Public Works Garage [C-05-55-161-000].

Section 3. **\$75,000.00** is hereby appropriated from the Capital Improvement Fund and added to the previous Capital Appropriations, known as Ordinance 2008-05 Improvements to Municipal Buildings and Grounds [C-04-55-152-000]

Section 4. The capital budget of the Township of Lower Alloways Creek is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistencies herewith. Detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services shall be on file with the Clerk and available there for public inspection.

Section 5. This ordinance shall take effect as provided by the law.

**Public Hearing on this Ordinance shall be on April 19, 2011 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock’s Bridge, New Jersey.**

This Ordinance, which was introduced for First Reading on March 15, 2011, shall be published by Title in the Today’s Sunbeam and placed on the Township’s Bulletin Board giving notice of said Public Hearing as required by Law.

The motion to introduce for first reading Ordinance 2011-03 an Ordinance to amend the Capital Budget in the amount of \$ 240,000.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Breslin, Venable, Wood and Pompper  
Nays: none                      Abstain: none                      Absent: none

Motion (Breslin, Venable) to introduce Ordinance 2011-04 an Ordinance to exceed the Municipal Budget Appropriations Limit and to establish a CAP Bank in accordance with N.J.S.A. 40A-45.14

**ORDINANCE 2011-04**  
CALENDAR YEAR 2011

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN ACCORDANCE WITH N.J.S.A. 40A:4-45.14

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Lower Alloways Creek Township Committee of the Township of Lower Alloways Creek in the County of Salem finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Lower Alloways Creek Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to **\$240,510.95**, in excess of the increase in final appropriation otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Lower Alloways Creek Township Committee hereby determines that any amount authorized herein above that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Lower Alloways Creek Township Committee of the Township of Lower Alloways Creek, in the County of Salem, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Lower Alloways Creek shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to **\$240,510.95**, and that the CY 2011 municipal budget for the Township of Lower Alloways Creek be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriations in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director with five (5) days after such adoption.

**Public Hearing on this Ordinance shall be on Tuesday, April 19, 2011 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock's Bridge, New Jersey.**

This Ordinance which was introduced for First Reading on March 15, 2011 shall be published by Title in the Today's Sunbeam and placed on the Township's Bulletin Board giving notice of said Public Hearing as required by Law.

The motion to introduce for first reading Ordinance 2011-04 an Ordinance to exceed the Municipal Budget Appropriations Limit and to establish a CAP Bank in accordance with N.J.S.A. 40A-45.14 passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Venable, Palombo, Wood and Pompper

Nays: none

Abstain: none

Absent: none

Motion (Breslin, Palombo) for a resolution to introduce the 2011 Municipal Budget in the amount of \$ 10,011,649.60

### **2011 BUDGET RESOLUTION**

**MUNICIPAL BUDGET OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK, COUNTY OF SALEM, FOR THE FISCAL YEAR 2011.**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2011;

BE IT FURTHER RESOLVED, that said Budget be published in the TODAY'S SUNBEAM in the issue of April 7th, 2011.

THE GOVERNING BODY of the Township of Lower Alloways Creek does hereby approve the following as the Budget for the Year 2011.

Totals of Revenues and Appropriations being \$ 10,011,649.60

**A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on April 19, 2011 at 7:30 o'clock pm at which time and place, objections to said Budget and Tax Resolution for the year 2011 may be presented by the taxpayers or other interested persons.**

The motion for a resolution to introduce the 2011 Municipal Budget in the amount of \$ 10,011,649.60 passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Palombo, Venable, Wood and Pompper

Nays: none

Abstain: none

Absent: none

## **ORDINANCE PUBLIC HEARING**

**Ordinance 2011-01** An ordinance to amend the Capital Budget in the amount of \$ 50,000.00 for the installation of a new well at Leisure Arms

Mayor Pompper opened the meeting to a Public Hearing on Ordinance 2011-01

No one from the Public had any comments.

Mayor Pompper closed the Public Hearing on Ord 2011-01

Motion (Breslin, Venable) for final adoption of Ordinance 2011-01 an ordinance to amend the Capital Budget in the amount of \$ 50,000.00 for the installation of a new well at Leisure Arms.

### **ORDINANCE 2011-01**

AN ORDINANCE AMENDING THE CAPITAL BUDGET OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK AND AUTHORIZING CAPITAL APPROPRIATIONS IN THE AMOUNT OF \$ 50,000.00 FOR THE PURPOSE OF INSTALLING A NEW WELL FOR THE LEISURE ARMS SMALL WATER SYSTEM

BE IT ORDAINED BY THE, Township Committee of the Township of Lower Alloways Creek (not less than two-thirds of all the members thereof affirmatively concurring) as follows:

Section 1. **\$ 50,000.00** is hereby appropriated from the Capital Improvement Fund for purpose of installing a new well for the Leisure Arms Small Water System [C-04-55-160-000].

Section 2. The capital budget of the Township of Lower Alloways Creek is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistencies herewith. Detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services shall be on file with the Clerk and available there for public inspection.

Section 3. This ordinance shall take effect as provided by the law.

Public Hearing on this Ordinance shall be on March 15, 2011 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock's Bridge, New Jersey.

This Ordinance which was introduced for First Reading on February 15, 2011 shall be published by Title in the Today's Sunbeam and placed on the Township's Bulletin Board giving notice of said Public Hearing as required by Law.

Final: MARCH 15, 2011

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRESLIN III	M		Y			
MR. PALOMBO		S	Y			
MR. VENABLE			Y			
MR. WOOD			Y			
MAYOR POMPPER			Y			

**Ordinance 2011-02** An ordinance amending Section 6 "Service Charges" of Chapter 135 known as "Sewers" of the Code of the Township of Lower Alloways Creek.

Mayor Pompper opened the meeting to a Public Hearing on Ordinance 2011-02

No one from the Public had any comments.

Mayor Pompper closed the Public Hearing on Ord 2011-02

Motion (Palombo, Breslin) for final adoption of Ordinance 2011-02 an ordinance amending Section 6 "Service Charges" of Chapter 135 known as "Sewers" of the Code of the Township of Lower Alloways Creek.

**ORDINANCE 2011-02**

AN ORDINANCE AMENDING CHAPTER 135 KNOWN AS "SEWERS" OF THE CODE OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK

**WHEREAS**, the Township Committee of the Township of Lower Alloways Creek desires to amend Chapter 135 known as "Sewers", subsection 6 A., 6 C. and 6 D.

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Township Committee of the Township of Lower Alloways Creek that:

**Section 1.** Chapter 135 section 6 of the Code of the Township of Lower Alloways Creek is hereby amended as follows:

§ 135-6. **Service charges.** [Amended 3-17-1992 by Ord. No. 92-4; 3-15-1994 by Ord. No. 94-1; 2-3-1998 by Ord. No. 98-1; 4-18-2007 by Ord. 2007-04, 3-16-2010 by Ord 2010-02, 3-15-2011 by Ord 2011-02]

A. The rate fixed and the amount to be paid for the use of the sewer shall be in accordance with the following schedule and classification for the year 2010. Thereafter, said rate and amount to be paid shall be increased as amended by Ordinance 2011-02. Thereafter, said rate shall remain the same until changed by ordinance adopted by the Township Committee of the Township of Lower Alloways Creek. The charge shall be an annual charge for a calendar year or any part thereof, due on or before December 31 for that calendar year for which it applies. The initial service charge or any increase in charge due to a change in the type of property or use shall be computed on a pro rata basis from the first day of the month following the month the connection or change is made.

The rate fixed and the amount to be paid for the use of the sewer shall be in accordance with the schedule and classification in the Code of the Township of Lower Alloways Creek, as amended February 3, 1998, except for changes in the following for the years 2001, 2002, 2003, 2007, 2010 and 2011.

**[Amended 3-15-2011, by Ord 2011-02]**

TYPE OF PROPERTY	ANNUAL SERVICE CHARGE CURRENT	2011	2012	2013	2014	2015
Residences, Private, Single Family	\$ 400.00	\$ 500.00	\$ 600.00	\$ 700.00	\$ 800.00	\$ 900.00
Residence with Apartments	\$ 115.76	\$ 215.76	\$ 315.76	\$ 415.76	\$ 515.76	\$ 615.76
each additional apartment in residence	\$ 115.76	\$ 215.76	\$ 215.76	\$ 215.76	\$ 215.76	\$ 215.76
Rooming Houses, renting furnished or unfurnished rooms	\$ 115.76	\$ 215.76	\$ 315.76	\$ 415.76	\$ 515.76	\$ 615.76
Each room available for rent	\$ 15.44	\$ 115.44	\$ 115.44	\$ 115.44	\$ 115.44	\$ 115.44
Apartment Buildings, per apartment	\$ 105.00	\$ 205.00	\$ 305.00	\$ 405.00	\$ 505.00	\$ 605.00
Offices, trade, farm, business or any adjunct of the same, not otherwise provided for, conducted on residence premises of the sole owner of the business						
One Employee	\$ 105.00	\$ 205.00	\$ 305.00	\$ 405.00	\$ 505.00	\$ 605.00
Each additional Employee	\$ 14.00	\$ 114.00	\$ 114.00	\$ 114.00	\$ 114.00	\$ 114.00
Offices, trade, farm, business or any adjunct of the same, not otherwise provided for, not conducted on residence premises of the sole owner of the business						
One Employee	\$ 105.00	\$ 205.00	\$ 305.00	\$ 405.00	\$ 505.00	\$ 605.00
Each additional Employee	\$ 14.00	\$ 114.00	\$ 114.00	\$ 114.00	\$ 114.00	\$ 114.00
Retail stores	\$ 307.60	\$ 407.60	\$ 507.60	\$ 607.60	\$ 707.60	\$ 807.60
Restaurants	\$ 279.00	\$ 500.00	\$ 600.00	\$ 700.00	\$ 800.00	\$ 900.00

Soda Fountains; ice cream and custard stands	\$	279.00	\$ 379.00	\$ 479.00	\$ 579.00	\$ 679.00	\$ 779.00
Gasoline Service Stations and Garages							
Without car wash	\$	279.00	\$ 379.00	\$ 479.00	\$ 579.00	\$ 679.00	\$ 779.00
With car wash	\$	839.00	\$ 939.00	\$1,039.00	\$ 1,139.00	\$ 1,239.00	\$ 1,339.00
			<b>Same as: Residences, Private, Single Family</b>				
Beauty parlors and barbershops	\$	154.35	<b>\$500.00</b>	<b>\$600.00</b>	<b>\$700.00</b>	<b>\$800.00</b>	<b>\$900.00</b>
plus each employee	\$	30.87	<b>\$ 130.87</b>				
Coin-operated Laundromats, per washer	\$	70.00	\$ 170.00	\$ 270.00	\$ 370.00	\$ 470.00	\$ 570.00
Commercial washers, not coin operated, plus per washer	\$	140.00	\$ 240.00	\$ 340.00	\$ 440.00	\$ 540.00	\$ 640.00
Public or Private institutions, museums or historic buildings, with the exception of facilities owned or operated by the Township of Lower Alloways Creek	\$	307.60	\$ 407.60	\$ 507.60	\$ 607.60	\$ 707.60	\$ 807.60
fire halls, public schools and facilities owned or operated by the Township of Lower Alloways Creek		<b>Exempt</b>					
Motels, per unit	\$	56.00	\$ 156.00	\$ 256.00	\$ 356.00	\$ 456.00	\$ 556.00
			<b>75% of Residences, Private, Single Family</b>				
Post Offices	\$	461.95	<b>\$375.00</b>	<b>\$450.00</b>	<b>\$525.00</b>	<b>\$600.00</b>	<b>\$675.00</b>
Financial Institutions	\$	419.00	\$ 519.00	\$ 619.00	\$ 719.00	\$ 819.00	\$ 919.00
Funeral Parlors	\$	419.00	\$ 519.00	\$ 619.00	\$ 719.00	\$ 819.00	\$ 919.00
Nursing Homes	\$	419.00	\$ 519.00	\$ 619.00	\$ 719.00	\$ 819.00	\$ 919.00
Plus for each patient bed	\$	21.00	<b>\$ 121.00</b>				

Day Care Center	\$	<b>500.00</b>	\$ 600.00	\$ 700.00	\$ 800.00	\$ 900.00	\$ 1,000.00
Swimming Pool	\$	<b>750.00</b>	\$ 850.00	\$ 950.00	\$ 1,050.00	\$ 1,150.00	\$ 1,250.00

B. In all classifications, an owner of a business working in the same shall be classified as an employee

C. Senior citizen Deduction: Any Homeowner who has reached the age of sixty-five (65) is entitled to a senior citizen service charge as follows: 25% off the Residences, Private, Single Family Rate at the residence that they inhabit, per year, after providing proof of age to the Utility Collector. This does not apply to a tenant who may be sixty-five (65) years of age

\$	<b>75.00</b>	<b>25% off Residences, Private, Single Family \$375.00</b>	<b>25% off Residences, Private, Single Family \$450.00</b>	<b>25% off Residences, Private, Single Family \$525.00</b>	<b>25% off Residences, Private, Single Family \$600.00</b>	<b>25% off Residences, Private, Single Family \$675.00</b>
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D. Disabled Homeowners Deduction: Any homeowner who is permanently disabled is entitled to a service charge rate as follows: 25% off the Residences, Private, Single Family Rate at the residence that they inhabit, per year, after providing proof of permanent disability to the Utility Collector. This does not apply to a tenant who may be permanently disabled.

\$	<b>50.00</b>	<b>25% off Residences, Private, Single Family \$375.00</b>	<b>25% off Residences, Private, Single Family \$450.00</b>	<b>25% off Residences, Private, Single Family \$525.00</b>	<b>25% off Residences, Private, Single Family \$600.00</b>	<b>25% off Residences, Private, Single Family \$675.00</b>
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E. Senior Citizen Disabled Homeowners Deduction: Any homeowner who is both a Senior Citizen and permanently disabled is entitled to a service charge rate as follows: 50% off the Residences, Private, Single Family Rate at the residence that they inhabit, per year, after providing proof of permanent disability to the Utility Collector. This does not apply to a tenant who may be a Senior Citizen and permanently disabled.

\$	<b>50.00</b>	<b>50% off Residences, Private, Single Family \$250.00</b>	<b>50% off Residences, Private, Single Family \$300.00</b>	<b>50% off Residences, Private, Single Family \$350.00</b>	<b>50% off Residences, Private, Single Family \$400.00</b>	<b>50% off Residences, Private, Single Family \$450.00</b>
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F. Churches, Fraternal or **exempt**      **50% off**      **50% off**      **50% off**      **50% off**      **50% off**

Social meeting places-  
50% of the Residences,  
Private, Single Family  
rate

<b>Residences, Private, Single Family \$250.00</b>	<b>Residences, Private, Single Family \$300.00</b>	<b>Residences, Private, Single Family \$350.00</b>	<b>Residences, Private, Single Family \$400.00</b>	<b>Residences, Private, Single Family \$450.00</b>
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**Section 2. Repealer, Severability And Effective Date.**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

This Ordinance which was introduced for First Reading on February 15, 2011 shall be published by Title in the Today’s Sunbeam and placed on the Township’s Bulletin Board giving notice of said Public Hearing as required by Law.

**Public Hearing on this Ordinance shall be on March 15, 2011 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock’s Bridge, New Jersey.**

Final: March 15, 2011

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRESLIN III		S	Y			
MR. PALOMBO	M		Y			
MR. VENABLE			Y			
MR. WOOD			Y			
MAYOR POMPPER			Y			

Mr. Breslin stated that he wished to make changes to the ordinance, \$100.00 had been added to each fee, for five years, as was put forth at the last meeting, but it had some unintended consequences. Mr. Breslin proposed making the following changes:

**raise the sewer rates \$100.00 for all Service Fee categories, every year, for five years except as follows:**

- Rooming House, each room available- increases to and stays at \$115.44
- Offices, trade, farm, business, conducted on residence OR not on residence- Each additional employee increases to and stays at \$ 114.00
- Restaurants- same as Residences, Private, Single Family rate
- Beauty Parlors and Barbershops- Residences, Private, Single Family rate PLUS each additional employee increases to and stays at \$130.87
- Post Offices- 75% of Residences, Private, Single Family rate
- Nursing Home Plus for each patient bed- increases to and stays at \$121.00
- Senior Citizen Homeowner- deduction 25% off the current Residences, Private, Single Family rate
- Disabled Homeowner deduction- 25% off the current Residences, Private, Single Family rate
- If both a senior citizen and disabled homeowner- 50% off the Residences, Private, Single Family rate
- Churches, Fraternal or Social meeting places- 50% of the Residences, Private, Single Family rate

Mr. Breslin asked Mr. Rosenberger what was needed to make these changes; Mr. Rosenberger stated that the changes were significant enough that they would need to be fully advertised.

Motion (Breslin, Venable) to adopt amendments to Ordinance 2011-02 as previously stated.

The motion to amend ordinance 2011-02 and advertise the changes passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Venable, Palombo, Wood and Pompper  
Nays: none Abstain: none Absent: none

**OLD BUSINESS: None**

**NEW BUSINESS:**

Motion (Breslin, Venable) to approve the purchase of 5 (five) Body Armor Vests from This & That Uniforms at a cost of \$3,750.00.

The motion to approve the purchase of 5 (five) Body Armor Vests from This & That Uniforms at a cost of \$3,750.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Venable, Palombo, Wood and Pompper  
Nays: none Abstain: none Absent: none

Motion (Palombo, Breslin,) for Resolution 2011-51 A Resolution to award a bid for the drilling of a new well at the Leisure Arms Small Water System to Steffen Drilling, LLC in the amount of \$47,000.00.

**RESOLUTION 2011- 51**

**AWARDING A BID TO STEFFEN DRILLING, LLC IN THE AMOUNT OF \$ 47,000.00 FOR THE DRILLING OF A NEW WELL FOR THE LEISURE ARMS SMALL WATER SYSTEM**

WHEREAS, the Township Committee has previously authorized Environmental & Technical Services to write bid specifications for the drilling of a new well at the Leisure Arms Complex Small Water System, and;

WHEREAS, the Township Committee has previously authorized the Purchasing Agent to advertise for the receipt of bids to drill a new well at the Leisure Arms Complex Small Water System, and;

WHEREAS, all Bids received were opened on Thursday March 3, 2011 as advertised, and;

WHEREAS, a Professional Liability Insurance Policy was required by the bid specifications, and;

WHEREAS, none of the bids received contained a Professional Liability Insurance Policy as required by the bid specifications, and;

WHEREAS, the Township Committee hereby determines it shall wave the requirement for the bidders to provide a Professional Liability Insurance Policy, and;

WHEREAS, Steffen Drilling, LLC. therefore is found to be the lowest responsive bidder, for the drilling of a new well at the Leisure Arms Complex Small Water System, and;

WHEREAS, the Superintendent of Public Works of the Township is recommending a contract be awarded to Steffen Drilling, LLC. for the drilling of a new well at the Leisure Arms Small Water System, and;

WHEREAS, the Township's Chief Financial Officer has or will issue a Certification of Funds for this project based on Capital Funds that have been approved, in the amount of \$ 50,000.00.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek does hereby award a contract to Steffen Drilling, LLC., for the drilling of a new well at the Leisure Arms Small Water System.

BE IT FURTHER RESOLVED that the Mayor and Clerk be authorized to sign a contract with, Steffen Drilling, LLC. for the drilling of a new well at the Leisure Arms Small Water System as stated and detailed in the Bid Specifications.

The motion for Resolution 2011-51 to award a bid for the drilling of a new well at the Leisure Arms Small Water System to Steffen Drilling, LLC in the amount of \$47,000.00 passed a vo

#### **RESOLUTION 2011-52**

**AUTHORIZING THE RECEIPT OF BIDS ON APRIL 7, 2011 AT 1:30 P.M., AT THE TOWNSHIP MUNICIPAL BUILDING, COMMITTEE MEETING ROOM FOR WASTE OIL HEATERS, SPECIFICATIONS AND CONDITIONS SET FORTH BY AND AVAILABLE FROM THE TOWNSHIP PURCHASING AGENT.**

WHEREAS, the Township Committee of the Township of Lower Alloways Creek does recognize the need for Waste Oil Heaters for the Public Works Garage, and;

WHEREAS, bid specifications for Waste Oil Heaters, will be promulgated by the Purchasing Agent and made available for review by the Township Committee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the Township Purchasing Agent is hereby authorized to advertise for the receipt of bids for Waste Oil Heaters for the Public Works Garage.

The motion for Resolution 2011-52 authorizing the receipt of bids for Waste Oil Heaters for the Public Works Garage passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Breslin, Venable, Wood and Pompper

Nays: none

Abstain: none

Absent: none

#### **PUBLIC COMMENT**

A resident presented to the mayor, petitions with many signatures supporting the continued employment of the current dispatchers in the Police Department. The resident also spoke in support of keeping the dispatchers and not using an outside source.

#### **REPORTS TO THE COMMITTEE & COMMITTEE REPORTS**

**PUBLIC WORKS** Jack Lynch indicated that he had submitted a report for the Month of February regarding the various activities of the Department, if there were no questions on the report he had nothing further.

**PUBLIC SAFETY** Mr. Sowers stated he had no report.

**FIRE COMPANY & AMBULANCE SQUAD** no report

Mr. Venable no report

Mr. Palombo no report

Mr. Palombo stated that he had looked into the electric used for street lighting as a resident suggested last Month and that we consider solar panels for them. Mr. Breslin stated that the cost of relighting could be 250 -300 dollars and the cost of solar panels 1200 -1400 per light, did not seem cost effective at this point.

Mr. Wood no report

Mayor Pompper stated that a letter had been received from the County informing us that the speed limit requested for Main St – Canton had been approved by the Salem County Freeholders and had been forwarded to the NJDOT for their approval. Once the NJDOT approval is received, the County will post the new speed limit signs which will be 35 mph both directions from Silverlake Road, South, to the County Line.

## **CLOSED SESSION**

Motion (Venable, Breslin) to convene into a Closed Session of Business 8:00 pm

### **RESOLUTION 2011-53 A RESOLUTION FOR A CLOSED SESSION OF BUSINESS**

BE IT RESOLVED, by the Township Committee of the Township of Lower Alloways Creek that a portion of the meeting of the Township Committee be closed to the public to enable the Township Committee to discuss, and where appropriate, take action concerning the following matter(s) as permitted by N.J.S.A. 10:4-12:

\_\_\_\_ 3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

\_\_\_\_ 4. Any collective bargaining agreement, or the terms and conditions, which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

\_\_\_\_ 7. Any pending or anticipated litigation or contract negotiation other than in (4) above in which the public body is, or may become a party. Any matter falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

More specifically, the matter to be discussed involves the following:

- A. Negotiations CWA & Police Contracts
- B. Personnel

BE IT FURTHER RESOLVED, that the matters discussed will be available for public inspection

- A. At such time the matter is concluded
- B. At such time the matter is concluded

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED** that this Closed Session is expected to continue for 1 (one) Hour and that further business by the Committee will take place at its conclusion.

The motion for the Closed Session of Business passed a vote of the Committee as follows: 5-0

Ayes: Venable, Breslin, Palombo, Wood and Pompper  
Nays: none Abstain: none Absent: none

**OUT OF CLOSED SESSION**

Motion (Breslin, Palombo) to come out of the Closed Session of business. 9:15 pm

The motion to come out of the Closed Session of Business passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Palombo, Venable, Wood and Pompper  
Nays: none Abstain: none Absent: none

**BUSINESS AFTER CLOSED SESSION**

Motion (Breslin, Palombo) to grant permission to Theresa Sanders (TASCO Energy Associates, LLC) to make inquiries to Atlantic City Electric Company regarding the Township’s energy demands, combined load and interconnecting renewable energy systems.

The motion grant permission to Theresa Sanders (TASCO Energy Associates, LLC) to make inquiries to Atlantic City Electric Company regarding the Township’s energy demands, combined load and interconnecting renewable energy systems passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Palombo, Venable, Wood and Pompper  
Nays: none Abstain: none Absent: none

Motion (Palombo, Breslin) for Resolution 2011-54 A Resolution to extend the Shared Services Agreement to provide Police Services to Elsinboro Township, till April 30, 2011.

**RESOLUTION 2011-54**

**A RESOLUTION AUTHORIZING AN EXTENSION TO THE SHARED SERVICES AGREEMENT FOR POLICE SERVICES BETWEEN THE TOWNSHIP OF ELSINBORO AND LOWER ALLOWAYS CREEK**

WHEREAS, the Township’s of Lower Alloways Creek and Elsinboro, do currently have a Shared Services Agreement for police services which was extended through March 31st, 2011, and;

WHEREAS, the Township’s of Lower Alloways Creek and Elsinboro need additional time to consider if an agreement may continue in future years, and;

WHEREAS the Townships of Elsinboro and Lower Alloways Creek desire to extend the agreement relating to police services through **April 30<sup>th</sup>, 2011** to give the municipalities the time to consider a possible new agreement, and;

WHEREAS, Shared Services Agreements between municipalities are permissible and encourage by the Interlocal Services Act, N.J.S.A. 40:8A-6., and;

WHEREAS, it is deemed to be in the public interest and advantage of the residents of both Townships that an agreement for such services be extended.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the Shared Services Agreement between Lower Alloways Creek Township and Elsinboro Township with regard to police services as it existed on December 31, 2010, be extended by **one (1) month**, then expiring April 30th, 2011, if no other agreement or extension is approved by both Township’s before such time.

BE IT FURTHER RESOLVED that the Township of Elsinboro shall forward to Lower Alloways Creek Township a payment of \$7,083.33 for police services for the Month of April, by April 30th, 2011.

The motion for Resolution 2011-54 to extend the Shared Services Agreement to provide Police Services to Elsinboro Township, till April 30, 2011 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Breslin, Venable, Wood and Pompper  
Nays: none Abstain: none Absent: none

Motion (Venable, Breslin,) for Resolution 2011-55 A Resolution authorizing a Shared Services Agreement with Salem County to provide Police Dispatching Services to the LAC Police Department.

**RESOLUTION 2011- 55**  
**A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE COUNTY OF SALEM AND LOWER ALLOWAYS CREEK TOWNSHIP FOR POLICE DISPATCHING SERVICES.**

WHEREAS the Township Committee of the Township of Lower Alloways Creek desires to have a Shared Services Agreement with the County of Salem for them to provide Police Dispatching Services to the Township of Lower Alloways Creek, Police Department, and;

WHEREAS, government entities can enter into such Shared Services Agreements pursuant to section 4 of P. L. 2007, c.63 (N.J.S.A..40A:65-4 et seq.), and;

WHEREAS, the Lower Alloways Creek Township Committee and the County of Salem have agreed to certain terms & conditions and payment schedules, which have been memorialized within the Police Dispatching Shared Services Agreement.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek hereby approves and authorizes the Mayor and Clerk to execute a Shared Services Agreement for Police Dispatching Services to be provided by the County of Salem to the Lower Alloways Creek Township Police Department.

BE IT FURTHER RESLOVED that a copy of this resolution be attached to the Shared Services Agreement and be forwarded to the Clerk of the Salem County Freeholders, the Salem County Emergency Services Coordinator and the Public Safety Director of the Township of Lower Alloways Creek.

The motion for Resolution 2011-55 authorizing a Shared Services Agreement with Salem County to provide Police Dispatching Services to the LAC Police Department passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Breslin, Palombo, Wood and Pompper  
Nays: none Abstain: none Absent: none

Motion (Breslin, Palombo) for Resolution 2011-56 a resolution authorizing the reduction in hours and staff at the Leisure Arms Senior Lunch program for reasons of economy and efficiencies.

**RESOLUTION 2011- 56**  
**A RESOLUTION AUTHORIZING THE REDUCTION IN THE OPERATING HOURS AND STAFF OF THE SENIOR LUNCH PROGRAM FOR REASONS OF ECONOMY AND EFFICIENCY**

WHEREAS the Township Committee of the Township of Lower Alloways Creek has taken previous action to reduce the offered items and portions of the Senior Lunch Program Meals, and;

WHEREAS, the staffing hours and needs for the Senior Lunch Program therefore are lessened by those reductions, and;

WHEREAS, the Lower Alloways Creek Township Committee does find it necessary to reduce the hours of operation and staff of the Senior Lunch Program for reasons of economy and efficiency.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek hereby authorizes the reduction of the hours of operation and staff of the Senior Lunch Program as Follows effective April 2, 2011:

**Nutrition Program Coordinator:** from 7 hours a day to 5 hours a day.

**Cook:** from 6 hours a day to 4 hours a day.

**Food Services Worker:** Reduction to total number of Food Service Workers by two (2) Positions (20 hour/week position & Lunch Delivery Driver)

The motion for Resolution 2011-56 a resolution authorizing the reduction in hours and staff at the Leisure Arms Senior Lunch program for reasons of economy and efficiencies passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Palombo, Venable, Wood and Pompper

Nays: none

Abstain: none

Absent: none

#### **ADJOURNMENT**

Motion (Breslin, Palombo) to adjourn the meeting at 9:20 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of March 15, 2011 were approved at a meeting held April 19, 2011

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

\_\_\_\_\_  
Ronald L Campbell Sr. Clerk

By: \_\_\_\_\_  
Mayor Ellen B. Pompper