

**MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD OCTOBER 18, 2011**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on October 18, 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 -7- (seven) members of the Public, 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 (Palombo, Breslin) 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: Palombo, Breslin, Venable, Wood and Pompper

Nays: none Abstain: Breslin chk # 14146 Absent: none

MONTHLY REPORTS TO THE COMMITTEE

The Mayor requested that the minutes reflect that the September 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 SEPTEMBER 20, 2011 AND THE CLOSED SESSION MINUTES OF
SEPTEMBER 20, 2011**

Motion (Breslin, Palombo) to approve the September 20, 2011 Regular Township Committee Meeting Minutes and the September 20, 2011 Closed Session Minutes.

The motion to approve the minutes of the September 20, 2011 Regular Township Committee Meeting and the September 20, 2011 Closed Session minutes passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Breslin, Venable, Wood and Pompper

Nays: none Abstain: none Absent: none

ORDINANCE (INTRODUCTION)

Motion (Venable, Breslin) to introduce Ordinance 2011-10 An Ordinance amending Section 18 of Chapter 138 known as “Sewers” of the Code of the Township of Lower Alloways Creek

ORDINANCE 2011-10 AN ORDINANCE AMENDING SECTION 18 OF CHAPTER 135 ENTITLED “SEWERS “OF THE TOWNSHIP CODE OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK

WHEREAS, the Mayor and Township Committee for the Township of Lower Alloways Creek have determined it is necessary to amend Chapter 135 of Township Code, entitled SEWERS.

SECTION 1. NOW THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee for the Township of Lower Alloways Creek that Chapter 135 known as “SEWERS” of the Code of the Township of Lower Alloways Creek be amended as follows:

§ 135-18. Disconnection

- A. Requests to the Superintendent of Public Works or his/her designee for discontinuance of sewer service will be permitted only in cases of demolition, fire, flooding or by order of the State, County or local Board of Health for vacating a building serviced for health reasons. The owner shall be responsible for the payment of the sewer charge, at the rate as established by the Township ordinance during the time the property or structure is vacant. All requests for permanent disconnection of sewer service to a structure or property must be approved by a resolution of the Township Committee, which shall state the reason(s) and condition(s) of the discontinuance.
- B. The following procedures are to be followed for disconnecting the sanitary sewer lateral from an existing structure in all cases:
 1. Notify the Superintendent of Public Works or his/her designee for an inspection at least 24 hours prior to exposing the sanitary sewer lateral being disconnected.
 2. The Superintendent of Public Works or his/her designee will locate the lateral to be Disconnected
 3. At the site’s property line, the contractor is to excavate to and expose the existing lateral pipe. The lateral pipe is to be cut with a saw (not broken with a hammer or excavation equipment).
 4. Once the lateral pipe has been cut, the contractor shall have the option of either plugging the main side portion of the lateral with an 18 (eighteen) inch long cement plug or capping the cut lateral with a Fernco type cap. The Cap or Plug shall be inspected by the Superintendent of Public Works or his/her designee before any backfill of the excavation is begun.
 5. The end of the lateral’s location is to be marked with a post (1-inch plastic pipe or similar non-decaying material) from the end of the lateral to ground grade. The post is to be marked “Sanitary Sewer Lateral”.
 6. Backfill for either permanent or temporary abandonment shall be NJDOT DGA or select fill in compacted lifts.
 7. No person other than a licensed plumber, licensed by the State of New Jersey, shall be permitted to disconnect and cap, cut off and cap, or sever and cap any water or sewer service from any property or structure in the Township of Lower Alloways Creek unless so authorized in writing by the Superintendent of Public Works or his/her duly authorized designee.

1. Demolition

- a. Before demolition of any building that is connected to the sewage system, a permit must be obtained for disconnection to the sewer system. Said permit shall be issued by the Superintendent of Public Works or his/her designee upon the applicant obtaining all the required permits, permissions and payment of a twenty-five dollar (\$25.00) fee to the Utility Collector. Said disconnection must occur prior to the demolition of the building. Any excavation within ten (10) feet of a riser and the actual disconnection shall be made in the presence of the Superintendent of Public Works or his/her duly authorized representative.

2. Discontinuance of sewer services

- a. In the event that the Owner of a property desires to discontinue sewer service from the Township's sewer system, for reasons other than found in Section A, above, the Owner shall file an Application for Disconnection (Exhibit D) with the Superintendent of Public Works or his/her designee accompanied by a fee of Fifty Dollars (\$50) to the Utility Collector. The discontinuance must be for a period of not less than one (1) year. Once the disconnection has been approved by the Township's Superintendent of Public Works, the Application for Discontinuance shall be considered for approval by a resolution of the Township Committee. Following approval of the Application for Discontinuance by the Township Committee, the Owner shall not be subject to the annual service charge beginning the following year. If and when the Owner elects to re-connect to the Township's sewer system, the connection shall be considered a new connection and shall be subject to all the fees and requirements so enumerated in this Chapter. This provision does not apply to temporary disconnections for the maintenance of the property owner's lateral
- b. All water closets, urinals, sinks, bathtubs, washbasins, washtubs and other fixtures for receiving wastewaters located in or connected with any structure or part thereof for which sewer service is discontinued and for which a connection with the sewer system is mandatory, shall be removed. All laterals to which sewer service is discontinued under this section and pass through the walls (basement or crawl space) of said structure must be removed and the wall cemented in, so that no discontinued lateral sewer pipe is left inside any structure. Verification of the removal of such items when required shall be conducted by the Superintendent of Public Works or his/her duly authorized representative.

Section 2. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any sentence, clause or phrase to the aforesaid Ordinance is, for any reason, held by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not effect the remaining portions of this ordinance.

Section 4. This Ordinance shall take effect immediately upon adoption and publication as required by law.

Public Hearing on this Ordinance shall be on November 14, 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 October 18, 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 2011-10 an Ordinance amending Section 18 of Chapter 138 known as “Sewers” of the Code of the Township of Lower Alloways Creek passed a vote of the Township Committee as follows: 5-0

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

ORDINANCE (PUBLIC HEARING)

Ordinance 2011-07 An ordinance amending previous ordinances fixing the compensation to be paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek

Mayor Pompper opened the meeting to a Public Hearing on Ordinance 2011-07

No one from the Public had any comments.

Mayor Pompper closed the Public Hearing on Ord 2011-07

Motion (Wood, Breslin) for final adoption of Ordinance 2011-07 an ordinance amending previous ordinances fixing the compensation to be paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek

Mayor Pompper noted three corrections to the Ordinance to reflect the final hourly rates of the Court Administrator minimum for 8/27/2011, the Mechanic max for 2012 and the Public Works Foreman max for 2013.

ORDINANCE 2011-07

AN ORDINANCE AMENDING PREVIOUS ORDINANCES FIXING THE COMPENSATION TO BE PAID TO THE APPOINTED OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK

BE IT ORDAINED by the Township Committee of the Township of Lower Alloways Creek, in the County of Salem and the State of New Jersey, that an Ordinance Fixing the Compensation to be Paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek for 2010 is hereby amended to provide rates of salary and Wage compensation as follows:

	8/27/2011		2012		2013	
	min	max	min	max	min	max
Recycling Worker (8)	\$ 9.88	\$11.13	\$10.13	\$11.41	\$10.38	\$11.70
Food Service Worker (per diem)	\$ 9.88	\$11.35	\$10.13	\$11.63	\$10.38	\$11.92
Food Service Worker (20 hr)	\$ 9.88	\$11.35	\$10.13	\$11.63	\$10.38	\$11.92
Cook (25 hr)	\$ 11.41	\$13.61	\$11.69	\$13.95	\$11.99	\$14.30
Van Driver (per diem)	\$ 11.87	\$15.61	\$12.17	\$16.00	\$12.47	\$16.40
Public Works Records Coordinator	\$ 13.88	\$16.05	\$14.23	\$16.45	\$14.58	\$16.86
Nutrition Program Coordinator (30)	\$ 14.43	\$17.02	\$14.79	\$17.44	\$15.16	\$17.88
Court Administrator (15)	\$ 15.37	\$17.17	\$15.76	\$17.60	\$16.15	\$18.04
Administrative Assistant (20)	\$ 13.33	\$18.22	\$13.66	\$18.68	\$14.00	\$19.15
Administrative Assistant	\$ 13.33	\$18.22	\$13.66	\$18.68	\$14.00	\$19.15
Laborer	\$ 13.88	\$21.78	\$14.23	\$22.33	\$14.58	\$22.88
Bldg Maintenance Worker / Grounds Keeper	\$ 13.88	\$27.47	\$14.23	\$28.16	\$14.58	\$28.86
Equipment Operator / Laborer	\$ 17.57	\$27.47	\$18.01	\$28.16	\$18.46	\$28.86
Mechanic	\$ 19.00	\$30.22	\$19.48	\$30.97	\$19.97	\$31.75
Police Records Coordinator	\$ 19.00	\$31.49	\$19.48	\$32.28	\$19.97	\$33.08
Public Works Foreman	\$ 20.54	\$32.06	\$21.05	\$32.86	\$21.58	\$33.69

SECTION 2. Other provisions that may increase any one individual's salary or compensation include, but are not limited to: overtime, extended shifts, night shift differential, holidays, longevity and other provisions in agreements with the Township of Lower Alloways Creek or stated in the Municipal Employees Policy Manual.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith to the extent of such inconsistencies be and the same are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect and become operative upon its final passage and publication as required by law. The provisions of this Ordinance shall remain in full force and effect until amended or repealed.

Public Hearing on this Ordinance shall be on OCTOBER 18, 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 SEPTEMBER 20, 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 Adoption: OCTOBER 18, 2011 AS AMENDED

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

Ordinance 2011-08 An ordinance amending Section 16 "Services Bonus" of Chapter 40 entitled "Personnel Policies" of the Code of the Township of Lower Alloways Creek

Mayor Pompper opened the meeting to a Public Hearing on Ordinance 2011-08

No one from the Public had any comments.

Mayor Pompper closed the Public Hearing on Ord 2011-08

Motion (Breslin, Wood) for final adoption of Ordinance 2011-08 an ordinance amending Section 16 "Services Bonus" of Chapter 40 entitled "Personnel Policies" of the Code of the Township of Lower Alloways Creek

ORDINANCE 2011-08
AN ORDINANCE AMENDING SECTION 16 OF CHAPTER 40 ENTITLED
PERSONNEL POLICIES OF THE TOWNSHIP CODE OF
LOWER ALLOWAYS CREEK TOWNSHIP

WHEREAS, the Mayor and Township Committee for the Township of Lower Alloways Creek have determined it is necessary to amend Chapter 40 of Township Code, entitled PERSONNEL POLICIES.

SECTION 1. NOW THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee for the Township of Lower Alloways Creek that Chapter 40 of Code of the Township of Lower Alloways Creek be amended as follows:

A. § 40-16. Service bonus. [Amended 9-15-1980 by Ord. No. 80-23; 2-8-1989 by Ord. No. 89-4; 5-15-1990 by Ord. No. 90-8; 9-18-2011 by Ord. 2011-08]

~~A. Employees and officials, excluding Township Committee persons, having an income of at least two thousand five hundred dollars (\$2,500.) annually as of the date of eligibility and having been employed by the township as full-time employees and/or salaried officials for not less than twenty-five (25) years, upon retirement from such employment, shall be entitled to receive a service bonus calculated at the sum of three hundred dollars (\$300.) for each year of continuous employment. Such one-time payment shall be made within ninety (90) days of retirement.~~

~~B. Employees and officials, excluding Township Committee persons, having an income of at least two thousand five hundred dollars (\$2,500.) annually as of the date of eligibility and having been employed by the township as full-time employees and/or salaried officials for less than twenty-five (25) years but not less than ten (10) years, who have attained the age of fifty-five (55) years on or prior to retirement from such employment, shall be entitled to receive a service bonus calculated at the rate of three hundred dollars (\$300.) for each year of continuous employment. Such one-time payment shall be made within ninety (90) days of retirement.~~

Upon retirement,

- a. Full Time employees hired before January 1, 2012 with at least 10 years of service and having an income of at least \$10,000 annually shall be entitled to receive a lump-sum service bonus payment equal to \$300 for each full year of service up to \$15,000.00, with the proviso that any current employee with more than 30 years service is frozen at the number of years they have on the books. Such one-time payment shall be made within ninety (90) days of verification of retirement, see section c..
- b. employees hired after January 1, 2012 shall not receive severance pay.
- c. For this provision, retirement shall mean that, the retiring employee has applied for and been approved to receive their pension from the New Jersey Public Employees Retirement System, within ninety (90) days of their notice of retirement to the Township.

Section 2. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any sentence, clause or phrase to the aforesaid Ordinance is, for any reason, held by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not effect the remaining portions of this ordinance.

Section 4. This Ordinance shall take effect immediately upon adoption and publication as required by law.

Public Hearing on this Ordinance shall be on October 18, 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 September 20, 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.

Comments on the Ordinance

Mr. Breslin commented that he would like to amend this to repeal the section entirely.
 Mr. Rosenberger stated in his opinion, such an amendment was significant enough of a change to require another Public Hearing.
 Mr. Breslin then asked that this ordinance be defeated, so another ordinance may be introduced in its place.

Final: October 18, 2011 **The Adoption of Ordinance 2011-08 was defeated 0-5**

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

ORDINANCE (INTRODUCTION)

Motion (Breslin, Venable) to introduce Ordinance 2011-11 an Ordinance repealing Section 16 "Services Bonus" of Chapter 40 entitled "Personnel Policies" of the Code of the Township of Lower Alloways Creek

ORDINANCE 2011-11
 AN ORDINANCE AMENDING SECTION 16 OF CHAPTER 40 ENTITLED
 PERSONNEL POLICIES OF THE TOWNSHIP CODE OF
 LOWER ALLOWAYS CREEK TOWNSHIP

WHEREAS, the Mayor and Township Committee for the Township of Lower Alloways Creek have determined it is necessary to amend Chapter 40 of Township Code, entitled PERSONNEL POLICIES.

SECTION 1. NOW THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee for the Township of Lower Alloways Creek that Chapter 40 of Code of the Township of Lower Alloways Creek be amended as follows:

A. § 40-16. Service bonus. REPEALED [Amended 9-15-1980 by Ord. No. 80-23; 2-8-1989 by Ord. No. 89-4; 5-15-1990 by Ord. No. 90-8; 10-18-2011 by Ord. 2011-08]

~~A. Employees and officials, excluding Township Committee persons, having an income of at least two thousand five hundred dollars (\$2,500.) annually as of the date of eligibility and having been employed by the township as full-time employees and/or salaried officials for not less than twenty-five (25) years, upon retirement from such employment, shall be entitled to receive a service bonus calculated at the sum of three hundred dollars (\$300.) for each year of continuous employment. Such one-time payment shall be made within ninety (90) days of retirement.~~

~~B. Employees and officials, excluding Township Committee persons, having an income of at least two thousand five hundred dollars (\$2,500.) annually as of the date of eligibility and having been employed by the township as full-time employees~~

~~and/or salaried officials for less than twenty five (25) years but not less than ten (10) years, who have attained the age of fifty five (55) years on or prior to retirement from such employment, shall be entitled to receive a service bonus calculated at the rate of three hundred dollars (\$300.) for each year of continuous employment. Such one-time payment shall be made within ninety (90) days of retirement.~~

Section 2. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any sentence, clause or phrase to the aforesaid Ordinance is, for any reason, held by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not effect the remaining portions of this ordinance.

Section 4. This Ordinance shall take effect immediately upon adoption and publication as required by law.

Public Hearing on this Ordinance shall be on Monday November 14, 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 October 18, 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 2011-11 an Ordinance repealing Section 16 "Services Bonus" of Chapter 40 entitled "Personnel Policies" of the Code of the Township of Lower Alloways Creek 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 (PUBLIC HEARING)

Ordinance 2011-09 An ordinance amending the Capital Budget of the Township of Lower Alloways Creek to appropriate \$ 1,000,000.00 for the purpose of installing solar photovoltaic electric generation systems and \$12,000.00 for the purchase of a "Jaws of Life" Multi-function Hydraulic Pump.

Mayor Pompper opened the meeting to a Public Hearing on Ordinance 2011-09

No one from the Public had any comments.

Mayor Pompper closed the Public Hearing on Ord 2011-09

Motion (Palombo, Breslin) for final adoption of Ordinance 2011-09 an ordinance amending the Capital Budget of the Township of Lower Alloways Creek to appropriate \$ 1,000,000.00 for the purpose of installing solar photovoltaic electric generation systems and \$12,000.00 for the purchase of a "Jaws of Life" Multi-function Hydraulic Pump.

ORDINANCE 2011-09

AN ORDINANCE AMENDING THE CAPITAL BUDGET OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK AND AUTHORIZING CAPITAL APPROPRIATIONS IN THE AMOUNT OF \$ 1,000,000.00 FOR THE PURPOSE OF PURCHASING SOLAR ELECTRIC GENERATION EQUIPMENT AND \$ 12,000.00 FOR THE PURPOSE OF PURCHASING A "JAWS OF LIFE" MULTIPURPOSE HYDRAULIC PUMP

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. **\$ 1,000,000.00** (one million dollars) is hereby appropriated from the Capital Improvement Fund for purpose of purchasing Solar Electric Photovoltaic generating equipment.

Section 2. **\$ 12,000.00** (twelve thousand dollars) is hereby appropriated from the Capital Improvement Fund for the purpose of purchasing “Jaws of Life” multipurpose hydraulic pump.

Section 3. 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 4. This ordinance shall take effect as provided by the law.

Public Hearing on this Ordinance shall be on October 18, 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 September 20, 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 Adoption: October 18, 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			

OLD BUSINESS:

Motion (Breslin, Venable) for Resolution 2011-110 A Resolution to award a Lease contract to ALL Solar, LLC of Millville, NJ for the installation of 495.36 kW of Solar Photovoltaic Electric Generation Systems for payments in the amount of \$817,344.00

RESOLUTION 2011-110

A RESOLUTION AWARDING A 15 YEAR LEASE CONTRACT FOR A SOLAR PHOTOVOLTAIC SYSTEM (SOLAR ELECTRIC) TO ALL SOLAR, LLC OF MILLVILLE, NEW JERSEY IN THE AMOUNT OF \$ 817,344.00.

WHEREAS, the Township Committee of the Township of Lower Alloways Creek does recognize the benefit to installing Solar Electric Generating Panels, and;

WHEREAS, proposals for the installation of Solar Electric Generating Panels were promulgated by the Superintendent of Public Works and the Purchasing Agent, and;

WHEREAS, such proposals were received, reviewed and a recommendation was made by the Superintendent of Public Works and the appointed sub-committee to accept the proposal from and award a fifteen (15) year lease contract to ALL SOLAR, LLC. of Millville, NJ for the installation of Solar Photovoltaic Electric Generating systems.

NOW, THEREFORE BE IT RESOLVED by, the Township Committee of the Township of Lower Alloways Creek that it does award a fifteen (15) year lease contract to All Solar, LLC of Millville, NJ for the installation of a 495.36(four hundred ninety-five and 36/100) kW Solar Photovoltaic Electric Generating system for payments in the amount of \$ 817,344.00. (eight hundred seventeen thousand three hundred forty-four)

BE IT FURTHER RESOLVED THAT, the Mayor and Mr. Breslin shall work with the Superintendent of Public Works, to make decisions regarding the placement, location and choice of equipment, which may be necessary, to progress the Solar Electric Generation Project to completion.

BE IT FURTHER RESOLVED THAT, the Mayor and Clerk are hereby authorized to sign a lease agreement, established for such services, the form and terms, which shall be acceptable to and approved by the municipal solicitor.

The motion for Resolution 2011-110 passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Venable, Palombo, Wood and Pompper

Nays: none Abstain: none Absent: none

NEW BUSINESS:

Motion (Venable, Palombo) to accept the resignation of Kelley Peterson from the Planning/Zoning Board effective September 28, 2011 (Mrs. Peterson was Alternate II, term expires Dec 2011)

The motion accept the resignation of Kelley Peterson from the Planning/Zoning Board effective September 28, 2011 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Palombo, Breslin, Wood and Pompper

Nays: none Abstain: none Absent: none

Motion (Palombo, Breslin) to authorize payment of the annual maintenance fee of \$ 5,425.00 to Enforsys Police Services for Data Software.

Mr. Rosenberger asked Mr. Sowers if he had comments on the Enforsys proposal. Mr. Sowers stated that the original data conversion from the system that predated this one has not been done as promised, but the system with current information put into it has worked. Mr. Sowers stated that the original amount for the data conversion has not been paid and they do remind us that we owe them for this service, but the conversion of the old data was never done so it was usable to the Department. Mr. Rosenberger asked that Mr. Sowers make a list of exactly what was promised with and what was delivered in regards to the data conversion, so we can get this resolved.

The motion authorize payment of the annual maintenance fee of \$ 5,425.00 to Enforsys Police Services for Data Software 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 (Palombo, Venable) to authorize payment of \$ 4,100.93 to United Electrical Supply for Energy Audit Lighting replacement equipment for the Public Works Garage.

Mayor Pompper commented that part of this equipment would be aid for by an Energy Grant through the BPU.

The motion to authorize payment of \$ 4,100.93 to United Electrical Supply for Energy Audit Lighting replacement equipment for the Public Works Garage passed a vote of the Township Committee as follows: 5-0

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

Motion (Breslin, Wood) to authorize payment of the annual maintenance fee of \$ 7,829.00 to Edmonds & Associates, Inc for Tax, Finance and Utility Software.

The motion to authorize payment of the annual maintenance fee of \$ 7,829.00 to Edmonds & Associates, Inc for Tax, Finance and Utility Software passed a vote of the Township Committee as follows: 5-0

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

Motion (Breslin, Venable) to authorize the purchase and installation of a Trane 13 seer Heat Pump System for Leisure Arm Complex Unit A-1 to replace a nonfunctional propane heating system at a cost of \$ 4848.00 from Autocon.

The motion to authorize the purchase and installation of a Trane 13 seer Heat Pump System for Leisure Arm Complex Unit A-1 to replace a nonfunctional propane heating system at a cost of \$ 4848.00 from Autocon 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 (Venable, Wood) to approve a Lease Agreement with Kathryn Poulson to occupy Unit E-28 at Leisure Arms beginning November 1, 2011.

The motion to approve a Lease Agreement with Kathryn Poulson to occupy Unit E-28 at Leisure Arms beginning November 1, 2011 passed a vote of the Township Committee as follows: 5-0

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

CORRESPONDENCE All correspondence has been distributed as received.

REPORTS TO THE COMMITTEE & COMMITTEE REPORTS

Public Works

Lewis Fogg reported that the new snow plow has been installed and tested. Mr. Fogg reported that he and others will be working with a FEMA Case Worker to fill out paperwork for reimbursement of some the expense associated with hurricane Irene.

Public Safety

Mr. Sowers stated that the two new part time officers (Barbagli, Bell) are progressing through their courses and will be finishing their training by the end of the year.

Mr. Wood: No Report

Mr. Breslin: Mr. Breslin reported that he had met with the other Townships in the Trash Coalition and they were agreeable to changing future contracts to include language in which, we would be made whole, for approved costs if someone leaves the group.

Mr. Breslin speaking to Mr. Fogg, would also like to see the lighting improved in this Courtroom and would like to see proposals to vote on for the next meeting.

Mr. Palombo: No report

Mr. Venable: No Report

Mayor Pompper: Mayor Pompper stated that Mr. Sowers had mentioned to her about installing new card reader door security access equipment. Mr. Sowers has one quote at this time and we will need at least two more so we can vote on this at the next meeting.

Mr. Roy Duffield went over what he has been doing with regard to farmland assessments and the requirements. Mr. Duffield stated that the State has directed all Tax Assessors to enforce the existing Farmland Assessment laws, because an audit that had been conducted in three counties found that properties assessed as farmland were in fact not farmland or in some cases not being farmed. In LAC, for 2009, there were 384 farm properties and because of this process, there are 220 farm properties currently in 2012. Mr. Duffield stated that for LAC the difference between being farmland assessed and not receiving farmland assessment in most cases is less than \$100.00 in property taxes.

PUBLIC COMMENT No one from the Public indicated that they wished to make any comments.

CLOSED SESSION

Motion (Breslin, Venable) to convene into a Closed Session of Business 8:12 pm

RESOLUTION 2011- 111 A RESOLUTION FOR A CLOSED SESSION

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. Personnel
- B. Litigation

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 10 (ten) Minutes and that further business by the Committee may take place at its conclusion.

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

Ayes: Breslin, Venable, Palombo, Wood and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Breslin) to come out of the Closed Session of business. 8:30 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 (Venable, Breslin) to authorize the Purchasing Agent to purchase a “Jaws of Life” Multi-function Hydraulic Pump, the cost of which shall not exceed \$12,000.00.

The motion to authorize the Purchasing Agent to purchase a “Jaws of Life” Multi-function Hydraulic Pump, the cost of which shall not exceed \$12,000.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Breslin, Palombo, Wood and Pompper

Nays: none Abstain: none Absent: none

ADJOURNMENT

Motion (Breslin, Palombo) to adjourn the meeting at 8:35 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the October 18, 2011 Meeting were approved at a meeting held _____, 2011

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

Ronald L Campbell Sr. Clerk

By: _____
Mayor Ellen B. Pompper

