

**MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD AUGUST 20, 2013**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on August 20, 2013 with Mayor Robert F. Breslin III 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 News of South Jersey, posted on the Township's Website and the Bulletin Board in the lobby of the Lower Alloways Creek Township Municipal Building in compliance with said Act.

FLAG SALUTE Mayor Breslin led in the Flag Salute.

ROLL CALL OF COMMITTEE

Present: Mr. Bradway, Mr. Palombo, Mrs. Pompper, Mr. Venable, and Mayor Breslin

Absent: None

OTHERS IN ATTENDANCE:

Also in attendance were -22- (twenty-two) members of the Public and Jack Lynch, Superintendent of Public Works; Lewis Fogg, Public Works Foreman; David Sowers, Director of Public Safety and the Township Clerk Ronald L Campbell Sr.

APPROVAL OF AUDITED VOUCHERS

Motion (Palombo, Bradway) 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, Bradway, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

MONTHLY REPORTS TO THE COMMITTEE

The Mayor requested that the minutes reflect that the July 2013 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, Construction Office, Engineer, Finance and June 2013 Animal Control Report.

APPROVAL OF THE MINUTES

Motion (Bradway, Palombo) to approve the minutes of the July 16, 2013 Regular Township Committee Meeting and the July 16, 2013 Closed Session Meeting Minutes; the minutes of the August 1, 2013 Special Township Committee Meeting and the August 1, 2013 Closed Session Meeting Minutes.

The motion to approve the minutes of the July 16, 2013 Regular Township Committee Meeting and the July 16, 2013 Closed Session Meeting Minutes; the minutes of the August 1, 2013 Special Township Committee Meeting and the August 1, 2013 Closed Session Meeting Minutes passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

PUBLIC COMMENT ON AGENDA ITEMS

Cpl Damian Carlson (POA) read the following statement; Five years ago Mr. Sowers was hired as Public Safety Director to prepare the officers in the department, to run the department, we believe he has succeeding in that task. The Officer's met with Mr. Sowers yesterday and he agreed, that it would be in the best interest of the department, for the highest ranking officer to be in charge of the day to day operations.

Mr. Sowers stated that he was in agreement with Cpl Carlson's statement and that he came to the department in 2009 and was tasked with working to the goal of preparing the officers to resume control of the department, this was the assignment given to him by the Committee, for various reasons this has not happened. Tonight, four years later the officers want to be heard, they are asking for a chance, not just to take over the department, but to begin the first steps. Steps forward to prove themselves worthy to do what police officers do. The Department has had controversy over the years, but these officers deserve to be judge for their actions, not the past. They are competent and professional men, I believe the time has come to give them a chance.

RESOLUTIONS

Motion (Palombo, Bradway) for Resolution 2013-78, a Resolution authorizing the auction of surplus items on Govdeals.com

RESOLUTION 2013-78

A RESOLUTION TO AUTHORIZE THE SALE OF SURPLUS PUBLIC PROPERTY ITEMS AT GOVDEALS.COM ONLINE AUCTION.

WHEREAS, The Township of Lower Alloways Creek has surplus public property items, which it no longer has need of for public service; and,

WHEREAS, N.J.S.A. 40A 11-36 authorizes municipalities to offer for sale, public property which is no longer needed for public service; and,

WHEREAS, the Township Committee does authorize the following items:

1. 1999 Ford Crown Victoria s/n ZFAFP71W8XX204421

be offered for auction online through Govdeals.com whose headquarters are located in Montgomery Alabama, pursuant to New Jersey Public Property Laws and Local Finance Notice 2008-09.

NOW, THEREFORE BE IT RESOLVED THAT the Township Committee of the Township of Lower Alloways Creek does authorize the sale of this surplus public property by online auction at Govdeals.com and does authorize the Purchasing Agent to negotiate with Govdeals.com as to the terms and conditions of their commission and any other particulars pertaining to the auction.

BE IT FURTHER RESOLVED that the terms and conditions of the online auction be available at the Municipal Clerk's Office and available through the auction website pursuant to Local Finance Notice 2008-09.

The motion for Resolution 2013-78 passed a vote of the Township Committee as follows: 5-0

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

Nays: none Abstain: none Absent: none

Motion (Pompper, Breslin) for Resolution 2013-79, A Resolution to authorize the receipt of bids for a SUV Police Vehicle.

RESOLUTION 2013-79

AUTHORIZING THE RECEIPT OF BIDS FOR THE PURCHASE OF A SUV POLICE INTERCEPTOR

WHEREAS, the Township Committee of the Township of Lower Alloways Creek does desire to purchase a SUV Police Interceptor, and;

WHEREAS, bid specifications for a SUV Police Interceptor will be made by the Purchasing Agent in consultation with the Director of Public Safety and made available for review by the Township Committee prior to the advertising for the receipt of bids.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that it does authorize the receipt of bids for a SUV Police Interceptor

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 a SUV Police Interceptor.

Mr. Venable stated that there are several months left in the year and there is not enough money in the police budget for this vehicle. Mr. Venable is not aware of a car that is not working and if we buy another vehicle this year it would be the second this year. Mrs. Pompper stated that each year a car is budgeted for and we are only soliciting bids and it does take some time to get the vehicle.

The motion for Resolution 2013-79 passed a vote of the Township Committee as follows: 4-1

Ayes: Pompper, Breslin, Bradway and Palombo

Nays: Venable Abstain: none Absent: none

Motion (Pompper, Bradway) for Resolution 2013-80, A Resolution to enter into an agreement with Energy Solve, LLC to provide energy billing analysis and payment

RESOLUTION 2013-80

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH ENERGY SOLVE LLC OF SOMERSET, NJ TO PROVIDE ENERGY BILL ANALYSIS SERVICES.

WHEREAS the Purchasing Agent of the Township of Lower Alloways Creek is recommending to the Township Committee that it enter into an agreement with Energy Solve LLC for energy billing analysis and payment, and;

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to control consumption and cost of energy, to benefit taxpayers and reduce its carbon footprint thereby helping the environment; and,

WHEREAS the Township Committee of the Township of Lower Alloways Creek desires to reduce administrative costs and to scrutinize all energy bills to eliminate overcharges or inappropriate fees being charged by public utilities; and,

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to have real time data on energy consumption for the purpose of improved energy management and reporting of said usage in a simple ready to utilize format when required.

NOW THEREFORE BE. IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek enter into a contract with Energy Solve LLC of Somerset New Jersey to provide the following services at the listed rates using State Contract # 73693:

- Provide the New Jersey Energy Tracking System, which includes setting up of all energy bills in a relational database, reporting from the database utility bill and other information in standard or customer specific reports.
- Processing and paying of all utility bills electronically after checking for billing errors
- Tariff analysis to ensure the Township of Lower Alloways Creek is being provided the best rates.
- Current rate for service is \$6.30 per bill processed for Local Distribution Company and 5.70 per bill for Third Party Suppliers per month.

NOW THEREFORE BE IT RESOLVED that this resolution take effect immediately and that the Clerk notify the Purchasing Agent of this action

The motion for Resolution 2013-80 passed a vote of the Township Committee as follows: 5-0
Ayes: Pompper, Bradway, Palombo, Venable and Breslin
Nays: none Abstain: none Absent: none

Motion (Palombo, Bradway) for Resolution 2013-81, A Resolution Certifying the 2012 Audit.

RESOLUTION 2013-81
A RESOLUTION CERTIFYING THE 2012 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year ending December 31, 2012 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Findings and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of 52:27BB- 52 -to wit:

R.S. 52:27BB-52 -A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office. "

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Lower Alloways Creek, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

The motion for Resolution 2013-81 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

ORDINANCE (PUBLIC HEARING)

Ordinance 2013-08 An ordinance to amend Section 1 of Chapter 43 known as “Police Department” of the Code of the Township of Lower Alloways Creek.

Mayor Breslin opened the meeting to a Public Hearing on Ordinance 2013-08

No one from the Public had any comments.

Mayor Breslin closed the Public Hearing on Ord 2013-08

Motion (Palombo, Breslin) for final adoption of Ordinance 2013-08 an ordinance amending section 1 of Chapter 43 known as “Police Department” of the Code of the Township of Lower Alloways Creek.

ORDINANCE 2013-08

AN ORDINANCE AMENDING SECTION 1, OF CHAPTER 43 KNOWN AS “POLICE DEPARTMENT” OF THE CODE OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK

WHEREAS, the Lower Alloways Creek Township Committee has determined it is necessary and appropriate to amend § 43-1 of the Municipal Code.

NOW, THEREFORE, BE IT ADOPTED by the Mayor and Township Committee of Lower Alloways Creek that § 43-1 of the Township Code be revised to read as follows:

§ 43-1. Establishment [Amended 2-20-1996 as Ord. No. 96-2, 7-12-2005 as Ord. No. 2005-13, 8-20-2013 as Ord. No. 2013-08]

The Police Department of the Township of Lower Alloways Creek is established pursuant to *N.J.S.A. 40A:14-118* and the Township of Lower Alloways Creek Municipal Code. The Township Committee may designate one (1) of the members of the department as Chief who shall be the head of the department and shall be in charge of the routine day-to-day operations of the department. **In the absence of the Chief, the Public Safety Director, if one has been appointed, shall be responsible for the day-to-day operations of the department. If a Public Safety Director has not been appointed, the highest ranking officer in the police department shall be responsible for the day-to-day operations of the department. In the absence of a Public Safety Director, the “appropriate authority” as set forth in *N.J.S.A. 40A:14-118* shall be the Township Committee.**

THIS ORDINANCE shall take effect according to law after introduction, publication and passage by a majority of the Township Committee.

This Ordinance, which was introduced for First Reading on July 16, 2013, was published by Title in the News of South Jersey and placed on the Township’s Website and Bulletin Board giving notice of said Public Hearing as required by Law.

Public Hearing on this Ordinance will be held on August 20, 2013 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock’s Bridge, New Jersey.

Mr. Venable commented that he has done some reading on this subject and has come to the conclusion that the Public Safety Director is a civilian position and limited by law. Some of which is spelled out clearly and some not at all, because of this, it is not fair to the director or the Township to put him in a position to have to try to stay within the law, we are not sure of. On the other hand the highest ranking officer is a law enforcement officer, which is not limited by law and in his opinion should be in charge of the day-to-day operations. Because the Committee has not filled the position of Lieutenant and Chief and does not think the highest ranking officer is capable of day-to-day operations of the department, we are sending a clear message that even though officers may have had a 20 some year career, they are not capable of running the department and he feels that is wrong.

Mrs. Pompper stated that she is not in favor of this ordinance and feels the Committee should consider promotions and giving more responsibilities to the officers. Mrs. Pompper does not feel changing the responsibilities means the Committee needs to go from a Public Safety Director to a Police Chief, it just needs to provide career opportunities to the officers.

Mayor Breslin stated voting this down leaves us with the existing language and that we were seeking clarification for a reason.

Mr. Rosenberger stated that the current ordinance leaves some ambiguity and this language has been recommended by our labor counsel, we currently have a hearing in superior court because of the existing language, in that there has been a question of what is the “authority”. This ordinance does not take away anything from the department as far as day-to-day operations, it clarifies the supervisory line. Mr. Rosenberger stated that his understanding is, that we have a civilian Public Safety Director with police experience, but the operations as a practical matter are handled by uniform officers, supervised by the Public Safety Director and the uniform officers have the various functions that are the usual police functions. Mr. Rosenberger stated he feels there needs to be someone at the top that can assign the responsibilities; otherwise there could be a conflict between the highest ranking officer and the public safety director; who will assign responsibilities. The Committee certainly could appoint a chief and they would have day-to-day responsibilities, but that would essentially then make the Public Safety Director position not necessary.

Mr. Venable asked if it was Mr. Rosenberger’s opinion that it would cause a conflict. Mr. Rosenberger stated that it was Liz Garcia’s opinion, with which he agreed.

Mr. Venable stated that if we had a chief, it would be the same problem, the Township did have a chief and safety director in the past, why, was it not a conflict then, the highest ranking officer would have the same duties as the chief, it is just a difference in title. Mr. Venable stated that the highest ranking officer or chief if there was one, still would report to the Public Safety Director.

Mr. Rosenberger feels as soon as the operation of the department rests with the highest ranking office, the public safety director would then not be a needed position.

Mrs. Pompper stated that she believes the intent of the three who are not in favor of this ordinance, is to have the highest ranking officer be in charge of the operation of the department.

Mr. Venable stated he wanted to see the original language from June that gives day-to-day control to the highest ranking officer brought before the Committee next month

Final: August 20, 2013 0-5

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

Ordinance 2013-10 An ordinance to amend Article III of Chapter 151 known as “Vehicles and Traffic” of the Code of the Township of Lower Alloways Creek

Mayor Breslin opened the meeting to a Public Hearing on Ordinance 2013-10

No one from the Public had any comments.

Mayor Breslin closed the Public Hearing on Ord 2013-10

Motion (Venable, Venable) for final adoption of Ordinance 2013-10 an ordinance to amend Article III of Chapter 115 known as “Vehicles and Traffic” of the Code of the Township of Lower Alloways Creek.

ORDINANCE 2013-10

AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 151 KNOWN AS “VEHICLES AND TRAFFIC” OF THE CODE OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to amend Article III “Stop Intersections” of Chapter 151 known as “VEHICLES AND TRAFFIC”.

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

Article III ‘Stop Intersections’ of Chapter 151 of the Code of the Township of Lower Alloways Creek is hereby amended in its entirety as follows:

**ARTICLE III
Stop Intersections**

§ 151-5. Stop intersections designated. [Amended 8-20-2013 as Ord. No. 2013-10]

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described below, are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

Stop Intersection	Stop Signs Shall Be Installed on:
Short Road and County Route 658 (Salem-Hancocks Bridge)	Short Road
Hogate Boulevard and County Route 651(Beasley Neck)	Hogate Boulevard
Robinson Road and County Route 654 (Cross)	Robinson Road
Robinson Road and County Route 659 (New Bridge)	Robinson Road
Harasta Road and Robinson Road	Harasta Road
Harasta Road and County Route 632 (Harmersville)	Harasta Road
Mays Lane and County Route 632 (Harmersville- Pecks)	Mays Lane
Mays Lane and County Route 658 (Maskells Mill)	Mays Lane
Church Road and County Route 654 (Smick)	Church Road
Church Road and County Route 659 (Main St – Canton)	Church Road
Frank Smith Road and County Route 654 (Smick)	Frank Smith Road
Hell Neck Road and County Route 658 (Maskells Mill)	Hell Neck Road
Hell Neck Road and County Route 652 (Jericho)	Hell Neck Road
Buckhorn Road and County Route 658 (Friendship)	Buckhorn Road
Frog Ocean Road and County Route 659 (Main St – Canton)	Frog Ocean
Long Bridge Road and County Route 659 (Main St – Canton)	Long Bridge
Stow Neck Road (coming North) and Long Bridge Road	Stow Neck Road
Stow Neck Road and Frog Ocean Road	Stow Neck Road
Silverlake Road and County Route 659 (Main St – Canton)	Silverlake Road
Front and County Route 658 (Locust Island)	Front Street
Front Street and Maple Avenue	Maple Avenue
Front Street and Poplar Street and Main Street	Three-way stop, all directions
New Street and County Route 658 (Locust Island)	New Street
New Street and Main Street	New Street
New Street and Maple Avenue	Four-way stop, all directions
Second Street and County Route 658 (Locust Island)	Second Street
Second Street and Main Street	Second Street
Pancoast Road and Alloway Creek Neck Road	Pancoast Road

THIS ORDINANCE shall take effect according to law after introduction, publication and passage by a majority of the Township Committee.

This Ordinance, which was introduced for First Reading on July 16, 2013, was published by Title in the News of South Jersey and placed on the Township’s Website and Bulletin Board giving notice of said Public Hearing as required by Law.

Public Hearing on this Ordinance was held on August 20, 2013 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock’s Bridge, New Jersey.

Final: August 20, 2013 5-0

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRADWAY			Y			
MR. PALOMBO		S	Y			
MRS. POMPPER			Y			

MR. VENABLE	M		Y			
MAYOR BRESLIN			Y			

OLD BUSINESS:

Motion (Bradway, Palombo) to approve payment of the NJDEP permit fees for the Alloways Creek Bank Phase II Project, in the amount of \$10,094.85.

Mr. Venable stated that he did not feel this was necessary and that there were house that over hang the bank in this area, what will be done with them.

Mr. Lynch stated that the engineer will be dealing with this issue.

Mr. Venable further stated that he remembers being told that time lapse photos do not show any erosion in this area.

Mr. Lynch stated that it was not as prevalent, as it was in the area were the bank had just been restored.

Mr. Venable asked if this was to protect Hancocks Bridge from flooding, he can not remember Hancocks Bridge ever being flooded.

Mr. Lynch stated this was a proactive project rather than a reactive one.

The motion to approve payment of the NJDEP permit fees for the Alloways Creek Bank Phase II Project, in the amount of \$10,094.85 passed a vote of the Township Committee as follows: 3-2

Ayes: Bradway, Palombo, and Breslin

Nays: Pompper and Venable Abstain: none Absent: none

NEW BUSINESS:

Motion (Bradway, Breslin) to approve the purchase of four Air Bottles and valves for the LAC Fire Department from Breathe Safe Fire & Safety Equipment at a cost of \$ 3,637.88.

The motion to approve the purchase of four Air Bottles and valves for the LAC Fire Department from Breathe Safe Fire & Safety Equipment at a cost of \$ 3,637.88 passed a vote of the Township Committee as follows: 5-0

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

Nays: none Abstain: none Absent: none

Motion (Bradway, Pompper) to approve the purchase of hydraulic hose, storage reel and fluid for the Ambulance Squad from Municipal Emergency Services Inc. at a cost of \$ 3,411.00.

The motion to approve the purchase of hydraulic hose, storage reel and fluid for the Ambulance Squad from Municipal Emergency Services Inc. at a cost of \$ 3,411.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Bradway, Pompper, Palombo, Venable and Breslin

Nays: none Abstain: none Absent: none

Motion (Venable, Palombo) to approve a lease agreement with Thomas H Simpkins to occupy Unit E-28 at the Leisure Arms Complex.

The motion to approve a lease agreement with Thomas H Simpkins to occupy Unit E-28 at the Leisure Arms Complex passed a vote of the Township Committee as follows: 5-0

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

Nays: none Abstain: none Absent: none

Motion (Palombo, Venable) to approve the request by Thomas Simpkins to install a ceiling fan in the living room of Unit E-28, with the condition that the entire cost of the installation be paid by Mr. Simpkins, that the installation be done by a licensed electrician and be approved & supervised by Public Works Foreman Lewis Fogg.

The motion approve the request by Thomas Simpkins to install a ceiling fan passed a vote of the Township Committee as follows: 5-0

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

Nays: none Abstain: none Absent: none

Motion (Palombo, Bradway) to approve the proposal for roadside tree trimming in Elsinboro Township, at a cost to Elsinboro Township of \$ 5,750.00

The motion to approve the proposal for roadside tree trimming in Elsinboro Township, at a cost to Elsinboro Township of \$ 5,750.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

Motion (Pompper, Bradway) to authorize an agreement with Edmonds & Associates to provide their WIPP services to allow for online lookup and payment of LAC Property Taxes and Sewer Payments at a cost of \$ 500.00.

The motion to authorize an agreement with Edmonds & Associates to setup their WIPP services to allow for online lookup and payment of LAC Property Taxes and Sewer Payments at a cost of \$ 500.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Bradway, Palombo, Venable and Breslin

Nays: none Abstain: none Absent: none

Motion (Pompper, Breslin) to authorize an agreement with Comcast for Business VoiceEdge phone services at a cost not to exceed \$1,060.60 per month, with one time installation / activation fees of \$830.90.

The motion to authorize an agreement with Comcast for Business VoiceEdge phone services at a cost not to exceed \$1,060.60 per month, with one time installation / activation fees of \$830.90 passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Breslin, Bradway, Palombo and Venable

Nays: none Abstain: none Absent: none

Motion (Pompper, Venable) to reimburse an employee for a medical device and office visit not covered by the Township's Insurance Plan in the amount of \$323.32.

The motion to reimburse an employee for a medical device and office visit not covered by the Township's Insurance Plan in the amount of \$323.32 passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Venable Bradway, Palombo, and Breslin

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) to use Inspira Health Network for Occupational Health and Wellness Services, based on the fee schedule provided

The motion to use Inspira Health Network for Occupational Health and Wellness Services, based on the fee schedule provided passed a vote of the Township Committee as follows: 5-0

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

CORRESPONDENCE None

PUBLIC COMMENT None

REPORTS TO THE COMMITTEE & COMMITTEE REPORTS

Public Works: Mr. Lynch reported that the basket ball court should be paved on Friday and work is proceeding on the Solar Panels for the Municipal Building and Fire House.

Public Safety: Mr. Sowers thanked the Committee for approving bids for a new vehicle.

Mr. Venable, Mr. Palombo, Mrs. Pompper and Mayor Breslin had no further comments. Mr. Bradway commented that the Public Works Buildings looked good freshly painted and that there would be an Ambulance Squad Chicken BBQ fundraiser on Saturday the 24, tickets are still available and would be sold at the door.

CLOSED SESSION

Motion (Palombo, Bradway) to convene into a Closed Session of Business 8:15 pm

RESOLUTION 2013 –82
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.

____ 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. Contracts

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

- A. At such time the heretofore mentioned matters are concluded or resolved

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 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: Bradway, Palombo, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

Motion (Pompper, Bradway) 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: Pompper, Bradway, Palombo, Venable and Breslin

Nays: none Abstain: none Absent: none

BUSINESS AFTER CLOSED SESSION

Motion (Pompper, Breslin) for Resolution 2013-82, a Resolution to renew the Township's Health Insurance Policies for 2013-2014

RESOLUTION 2013-83

A RESOLUTION TO RENEW THE TOWNSHIP OF LOWER ALLOWAYS CREEK'S HEALTH INSURANCE POLICIES AND DENTAL INSURANCE POLICIES FOR THE PERIOD SEPTEMBER 1, 2013 THROUGH AUGUST 31, 2014 WITH INSURANCE SOLUTIONS, INC.

WHEREAS, the Township of Lower Alloways Creek has need of securing Health and Dental Insurance for its employees, and;

WHEREAS, the Township of Lower Alloways Creek's Insurance agent of record has submitted for review a renewal Health and Dental Insurance package for the period of September 1, 2013 through August 31, 2014, and;

WHEREAS, the Insurance Committee of the Township Committee has met with its Insurance Agent and is making a recommendation to the full Township Committee to renew the Health and Dental Insurance Policies of the Township without coverage changes.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the Health and Dental Insurance Policies be renewed for the period September 1, 2013 through August 31, 2014.

BE IT FURTHER RESOLVED that the Clerk notify the Township Purchasing Agent and Jason DeMarco of Insurance Solutions, Inc. of this action.

The motion for Resolution 2013-82 passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Breslin, Bradway, Palombo and Venable

Nays: none Abstain: none Absent: none

Motion (Palombo, Pompper) for Resolution 2013-83, a Resolution to authorize the receipt of bids for excess real property.

RESOLUTION 2013- 84

RESOLUTION OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK, COUNTY OF SALEM, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF REAL PROPERTY NOT NEEDED FOR PUBLIC USE AS PROVIDED IN N.J.S.A. 40A:12-13, WHICH LANDS ARE IDENTIFIED AS BLOCK 5, LOT 2; BLOCK 29, LOT 17.02;

**BLOCK 51, LOT 13.02; BLOCK 53, LOT 11.01; AND BLOCK 57, LOT 2 ON
THE LOWER ALLOWAYS CREEK TOWNSHIP TAX MAP.**

WHEREAS, the Township of Lower Alloways Creek currently holds title to real property known as Block 5, Lot 2; Block 29, Lot 17.02; Block 51, Lot 13.02; Block 53, Lot 11.01; and Block 57, Lot 2; and

WHEREAS, the Lower Alloways Creek Township Committee has determined that said properties are no longer needed for public purposes and should be offered for sale to the highest bidder at public auction: and

WHEREAS, said sale will be for all the Township's right, title and interest in accordance with the following terms and conditions, which shall be published in a public notice in accordance with N.J.S.A. 40A12-13:

- A. There shall be no minimum bid price. The Township Committee will review all bids for each parcel. Upon completion of the bidding, the highest bid for each parcel may be accepted or each bid, including the highest bid, may be rejected by the Township Committee at a regularly scheduled Monthly Township Committee Meeting.
- B. All bids shall be received in sealed envelopes accompanied with a certified check for ten percent (10%) of the bid price, which bids shall be received on or before 11:00 a.m. on September 13, 2013 in the office of the Lower Alloways Creek Township Clerk, 501 Locust Island Road, Hancocks Bridge, New Jersey 08038.
- C. The sale and conveyance hereunder shall be subject to all covenants, conditions, easements and restrictions of record and shall be subject to all present and existing municipal rules, regulations and ordinances, including the zoning ordinance and amendments thereto. The sale of said parcels shall in no way bind the Township to make any improvements including access or utility installations to the property.
- D. The form of conveyance of said lands by the Township shall be by Municipal Bargain and Sale Deed based upon full payment received by the Township within ten (10) days of the successful bidder having been noticed of the Township's acceptance of said bid.
- E. The Township makes no representation as to the marketability or insurability of title to the parcels. In the event that title to any parcel is not marketable or insurable at regular rates by a reputable title insurance company licensed to do business within the State of New Jersey, the successful bidder's sole remedy shall be the right to the return of any deposit previously paid to the Township without interest. There shall be no refund after the deed has been delivered to and accepted by the buyer.
- F. The cost for recording, transfer fees and such title search and/or insurance as the successful bidder may desire shall be borne by the bidder.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek, County of Salem and State of New Jersey as follows:

1. That the Township hereby authorizes the sale of:

Block 5	Lot 2	approx 16.52 acres, Wetlands
Block 29	Lot 17.02	substandard lot, approx 30 by 92
Block 51	Lot 13.02	substandard lot, approx 144 by 146
Block 53	Lot 11.01	substandard lot, approx 45 by 165, SFD
Block 57	Lot 2	substandard lot, approx 70 by 114, SFD

at public auction sale with no minimum sale price.

2. All terms of sale set forth in the preamble of this resolution are hereby adopted.
3. Upon the adoption of the within resolution, the Township Clerk is authorized to publish the required notice as provided in N.J.S.A. 40A:12-13 and post same on the township bulletin board and township website.
4. The Township Solicitor is authorized to prepare deeds and associated paperwork for the subject properties and to incur such expenses and provide such professional services as may be required to obtain title information necessary to transfer title and review the notice to be published and posted by the Township Clerk.
5. The Township Clerk shall obtain proof of publication as required in N.J.S.A. 40A:12-13 and sign a certification or affidavit verifying the publication of the required advertisements and shall cause said certification or affidavit to be filed with the Director of the Division of Local Government Services in the Department of Community Affairs.

The foregoing resolution was duly adopted by the Mayor and Township Committee for the Township of Lower Alloways Creek at a duly notice public meeting held on August 20, 2013.

The motion for Resolution 2013-83 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Pompper, Bradway, Venable and Breslin

Nays: none Abstain: none Absent: none

ADJOURNMENT

Motion (Pompper, Bradway) to adjourn the meeting at 8:40 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the August 20, 2013 Meeting were approved at a meeting held September 17, 2013

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

Ronald L Campbell Sr. Clerk

By: _____
Mayor, Robert F. Breslin III