

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
March 5, 2018 - 7:00 P.M.

Meeting called to order

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

Work Session

Proclamation - Victoria McCann – Mayor Simonsen & Councilman Roy

Consent Agenda

Approval of Minutes February 21, 2018
Approval of Closed Session Minutes February 21, 2018
Res. #2018-96 Payment of Vouchers \$ 706,076.12
Res. #2018-97 Authorization for the Payout of Accumulated Compensatory Time (K.Lewis \$14,962.59)
Res. #2018-98 Authorization to Cancel Uncashed Checks (5 cks total \$119.51)
Res. #2018-99 Authorization for the Payout of Accumulated Compensatory Time (J.Chew \$6,981.28)
Res. #2018-100 Authorizing the Payout of Terminal Leave (S.Jackson \$46,588.23)
Res. #2018-101 Authorization for Refund of Taxes (4 properties \$6,755.26)
Res. #2018-102 Amending Resolution #2017-210; Payout of Terminal Leave (W.Mastriana \$2,649.47)
Res. #2018-103 A Resolution Authorizing the Sixth Annual Escape the Cape Triathlon Scheduled for June 9th and 10th, 2018
Res. #2018-104 A Resolution Requesting Release of Performance Guarantee for Paul Merrick Subdivision; Block 806, Lot 3, Escrow #P15-09-02 (\$30,167.)
Res. #2018-105 Authorization for the Payout of Accumulated Compensatory Time (J.McNulty \$5,429.80)
Res. #2018-106 Approval for Roadside Solicitation by Erma Volunteer Fire Company (yearly request/approval)
Res. #2018-107 Authorization to Amend Various Resolution Regarding the Numerical Order of the Approved Charge Orders for the Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvements Project Awarded to Mott MacDonald (correcting Change Order numbers)
Ordinance #2018-03 – An Ordinance Revising and Restating Article 1 of Chapter 178, Beaches of the Code of the Township of Lower. This is the first reading of Ordinance #2018-03. The second reading and public hearing of this Ordinance has been scheduled for March 19, 2018.
Ordinance #2018-04 – Amending Article IV Subsection 475-14 of Chapter 475; Parks and Recreation Areas of the Code of the Township of Lower – to Amend The Fee Schedule – This is the first reading of Ordinance #2018-04. The second reading and public hearing of this Ordinance has been scheduled for March 19, 2018.
Ordinance #2018-05 – Bond Ordinance Amending and Supplementing Bond Ordinance #2015-10 Finally Adopted by the Township Council on October 19, 2015 as Previously Amended and Supplemented, to Increase the Appropriation Therein by \$4,200,000 and to Increase the Authorization of Bonds or Notes Therein by \$3,990,000 to Finance Part of the Additional Costs Thereof

Regular Agenda

Res. #2018-108 A Resolution Awarding A Professional Service Contract Without Public Bidding to Testa, Heck, Testa & White as Defense Attorney for a Lower Township Appointee in Accordance with Chapter 25 of the Code of the Township of Lower

Manager's Report

Administrative Reports

Treasurer's Report - December

Council Comments

Call to the Public

Closed Session

Res. #2018-109 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12. **Coastal Resiliency / Personnel Issue**

Adjournment

COUNCIL MEETING MINUTES – February 21, 2018

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on February 21, 2018 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Clerk announced that the meeting was being held in compliance with the Open Public Meetings Act and that adequate notice of the meeting had been provided according to law.

The following members of Council were present for roll call taken by the Clerk:

- Councilmember Thomas Conrad
- Councilmember David Perry
- Councilmember Roland Roy, Jr.
- Deputy Mayor Frank Sippel
- Mayor Erik Simonsen

Also present: James Ridgway, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

Work Session

Mayor Simonsen read Resolution #2018-80 into the record and invited Christopher Kobik, Superintendent of LCMR School District, to give insight into the ACES program. Mr. Kobik, member of the Cape Regional Wellness Alliance Committee (CRWA), spoke briefly about the program's leadership, background, and core objectives, and thanked Council for their continued support. See program outline attached

Vicki Clark, CRWA member, spoke of the program's grant process and the importance of raising community awareness. She also thanked Council for the opportunity to speak about the ACES program.

Mayor Simonsen vowed Council's support, and he and Mr. Kobik commended each other for their commitment. Manager Ridgway voiced his appreciation and shared his vision for new programs. Deputy Mayor Sippel also thanked Mr. Kobik and Ms. Clark for their efforts on behalf of the kids.

Res. #2018-80 A Resolution Pledging Lower Township's Commitment to Raise Awareness to Adverse Childhood Experiences - Chris Kobik, LCMR Superintendent

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY	X		X			
ROY			X			
SIPPEL			X			
SIMONSEN		X	X			

Mayor Simonsen read Resolution #2018-81 into the record, and invited Vicki Clark, President of the Cape May County Chamber of Commerce, to talk about the resolution.

Vicky Clark thanked Council for their support and stressed the importance of banning together to protect New Jersey's coast by opposing offshore drilling. She informed of a press conference on February 26 at Ocean City Music Pier.

Res. #2018-81 Resolution Opposing Offshore Oil and Gas Activities – CMC Chamber of Commerce Vicky Clark

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
PERRY			X			
ROY			X			
SIPPEL		X	X			
SIMONSEN			X			

Consent Agenda

- Approval of NJ Firemen's Assoc Membership Application – H.Bailey & C.Four- Erma Volunteer Fire Co.
- Approval of Minutes February 5, 2018

- Res. #2018-82 Payment of Vouchers \$ 226,114.14
 Res. #2018-83 Authorizing Payout of Terminal Leave (G.Barger \$5,114.29)
 Res. #2018-84 Bid Acceptance and Award for Electrical Services for Various Locations for the year 2018 with an Option for 2019 (Megonigal Electric, LLC(\$85 per hr)
 Res. #2018-85 Authorization for Refund of Taxes (3 properties \$3,420.52)
 Res. #2018-86 Approval of Contribution to the Coast Guard Community Festival (\$1,000)
 Res. #2018-87 Approval of 2018 Rotary Towing License (Eddie's Auto Body)
 Res. #2018-88 2018 Distracted Driving Crackdown U Drive. U Text. U Pay. (grant application \$6,600)
 Res. #2018-89 Approval of Change Order #3 for Additional Work – Additional Pre-Construction Groundwater Sampling Services & Rebid Services For Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvements Project (\$33,475.)
 Res. #2018-90 Authorization for the Payout of Accumulated Sick Time (2017 J.Sani \$978.41)
 Res. #2018-91 Authorizing an Agreement Between the County of Cape May and the Township of Lower for the Purchase of Gasoline and Diesel Fuel through the Commodity Resale System
 Res. #2018-92 Authorizing the sale of Township of Lower Surplus No Longer Needed for Public Use on GOVDEALS online Auction Website (F250 Animal Control Unit)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY		X	X			
ROY	X		X			
SIPPEL			X			
SIMONSEN			X			

Regular Agenda

- Res. #2018-93 Approval of an Alcoholic Beverage Control License Place-to-Place Transfer – Including Expansion of Licensed Premises – License #0505-44-013-006, Mattera's Liquor t/a Joe Canal's Discount Liquors (Cape Liquors) - The applicant has advertised this transfer as required by statute and no objections have been received

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
PERRY			X			
ROY		X	X			
SIPPEL			X			
SIMONSEN			X			

Manager's Report

Manager Ridgway gave a brief update on progress with the Public Safety Building, including an estimated timetable for Fire Safety, Rescue and Municipal Court to move back. He communicated his expectation for increased productivity with the addition of a full-time secretary in the Construction Office.

Engineer's Report

Mark Sray, Mott MacDonald, gave an update on the current projects including the Roseann Avenue Roadway and Utility Improvements Project, the Beach Drive Pedestrian Safety Improvements Project, and Roadway Evaluation Project.

Manager Ridgway informed Council of correspondence from the Townbank Property Owner's Association.

Councilmember Perry addressed Mr. Sray to confirm DEP approval for vegetation included in the Beach Drive Project.

Administrative Reports

Monthly Reports - Clerk, Construction, Dog, Fire, Police, Tax, Vital Statistics
 Tax Collector's Annual Report

Council Comments

Councilmember Conrad stated that he is awaiting news regarding County road repairs and wished everyone a safe week.

Councilmember Perry reassured that the Roseann Avenue Project will move forward despite the setbacks. He also commented on the progress of Beach Drive, and voiced discontent about rumors circulating on social media regarding dune vegetation. He also advised to report potholes to Public Works and check the Township website for a weekly schedule of contractors working on Beach Drive.

Councilmember Conrad informed that there is a link on the Township website to report potholes. He also announced a cleanup at Union Bethel Cemetery.

Councilmember Roy voiced his support of the above mentioned projects and thanked Councilmember Perry for the information.

Deputy Mayor Sippel informed that the county awarded the contract to demolish the Everlon building.

Mayor Simonsen addressed the importance of school safety and communicated his plan for a future work session.

Call to the Public

Ray Flickinger, Washington Blvd, voiced favor with the progress on the Beach Drive Pedestrian Safety Improvements Project.

Closed Session

Res. #2018-94

Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

PERSONNEL ISSUE

Council MAY return to open session to take action

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY			X			
ROY		X	X			
SIPPEL			X			
SIMONSEN	X		X			

Council adjourned to Closed Session at 7:53 p.m.

Council returned to Open Session at 8:37 p.m.

Clerk Picard read Resolution #2018-95 into the record.

Res. # 2018-95

A Resolution Appointing a Municipal Tax Collector

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY					X	
ROY			X			
SIPPEL	X		X			
SIMONSEN		X	X			

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Mayor Simonsen. Motion to adjourn was unanimous. Meeting adjourned at 8:39 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00825 COMCAST*			Continued					
18-00524	02/26/18	FIRE SAFETY	8499050090215761	Open	124.85	0.00		
					988.67			
01132 CUMMINS POWER SYSTEMS, LLC*								
18-00160	01/18/18	UPDATE SOFTWARE ANNUALLY		Open	455.50	0.00		
01200 DELTA DENTAL PLAN OF NJ								
18-00526	02/26/18	FEBRUARY 2018 ADMIN		Open	1,216.80	0.00		
01208 DRAIN DOCTOR*								
18-00399	02/08/18	CAMERA NEEDED FOR DRAIN		Open	390.00	0.00		
01246 ROCCO SANSONE								
18-00555	02/27/18	BASKETBALL OFFICIAL		Open	50.00	0.00		
01661 GENERAL SALES ADMINISTRATION*								
18-00304	01/30/18	VEHICLE PARTS		Open	736.70	0.00		
01667 GLOUCESTER COUNTY POLICE ACAD*								
17-03135	11/30/17	TRAINING - 2/22/18 - 2/23/18		Open	40.00	0.00		
01785 ROBERT HARTMAN SR								
18-00529	02/26/18	CONTRACTUAL REIMBURSEMENT-M		Open	396.00	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
18-00404	02/08/18	ZONING BOARD SOLICITOR		Open	1,250.00	0.00		
01824 ROBERT J. HERITAGE								
18-00525	02/26/18	CONTRACTUAL REIMBURSEMENT-M		Open	720.00	0.00		
02010 ISLAND TROPHY*								
17-02424	09/18/17	BOARD MEMBER PLAGUE		Open	30.00	0.00		
02140 KINDLE FORD LINC/MERC., INC.*								
18-00108	01/11/18	PARTS FOR POLICE VEHICLES/JAN		Open	609.52	0.00		
02223 LANDSMAN UNIFORMS*								
17-02680	10/18/17	UNIFORMS		Open	3,171.00	0.00		
18-00380	02/08/18	UNIFORMS		Open	1,247.50	0.00		
					4,418.50			
02236 NIGP MEMBERSHIP DEPT*								
18-00211	01/22/18	2018 MEMBERSHIP M VITELLI QPA		Open	190.00	0.00		
02294 MARIE A. LOMONACO								
18-00366	02/06/18	CONTRACTUAL REIMBURSEMENT		Open	196.46	0.00		B
02441 ERNEST MACOMBER								
18-00532	02/26/18	CONTRACTUAL REIMBURSEMENT-M		Open	924.80	0.00		
02521 JOSEPH MARKER								
18-00533	02/26/18	CONTRACTUAL REIMBURSEMENT-M		Open	2,675.64	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02607 MICHAEL MAJANE	18-00542	02/27/18	TRAINING MEALS - PARKING	Open	30.00	0.00		
02800 MURPHY FENCE COMPANY*	18-00447	02/15/18	FENCE PARTS	Open	67.78	0.00		
02811 JAMES MOY	18-00475	02/21/18	CONTRACTUAL REIMBURSEMENT-M	Open	52.80	0.00		
	18-00527	02/26/18	CONTRACTUAL REIMBURSEMENT-M	Open	48.00	0.00		
					100.80			
02991 NJ CONFERENCE OF MAYORS	18-00019	01/09/18	2018 WINTER SUMMIT	Open	70.00	0.00		
	18-00022	01/09/18	2018 MEMBERSHIP DUES	Open	510.00	0.00		
					580.00			
03008 NJ DEPT OF TREASURY/FEES	18-00159	01/18/18	SOLID WASTE COMPLIANCE/ENFORCE	Open	144.00	0.00		
03017 SIXSMITH SPORTING GOODS INC*	17-02694	10/18/17	FIELD JACKET	Open	160.45	0.00		
03026 NJ STATE HEALTH BENEFITS	18-00482	02/21/18	MARCH 2018 HEALTH BENEFITS	Open	181,573.91	0.00		
	18-00483	02/21/18	MARCH 2018 RETIREES BENEFITS	Open	101,992.26	0.00		
					283,566.17			
03086 NJ STATE ASSN CHIEFS OF POL*	18-00396	02/08/18	2018 MEMBERSHIP DUES	Open	275.00	0.00		
03284 STEPHEN H. PARKER	18-00514	02/26/18	BASKETBALL OFFICIAL	Open	1,075.00	0.00		
03305 PEDRONI FUEL*	18-00544	02/27/18	NO LEAD GAS	Open	196.77	0.00		
03350 MICHAEL PERRY	18-00518	02/26/18	TRAINING	Open	24.00	0.00		
	18-00519	02/26/18	TRAINING	Open	40.00	0.00		
					64.00			
03387 POGUE INC. *	18-00400	02/08/18	PRE EMPLOYMENT SUBSTANCE TEST	Open	133.00	0.00		
03427 POLAR BEAR*	18-00333	01/31/18	EMERGENCY WORK - GYM HEATER	Open	147.00	0.00		
03518 RIGGINS, INC.*	18-00543	02/27/18	OFF HIGHWAY DIESEL	Open	592.81	0.00		
03537 RUTGERS, THE STATE UNIVERSITY*	18-00398	02/08/18	MUN CLERK REVIEW - K.FOURNIER	Open	652.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03692 SOUTH JERSEY GAS CO*	18-00535	02/26/18	GAS BILL JANUARY-FEBRUARY	Open	5,884.24	0.00		
03766 JOAN TAYLOR	18-00477	02/21/18	CONTRACTUAL REIMBURSEMENT-M	Open	400.00	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	18-00464	02/20/18	SEWER DUE 3/4/18 POLICE	Open	160.00	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	18-00504	02/22/18	REIMBURSE HALF OF TOTAL BILL	Open	135.00	0.00		
	18-00508	02/22/18	REIMBURSE HALF TOTAL BILL	Open	233.12	0.00		
					368.12			
03876 UNITED WATER TREATMENT CO INC*	18-00437	02/15/18	WATER TREATMENT FOR SYSTEM	Open	480.00	0.00		
03969 VERIZON	18-00539	02/27/18	PHONE SERVICE: LAND LINES	Open	180.06	0.00		
03995 VITAL COMMUNICATIONS, INC.*	18-00326	01/31/18	ASSESSMENT NOTICES	Open	3,067.26	0.00		
04280 G.F.O.A. OF NJ	18-00522	02/26/18	2018 ANNUAL MEMBERSHIP-CFO	Open	90.00	0.00		
04445 TRICOMM SERVICES CORP*	18-00312	01/30/18	PHONE SET UP FOR MOVE	Open	765.00	0.00		
6059 USABLE LIFE	18-00530	02/26/18	MARCH 2018 LIFE INSURANCE	Open	537.18	0.00		
6071 UNITED UNIFORMS LIMITED LIAB*	18-00435	02/15/18	UNIFORMS-FIRE	Open	117.99	0.00		
7098 SHORE VETERINARIAN ANIMAL *	18-00139	01/16/18	ANIMAL CNTRL DNE \$54K RES18-20	Open	9,000.00	0.00		B
7115 LIFELINE TRAINING LP*	18-00161	01/18/18	TRAINING:STREET SURVIVAL AC	Open	1,134.00	0.00		
7196 LAUREN HUGGINS SUIT*	18-00085	01/10/18	RES 18-09 DNE \$10,400	Open	866.67	0.00		B
7199 STAPLES CREDIT PLAN-INSTORE PU	18-00093	01/11/18	DO NOT EXCEED \$300.00	Open	178.99	0.00		
	18-00137	01/16/18	OFFICE SUPPLIES	Open	185.77	0.00		
	18-00207	01/22/18	SUPPLIES	Open	397.05	0.00		
	18-00307	01/30/18	OFFICE SUPPLIES	Open	113.38	0.00		
	18-00369	02/06/18	OFFICE SUPPLIES	Open	166.99	0.00		
	18-00428	02/13/18	HP 305X TONER	Open	101.89	0.00		
					1,144.07			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7295	USPS HASLER #8007584	18-00450	02/16/18	POSTAGE	Open	5,000.00	0.00		
7508	BLANEY & KARAVAN PC*	18-00131	01/11/18	RES# 18-05 PROSECU DNE 37,500	Open	3,125.00	0.00		B
7536	ALS ASSOCIATION OF GREATER	18-00454	02/20/18	RES#17-289 PROCEEDS YOUTH BASK	Open	500.00	0.00		
7554	BRYANT PETTY	18-00515	02/26/18	BASKETBALL OFFICIAL	Open	480.00	0.00		
7557	COASTAL DIGITAL SOLUTIONS,LLC*	18-00407	02/08/18	LCMR BASKETBALL SPONSORSHIP	Open	300.00	0.00		
7618	MEGONIGAL ELECTRIC LLC*	18-00349	02/02/18	ELECTRIC NEW POLICE WORKSTNS	Open	3,500.00	0.00		
7622	USA FOOTBALL	17-03101	11/29/17	FOOTBALL CERTIFICATIONS	Open	170.00	0.00		
7636	MOTT MACDONALD LLC*	16-02312	08/29/16	ENGINEERING FOR ROSEANN AVE	Open	3,861.00	0.00		B
		17-01015	04/13/17	BEACH DRIVE PED SFTY IMPROVEMT	Open	12,794.30	0.00		B
		17-02966	11/09/17	ROSEANN SOIL SAMPLE & DESIGN	Open	2,747.00	0.00		
		18-00456	02/20/18	PROFESSIONAL ENGINEERING	Open	149.05	0.00		
		18-00457	02/20/18	PROFESSIONAL ENGINEERING	Open	54.20	0.00		
		18-00458	02/20/18	PROFESSIONAL ENGINEERING	Open	176.15	0.00		
		18-00459	02/20/18	PROFESSIONAL ENGINEERING	Open	101.50	0.00		
		18-00460	02/20/18	PROFESSIONAL ENGINEERING	Open	602.85	0.00		
		18-00461	02/20/18	PROFESSIONAL ENGINEERING	Open	603.85	0.00		
		18-00462	02/20/18	PROFESSIONAL ENGINEERING	Open	352.30	0.00		
						21,442.20			
7711	LORETTA MURPHY	18-00516	02/26/18	BASKETBALL OFFICIAL	Open	50.00	0.00		
7728	SOUTH JERSEY ENERGY	18-00538	02/27/18	GAS 1/18/18-2/16/18	Open	1,176.10	0.00		
7811	KYOCERA DOCUMENT SOLUTION AMER	18-00528	02/26/18	COPIER CONTRACT JANUARY 2018	Open	78.00	0.00		
7816	ULBRICH-SCULL INVESTIGATORS*	17-02225	08/22/17	RES 17-242	Open	6,016.40	0.00		
7843	C.S. PRODUCTS INC	17-02968	11/09/17	11 ROLL OFF CONTAINERS	Open	18,754.00	0.00		B
7883	RADISSON HOTEL FREEHOLD	18-00232	01/23/18	HOTEL TRAINING	Open	212.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7888 ASPHALT PAVING SYSTEMS. INC*	18-00321	01/31/18	BEACH DR PEDESTRIAN SAFETY IMP	Open	200,175.92	0.00		
7896 CMC COURT ADMINISTRATORS ASSOC	18-00410	02/08/18	CAPE MAY COUNTY COURT ADMIN	Open	200.00	0.00		
7898 BRIAN NEILL	18-00434	02/15/18	BACKGROUND CHECK REIMBURSEMENT	Open	40.66	0.00		
CARTYW WALLACE CARTY	18-00517	02/26/18	BASKETBALL OFFICIAL	Open	50.00	0.00		
CUNNIFF BRIAN CUNNIFF	18-00560	02/28/18	SOUTH SHORE LEAGUE 12/9/17 BBA	Open	40.00	0.00		
HOOVER ROBERT HOOVER & SONS INC*	18-00381	02/08/18	PARTS FOR HOOVER TRUCKS	Open	445.05	0.00		
NJEPA NJEPA	18-00426	02/13/18	2018 RICH HARRON CONFERENCE	Open	90.00	0.00		
TILL TILL PAINT CO CORP*	18-00420	02/13/18	WHITE ATHLETIC FIELD PAINT	Open	920.00	0.00		
TRAINOR MIKE TRAINOR'S ROOFING*	18-00501	02/21/18	BROWN TARP INSTALLED FOSTER	Open	2,500.00	0.00		
Total Purchase Orders: 108				Total P.O. Line Items: 0	Total List Amount: 705,770.62	Total Void Amount: 0.00		

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

RESOLUTION #2018-96

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u>	<u>PO#</u>	<u>Description</u>	<u>CK #</u>	<u>Amount</u>
Affordable Fire Solutions	18-00558	Service at Town Hall	061736	\$ 303.50
New Jersey Motor Vehicles	18-00540	Junk Title for Boat	061734	\$ 2.00

TOTAL Manual Checks	\$ 305.50
TOTAL Computer Generated	\$ 705,770.62
TOTAL BILL LIST	\$ 706,076.12

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-97

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

WHEREAS, the employee listed below has accrued compensatory time due from the Township and has requested payment for this time; and

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance; and

WHEREAS, it has been determined by the Township Treasurer as evidenced by her signature _____ that adequate funding is available for such payment in the current budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Kevin Lewis in the amount of \$14,962.59 is authorized and chargeable to the 2018 Budget account 8-01-25-240-123.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held March 5, 2018.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana

FROM: Sergeant Kevin Lewis

DATE: February 20, 2018

SUBJECT: Comp Time Sell Back

Chief Mastriana,

I am respectfully requesting to cash out 300 hours of comp time

Thank you in advance for your consideration in this matter.

Respectfully Submitted,


Kevin Lewis
Badge # 181
Sergeant

<i>C</i>	<i>File</i>	<i>Date</i>	<i>Officer</i>	<i>Comments</i>

300 x
49.8753 =
14,962.590 *+

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

RESOLUTION #2018-98

Title: AUTHORIZATION TO CANCEL UNCASHED CHECKS

WHEREAS, the checks listed below have been uncashed for more than one year; and

WHEREAS, the Chief Financial Officer has requested that such checks be officially canceled in order to properly maintain the Township records.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following checks are hereby canceled.

DATE PAYEE CHECK # AMOUNT

COUNCIL CHECKING

2015	UNKNOWN	55491	20.00
2015	UNKNOWN	56083	21.17
2015	UNKNOWN	56411	25.00
2015	UNKNOWN	56596	15.84

ESCROW CHECKING

8/5/2015	VIRAL EVENTS	2438	37.50
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	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-99

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

WHEREAS, the employee listed below has accrued compensatory time due from the Township and has requested payment for this time; and

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance; and

WHEREAS, it has been determined by the Township Treasurer as evidenced by her signature _____ that adequate funding is available for such payment in the current budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower, County of Cape May, State of New Jersey that payment to John Chew Jr in the amount of \$6,981.28 is authorized and chargeable to the 2018 Budget account 8-01-25-240-120.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held March 5, 2018.

Julie A Picard, Township Clerk

Employee Maintenance - General Data

Employee Id:

 Go To:

First Name:
 Middle Init:
 Last Name:

Main Classification:

Accrual/Carryover Id:

	Last Used	Carryover	YTD Accrued	YTD Used	Available	Max Allowed	Hours Used	Payroll YTD
Sick (Hours)	01/30/2018	1,335.00	128.00	16.00	1,447.00	.00	16.00	.00
Vacation (Hours)	02/13/2018	236.00	312.00	28.00	520.00	.00	28.00	.00
Admin (Hours)	12/22/2017	.00	48.00	.00	48.00	.00	.00	.00
Comp (Hours)	12/05/2015	120.38	.00	.00	120.38	.00	.00	.00
Other (Hours)		.00	.00	.00	.00	.00	.00	.00

Note: This tab reflects time up to and including 12/31/18.

0 *
 120.38 X
 57.0937 =
 6,901.282 **

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

RESOLUTION # 2018-100

Title: AUTHORIZING THE PAYOUT OF TERMINAL LEAVE

WHEREAS, the employee listed below has retired from the Township and is entitled to payment for accumulated vacation, sick and compensatory and personal time; and

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance; and

WHEREAS, it has been determined by the Township Treasurer as evidenced by her signature _____ that adequate funding is available for accumulated time in the dedicated line item "Reserved for Accumulated Absences".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a revised payment due to Susan Jackson in the amount of \$ 46,588.23 is authorized and chargeable to the Reserve for Accumulated Absences.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018.

Julie A Picard, Township Clerk

Jackson, Susan

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE:

EMPLOYEE: Jackson, Susan
 DATE OF RESIGNATION: 3/1/2018
 DATE OF PAYMENT: _____
 RESOLUTION #: _____

Annual Salary:	\$95,352.72
Hourly Rate:	\$52.39
Longevity	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	52.39	0.00
Personal	8.31	52.39	435.25
Sick	840.00	52.39	44,008.95
Vacation	40.92	52.39	2,144.03
	889.23		
Terminal Leave Payout			\$46,588.23

	(A)	(B)	(C)	(B * C)	(E)	A + D - E	
	Carryover	Annual	8 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		0.00	
Personal	4.00	28.00	0.15	4.31	0.00	8.31	contract max 840 hours
Sick	1,257.25	105.00	0.15	16.15	237.50	840.00	
Vacation	14.00	175.00	0.15	26.92	0.00	40.92	
Total	1,275.25	308.00	0.46	47.38	237.50	889.23	

Accrual and time used are current to 02/28/18 subject to change if time is used or not currently reported.

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

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

RESOLUTION #2018-101

Title: AUTHORIZATION FOR REFUND OF TAXES

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

WHEREAS, a refund is due.

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

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
406	4	Lereta	Paid Twice	\$ 704.56
410.01	29.02	Lereta	Paid Twice	\$ 713.21
519	35	Chase c/o Core Logic	Paid Twice	\$ 3,395.98
791	4	Core Logic	Paid Twice	\$ 1,941.51

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-102

Title: AMENDING RESOLUTION #2017-210; PAYOUT OF TERMINAL LEAVE

WHEREAS, Resolution #2017-210 adopted on July 17, 2017 authorized the payout of \$47,524.18 to William Mastriana which was equal to ½ of accumulated terminal leave on the books as of that date; and

WHEREAS, Chief William Mastriana signed an Employment Agreement with the Township on December 18, 2017 providing retroactive salary back to January 1, 2016; and

WHEREAS, the retroactive salary created a retroactive terminal leave amount due to William Mastriana in the amount of \$2,649.47; and

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance; and

WHEREAS, it has been determined by the Township Treasurer as evidenced by her signature _____ that adequate funding is available for accumulated time in the dedicated line item "Reserved for Accumulated Absences".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a payment to William Mastriana in the amount of \$ 2,649.47 is authorized and chargeable to the Reserve for Accumulated Absences.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-103

Title: A RESOLUTION AUTHORIZING THE SIXTH ANNUAL ESCAPE THE CAPE TRIATHLON SCHEDULED FOR JUNE 9th & 10th, 2018

WHEREAS, DelMo Sports, LLC seeks authorization and permission to conduct the Sixth Annual Escape the Cape Triathlon on Sunday, June 10, 2018; and

WHEREAS, permission has been granted by the Cape May County Board of Chosen Freeholders to close portions of County Roads in the Township of Lower from 6:30 am until 11:00 am; a copy of the Resolution granting permission is attached; and

WHEREAS, in consideration for said authorization and permission, DelMo Sports, LLC executed an indemnification agreement and submitted the required Certificate of Insurance naming the Township of Lower as the Certificate Holder.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that approval is hereby granted for the Sixth Annual Escape the Cape Triathlon to take place.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018.

Julie A Picard, Township Clerk

CERTIFICATE OF INSURANCE

PRINT DATE: 11/14/2017

CERTIFICATE NUMBER: 20171110569525

AGENCY:

Integro USA Inc.
d/b/a Integro Insurance Brokers
2727 Paces Ferry Road, Building Two, Suite 1500
Atlanta, GA 30339
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAMED INSURED:

USA Triathlon of Colorado Stephen Del Monte
5825 Delmonico Drive
Colorado Springs CO 80919-2401

INSURERS AFFORDING COVERAGE:

INSURER A: Philadelphia Indemnity Ins. Co. NAIC #: 18058
INSURER B: Philadelphia Indemnity Ins. Co. NAIC #: 18058

EVENT INFORMATION:

6th Annual Escape the Cape Triathlon (6/10/2018 - 6/10/2018)

POLICY/COVERAGE INFORMATION:

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	X Occurrence	PHPK1738697	12/1/2017 12:01 AM	12/1/2018 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$2,000,000
	X Participant Legal Liability				EACH OCCURRENCE \$1,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$1,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
B	UMBRELLA/EXCESS LIABILITY				
	X Occurrence	PHUB607478	12/1/2017 12:01 AM	12/1/2018 12:01 AM	EACH OCCURRENCE \$10,000,000
					AGGREGATE (Applies Per Event) \$10,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:

Coverage applies to the USA Triathlon sanctioned or approved event specified on this certificate.

The certificate holder is an additional insured as per form PI-AM-002: Additional Insured - Certificate Holders.

The General Liability policy is primary as per Form CG0001 (04/13).

The General Liability policy contains Form CG2404 (05/09): Waiver of Transfer of Rights of Recovery Against Others to Us, but only as required by written contract or agreement executed by the named insured prior to an occurrence resulting in a loss or a claim.

CERTIFICATE HOLDER:

The Township of Lower
2600 Bayshore Road
Villas NJ 08251

NOTICE OF CANCELLATION:

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

AUTHORIZED REPRESENTATIVE:



LOWER TOWNSHIP POLICE DEPARTMENT

William Mastriana
Chief of Police

CAPTAIN MARTIN BIERBACH
Executive Officer

LT. WILLIAM PRIOLE
Administrative Services Commander

HEADQUARTERS
Cape May County Airport
405 Breakwater Road
Erma, NJ 08204

Office: (609) 886-1619
Fax: (609) 889-6664

November 13, 2017

Dale Foster/Cape May County Engineer
Central Mail Room, DN402
Cape May Court House, NJ 08210

RE: Road Closures

Mr. Foster:

On June 10, 2018, Lower Township will be hosting a Triathlon. The event is Scheduled between 7:00 am and 11:00 am

For the safety of the competitors, we are requesting the ability to close the West Cape May Bridge for the duration of this event.

We are also requesting permission to close Seashore Road from Lincoln Boulevard to New England Road, New England Road from Seashore to Bayshore Road, Bayshore Road from New England Road to Stimpson Lane, Stimpson Lane from Bayshore Road to Shunpike Road, Shunpike Road from Stimpson Lane to New England Road. These road closures appear to be the safest way to protect the cyclists.

The Lower Township Police Department, in coordination with Delmo Sports, will provide traffic safety for cyclists and motorists during this event.

Safety precautions will include; press release, door to door notifications to the affected residents, proper signage where required, traffic coning where applicable and the presence of uniformed officers for traffic direction at all major intersections.

If you have any questions, feel free to contact me at 609-886-1619, ext. 103.

Thanking you in advance for your cooperation in this effort.

Sincerely,

Lieutenant William Priole
Administrative Services

WP/davm

C File

**BOARD OF CHOSEN FREEHOLDERS
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

No. 1046-17

**RESOLUTION AUTHORIZING AN INDEMNIFICATION AGREEMENT WITH
DELMOSPORTS, LLC FOR ITS ESCAPE THE CAPE TRIATHLON
ON JUNE 10, 2018**

WHEREAS, DelMoSports, LLC seeks authorization and permission to conduct the Escape the Cape Triathlon on Sunday, June 10, 2018; and

WHEREAS, a request has been made to close a portion of Seashore Road (County Road No. 626), New England Road (County Road No. 641), Stimpson Lane (County Road No. 645), Shunpike Road (County Road No. 649) and Bayshore Road (County Road No. 607), in the Township of Lower from 6:30 a.m. until 11:00 a.m.; and

WHEREAS, in consideration for said authorization and permission, DelMoSports, LLC executed an Indemnification Agreement in favor of the County of Cape May and submitted the required Certificate of Insurance.

NOW, THEREFORE, BE IT RESOLVED by the Cape May County Board of Chosen Freeholders that permission is hereby granted to DelMoSports, LLC to close a portion of Seashore Road (CR626), New England Road (CR641), Stimpson Lane (CR645), Shunpike Road (CR649) and Bayshore Road (CR607) from 6:30 a.m. until 11:00 a.m. on Sunday, June 10, 2018; and

BE IT FURTHER RESOLVED that permission is conditional for the DelMoSports, LLC, and providing to the County:

1. A duly executed Promise of Indemnification in a form acceptable to County Counsel.
2. A Certificate of Insurance naming the County of Cape May, their officers and employees as additional insured for the scheduled event.
3. A letter from the Lower Township Police Department indicating that they are aware of the event and have approved the traffic control plan for the event.

STATEMENT

This Resolution gives permission to DelMoSports, LLC to utilize County roads for a triathlon.

cc: County Engineer
Lower Township
County Counsel
File: Events

DelMoSports, LLC
Lower Township Police Department
Road Department

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

RESOLUTION #2018-104

Title: **A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR PAUL MERRICK SUBDIVISION; BLOCK 806, LOT 3, ESCROW #P15-09-02**

WHEREAS, Paul J. Merrick posted a Performance Guarantee with the Township of Lower in the amount of \$34,476.00; and

WHEREAS, the Township Engineer has recommended the improvements having a total value of \$34,476.00 have been properly installed and are presently acceptable; and

WHEREAS, the Township of Lower Land Development ordinance requires the posting of a fifteen percent (15%) Maintenance Guarantee prior to the complete release of the original Performance Guarantee; and

WHEREAS, fifteen percent (15%) of the original Performance Guarantee equals \$4,309.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Performance Guarantee be and hereby is **released** leaving a balance of \$4,309.00 on account as Maintenance Guarantee.

BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$30,167.00 plus any accrued interest for payment of the above released Guarantee.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Erik Simonsen &
Council members

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

DATE: February 28, 2018

RE: Paul Merrick Subdivision
14 Shawcrest Road
Block 806, Lot 3
P15-09-02
Resolution # 2018-104

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

Pursuant to the above referenced Subsection 400-81E, Resolution # 2018-104 is required to release the Performance Guarantee held in trust by the Township of Lower for Paul J. Merrick Subdivision, Block 806, Lot 3. The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer.

The Township Engineer recommends release of the retained \$34,476.00.

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

Subsection 400-81F(3) of the Land Development Ordinance of the Township of Lower requires that a Maintenance Guarantee, in an amount equal to not more than fifteen percent (15%) of the original estimate of the cost of improvements, shall be filed by the owner. Therefore, \$4,309.50, which is fifteen percent, shall be retained as the Maintenance Guarantee.

cc: financial file

RECEIVED
12-27-18

M
M
MOTT
MACDONALD

Mr. William J. Galestok, PP, AICP
Lower Township Planning Director
2600 Bayshore Road
Villas, NJ 08251

Via E-mail

Your Reference
Twp. No P15-09-02

**Paul Merrick Subdivision 14 Shawcrest Road
Township of Lower, Cape May County**

Our Reference
351298CM17

February 27, 2018

211 Bayberry Drive
Suite 1A
Cape May Court House NJ
08210
United States of America

Dear Mr. Galestok:

T +1 (609) 465 9377
F +1 (609) 465 5270
www.mottmac.com

Per the Developer's request for a performance guarantee release, Mott MacDonald conducted multiple inspections at the above referenced site. The inspections were based on a review of the drawings entitled "Drainage Improvement Plan Block 806, Lot 3 Lower Township Cape May County, New Jersey" prepared by Vincent C. Orlando, PE, last revised 12/1/16.

The inspections revealed that, to the best of our knowledge and belief, the site improvements have been installed in accordance with the above referenced documents and comply with the Land Development Ordinance of the Township of Lower. Mott MacDonald recommends that the performance bond for the project be released and a maintenance guarantee in the amount of 15% of the cost of the improvements, or **\$4,309.50** be retained with the Township.

Should you have any questions, please do not hesitate to call.

Very truly yours,

Mott MacDonald, LLC



Shawn A. Carr, PE, CME
Senior Project Engineer
T 609.465.9377 F 609.465.5270
Shawn.carr@mottmac.com

SAC

cc: Lisa Schubert, Planning Board Secretary (via email)
Mark Sray, PE, CME (via email)

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

RESOLUTION # 2018-105

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

WHEREAS, the employee listed below has accrued compensatory time due from the Township and has requested payment for this time; and

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance; and

WHEREAS, it has been determined by the Township Treasurer as evidenced by her signature _____ that adequate funding is available for such payment in the current budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to James McNulty in the amount of \$5,429.80 is authorized and chargeable to the 2018 Budget account 8-01-25-240-121.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held March 5, 2018.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana
FROM: Patrolman James McNulty
DATE: February 28, 2018
SUBJECT: Comp Time Sell Back

Sir,
I am respectfully requesting to cash out 193 hours of comp time.
Thank you in advance for your
consideration in this matter.

Respectfully Submitted,


James McNulty
Patrolman Badge 191

C	File	Officer	Comments
Date	3/1/18	MB157	Sent to Twp for approval

193 x
28.1337 =
5,429.805 *+

100.....

0.100 *+

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

RESOLUTION #2018-106

Title: APPROVAL FOR ROADSIDE SOLICITATION BY ERMA VOLUNTEER FIRE COMPANY

WHEREAS, the Erma Volunteer Fire Company has requested permission to solicit contributions from the public at the intersection of Breakwater and Seashore Roads; and

WHEREAS, the Lower Township Board of Fire Commissioners have provided the required Certificate of Insurance; and

WHEREAS, the Erma Volunteer Fire Company has also supplied the required paperwork from the County of Cape May with the appropriate approval.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that the application for the Solicitation of funds at the intersection of Breakwater and Seashore Roads be and is hereby approved for May 27, June 30, and August 25, 2018 with rain dates of July 1 and August 26, 2018 between the hours of 9 a.m. and 2 p.m.

BE IT FURTHER RESOLVED that pursuant to Public Law 1997, C. 82 which provides that the Township "shall not be liable in any civil action for damages for property damage or personal injury resulting from a motor vehicle accident arising out of or in the course of roadway solicitations for the purpose of soliciting contributions, conducted by charitable organizations...".

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018.

Julie A Picard, Township Clerk



ERMA VOLUNTEER FIRE COMPANY

415 Breakwater Road
Erma, New Jersey 08204

609-886-9600

"Dedicated Volunteers Since 1956"

RCVD MAR 1 '18

January 29, 2019

To: Lower Township Mayor & Council Members
2600 Bayshore Road
Villas, NJ 08251

RE: Fundraising Street Drive

Dear Sir or Madam,

The Erma Volunteer Fire Company is requesting permission to conduct our annual fundraising street drive events for the 2018 year. The dates of the event would be: May 26, 2018, with a rain date of May 27, 2018; June 30, 2018, with a rain date of July 1, 2018; August 25, 2018, with a rain date of August 26, 2018, between the hours of 9 AM and 2 PM. Our fire company would like to hold these fundraising drives at the intersection of Breakwater Road and Seashore Road.

Thank you,

KelliAnn Muller



ERMA VOLUNTEER FIRE COMPANY

415 Breakwater Road
Erma, New Jersey 08204

"Dedicated Volunteers Since 1956"

SOUTH JERSEY NJ 080

27 FEB 2018 PM 5 1



Lower Twp Mayor & Council Members
2600 Bayshore Road
Villas, NJ 08251

WILL MOREY
Freeholder
DALE M. FOSTER
Engineer
KENT SCHELLINGER
Assistant Engineer
TIMOTHY DONOHUE
Road Department Supervisor

CAPE MAY COUNTY
DEPARTMENT OF PUBLIC WORKS
Office of the COUNTY ENGINEER

4 Moore Road
Cape May Court House, N.J. 08210-1601
(609) 465-1035 Fax: (609) 465-1418
E-mail: countyengineer@co.cape-may.nj.us
Website: www.capemaycountynj.gov
Cape May County is an Equal Opportunity Employer



RCVD FEB 20 '18

February 15, 2018

KelliAnn Muller
President
Erma Volunteer Fire Company
415 Breakwater Road
Erma, NJ 08204

**Re: Contribution Solicitations
Breakwater Road (CR613) and Seashore Road (CR626)**

Dear Ms. Muller:

Enclosed please find a copy of Resolution No. 130-18 which was adopted by the Cape May County Board of Chosen Freeholders on February 13, 2018, authorizing "coin drops" on various dates.

Very truly yours,

Dale M. Foster, PE
County Engineer

DMF/amc

enc.

cc: Township of Lower
Lower Township Police Department

**BOARD OF CHOSEN FREEHOLDERS
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

No. 130-18

**RESOLUTION PERMITTING ERMA VOLUNTEER FIRE COMPANY
TO SOLICIT CONTRIBUTIONS AT THE INTERSECTION OF
BREAKWATER ROAD (CR613) AND SEASHORE ROAD (CR626)
IN THE TOWNSHIP OF LOWER**

WHEREAS, the Board of Chosen Freeholders of the County of Cape May (hereinafter "Board") has received a written request from the Erma Volunteer Fire Company for permission to solicit financial contributions from the public at the intersection of Breakwater Road (County Road No. 613) and Seashore Road (County Road No. 626) in Lower Township on May 26, June 30 and August 25, 2018 between the hours of 9 a.m. and 2 p.m. Rain dates will be held the day after each specified date; and

WHEREAS, the Board has reviewed Lower Township Ordinance No. 97-36 (as adopted on November 17, 1997) establishing municipal policy regarding roadway solicitations by qualified charitable organizations; and

WHEREAS, Public Law 1997, c. 82 (which became effective on August 1, 1997) prescribes that a municipal Ordinance so recognizing a charitable organization for this purpose must be accompanied by approval from this Board wherever the proposed location of the solicitation is on any county highway or intersection of a county highway; and

WHEREAS, the said statute declares that this Board "shall not unreasonably withhold approval" of duly filed requests for authorization which otherwise comport with the requirements of law; and

WHEREAS, this request by the Erma Volunteer Fire Company has been reviewed by the Cape May County Engineer who has interposed conditions or requirements as specified hereinbelow; and

WHEREAS, Public Law 1997, c. 82 provides in relevant part that the County "shall not be liable in any civil action for damages for property damage or personal injury resulting from a motor vehicle accident arising out of or in the course of roadway solicitations for the purpose of soliciting contributions, conducted by charitable organizations....".

**BOARD OF CHOSEN FREEHOLDERS
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

No. 130-18

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Cape May, that:

1. The above recitals are incorporated herein by reference as if repeated at length.
2. Permission is hereby granted, pursuant to the terms of P.L. 1997, c. 82 and in consideration of the civil immunity provisions contained therein, for the Erma Volunteer Fire Company to solicit financial contributions from the public at the intersection of Breakwater Road (CR 613) and Seashore Road (CR 626) in Lower Township on May 26, June 30 and August 25, 2018 with rain dates being the day after each specified date subject to the following condition(s):
 - a. the within-named charitable organization must comply in every respect with the requirements of Lower Township Ordinance No. 97-36 prior to undertaking the referenced roadway solicitation activity; and
 - b. the within-named charitable organization has provided proof of liability insurance in amounts and with coverages satisfactory to the Board and specifically naming the County of Cape May as *ADDITIONAL INSURED* for any and all claims arising out of requested roadway solicitations.
 - c. the within-named charitable organization must install advance warning signs in accordance with the standards in the latest edition of the Manual on Uniform Traffic Control Devices.

STATEMENT

This Resolution permits fire company volunteers to hold "coin drops" on various dates throughout the summer to obtain public contributions which help offset operational expenses.

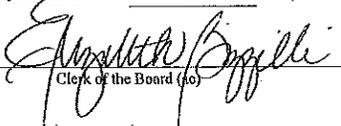
cc: Erma Volunteer Fire Company
Township of Lower
Lower Township Police
County Engineer
File: Roads subfile

STATE OF NEW JERSEY) ss.:
COUNTY OF CAPE MAY)

I, Elizabeth Bozzelli, Clerk of the Board of Chosen Freeholders of the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 13th day of

February 20 18

Signed,


Clerk of the Board (s)

Freeholders	RECORD OF VOTE					
	Ayes	Nays	Abstain	Absent	Moved	Second
Mr. Desiderio				✓		
Ms. Hayes	✓					
Mr. Morey					✓	
Mr. Pierson	✓					✓
Mr. Thornton	✓					

Y - Indicates Vote Moved-Resolution Offered Second-Resolution Seconded

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

RESOLUTION #2018-107

Title: AUTHORIZATION TO AMEND VARIOUS RESOLUTIONS REGARDING THE NUMERICAL ORDER OF APPROVED CHANGE ORDERS FOR THE ROSEANN AVENUE /BAYSHORE ESTATES DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS PROJECT AWARDED TO MOTT MACDONALD

WHEREAS, Mott MacDonald, formerly Hatch Mott MacDonald, was awarded a contract via Resolution #2015-321 in the amount of \$559,150.00 on November 2, 2015 for the Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvements Project; and

WHEREAS, errors were discovered regarding the consecutive change order numbers; and

WHEREAS, as per NJAC 5:30-11.3(a)1; additional Resolutions awarded to Mott MacDonald on the Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvement Project must be adopted by Resolution in sequential order and must be listed as Change Orders and added to the original contract price.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, in order to show the correct change order sequence and show the correct current total contract amount the following corrections are hereby adopted:

<u>Resolution Number</u>	<u>Change Order #</u>	<u>Change Order \$</u>	<u>Total Contract Amount</u>
2015-321			\$ 559,150.00 Original Contract
2016-172	#1	\$18,500.00	\$ 577,650.00
2017-249	#2	\$ 6,500.00	\$ 584,150.00
2017-291	#3	\$13,950.00	\$ 598,100.00
2017-343	#4	\$ 3,500.00	\$ 601,600.00
2018-89	#5	\$33,475.00	\$ 635,075.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018.

Julie A Picard, Township Clerk

**ENGINEER AUTHORIZATIONS
ROSEANN AVENUE ROADWAY AND UTILITY IMPROVEMENTS
CONTRACT M-10**

Resolution	PO No.	Description	Sub-Amount	Total Amount
2015-321	15-02866	Design Phase Services	\$ 258,000.00	
		Bid Phase Services	\$ 4,950.00	
		Construction Admin. Services (270 day contract)	\$ 118,100.00	
		Construction Observation (1520 hours)	\$ 170,600.00	
		Specialty Inspections	\$ 7,500.00	
				\$ 559,150.00
2016-172	16-01555	Water Allocation Permit	\$ 18,500.00	
				\$ 18,500.00
2017-249	17-02521	Pre-Construction Sampling (1 Well)	\$ 6,500.00	
				\$ 6,500.00
2017-291	17-02966	Pre-Construction Sampling (Soil)	\$ 7,250.00	
		Contract Modifications - Dewatering	\$ 6,700.00	
				\$ 13,950.00
2017-343		Contract Modifications - Item S1	\$ 3,500.00	
				\$ 3,500.00
2018-89		Pre-Construction Sampling (6 Wells)	\$ 18,850.00	
		Design Services - Re-Bid	\$ 9,675.00	
		Bid Phase Services - Re-Bid	\$ 4,950.00	
				\$ 33,475.00
TOTAL AUTHORIZATIONS TO DATE				\$ 635,075.00

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

RESOLUTION #2015-321

TITLE: A RESOLUTION AWARDING HATCH MOTT MACDONALD AS ENGINEER FOR THE ROSEANN AVENUE/BAYSHORE ESTATES DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS PROJECT

WHEREAS, the Township of Lower solicited Quotes, from the list of prequalified Engineering Firms pre-approved via Resolution #2015-62; for the Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvements Project; and

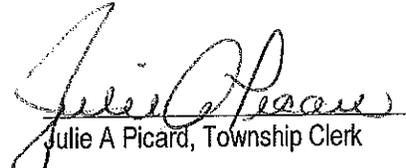
WHEREAS, three (3) proposals were received and reviewed by the QPA and Director of Public Works; and

WHEREAS, the term of this contract shall be until completion of the project as per the attached proposal in the amount not to exceed \$ 559,150 and the CFO has determined the funds shall be paid from the budget as follows:

Appropriation # C-04-SS-411-910 CFO Signature: 

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that Hatch Mott MacDonald be awarded the above stated project for the price of not to exceed \$559,150.00

I hereby certify the foregoing to be the original resolution adopted by Township Council at a meeting held on November 2, 2015.


Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY	X		X			
SIMONSEN		X	X			
CLARK				X		
BECK				X		

Hatch Mott MacDonald

Original
Hatch Mott MacDonald
833 Rt 9 North
PO Box 373
Cape May Court House, NJ 08210
T 609.465.9377 www.hatchmott.com

October 30, 2015
Via Hand Delivery

Ms. Margaret A. Vitelli, RPPS, QPA
Purchasing Agent
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

RE: Professional Engineering Services Proposal
Complete Roadway Reconstruction, Drainage Improvements and Pump Station
at Roseann Avenue/Bayshore Estates
Township of Lower, Cape May County, NJ
HMM No. 363798

Dear Ms. Vitelli:

Please find enclosed herewith our proposal for professional engineering services for the above referenced project. We have provided a detailed breakdown of our scope of services below and have also attached the following information:

1. Revised Clarification No. 1 - Time Extension for Special Project 2015-04;
2. Completed Revised Proposal Form;
3. Map of the "Project Area" (Figure 1); and
4. Four (4) Project Briefs/References of similar projects completed by Hatch Mott MacDonald.

Based on the Hydraulic Study performed by our office, our review of the Township's Request for Quotes dated October 20, 2015, Clarification No. 1 received on October 27, 2015 and discussions at the Pre-Bid Meeting on October 22, 2015 we understand that various work efforts will be required within the "Project Area" identified in the attached Figure 1 and that the project will include the following construction work:

- Removal and replacement of the existing stormwater main in Roseann Avenue from approximately 100' east of Manhole M5 to the end of the existing outfall pipe located approximately 100' west of the westerly right-of-way line of Clearwater Drive. It should be noted that the stormwater main located in the existing irregularly shaped drainage easement on the south side of Roseann Avenue may or may not be removed depending upon the results of the topographic and utility location survey. **The proposed pipe shall be capable of handling the 5-year storm event;**
- Construct a below grade stormwater pump station to maintain the proposed system's design capacity during extreme tidal conditions. **The stormwater pumps will be designed to handle the 5-year storm flow when running simultaneously.** Based on a pre-design review of the stormwater flows, we anticipate that the stormwater pump station will contain two (2) 200 horsepower pumps capable of handling a total of 160 cfs of stormwater. This flow rate was

established during the stormwater modeling that was performed in preparation for our hydraulic study and was based on the size of the contributory watershed and the 24-hour rainfall for a 5-year storm as established by the National Oceanic and Atmospheric Administration (NOAA).

The pump station will also be designed to support H₂O wheel loading and will be constructed with a grit chamber (accessible by the Public Works Department) to capture sediment generated in the upstream conveyance system prior to discharge by gravity or pressure. Both the gravity and force main discharges will be fitted with back flow prevention devices to ensure that high tidal conditions in Cox Hall Creek do not create a "recycling" pumping scenario;

- Provide a permanent backup generator to ensure operation of the pump station during times of electrical outages. Based on an initial review of the power requirements we anticipate that a 650kW - 800 kW generator will be required. Based on this size of generator we anticipate a footprint of approximately 32'L x 9'W x 12'H. Due to the generator's location in Flood Zone AE (Elev. 7) the generator will be located at a minimum elevation of 8.0 (NAVD88). It is anticipated that the permanent generator will be placed in the existing 30-foot wide drainage easement between two single-family dwellings. Due to the limited space available within the easement, the location of coastal and freshwater wetlands and the presence of the existing residential dwellings, siting of the generator will require significant involvement from the Township and the contiguous property owners for the final location of the structure.
- Tie in existing stormwater conveyance systems into the new stormwater main;
- Construct underdrains within the roadway to alleviate high groundwater conditions in the area adjacent to the roadway; and
- Full pavement reconstruction of Roseann Avenue from a point approximately 100 feet east of Manhole M5 through the Clearwater Drive intersection.

It is assumed that during the design phase of the project the Township will:

- Assist in providing traffic control during the utility survey (ground penetrating radar) and the performance of the geotechnical borings in Roseann Avenue;
- Assist in securing approval for work in the Cox Hall Creek watershed, if required.
- Arrange access to the existing drainage easements within the project area with the current property owners; and
- Perform test pits (two) during the ground penetrating radar work to increase the elevation accuracy of the results.

It is our intention to engage two sub-consultants on the project as follows:

1. Advanced Infrastructure Design, Inc. (AID). AID will provide ground penetrating radar services during the base mapping phase of the project to identify the horizontal and vertical location of all existing utilities within the project area.
2. Craig Test Boring Co., Inc. (CRAIG). CRAIG will perform geotechnical borings to determine existing soil profiles and characteristics throughout the project area.

All engineering and design work as well as construction inspection and administration services will be performed in house by qualified HMM staff.

Based on the above project understanding and assumptions we offer the following scope of work for the project:

Task 1	Design Phase Services
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HMM will provide the following services under Task 1:

1. Topographic Survey, Utility Location & Base Map Preparation
 - Establish survey control for the site. The Horizontal Datum will be NAD83 and the Vertical Datum will be NAVD88. Four (4) permanent benchmarks will be established for use during the construction phase of the project;
 - Perform a topographic survey of the project area and adjacent cartways identifying all features required. Field survey (50-foot cross sections) of Roseann Avenue will be provided including sufficient information at all intersections to prepare the necessary construction plans. Spot elevations will also be provided at the location of all driveways, curbs, steps, etc.;
 - Perform a bathymetric survey of the project area located in Cox Hall Creek to support the design of the proposed outfall conduit protection/scour protection. It is our understanding that the Township owns the parcels in Cox Hall Creek adjacent to the properties fronting on Clearwater Drive (Block 494.01, Lots 18.01 & 19.01);
 - Establish the location of the 30-foot wide drainage easement on Block 494.27, Lot 9 and the irregularly shaped drainage easement on Block 494.26, Lots 14-20 in the field;
 - Map the existing coastal wetlands line and the field delineated freshwater wetlands line;
 - Locate existing visibilities and structures within the project area;
 - Perform a comprehensive subsurface investigation of the project area (where applicable) using Ground Penetrating Radar (GPR);

- Prepare topographic base mapping for the project area incorporating the data gathered from the survey work efforts identified above. The plan will be prepared using AutoCAD incorporating the above information on a 24" x 36" (D Size) or 30" x 42" (E Size) drawing;

2. Stormwater Conveyance System and Pump Station Design

- Utilizing the results of the hydraulic study and model performed in August 2015, HMM will prepare the appropriate design and construction details for the replacement of the existing stormwater main in Roseann Avenue with a 71" x 47" smooth wall corrugated pipe and a 64" stormwater outfall pipe. The new upgraded conveyance system will be designed to handle the 5-year storm event under non-tidal stormwater event backwater conditions;
- Design the tie-ins of all existing stormwater conveyance systems into the new stormwater main;
- Design an underdrain system in the new roadway at the gutter lines to provide for the collection and conveyance of groundwater localized in the areas adjacent to the curb lines;
- To accomplish the proposed flood control objectives, HMM will provide hydraulic design services for the project's stormwater pumping station. This design will be based on the flow rates established during the feasibility study for the 5-year design storm as selected by the Township. Services will include working with the pump manufacturer to select pumps appropriate to the hydraulic conditions associated with stormwater pumping. This will include establishing the size and shape of the wet well, appropriate pump submergence levels, and on and off levels. The hydraulics of the pump discharges to the outfall pipe will be calculated to create a system head curve to overlay on the pump curve to determine operation points. This will ensure the pump operates effectively and efficiently for the Township.
- Design requirements will be assessed for other appurtenant structures and equipment including force mains, valves, gates, check valves and pipe fittings. The appropriate equipment will be selected from available manufacturers and the selected product will be specified; this will serve as the basis for the layout of pumping station equipment. An option will be provided for the Contractor to submit equivalent equipment from alternate suppliers who can also meet the performance requirements. The Contractor will be responsible for any modifications to the overall station resulting from alternate equipment.

3. Structural / Geotechnical Evaluations and Designs

- In support of the structural design of the stormwater pipe and the foundations for the proposed precast concrete structures and generator, HMM will complete a subsurface evaluation consisting of three (3) soil borings: two (2) 30-foot deep borings along the alignment of the pipe to be replaced and one

(1) 40-foot deep boring at the proposed pump station between outfall I55 and storm manhole M13 at the intersection of Roseann Avenue and Clearwater Drive. The borings will be completed to evaluate constructability concerns related to pipe bedding preparation recommendations, as well as design of foundations for the pump station and backup generator. HMM will coordinate with the driller, geotechnical laboratory, and client staff for scheduling and site access.

- Our scope includes retaining a licensed drilling subcontractor, soils lab, as well as direct expenses. Each boring will be sampled continuously to target end depth. It is anticipated that the borings will be completed by a truck rig. Additionally, borings along the alignment on Roseann Avenue will be taken on the shoulder of the road and HMM assumes that the Township will assist in the coordination of no parking zones prior to the investigation. Removal of any fencing or other equipment for access is not anticipated as part of the scope. The estimate assumes the drilling subcontractor is allowed 8 hours of uninterrupted work per workday, and the program will be completed in one day.
- Upon completion of the soil borings and receipt of the data from the geotechnical laboratory, HMM will prepare a focused geotechnical memo/report. The geotechnical report will include soil properties, groundwater, bearing/settlement/design parameters for structural design and construction recommendations.
- HMM will provide an uplift analysis to determine the minimum thickness or uplift ballast design for the precast chamber, design of interior baffle walls within the chamber and analysis and design of an elevated generator platform. The generator will need to be supported on an elevated structure due to its location in a flood zone. The elevated structure will be comprised of a braced steel frame.
- The need for pile support for the new outfall pipe will also be evaluated based upon the geotechnical report and anticipated loadings. A pile support system will be designed if needed.

4. Soil Erosion and Sediment Control Plan & Details

- Prepare a Soil Erosion and Sediment Control Plan, Details and Notes, Application for Plan Certification Approval and the NJPDES General Permit "Request for Authorization (RFA)" to discharge stormwater. Hatch Mott MacDonald will prepare the required application forms and plans and submit the application packages to the District directly. Fees for the Plan Certification and RFA application and noticing to be paid for by the Owner.

5. Electrical Evaluations and Design

- Provide electrical design services for the new below grade stormwater pump station to be located within the existing drainage easement at the Roseann Avenue and Clearwater Drive intersection.
- Design electrical service, distribution and branch circuits to support the new pump station.
- Coordinate new electrical service with Atlantic Electric. It is anticipated that a new 3 phase, 480V secondary service is available and the utility company will run the primary feeders overhead and underground from a pole at the intersection of Clearwater Drive and Beachhurst Drive. It is also assumed that a new pole with pole mounted utility transformers will be installed on Clearwater Drive to support the new service.
- Design, size and specify a new Natural Gas/Diesel Generator. It is anticipated, based on the size of the pumps that will be required, that the approximate size of a 650kW - 800kW Natural Gas/Diesel generator will be required to support the loads of this pump station. The approximate minimum dimensions of the sound attenuated enclosure and base fuel tank for the generator is approximately 32'L x 9'W x 12'H. The exact size of the generator and enclosure as well as the location will be determined during the design phase of this project. The dimensions of the enclosure may increase as a result of the generator noise analysis.
- Provide Instrumentation and Controls design services for the new stormwater pump station inclusive of a dial out alarm system and support telephone service.

The following are assumptions that have been made when preparing our scope and costs for the electrical design component of this project:

- The pump station will have local controls that do not communicate outside of the pump station other than alarm transmission via a telephone circuit;
- Adequate secondary electrical service will be available from the electrical utility company; and
- Emissions permitting and sound analysis are required for this project.

6. Roadway Reconstruction Design

- Design new roadway grades and proposed elevations for the full depth pavement reconstruction of Roseann Avenue within the project area;
- Design new curb, gutter, sidewalk and driveway grades within the project area;

- Design ADA compliant handicap ramps at required locations;
- Prepare road reconstruction plans and profiles for the entire roadway alignment; and
- Prepare detail sheets and construction specifications based upon the NJDOT 2007 Standard Specifications for Road and Bridge Construction.

7. Permitting

- NJDEP CAFRA and Coastal Wetlands Permit

Under the NJDEP Coastal Permit Program Rules N.J.A.C. 7:7-2.2, a CAFRA permit shall be required for a Public Development. NJDEP correspondence dated October 27, 2015 confirmed that the project requires a CAFRA permit. Preliminary research also indicates that a portion of the outfall pipe is located within Coastal Wetlands regulated under N.J.A.C. 7:7-2.3. The following outlines our proposed scope of services for work included in securing the NJDEP CAFRA and Coastal Wetlands Permit;

- Research and review of existing site conditions to obtain necessary information in support of the preparation of a CAFRA permit application to the NJDEP;
- Assemble documents and prepare materials required for the preparation of a Coastal Zone Management (CZM) rules Compliance Statement in support of a combined CAFRA & Coastal wetlands application submission;
- Preliminary review indicates that potential Endangered or Threatened Wildlife or Plant Species on or abutting the project site. Therefore an Endangered or Threatened Wildlife or Plant Species Habitat Impact Assessment will be prepared in accordance with N.J.A.C. 7:7- 11.2 to demonstrate that identified species habitat would not be adversely affected by the proposed project;
- Request a certified Adjoining Property Owners list from the municipality and prepare public notifications to governmental agencies, newspaper and adjacent property owners as required;
- Communication, coordination and review of information to be submitted to the NJDEP with the Township;
- Monitor and respond to NJDEP information requests to deem application complete for final review; and
- Review of permit conditions relative to potential impacts on the Township/Project.

- Wetlands Delineation and NJDEP Freshwater Wetlands Permit Application
 - Perform background research and a site investigation to determine the extent of freshwater wetlands on the subject property. Freshwater wetlands shall be identified and delineated using the three-parameter approach (vegetation, soils and hydrology) as enumerated in the 1989 Federal Manual;
 - Concurrently, HMM will request a Natural Heritage database report from the NJDEP Office of Natural Lands Management. Receipt of the report will help determine if threatened and/or endangered species are present on or in the vicinity of the project area. The reported presence or absence helps determine the resource value classification for the wetlands and the associated transition area width;
 - In support of the design for reconstruction of the stormwater outfall and associated upgrades HMM shall prepare an application to the NJDEP for a combined Freshwater Wetlands General Permit and a Special Activity Transition Area Waiver for authorization of the outfall reconstruction and the associated pump station and generator. The permits shall be prepared and submitted to the NJDEP in accordance with the NJAC 7:7A-10.2, -10.4 & -10.5 and the NJDEP Checklists for Administrative Completeness including public notices as required. These permits will authorize construction activities within the wetlands transition areas.
 - Should the site investigation require HMM to perform work on property or adjacent properties not owned or controlled by the applicant, the client must provide access to these private properties prior to HMM performing a site investigation. For example, by providing written notice to the property owners that HMM may be accessing their property to investigate for freshwater wetlands.
 - Observation points (soil borings) and wetland points shall be flagged in the field using pink survey ribbon.
- NJDEP Air Quality Permit

Based on the anticipated size of the permanent generator identified herein, HMM will prepare and submit an application for an Air Quality General Permit 005A/B from the NJDEP. This permit allows for the construction/installation and operation of a single emergency generator burning distillate/gaseous fuel with a maximum rated heat input to the burning chamber of less than 100 MMBTU/hr/70MMBTU/hr.

NJDEP application fees are not included in this cost proposal and shall be the responsibility of the client/applicant.

8. Contract Plans, Specifications & Engineer's Estimate

- Prepare Contract Plans and Specifications for the public bidding of the project;
- Provide fifteen (15) copies of the Contract Plans and Specifications and a CD at the final design stage of the project; and
- Provide an Engineer's Estimate of Construction at the final design stage of the project.

We propose to complete the scope of work outlined above (Task 1) for the lump sum amount of \$258,000.

We anticipate that the design (Task 1) will be completed within one-hundred and eighty (180) calendar days from receipt of authorization to proceed from the Township.

Task 2	Bid Phase Services
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HMM will provide the following services under Task 2:

- HMM will assist the Township with the bidding process. It is assumed that the Township will advertise and assume advertising costs for the notice to bidders;
- Respond to potential questions and requests for additional information from Contractors bidding on the project;
- Prepare any addenda or clarification memos resulting from bidders' inquiries during the bidding phase. Report to the Township when clarifications and interpretations of the Contract Documents are needed and transmit to the Township clarifications and interpretations to be issued to prospective bidders;
- Attend the bid opening;
- Furnish a Bid Report that summarizes the information in the bids received and provide recommendations for the award of the Contract based upon input received from references and review of bid forms. (It is assumed the Township will contact Contractors' references and perform a legal review of the bidder's documents – bonds, technical completeness, compliance with public bidding laws, etc.).

HMM's proposal for Bid Phase Services is based upon one round of bidding. If for any reason, other than an error on the part of HMM, additional round(s) of bidding are required, those additional services will be considered beyond our original scope of services.

We propose to complete the scope of work outlined above (Task 2) for the lump sum amount of \$4,950.

Task 3 Construction Administration Services

HMM will provide the following services under Task 3:

- Following Bid and Award HMM will revise the contract bid documents (plans, contract documents and specifications) to incorporate all clarifications and addendum details issued during the bidding process.
- Prepare Pre-Construction meeting agenda, coordinate and attend pre-construction meeting and prepare meeting minutes;
- Perform shop drawing review of construction materials to be submitted by Contractor;
- Prepare Contractor's applications for payment;
- Provision of contract and construction oversight by the Project Manager and other licensed engineers in the various disciplines required.

We propose to complete the scope of work outlined above (Task 3) for the lump sum amount of \$118,100.

Task 4 Construction Observation Inspections

HMM will provide the following services under Task 4:

- Perform full time inspection of the construction to be performed by the Contractor. It is assumed that the construction contract period for this project will be two hundred and seventy (270) calendar days with an anticipated one hundred ninety (190) 8-hour days of full-time on-site inspection. Our inspectors are certified National Institute for Certification in Engineering Technologies (NICET) Level III/IV inspectors who have provided construction observation on various municipal infrastructure projects;
- Inspect contractor's work on a daily basis, ensure compliance with materials being incorporated into the project, and verify that construction practices comply with requirements of specifications and plans. Keep representatives of the Township informed of progress and potential issues;
- Maintain project documentation. Keep daily contract diary, author daily inspection reports and keep construction plans updated with daily as-built information recorded. Maintain log of working days and weather conditions;
- During construction: take appropriate progress photographs to document conditions and issues. Review monthly, contractor submitted work schedules and provide comments to the Township. Monitor work to ensure that work progresses is in agreement with staging plans, work schedules and overall contract requirements;

- Verify that materials and construction techniques comply with contract requirements;
- Coordinate and communicate on daily basis with area residents. Advise of immediate and future construction schedule and potential disruption of traffic flow, access to property, etc. Coordinate with the contractor and the Township to keep disruption to public at minimum;
- Maintain daily pay book of contract pay quantities. Meet with contractor and agree on monthly pay requisition quantities. Verify requisition forms, quantities and timely submission to the Township for processing;
- Monitor work progress. Record any changes in contract conditions and advise owner. Keep records of potential extra work/claim situations and/or contract reductions/credits. Prepare periodic change orders and justification thereto;
- Prepare punch list of items requiring attention for contract closeout;
- Measure and agree on as-built quantities with contractor; and
- Perform final inspection and project closeout services.

Based on the anticipated construction period and the assumptions identified above, we anticipate a **budget of \$170,600** for (Task 4) will be required for construction inspection services.

Estimated Expenses for Task 4			
Labor	Personnel	Rate	Total
1,520 hours	NICET III/IV Inspector	\$107.58	\$163,522
Expenses (Mileage, Printing, Equipment, etc.)			\$7,078
Total			\$170,600

Task 5	Electrical/Structural/Mechanical Specialty Inspections
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HMM will provide the following services under Task 5:

- Perform specialty inspections (electrical, structural, mechanical) of specific construction activities as required during the construction phase of the project; and
- Coordinate specialty inspections with the lead inspector and project manager.

Based on the anticipated construction items that will require specialty inspections, we anticipate a **budget of \$7,500** for (Task 5) will be required for construction inspection services.

Estimated Expenses for Task 5			
Labor	Personnel	Rate	Total
16 hours	Electrical Inspector	\$143.50	\$2,296
16 hours	Structural Inspector	\$115.50	\$1,848
16 hours	Mechanical Inspector	\$115.50	\$1,848
Expenses (Mileage, Printing, Equipment, etc.)			\$1,508
Total			\$7,500

The scope of work for Tasks 4 and 5 has been based on a two hundred and seventy (270) calendar day construction contract with an anticipated one hundred ninety (190) 8-hour days of full-time on-site inspection. However, we have no control over the contractor's performance of the construction work and we will notify the Township when billings reach 80 percent of the construction observation budget and advise on whether the remaining funds are adequate to complete the work and, if not, how much additional funds will be necessary to complete the work.

* * * * *

FEE SUMMARY			
Scope Of Work	Description	Payment Method	Cost/Budget
Task 1	Design Phase Services	Lump Sum	\$258,000
Task 2	Bid Phase Services	Lump Sum	\$4,950
Task 3	Construction Administration Services	Lump Sum	\$118,100
Task 4	Construction Observation Inspections	Reimbursable (as incurred)	\$170,600
Task 5	Electrical/Structural/Mechanical Observation Inspections	Reimbursable (as incurred)	\$7,500
TOTAL			\$559,150

The following is a summary of project tasks that have been excluded from Hatch Mott MacDonald's scope of design services. These tasks, if required, are assumed to be the owner's responsibility:

- Landscaping & Lighting Designs
- Preparation of permit application forms, other than included above
- Legal noticing and project notifications, other than listed above
- Land easement/acquisition or legal services
- Application Fees, Certification Fees, Permit Fees (to be paid by Owner)
- Off-tract improvements, studies and investigations
- Any other Local, County or State Permit acquisition unless specifically noted herein.
- Surveys and Existing conditions outside the project area
- Threatened or Endangered Species studies
- Wetlands Mitigation Plans

Hatch Mott
MacDonald

Contract: Hatch Mott MacDonald will perform this work under our "Agreement for Professional Engineering Services" with the Township of Lower dated January 5, 2015.

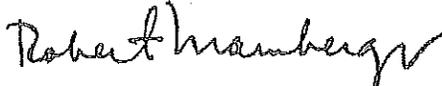
Invoicing: Compensation for Tasks 1, 2 & 3 of this project shall be on a lump sum basis and the Township shall be invoiced on a percent complete basis.

Compensation for Task 4 & 5 of this project shall be based upon a reimbursable method of compensation for the actual time required and at the actual hourly rates identified in Tasks 4 & 5 for the individual(s) that may be employed during the construction phase as requested by the Township.

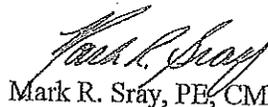
We thank you for the opportunity to provide this Scope of Work for the roadway and drainage improvements to Roseann Avenue. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Hatch Mott MacDonald, LLC



Robert C. Mainberger, PE, CME
Senior Vice President
T 732.780.6565 F 732.577.0551
robert.mainberger@hatchmott.com



Mark R. Sray, PE, CME
Senior Associate
T 609.465.9377 F 609.465.5270
mark.sray@hatchmott.com

MRS

encl.

cc: Eric C. Betz, PE, BCCE, CME, Vice President, HMM
Steven C. Morey, CEP, HMM, Associate

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



(609) 886-2005

Revised Clarification #1
TIME EXTENSION FOR:
SPECIAL PROJECT 2015-04

DATE: October 20, 2015

PROJECT TITLE: Complete Roadway Reconstruction, Drainage Improvements and Pump Station at Roseanne Avenue/Bayshore Estates

SERVICES REQUIRED: Design, Bid, Construction Administrative and Inspection Services

NON-MANDATORY
PRE-BID MEETING: Thursday, October 22, 2015 at 11:00 a.m. at Township of Lower Municipal Building

QUESTIONS: Must be in writing and submitted to Margaret Vitelli, QPA via email to mvitelli@townshipoflower.org by: Monday October 26, 2015 at 10:00 a.m.

RESPONSE TO QUESTIONS: The Township will provide answers to any questions that were submitted in writing by: Wednesday October 28, 2015.

PROPOSALS DUE: Monday November 2, 2015 11:00 a.m. Prevailing Time

DESCRIPTION: Roseanne Avenue located in Bayshore Estates of Lower Township was constructed and developed in the mid 70's. The area has had continued issues with stormwater and underwater flooding in certain areas. The Township previously hired Hatch Mott and MacDonald to investigate and report the following tasks:

1. Field Survey of Stormwater System and Contributory Watershed
2. Stormwater System Mapping
3. Hydraulic Analysis
4. Materials Sampling and Testing
5. Stormwater Diving Inspection (Exhibit B)

Based on the findings the in the August 2015 Hatch Mott MacDonald Report (Exhibit A), Township Council has supported their recommendation of Alternate 3 which will replace the existing CMP corrugated metal pipe with "smooth" wall 71" x 47" CMP, adding a Pumping Station with complete roadway reconstruction based on the new design. The location of the future pump station has been determined by the report to be in the proximity of Clearwater and Roseanne Avenue of Lower Township. Proposals shall include a scope of services for a complete roadway reconstruction and drainage improvements to Roseanne Avenue.

SERVICES REQUIRED: The Township is seeking a proposal for Engineering Services to provide a scope of service to include but not limited to the Design, Permit applications, Contract Plans, specifications, Construction Administration and professional inspections for a complete roadway reconstruction and drainage improvements on Roseanne Avenue.

1. Design Phase to include complete Roadway Reconstruction and Drainage Improvements but not limited to:
 - a. Topographic Survey and Base Map Preparation of Construction Area
 - b. Utility Location in Construction Area (Ground Penetrating Radar)
 - c. Stormwater Design - Trunkline
 - d. Stormwater System Modifications & Underdrains in Roseann Avenue
 - e. Geotechnical Investigation & Design
 - f. Structural Design - Gravity Chamber
 - g. Scour Pad Design

Time Extension Special Project 2015-04 Roseanne/Bayshore Estates . Due Monday November 2, 2015 11:00

(Continuation of Design Phase list)

- h. Preparation of Contract Plans and Specifications
 - i. Land Surveying - Temporary Construction Easements
 - j. Structural Design - Pump Station Chamber
 - k. Electrical Design Pump Station including backup Generator
 - l. Pump Station Design
 - m. Permanent backup Generator Design
 - n. Roadway/Pipe/Sidewalk/curbing complete reconstruction design
 - o. Apply for State and Federal Permits (\$30,000)
 - p. Cape Atlantic Soil Conservation District Certifications (\$4,000)
2. Construction Administration and Inspections
- a. Bid Services
 - b. Construction Administration
 - c. Construction Observation
(Include the amount of hours and hourly rate)
 - d. Electrical/Structural/Mechanical Specialty Inspections
(Include the amount of hours and hourly rate)
3. Estimated Engineering Contract period in days.
4. Estimated Construction Contract period in days.
5. References:
- a. Include listing of current/past projects similar in size and services. Direct contact information (telephone/email) to verify references.

Please provide any and all information you propose that would complete the scope of work.

Margaret Vitelli, QPA
886-2005 x123
mvitelli@townshipoflower.org

END OF SPECIFICATIONS

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798
(609) 886-2005

Special Engineer Project #2015-04
Clarification #1 Roseanne/Bayshore Estate Project

1. Can I get a copy of the overall survey that was completed for the area?
 - a. Copies of HMM Storm Sewer Survey were emailed (Map 1 & 2).
2. Request a copy of the engineers cost estimate.
 - a. Upon consultation with our Township Solicitor, I have been directed to include the cost estimate that was included in Hatch Mott MacDonald's Bayshore Estates Stormwater Investigation Study. Exhibit C
3. Clarification of construction areas of Project/Road reconstruction.
 - a. The scope of work is from Manhole M-5 through Clearwater.
 - b. Manhole M-5 is 575 feet West in the proximity of Deborah and Roseanne Avenue.
4. Location of the Permanent Generator type of service requested.
 - a. Natural Gas will supply the permanent generator and will be located in the vicinity of Clearwater and Roseanne.
5. Permits and Fees
 - a. We are requesting a list of all Permits that each Engineer will be including in their price. Your price will include the cost of the preparation and execution of each permit. The Township of Lower will be responsible for any fees for said permits.
6. Engineers time frame to complete Design Phase of project.
 - a. The Township would prefer a 180 Day completion timeframe, but is requesting an amount of days in the revised proposal page from each engineer.

Prepared by:
Margaret Vitelli, QPA and Gary Douglass, Director of Public Works 10/27/2015

Time Extension for Engineers Special Project 2015-04

REVISED PROPOSAL FORM

TITLE: Engineering Services for Complete Roadway Reconstruction, Drainage Improvements and Pump Station at Roseanne Avenue/Bayshore Estates

The undersigned proposes to furnish and deliver the above goods/services pursuant to the specification and made part hereof:

1. Design Phase: \$ 258,000

2. Construction Administration:

Bid Services \$ 4,950
Construction Administration \$ 118,100
Construction Observation Inspections
Total Price \$ 170,600
Per Hour Rate \$ 107.58
Amount of Hours included 1,520

Electrical/Structural/Mechanical Observation Inspections
Total Price \$ 7,500
Per Hour Rate \$ 143.50 (Elec), \$115.50 (Struct/Mech)
Amount of Hours included 16 (Elec), 32 (Struct/Mech)

Total Price including Design Phase/Construction Administration/Total Inspections

Total \$ 559,150

Amount in numbers

Five Hundred Fifty Nine Thousand One Hundred Fifty Dollars

Amount in words

3. Estimated Contract period for Design Phase in days as per Clarification #1 180 calendar
(Engineering Services; Design, Permit Applications, Bid Specifications etc.)

4. Estimated Contract period for Construction Phase in days 270 calendar
(Upon award of contract)

5. List all Permits that are included in your proposal
NJDEP CAFRA Individual Permit, Coastal Wetlands Permit, Freshwater Wetlands/
Transition Area Waiver Permit, Air Quality General Permit 005A/B, Cape
Atlantic Conservation District Plan Certification, NJDEP Stormwater Construction
Permit (5G3-NJ0088323)

6. List of References on a separate sheet. SEE ATTACHED PROJECT BRIEFS/REFERENCES

Hatch Mott MacDonald
Company Name

16-1006700
Federal I.D. # or Social Security #

P.O. Box 373, Cape May Court House, NJ 08210
Address


Signature of Authorized Agent

Mark R. Sray, P.E., C.M.E.
Type or Print Name

Title: Senior Associate

609.465.9377
Telephone Number
609.465.5270

October 30, 2015
Date

Fax Number

mark.sray@hatchmott.com
E-mail address

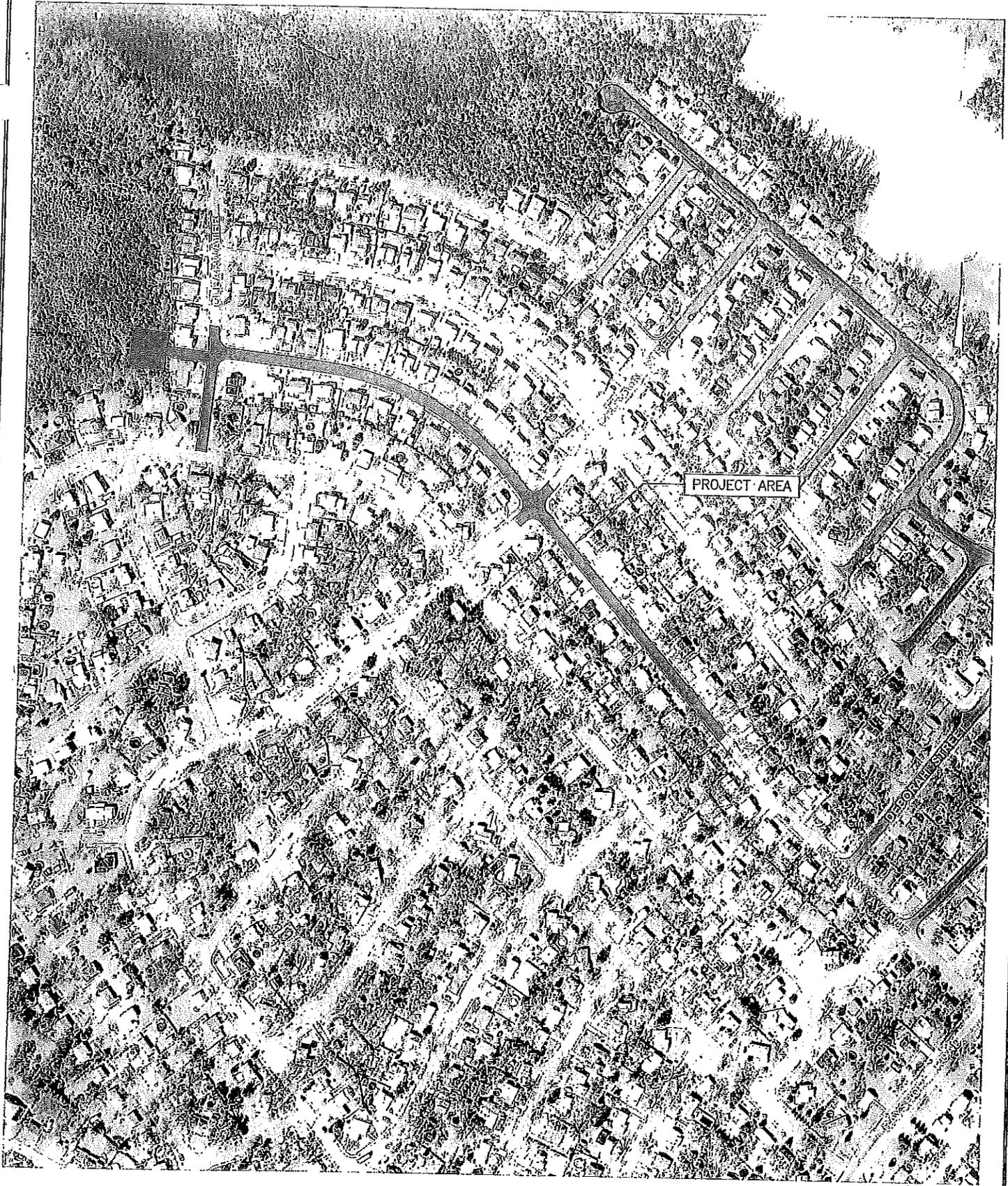
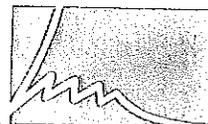


Figure 1 – Project Area

"Complete Roadway Reconstruction,
Drainage Improvements and Pump Station
at Roseann Avenue/Bayshore Estates"



**Hatch Mott
MacDonald**

Certificate No. 24GA28016600

Location

Essex County, NJ

Client

Millburn Township

Project Type

Storm Water

Services

Design, Bid and Construction
Phase Services

Duration

Start date: July 2014

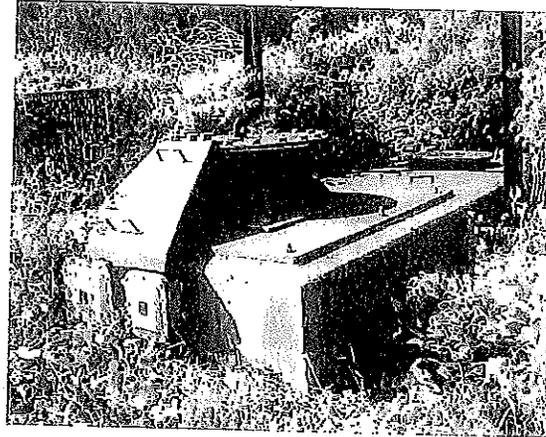
End date: July 2017

Construction Cost

\$3.5 million

Project Description

Backwater from the East Branch of the Rahway River has historically caused localized flooding of residential properties in the low-lying South Mountain Estates section of the Township. A series of stormwater management projects is being undertaken by the Township to mitigate flooding of properties. The expansion of the Gilbert Place Stormwater Pumping Station is one of those projects.



During the 1990s, a single, 30 cfs, 75-hp submersible propeller pump was installed in a previously constructed below-grade concrete pump chamber, located at the end of Gilbert Place, to eliminate the need for lowering a portable pump during storm events. Presently, the pump station will be expanded to more than triple its capacity.

Two additional submersible propeller pumps, each rated 35 cfs, with 135-hp motors, will be installed in a new below-grade concrete structure. The new and existing structures will be hydraulically connected. The expanded station will have a rated capacity of 105 cfs, which is the conveyance capacity of the incoming 48-inch x 76-inch gravity storm drain.

Site constraints are a major challenge for this project. The site is adjacent to private residential properties, property that is encumbered by Green Acres, and a utility corridor containing sanitary interceptors owned by the Joint Meeting of Essex and Union Counties. A single lot exempt from Green Acres will be the site of the new construction. Basements will be required from nearby property owners for both electrical facilities and for the twin 24-inch diameter force mains. Standby power will be provided by a permanent, onsite diesel generator.

A second stormwater pump station, consisting of two submersible, non-clog, 12 cfs pumps, will be constructed about 400 feet from the Gilbert Place expansion. This station will serve a separate area of the Township. Power to this station will be supplied by the expanded Gilbert Place Pump Station. Thus the two stations are combined into a single project.

HMM Role

HMM is the prime consultant and will provide planning, design, permitting, and construction management services for this project. The project requires field surveys, civil/process/mechanical design work, structural design, and electrical design. HMM has held periodic meetings with the Township to review progress plans, update the design concepts as needed, and assist with obtaining easements as required for the project.

A major design consideration for HMM was the need to work within a limited footprint and avoid impacts on residential and Green Acres areas. The electric utility, JCP&L, has expressed concerns over the impacts of pump inrush current on the adjacent residences, as the nearby electrical substation is old, with lower capacity than the more current substations.

Highlights/Benefits

When the project is completed, flooding of the surrounding low lying areas should be eliminated or greatly reduced. Utilities and residences will be spared the expense and inconvenience of periodic flood damage. All Green Acres areas disturbed by the construction will be restored to their original condition.

Cranford Phase 2 Stormwater Pumping Station

Location
Cranford Township
Union County, NJ

Client
Cranford Township

Reference
Terence Wall, MPA, RMC,
QPA
Township Administrator
908.709.7205

Project Type
Stormwater
Pumping Station

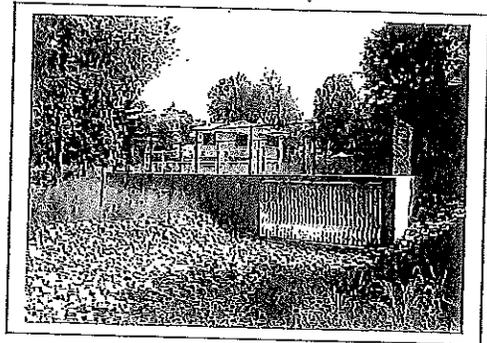
Services
Surveying
Analysis and Design
Permitting
Funding Application
Construction Services

Duration
Start date: March 2007
End date: December 2008

Construction Cost
\$4,630,000

Project Description

The purpose of the project was to provide improvements to the existing stormwater facilities in the northern part of the Township. This proposed project is Phase 2 of a five-phase project developed by Hatch Mott MacDonald for the Township of Cranford with the objective of alleviating current flooding problems along the Rahway River. The Phase 2 project area is along the east bank of the Rahway River which is almost entirely a residential neighborhood with numerous homes within the flood prone area. Levees were constructed along the river in the 1950s to provide flood protection from the overtopped river banks. However, with the levee system in place, the low-lying areas within the project site can not drain by gravity when the adjacent river stage is high. Therefore the need for a pump station was necessary to drain the low-lying areas from local stormwater runoff.



The Phase 2 work consisted of the construction of a 180 cfs stormwater pumping station and the construction of storm sewer interconnections to convey the stormwater to the pump station. The pump station is equipped with five 36 cfs submersible pumps with 30" diameter discharge pipes that lead to an outlet headwall structure that is situated on the river side of the levee system. The exterior of the pump station was designed to blend in with the surrounding residential neighborhood.

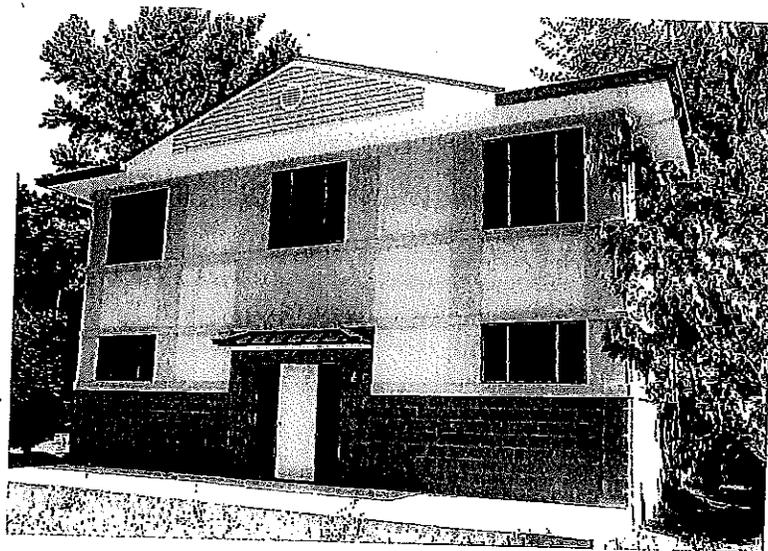
HMM Role

As the prime consultant to the Township of Cranford, HMM provided the following services:

- ◆ Survey
- ◆ Analysis and design
- ◆ Plans and Specifications
- ◆ Permits
- ◆ Construction Phase Services

Project Highlights

- ◆ Construction of a 180 cfs stormwater pump station with interconnecting sewers.
- ◆ Provides structural, environmental, and recreational enhancements to the project area.
- ◆ Pump Station was designed to blend in with the surrounding residential neighborhood.
- ◆ Project was completed within budget.



Location

City of Elizabeth

Client

City of Elizabeth
Department of Public
Works

Reference

John F. Papetti, Jr.
Director of Public Works
908.820.4101

Project Type

Stormwater, Flood
Mitigation, Sewer
Separation

Services

Design, permitting,
bidding, and construction
management

Duration

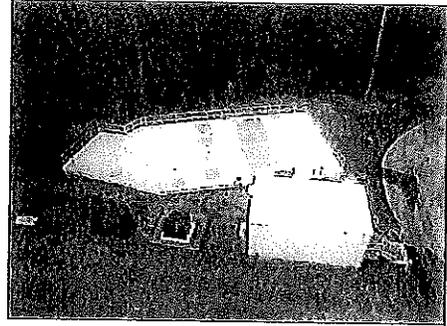
Start date: March 2010
End date: August 2011

Construction Cost

\$6,400,000

Project Description

Verona Avenue/Gebhardt Avenue of City of Elizabeth experienced flooding due to the bowl-like configuration of the area, and lack of adequate drainage. Project involved the design and construction of a storage conduit to store storm water that would otherwise flood the area, and convey it through a control structure to a pumping station where the stormwater would be discharged to a branch of Trotters Brook, a tributary to the Elizabeth River. Additional storm drainage structures were also included, along with the separation of existing drainage structures from the combined sewer system.



The project comprised of a stormwater collection system, 1,300 linear feet of 6.5'W X 7'H concrete box storage conduit, flow control structure, 48" conveyance pipe, 80 cubic feet per second capacity pumping station, discharge structure and drainage swale.

HMM Role

HMM was selected in 2009 to provide engineering design, permitting and construction management for the modifications to the storm sewer system. The project required extensive permitting including: freshwater wetlands, flood hazard area permit and the lifting of a deed restriction on the Kean University property the project was planned for. The design of the project also required coordination between several share holders; the City of Elizabeth, Kean University, NJDEP-DLUR; N.J. Office of the Attorney General, New Jersey Department of Community Affairs (NJCA), Union Township Fire Department, and the NJEIT. The design of the project in the wetlands area needed to minimize the disturbance of the wetlands and transition areas. Storage needed to be accomplished within City ROWs. The design of the project incorporated an emergency access to the Kean University campus along the route of the conveyance pipe.

Construction of the facilities needed to comply with permit restrictions for work within the stream, and to minimize disturbance to students housed with the Kean University Dormitories. Construction of the facilities within City streets had to overcome aged water and gas utilities, and connections, rock excavation, and the need to provide access to the residential homes along the route.

The project was funded through the NJEIT, with ARRA funding being provided for the project. HMM coordinated the submission of the required documents between the Contractor and the NJEIT, ensuring compliance with the Davis-Bacon requirements, and providing verification required under the By-American Clause of the ARRA funding.

Highlights

- ♦ Coordination between multiple shareholders
- ♦ Successful lifting of the existing deed restriction, in cooperation with the NJ Office of the Attorney General
- ♦ Project had minimal disturbance of the wetlands and transition areas
- ♦ Alternate power feed, eliminating need for generator by dormitories
- ♦ ARRA funding of the project, as managed by the NJEIT
- ♦ Solution to 70 years of flooding in the adjacent residential area of the City of Elizabeth

Reconstruction of the 15th Street Pump Station

Location
Cape May County, NJ

Client
Avalon Borough

Reference
Scott Wahl
Business Administrator
609.967.5917

The Borough of Avalon is a barrier island community which experiences seasonal fluctuations in population. The large increase in summer population places a burden upon infrastructure. In an agreement reached between the Cape May County Municipal Utilities Authority (CMCMUA) and the Borough, the 15th Street Pump Station was converted into a regional connection point, including the construction of a new 12" diameter force main and connection to the CMCMUA's existing twin 14" diameter force mains in Ocean Drive.

The 15th Street Pump Station is located on a small lot on the northeast corner of 15th Street and Dune Drive in a predominantly residential area. The Department of Public Works (DPW) garage borders the site to the north and the DPW driveway borders it to the east. The site is approximately 65 feet by 79 feet. Given these site constraints and those imposed by local zoning regulations of the Borough, the modifications to the pump station were uniquely challenging.

The pump station substructure was evaluated as structurally sound but requiring repairs, and the superstructure was evaluated as requiring replacement due to structural and water damage. The original 15th Street sanitary sewer pump station was constructed in 1957 and was approximately 33 years old at the time of its replacement. The station was originally equipped with two 10 HP pumps and one 15 HP pump, which had been upgraded during the life of the station to two 30 HP pumps and one 40 HP pump running in parallel. The proposed design of the pump station included improvements to bring the station into compliance with present NJDEP regulations and provide reliable capacity to the year 2020.

To meet the demands and constraints of the site, the following improvements were completed:

- ♦ Superstructure - removed in its entirety and replaced with a new insulated block structure with rot resistant wood siding, U.L. classified roof with a wood framing system and numerous updated architectural treatments.
- ♦ Substructure - refurbishment of the wet and dry well to accommodate new pumping systems, metering system, associated piping, ventilation, and odor control systems.
- ♦ Site Work - new fencing, grading, paving, process piping and surface improvements, in addition to elevating the site for flood protection.
- ♦ Electrical - completely replaced with the addition of an auxiliary power emergency generator and automatic transfer system.
- ♦ Pumping Equipment - two (2) self priming, variable speed, 100 HP centrifugal pumps, capable of pumping 705-2200 gpm, were installed.
- ♦ Force Main - a 12" diameter cement lined ductile iron pipe was installed, which provided valving to divert flow to either of the two (2) existing CMCMUA 14" diameter force mains. The force main was provided with a state of the art polyethylene wrap system for protection against aggressive soils with high H₂S concentrations.

Unique design features and solutions incorporated in this project were:

- ♦ Pumping into a regional force main with varying conditions.
- ♦ Meeting the requirements of a system with a wide range of average daily flows due to variance of winter and summer population.
- ♦ Construct project without interrupting normal service.
- ♦ Create a self-priming pump station scheme from the existing flooded suction station design through development of new interim floor elevation on dry well side of station.
- ♦ Create an operator service-oriented wet well from the existing wet well, with new operating platforms and alternating step design access system meeting current regulations.

Construction of the 15th Street Pump Station was completed in October, 1991. The reconstruction of the 15th Street Pump Station provides the Borough of Avalon with a sewage pump station meeting current NJDEP requirements and future handling capacities. In addition, the client's requirements of providing capacity to the year 2020, utilizing the existing substructure for cost savings, minimizing land disturbance and creating an aesthetically pleasing building to blend with the residential neighborhood were achieved.

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

RESOLUTION #2016-172

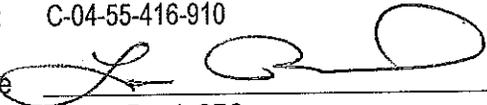
TITLE: APPROVING A PROFESSIONAL SERVICE CONTRACT WITH HATCH MOTT MACDONALD FOR PROFESSIONAL ENGINEERING SERVICES AND PERMIT APPLICATION SERVICE FOR WATER ALLOCATION PERMIT/TEMPORARY DEWATERING PERMIT ROSEANNE AVENUE STORMWATER IMPROVEMENT PROJECT

WHEREAS, the Township of Lower is given authority by N.J.S.A. 40A:11-1 *et seq.* to enter into contracts for "Professional Services" without competitive bidding, when the need arises, so long as the award of such contract is made public by a Resolution of the Governing Body and satisfies the requirements of the New Jersey Pay-to-Play law; and

WHEREAS, Hatch Mott MacDonald has provided a proposal for Professional Engineering Services for Water Allocation Permit/Temporary Dewatering Permit Roseanne Avenue Stormwater Improvement Project in the amount of \$18,500.00; and

WHEREAS, the Township Council desires to approve the proposal, and the CFO has certified the availability of funds by her signature in the budget as follows:

Account: C-04-55-416-910

Signature 
Lauren Read, CFO

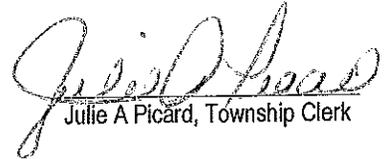
NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower, County of Cape May, State of New Jersey, that a Professional Service Contract without public bidding be awarded as follows:

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for an amount of \$18,500.00 is hereby approved.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above award shall be published in the Township's Official paper.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		+	+			
PERRY	+		+			
SIMONSEN			+			
CLARK			+			
BECK			+			

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on June 6, 2016.


Julie A. Picard, Township Clerk



**Hatch Mott
MacDonald**

Hatch Mott MacDonald
833 Rt 9 North
PO Box 373
Cape May Court House, NJ 08210
T 609.465.9377 www.hatchmott.com

May 23, 2016

Via Email @ manager@townshipoflower.org & 1st Class Mail

Mr. James Ridgway, Township Manager
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

**RE: Professional Engineering and Permit Application Services Proposal
Water Allocation Permit / Temporary Dewatering Permit
Roseann Avenue Stormwater Improvement Project
Township of Lower, Cape May County, NJ
HMM No. 372129**

Dear Mr. Ridgway:

Please find enclosed herewith our proposal for professional engineering and permit application services for the above referenced project.

As you are aware Hatch Mott MacDonald (HMM) was authorized to proceed with the design of the Roseann Avenue Stormwater Improvement project in November 2015. In our initial proposal we included a scope of work and costs for the anticipated regulatory approvals that would be required for the project and assumed that any construction related permitting would be completed by the Contractor upon award of the project.

Based on the information we had available during the design proposal phase we anticipated that the only construction dewatering permit required would be a New Jersey Department of Environmental Protection (NJDEP) New Jersey Pollutant Discharge Elimination System (NJPDES) Short-term De Minimis Discharge General Permit (NJ0134511) for construction dewatering discharges to a surface water body. The Contract Specifications would/will require the Contractor to apply for and secure this permit which takes a relatively short time (2-3 weeks) to acquire.

As a result of the geotechnical borings performed in Roseann Avenue and on Block 494.27, Lot 9 (4 Clearwater Drive) where the proposed pump station will be constructed, groundwater was found to be approximately 1.5 feet to 2.5 feet below existing grade. This existing groundwater table coupled with the depth of the proposed improvements will require a much greater level of construction dewatering than initially anticipated.

Based on our preliminary review of the anticipated trench dewatering rates that will be required to complete the stormwater improvements, the Contractor will need to divert more than 100,000 gallons of water per day (≥ 70 gpm) for more than 30 days in a consecutive 365 day period. Construction dewatering rates that exceed the aforementioned thresholds will require the Contractor to secure a Water



Allocation/Temporary Diversion/Temporary Dewatering Permit (BWA-002) from the NJDEP Bureau of Water Allocation & Well Permitting.

Based on our discussions with the NJDEP, this permit typically takes four to five months to secure and requires the submission of engineering calculations, technical report, various mapping, anticipated dewatering information and other miscellaneous information.

In lieu of incurring the preparation cost for the needed permit as well as providing an allowance item for the currently undetermined permit fee as part of the contract construction cost, the Township felt it was more appropriate to incur these costs upfront as part of the HMM professional services and Township expenditures being made during the design phase of the project. By securing this permit prior to construction we can expedite the permitting process and ensure that all of the necessary permitting that requires significant lead times to complete is in hand prior to award of the construction project.

HMM proposes the following scope of work to secure the BWA-002 permit: HMM will

- Review available published data and complete hydrologic evaluations in support of project-specific BWA-002 application.
- Review readily available aquifer data and well records to establish parameters to support the evaluation. Soil boring logs and laboratory test results from existing borings will be used to pre-predict the radius of influence and dewatering impact area.
- Prepare a hydrogeologic report in support of the application and provide necessary hydrogeologic data to prepare the necessary BWA-002 application form.
- Prepare supporting documentation and the required NJDEP permit applications and submit to the appropriate programs. All permit fees are assumed to be paid directly by Lower Township and therefore we have not included these fees in our cost proposal. The application fees are unknown at this time and cannot be determined until the monthly allocation has been calculated. Depending on the size of the allocation the permit fee could be as much as \$18,595. The Township would be able to pay the fee in three installments pursuant to N.J.S.A. 13:1D-124.
- Coordinate with the permit programs and provide typical follow-up to department inquiries. Should the agency require significant additional submissions, we will inform the Township of the anticipated costs prior to completion.

We propose to complete the scope of work outlined above for the lump sum amount of **\$18,500.**

It is our understanding that the Lower Township Municipal Utilities Authority (LTMUA) is proposing to replace the existing 6-inch water main in Roseann Avenue from Bayshore Road to Clearwater Drive as part of the Roseann Avenue Stormwater Improvement project. The BWA-002 permit that would be acquired under this scope of work would



Hatch Mott
MacDonald

also cover the temporary diversion/construction dewatering required for the water main installation.

Finally, it should be noted that in accordance with N.J.A.C. 7:9D-1.11(g)5, an approved well permit is required for dewatering wells or dewatering well points which are 25 feet or more in total depth or 6 inches or more in borehole diameter. While it is unknown at this point whether the Contractor will utilize means and methods which exceed these thresholds, the Contract Specifications will be written to have the Contractor's New Jersey licensed well driller pull the well permit if required.

Contract: Hatch Mott MacDonald will perform this work under our "Agreement for Professional Engineering Services" with the Township of Lower dated January 4, 2016.

Invoicing: Compensation for this project shall be on a lump sum basis and the Township shall be invoiced on a percent complete basis.

We thank you for the opportunity to provide this Scope of Work for the additional permitting services required for the Roseann Avenue stormwater improvement project. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Hatch Mott MacDonald, LLC

Mark R. Sray, PE, CME
Senior Associate
T 609.465.9377 F 609.465.5270
mark.sray@hatchmott.com

MRS

encl.

cc: Gary Douglass, CPWM, Superintendent, Public Works
Eric C. Betz, PE, BCEE, CME, Senior Vice President, HMM
Robert C. Mainberger, PE, CME, Senior Vice President, HMM
F. William Groff, HMM

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

RESOLUTION # 2017-249

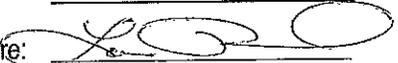
Title: APPROVAL OF CHANGE ORDER #1 FOR ADDITIONAL ENVIRONMENTAL SAMPLING SERVICES FOR THE ROSEANN AVENUE/BAYSHORE ESTATES DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS PROJECT

WHEREAS, Mott MacDonald has been approved by Resolution #2015-321 for \$559,150.00 to provide Professional Services for the Roseanne Avenue/Bayshore Estates Drainage and Stormwater Management Improvement Project; and

WHEREAS, Mott MacDonald has provided a quote of \$6,500.00 for additional required services for pre-construction environmental sampling services at the location of the Stormwater Replacement Project along Roseanne Avenue; and

WHEREAS, the Township Council desires to approve the additional services and the CFO has certified the availability of funds by her signature in the budget as follows:

Budget: Ord# 15-10 C-04-55-417-910

CFO Signature: 
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Change Order #1 in the amount of \$6,500 for Mott MacDonald is hereby approved and the contract total is now increased to \$565,650.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	+		+			
PERRY			+			
ROY		+	+			
SIPPEL			+			
SIMONSEN			+			

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 6, 2017.


Julie A Picard, Township Clerk



Gary Douglass, CPWM
Public Works Superintendent
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Your Reference
Roseann Avenue Roadway
and Utility Improvement
Project, Contract M-10

Our Reference
364711.CM.09

211 Bayberry Drive
Suite 1A
Cape May Court House NJ
08210
United States of America

T +1 (609) 465 9377
F +1 (609) 465 5270
www.mottmac.com/americas

**Proposal for Pre-Construction Environmental Sampling Services
Roseann Avenue Roadway and Utility Improvement Project**

August 29, 2017

Dear Mr. Douglass:

Mott MacDonald is pleased to provide a proposal to Lower Township for pre-construction environmental sampling services at the location of the Stormwater Replacement Project along Roseann Avenue in Lower Township, New Jersey.

As a condition of the Township's Temporary Dewatering Permit (Permit No. 1329D) that was acquired for the project through the New Jersey Department of Environmental Protection's (NJDEP) Bureau of Water Allocation and Well Permitting, the Township is required to file for a Short Term De Minimis construction dewatering discharge to surface water permit under the NJDEP's Master General Permit (Category B7, Permit No. NJ0134511).

In order to assess the groundwater quality prior to filing the permit, the Township is requesting that Mott MacDonald perform pre-construction groundwater sampling within the proposed project area. Mott MacDonald has prepared this proposal for the installation of one temporary well point and collection of one groundwater sample within the proposed construction corridor.

Mott MacDonald will subcontract a New Jersey licensed driller to install one temporary well point with pre-packed screen within the proposed project area. The pre-packed screen will be utilized to reduce turbidity during sample collection. Mott MacDonald will provide oversight of the drilling contractor and collect one groundwater sample from the temporary well utilizing low-flow purging and sampling methods. The groundwater sample will be collected and carefully placed in laboratory supplied glassware, transferred to a dedicated cooler with ice, and sent to a NJDEP-certified laboratory for analysis of Target Compound List (TCL) volatile organics (Method 8260), TCL semi-volatile organics (Method 8270), TCL pesticides (Method 8081), Target Analyte List metals (6010/6020/7471), cyanide (Method 9012), and 2,3,7,8-Tetrachlorodibenzo-p-dioxin (Method 8290).



The temporary well point will be removed on the same day and the borehole restored with soil cuttings and bentonite pellets up to the ground surface as needed. One day of temporary well point installation, field oversight, and sampling have been included in our proposal. Mott MacDonald will provide a summary of the field activities and explanation of laboratory results via email.

We propose to complete the above scope of work for the lump sum amount of **\$6,500**.

Should you have any questions or require additional information, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald, LLC

A handwritten signature in black ink that reads "Mark R. Sray".

Mark R. Sray, PE, CME
Senior Associate
T 609.465.9377
mark.sray@mottmac.com

cc: Jim Ridgway, Township Manager (via email)
Julie Picard, Township Clerk (via email)
Margaret A. Vitelli, RPPS, QPA, Township Purchasing Agent (via email)

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

RESOLUTION # 2017-291

Title: APPROVAL OF CHANGE ORDER #2 FOR ADDITIONAL WORK – PRE CONSTRUCTION SOIL SAMPLING SERVICES AND DESIGN SERVICES FOR CONSTRUCTION DEWATERING FOR THE ROSEANN AVENUE/BAYSHORE ESTATES DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS PROJECT

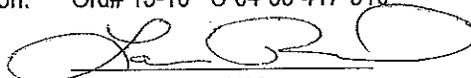
WHEREAS, Mott MacDonald has been approved by Resolution #2015-321 for \$559,150.00 to provide Professional Services for the Roseanne Avenue/Bayshore Estates Drainage and Stormwater Management Improvement Project and Change order #1 was approved by Resolution #2017-249 in the amount of \$6,500 making the contract total \$565,650; and

WHEREAS, Mott MacDonald has provided a quote of \$13,950.00 for additional required services for pre-construction soil sampling services at the location of the Stormwater Replacement Project along Roseanne Avenue and for additional design services required for the proposed construction dewatering discharge into the Lower Township MUA's sanitary sewer system; and

WHEREAS, the Township Council desires to approve the additional services and the CFO has certified the availability of funds by her signature in the budget as follows:

Appropriation: Ord# 15-10 C-04-55-417-910

Signature:



Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Change Order #2 attached hereto in the amount of \$13,950 for Mott MacDonald is hereby approved and the contract total is now increased to \$579,600.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			+			
PERRY	+		+			
ROY		+	+			
SIPPEL			+			
SIMONSEN			+			

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on November 6, 2017.



Julie A. Picard, Township Clerk



Gary Douglass, CPWM
Public Works Superintendent
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Your Reference
Roseann Avenue Roadway
and Utility Improvement
Project, Contract M-10

Our Reference
390657
392497

211 Bayberry Drive
Suite 1A
Cape May Court House NJ
08210
United States of America

T +1 (609) 465 9377
F +1 (609) 465 5270
www.mottmac.com/americas

**Proposal for Additional Work
Pre-Construction Soil Sampling Services &
Design Services for Construction Dewatering
Roseann Avenue Roadway and Utility Improvement Project**

October 31, 2017

Dear Mr. Douglass:

Mott MacDonald is pleased to provide a proposal to Lower Township for pre-construction soil sampling services at the location of the Stormwater Replacement Project along Roseann Avenue and for additional design services required for the proposed construction dewatering discharge into the Lower Township MUA's sanitary sewer system in Lower Township, New Jersey.

Mott MacDonald proposes the following scope for the additional work:

Task 1 Pre-Construction Soil Sampling Services

Mott MacDonald collected a groundwater sample within the proposed project area (Block 494.27, Lot 9) on September 21, 2017 to assess the groundwater quality for purposes of filing for a Short Term De Minimis construction dewatering discharge to surface water permit under the NJDEP's Master General Permit (Category B7, Permit No. NJ0134511). The pre-construction groundwater sample collected from a temporary well installed to a depth of 15 feet below grade within the proposed construction area revealed concentrations of metals exceeding the NJDEP permit limits for surface water. Additionally, several polycyclic aromatic hydrocarbon (PAH) and metals concentrations exceeded the New Jersey Groundwater Quality Standards (GWQS) (NJAC 7:9C).

According to the New Jersey Department of Environmental Protection (NJDEP) NJ-GeoWeb online mapping tool, historic fill is mapped throughout the proposed project area. The presence of elevated concentrations of PAHs and metals in groundwater within a property mapped as historic fill suggest that these contaminants may be encountered in soils within the proposed construction corridor.



The following scope of services is offered to assist the Township in completing pre-construction soil sampling to support management of contaminated soil potentially encountered during completion of the proposed stormwater system replacement activities along Roseanne Avenue.

Mott MacDonald understands that the Township is proposing replacement of the existing stormwater system at the end of Roseanne Avenue with construction activities taking place at depths ranging from the surface to approximately 15 feet below grade. Two soil samples will be collected within the construction corridor on Block 494.27, Lot 9 at depths representative of the soils that may be encountered during work activities. A third soil sample will be collected within the Roseann Avenue right-of-way within the proposed construction corridor. Mott MacDonald will require the assistance of the Township to excavate test pits via backhoe within the proposed construction corridor.

An environmental scientist or geologist from Mott MacDonald will oversee installation of the test pits and screen soils using a photo-ionization detector (PID). Soil samples collected from each test pit will be biased towards intervals indicative of fill material, or soil that exhibit indications of the contamination, such as petroleum staining, odors, and/or elevated PID readings. All samples will be collected in accordance with the NJDEP's Field Sampling Procedures Manual.

The samples collected by Mott MacDonald will be submitted to an NJDEP-certified laboratory and analyzed for full target compound list/target analyte list (TCL/TAL) volatile organics plus 10 non-targeted organic compounds, semi-volatile organic compounds plus 20 non-targeted organic compounds (TCL SVO+20), TCL pesticides, polychlorinated biphenyls, TAL metals, cyanide, hexavalent chromium, and extractable petroleum hydrocarbons (EPH, Category 2). A 5-day turnaround time will be requested to expedite the analysis to support the contracted project schedule. The laboratory will provide an analytical data report that conforms to the "Reduced Laboratory Deliverables Format" consistent with the requirements of N.J.A.C. 7:26E.

Following receipt of the laboratory package, Mott MacDonald will review the results and provide an email summary of any exceedances of the New Jersey Soil Remediation Standards and recommendations for additional work.

We propose to complete the above scope of work outlined above (Task 1) for the lump sum amount of \$7,250.

**Task 2 Design Services – Construction Dewatering Discharge to
LTMUA System**

As you are aware the above referenced project is being constructed in a high groundwater area and dewatering of groundwater during pipe and pump station installations is absolutely necessary to properly construct the project.

You will recall it was the original intent to discharge groundwater from the pipe trenches and pump station excavations to the tributary to Cox Hall Creek (surface water) and have the Contractor acquire the Short Term De Minimis construction dewatering discharge to surface water permit under the NJDEP's Master General Permit. Based on the laboratory results of the groundwater sample that was taken we are unable to discharge the groundwater to the surface water without the design

of a treatment system to remove the metal concentrations that exceed permit limits, additional pre-construction permitting and treatment of the groundwater discharge during construction, all of which are very costly to implement.

As an alternative to treatment of the groundwater the Lower Township MUA has agreed to accept the dewatering discharge and, per our meeting with the LTMUA on October 25th, suggested that the discharge could be made directly into the 36" gravity sanitary sewer interceptor line located in Fieldview Drive.

In order to account for this change the following additional work will be required:

- Survey the proposed discharge point, particularly the location of the sanitary sewer manholes in the intersection of Fieldview Drive and Willow Drive as well the size and invert elevations of existing sewer pipes;
- Prepare a location plan and information for the Contractor's use in preparing his bid. This plan will be added to the completed Construction Document set; and
- Prepare a performance specification that will address the construction dewatering discharge routing requirements, connection requirements, potential hydrogen sulfide containment, flow restrictions and required traffic control for the continuous dewatering discharge operation.

It appears that the direct discharge to the LTMUA's system is the most economical approach to dispose of the construction dewater and the above modifications are needed to protect the Township from frivolous claims during construction and also to minimize the additional cost to the Township due to the change in the dewatering program for the project.

We propose to complete the scope of work outlined above (**Task 2**) for the lump sum amount of **\$6,700**.

Fee Summary

<u>Scope of Work</u>	<u>Description</u>	<u>Payment Method</u>	<u>Cost</u>
Task 1	Pre-Construction Soil Sampling Services	Lump Sum	\$7,250
Task 2	Design Services – Construction Dewatering Discharge to LTMUA System	Lump Sum	\$6,700
		TOTAL	\$13,950

Contract: Mott MacDonald will perform our work in accordance with our Agreement for Professional Engineering Services dated January 4th, 2017.

Invoicing: Compensation for Tasks 1 and 2 shall be on a lump sum basis and the Township shall be invoiced on a percent complete basis.



We thank you for the opportunity to provide a proposal for the additional work described above. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald, LLC

A handwritten signature in black ink that reads 'Mark R. Sray'.

Mark R. Sray, PE, CME
Senior Associate
T 609.465.9377
mark.sray@mottmac.com

cc: Jim Ridgway, Township Manager (via email)
Julie Picard, Township Clerk (via email)
Margaret A. Vitelli, RPPS, QPA, Township Purchasing Agent (via email)

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

RESOLUTION # 2017-343

Title: APPROVAL OF CHANGE ORDER #3 FOR ADDITIONAL ENGINEERING WORK FOR THE ROSEANN AVENUE/BAYSHORE ESTATES DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS PROJECT

WHEREAS, Mott MacDonald has been approved by Resolution #2015-321 for \$559,150.00 to provide Professional Services for the Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvement Project and Change order #1 was approved by Resolution #2017-249 in the amount of \$6,500 making the contract total \$565,650; and

WHEREAS, Mott MacDonald has provided a quote of \$3,500.00 for additional engineering work due to the additional Supplemental Bid Item S1; and

WHEREAS, the Township Council desires to approve the additional services and the CFO has certified the availability of funds by her signature in the budget as follows:

Appropriation: Ord# 15-10 C-04-55-417-910

Signature:

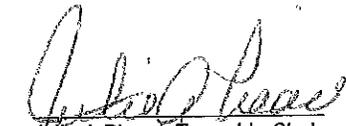


Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Change Order #3 attached hereto in the amount of \$3,500.00 for Mott MacDonald is hereby approved and the contract total is now increased to \$583,100.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
PERRY			X			
ROY			X			
SIPPEL	X		X			
SIMONSEN			X			

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 18, 2017.



Julie A. Picard, Township Clerk

Julie Picard

From: Gary Douglass <gdouglass@townshipoflower.org>
Sent: Wednesday, December 13, 2017 8:58 AM
To: jpicard@townshipoflower.org
Subject: Fwd: Roseann Avenue
Attachments: Untitled attachment 00035.htm

Julie,
Please put change order for Mott MacDonald for \$3500 addition engineering for Roseann Ave Reconstruction
See below
Thank you
Gary

Sent from my iPhone

Begin forwarded message:

From: "Sray, Mark R" <Mark.Sray@mottmac.com>
Date: December 13, 2017 at 5:08:45 AM EST
To: Jim Ridgway <jridgway@townshipoflower.org>, Gary Douglass <gdouglass@townshipoflower.org>
Subject: FW: Roseann Avenue

Has any decision been made on this?

Thanks,

Mark

From: Sray, Mark R
Sent: Monday, December 11, 2017 7:23 AM
To: Jim Ridgway <jridgway@townshipoflower.org>; Gary Douglass <gdouglass@townshipoflower.org>
Subject: Roseann Avenue

Jim/Gary,

We have reviewed the work required to modify the plans and specifications to provide for an additional Supplemental Bid Item S1. While the Base Bid will include all work on the project, the Supplemental Bid Item S1 will be a contract deduct item, which, depending on the bid prices received, may or may not be awarded. Item S1 will include the deletion of the generator, load bank, commissioning and testing of the generator, conduit runs from the switchboard (conduits will be capped 5' away from switchboard), gas service work and other miscellaneous items that will be determined during our detailed review.

Since the size and orientation of generators and load banks differ we do not anticipate installing the concrete pad for these units at this time since we will not have approved a particular generator/load bank. This pad can be installed when the generator and load bank are installed.

We will be able to make the modifications to the plans and specifications for the lump sum amount of \$3,500. Please let us know how you want us to proceed. Should we get authorized this week we anticipate that the project can be advertised before the end of the year (December 27th).

Mark R. Sray, PE, CME

Principal Project Manager

T +1 (609) 465 9377 F +1 (609) 465 5270

mark.sray@mottmac.com<<mailto:mark.sray@mottmac.com>>

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Mott MacDonald
211 Bayberry Drive
Suite 1A
Cape May Court House NJ 08210
United States of America

Website<www.mottmac.com/americas> | Twitter<<https://twitter.com/mottmacdonald>> | LinkedIn<<https://www.linkedin.com/company/7253>> | Facebook<<https://www.facebook.com/mottmacdonaldgroup>> | YouTube<<https://www.youtube.com/user/mottmacdonaldgroup>>



Gary Douglass, CPWM
Public Works Superintendent
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Your Reference
Roseann Avenue Roadway
and Utility Improvement
Project, Contract M-10

Our Reference
390657
392497

211 Bayberry Drive
Suite 1A
Cape May Court House NJ
08210
United States of America

T +1 (609) 465 9377
F +1 (609) 465 5270
www.mottmac.com/americas

**Proposal for Additional Work
Contract Plan and Specification Modifications
Roseann Avenue Roadway and Utility Improvement Project**

December 14, 2017

Dear Mr. Douglass:

Mott MacDonald is pleased to provide a proposal to Lower Township to complete the modifications to the contract plans and specifications as discussed so as to provide for a supplemental bid item (contract deduct item) in the bid for the work associated with the provision and installation of the generator and load bank, commissioning and testing of the equipment and other required appurtenances.

Mott MacDonald proposes the following scope for the additional work:

- Review of all electrical work to determine which items would be included in the supplemental bid item;
- Prepare a bid specification for the Supplemental Item;
- Modify the contract plans, general specifications and bid pages as appropriate to include the supplemental bid item and basis of award; and
- Modify the Engineer's Estimate.

We propose to complete the scope of work outlined above for the lump sum amount of **\$3,500**.

Contract: Mott MacDonald will perform our work in accordance with our Agreement for Professional Engineering Services dated January 4th, 2017.

Invoicing: Compensation shall be on a lump sum basis and the Township shall be invoiced on a percent complete basis.



We thank you for the opportunity to provide a proposal for the additional work described above. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald, LLC

A handwritten signature in black ink that reads 'Mark R. Sray'. The signature is written in a cursive, flowing style.

Mark R. Sray, PE, CME
Senior Associate
T 609.465.9377
mark.sray@mottmac.com

cc: Jim Ridgway, Township Manager (via email)
Julie Picard, RMC, Township Clerk (via email)
Margaret A. Vitelli, RPPS, QPA, Township Purchasing Agent (via email)

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

RESOLUTION # 2018-89

Title: APPROVAL OF CHANGE ORDER #3 FOR ADDITIONAL WORK – ADDITIONAL PRE-CONSTRUCTION GROUNDWATER SAMPLING SERVICES & REBID SERVICES FOR ROSEANN AVENUE/BAYSHORE ESTATES DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS PROJECT

WHEREAS, Mott MacDonald has been approved by Resolution #2015-321 for \$559,150.00 to provide Professional Services for the Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvement Project and Change order #1 was approved by Resolution #2017-249 in the amount of \$6,500; Change order #2 was approved by Resolution #2017-291 in the amount of \$13,950 making the contract total \$579,600; and

WHEREAS, Mott MacDonald has provided a quote of \$33,475.00 for additional pre-construction groundwater sampling services (task 1 \$18,850), design services – Rebid Documents (task2 \$9,675) and Bid Phase Services – Rebid (task3 \$4,950); and

WHEREAS, the Township Council desires to approve the additional services and the CFO has certified the availability of funds by her signature in the budget as follows:

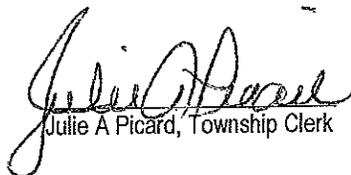
Appropriation: Ord# 15-10 C-04-55-417

Signature: 
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Change Order #3 attached hereto in the amount of \$33,475 for Mott MacDonald is hereby approved and the contract total is now increased to \$613,075.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY		X	X			
ROY	X		X			
SIPPEL			X			
SIMONSEN			X			

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 21, 2018.


Julie A. Picard, Township Clerk

M

M

**MOTT
MACDONALD**

Gary Douglass, CPWM
Public Works Superintendent
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Your Reference
Roseann Avenue Roadway
and Utility Improvement
Project, Contract M-10

Our Reference
390657
392497
394700

211 Bayberry Drive
Suite 1A
Cape May Court House NJ
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United States of America

T +1 (609) 465 9377
F +1 (609) 465 5270
www.mottmac.com/americas

**Proposal for Additional Work
Pre-Construction Groundwater Sampling Services & Rebid Services for
Roseann Avenue Roadway and Utility Improvement Project
Contract M-10 Re-Bid**

February 14, 2018

Dear Mr. Douglass:

Mott MacDonald is pleased to provide herewith a proposal to Lower Township for pre-construction groundwater sampling services at the location of the Stormwater Replacement Project along Roseann Avenue and for additional design and bid phase services required for the rebidding of the project.

As you are aware on February 5th the Township rejected the bids for Contract M-10 since the lowest bid substantially exceeded the appropriation for the project. Per the discussions at our meeting on February 12th it is the intent of the Township to bond for additional money for the project and rebid Contract M-10. Mott MacDonald proposes the following scope of work:

Task 1 Pre-Construction Groundwater Sampling Services

In an effort to assess the groundwater quality along the entire stretch of the proposed project so that prospective bidders have a general understanding of what subsurface groundwater conditions they will encounter (and thereby reduce some of their risk), Mott MacDonald will perform additional pre-construction groundwater sampling within Roseann Avenue from Clearwater Drive to Bayshore Road.

Mott MacDonald will subcontract a New Jersey licensed driller to install six (6), 1-inch diameter temporary well points with pre-packed screen within the proposed project area. The prepack screen will be utilized to reduce turbidity during sample collection. Mott MacDonald will provide oversight of the drilling contractor and collect one groundwater sample from each temporary well via Teflon bailer.

The groundwater sample will be carefully placed in laboratory supplied glassware, transferred to a dedicated cooler with ice, and sent to a NJDEP-certified laboratory for analysis of Target Compound List (TCL) volatile organics (Method 8260/624),

TCL semi-volatile organics (Method 8270/625), TCL pesticides (Method 8081), Target Analyte List metals (6010/6020/7471), cyanide (Method 9012), and 2,3,7,8-Tetrachlorodibenzo-p-dioxin (Method 8290). Dioxin will initially be screened utilizing Method 625. If detected, Method 8290 will be run to obtain a quantitatively accurate result. The temporary well points will be removed on the same day and borehole restored with soil cuttings and bentonite pellets up to the ground surface as needed.

This scope of work assumes that a road opening permit will not be required for this work and that the Township can provide minimal traffic control during the field work.

Mott MacDonald will provide a summary of field activities and explanation of laboratory results via email. Two days of temporary well point installation, field oversight, sampling, and data assessment have been included in this Task.

We propose to complete the above scope of work outlined above (**Task 1**) for the lump sum amount of **\$18,850**.

Task 2 **Design Services – Rebid Documents**

Mott MacDonald will provide the following design services required for the rebidding of Contract M-10.

- Perform a field survey to locate the gas main and water main relocations that were performed after the design documents were completed. The survey will locate new water and gas valves, hydrants and the well point locations performed under Task 1;
- Modify the contract plans, general specifications and bid pages as appropriate for the public rebidding of the project;
- Prepare fifteen (15) copies of the Contract Plans and Specifications and a CD of appendix items; and
- Update the Engineer's Estimate of Construction based on the revisions made to the Contract Plans.

We propose to complete the scope of work outlined above (**Task 2**) for the lump sum amount of **\$9,675**.

Task 3 **Bid Phase Services – Rebid**

Mott MacDonald will provide the following bid phase services for the Contract M-10 Rebid under Task 3:

- Mott MacDonald will assist the Township with the bidding process. It is assumed that the Township will advertise and assume advertising costs for the notice to bidders;
- Respond to potential questions and requests for additional information from Contractors bidding on the project;

- Prepare any addenda or clarification memos resulting from bidders' inquiries during the bidding phase. Report to the Township when clarifications and interpretations of the Contract Documents are needed and transmit to the Township clarifications and interpretations to be issued to prospective bidders;
- Attend the bid opening;
- Furnish a Bid Report that summarizes the information in the bids received and provide recommendations for the award of the Contract based upon input received from references and review of bid forms. (It is assumed the Township will contact Contractors' references and perform a legal review of the bidder's documents – bonds, technical completeness, compliance with public bidding laws, etc.).

Mott MacDonald's proposal for Bid Phase Services is based upon one round of bidding. If for any reason, other than an error on the part of Mott MacDonald, additional round(s) of bidding are required, those additional services will be considered beyond our original scope of services.

We propose to complete the scope of work outlined above (Task 3) for the lump sum amount of \$4,950.

Fee Summary

<u>Scope of Work</u>	<u>Description</u>	<u>Payment Method</u>	<u>Cost</u>
Task 1	Pre-Construction Groundwater Sampling Services	Lump Sum	\$18,850
Task 2	Design Services – Rebid Documents	Lump Sum	\$9,675
Task 3	Bid Phase Services – Rebid	Lump Sum	\$4,950
		TOTAL	\$33,475

Project Schedule

<u>Project Activity</u>	<u>Duration</u>	<u>Est. Completion Dates:</u>
Authorization to Proceed	-	February 21, 2018
Tasks 1 & 2	Four (4) weeks	March 21, 2018
Solicit Bids for Project	-	March 21, 2018
Bid Period	Thirty (30) days	April 19, 2018
Open and Review Bids	Thirteen (13) days	May 2, 2018
Award by Council	-	May 7, 2018
Notice to Proceed	-	May 21, 2018
Construction	One (1) year	May 21, 2019



Contract: Mott MacDonald will perform our work in accordance with our 2018 Agreement for Professional Engineering Services.

Invoicing: Compensation for Tasks 1 thru 3 shall be on a lump sum basis and the Township shall be invoiced on a percent complete basis.

We thank you for the opportunity to provide a proposal for the additional work described above. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald, LLC

A handwritten signature in black ink that reads 'Mark R. Sray'. The signature is written in a cursive, flowing style.

Mark R. Sray, PE, CME
Senior Associate
T 609.465.9377
mark.sray@mottmac.com

cc: Jim Ridgway, Township Manager (via email)
Julie Picard, Township Clerk (via email)
Margaret A. Vitelli, RPPS, QPA, Township Purchasing Agent (via email)

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

ORDINANCE #2018-03

Title: **ORDINANCE REVISING AND RESTATING ARTICLE 1 OF CHAPTER 178, BEACHES OF THE CODE OF THE TOWNSHIP OF LOWER**

WHEREAS, the Township Council of the Township of Lower desires to amend and restate Article 1 of Chapter 178 of the Code of the Township of Lower concerning Beach Regulations.

NOW, THEREFORE, BE IT ORDAINED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey hereby determines and declares as follows:

Section 1. Chapter 178, Article 1 titled BEACH REGULATIONS is hereby stricken and replaced with the following:

Chapter 178: Beaches
Article I: Beach Regulations

§ 178-1: Findings; applicability; access rights through Public Trust Doctrine.

- A. The Township controls for the use of the general public the beach and approaches thereto and the bathing area adjacent to the beach for the enjoyment, recreation, pleasure, safety, health, peace and quiet of all persons seeking the privilege of such facilities; and it is deemed advisable and expedient for the preservation of order and public health and safety, and for the best interests of those persons seeking such privileges and facilities, to ordain rules and regulations for the government, supervision, use and policing of the beaches, bathing areas in the ocean, bay and canal adjacent thereto, and the approaches thereto.
- B. This chapter shall apply to all beaches, dunes, beach access and supporting facilities under the jurisdiction of the Township, unless expressly exempted.
- C. The public's right of access to tidal waters for fishing, commerce and navigation embodied in the "Public Trust Doctrine" have long been recognized by New Jersey's Courts. A series of court decisions beginning in the 1970s extended those rights to include recreation, access to municipally controlled beaches and, in some settings, to privately owned beaches. Public access rights have historically been enforced through litigation, through New Jersey Department of Environmental Protection (NJDEP) permitting actions or through conditions on state aid for shore protection.

§ 178-2: Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BEACHES

Includes beaches, dunes, designated public access paths and structures, outfalls, restroom(s), parking or other public facilities or parts or appurtenances whatsoever, whether real or personal property of the Township at the following areas:

- A. All that area from the Township line in the Villas Section southward to the north border of the Borough of Cape May Point.
- B. From the east border of the Borough of Cape May Point to the west border of the City of Cape May.
- C. From the south border of the Borough of Wildwood Crest to the Cape May Inlet.
- D. The beaches on both sides of the Cape May Canal from the Delaware Bay to Cold Spring Harbor together with the bathing areas adjacent thereto.

DUNE

A wind- or wave-deposited formation of vegetated or drifting windblown sand, generally parallel to and landward between the inland limit to the beach and the foot of the most inland dune slope, including primary, secondary and

tertiary dunes where they exist. Formations of sand immediately adjacent to beaches that are stabilized by retaining structures, such as snow fences, planted and natural vegetation and other measures are considered to be natural dunes, regardless of the degree of modification of the dune by wind or wave action or disturbance by development. A dune shall not include loose windblown sand found in a street or on a part of a structure as a result of wind or storm activity.

DUNE AREA

That area between the seaward edge of the dune and the landward edge of the dune.

IN-SEASON

Use of the beaches beginning on the last Friday prior to Memorial Day weekend through to and including the first Monday following Labor Day weekend of any given year.

Natural Vegetation

Includes the terms "native vegetation" or "indigenous vegetation." Specifically, it shall include such plants as beach grass (*Ammophila breviligulata*), dusty miller (*Artemisia stelleriana*), sea rocket (*Cakile edentula*), seaside goldenrod (*Solidago sempervirens*), bayberry (*Myrica pensylvanica*), beach pea (*Lathyrus japonicus*), salt spray rose (*Rosa rugosa*) or seaside spurge (*Euphorbia polygonifolia*) and any other species of vegetation recognized by the New Jersey Department of Environmental Protection, which normally grow or may be planted on the slopes of dunes or behind them, no distinction being made as to how such plants are introduced into their location.

OFF-SEASON

Use of the beaches beginning on the first Tuesday following Labor Day weekend through to and including the last Thursday prior to Memorial Day weekend of any given year.

§ 178-3: Rules and regulations.

It shall be unlawful and an offensive course of conduct to violate or participate in the violation of any rule or regulation hereinafter set forth, which rules and regulations are hereby adopted for and shall apply to the government, supervision, policing and use of the aforesaid areas. The following activities are hereby prohibited:

- A. To engage in the playing of any game which endangers the health and safety of others, including but not limited to the use of surfboards from the center line of Rochester Avenue north to the dividing line between the Township of Lower and the Borough of Wildwood Crest, on the Atlantic Ocean.
- B. To transport or place any rubbish, refuse, garbage or other material that pollutes or interferes with the use and enjoyment of the beach. Such items shall be deposited in receptacles so provided. Where receptacles are not provided, all waste will be carried away from the beach by the person(s) responsible for its presence and such waste shall be properly disposed of elsewhere.
- C. To dress, undress or change clothing for bathing or other purpose in any passenger automobile, bus, truck or vehicle of any kind regardless of whether the doing thereof is in public view or can be seen by any other person or persons.
- D. To possess either in opened or unopened containers and/or to consume alcoholic beverages within the areas defined as the beach and approaches thereof. Nor shall any person be under the influence of intoxicating liquor or drugs.
- E. To revel, disport, or behave in a noisy or boisterous manner, emitting loud cries and other noises, or playing of loud music so as to inconvenience others, or otherwise disrupt and disturb the public peace and dignity within the areas defined as the beach or approaches thereto.
- F. To act in a loud, indecent, obscene, or offensive manner within the defined areas.

- G. Mark, deface, disfigure, injure, tamper with or displace or remove any tables, benches, public access structures, outfalls, restroom or other public facilities or parts or appurtenances whatsoever, whether real or personal property of the Township.
- H. To introduce, place or plant any plants, shrubs, trees, bushes and/ or vegetation, with the exception of natural vegetation, on the dune or within the dune area. Any proposed natural vegetation shall be planted under the supervision of the Lower Township Superintendent of Parks and Recreation as set forth within the current New Jersey Department of Environmental Protection CAFRA permit, in accordance with the guidelines and standards promulgated by the New Jersey Department of Environmental Protection.
- I. Dig, damage, trample or remove any dune vegetation from the beach or dune. Nor dig or remove sand from any dune with exception of authority of the Township.
- J. To trespass upon any dunes, except as paths are designated and marked for public use.

§ 178-4: Violations and penalties.

Anyone found to have violated any of the provisions of this article shall be a guilty of a disorderly person's offense and, upon conviction thereof by any court authorized by law to hear and determine the matter, be subject to a fine in any sum not exceeding \$1,000, and in default of payment of said fine be imprisoned in the county jail for a term not exceeding 30 days; and any repetition of any act herein prohibited shall be deemed a separate and distinct offense

In addition to the above penalties, the Lower Township Police Department, the Construction Official, the Code Enforcement Officer or any other duly authorized officers or employees are hereby empowered to pursue such legal and equitable relief as may be necessary to abate any violation or enforce any condition of this article

Section 2. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are hereby repealed.

Section 4. This Ordinance shall take effect 20 days after final passage and publication as provided by law.

Thomas Conrad, Councilmember

David Perry, Councilmember

Rolland Roy, Jr., Councilmember

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

First Reading: March 5, 2018

Adopted:

Attest: _____
Julie A. Picard, Township Clerk

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

ORDINANCE #2018-04

Title: AMENDING ARTICLE IV SUBSECTION 475-14 OF CHAPTER 475, PARKS AND RECREATION AREAS, OF THE CODE OF THE TOWNSHIP OF LOWER - TO AMEND THE FEE SCHEDULE

WHEREAS, Chapter 475 Parks and Recreation Areas of the Township of Lower governs the general provisions regarding general Rules and Regulations of all recreational parks and facilities of the Township of Lower; and

WHEREAS, The fee schedule for all Township recreation programs is set within this Ordinance; and

WHEREAS, the aforementioned schedule needs to be amended.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

Section 1. Subsection 475-14 entitled Recreation Fee Schedule shall be amended to reflect the following change:

475-14. RECREATION FEE SCHEDULE

<u>Type</u>	<u>Fee</u>
Educational Classes	\$40.00 per person per program

All other fees currently listed remain the same

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.

Thomas Conrad, Councilmember

David Perry, Councilmember

Roland Roy, Jr., Councilmember

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

First Reading: March 5, 2018

Adopted:

Attest: _____
Julie A Picard, Township Clerk

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

ORDINANCE NUMBER 2018-05

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2015-10 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL ON OCTOBER 19, 2015, AS PREVIOUSLY AMENDED AND SUPPLEMENTED, TO INCREASE THE APPROPRIATION THEREIN BY \$4,200,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$3,990,000 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The bond ordinance of the Township of Lower, in the County of Cape May, State of New Jersey (the "Township"), heretofore finally adopted by the Township Council on October 19, 2015, number 2015-10, entitled: "BOND ORDINANCE PROVIDING FOR DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS AND ASSOCIATED ROAD WORK TO ROSEANN AVENUE AND BAYSHORE ESTATES, BY AND IN THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$4,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,520,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF", as previously amended and supplemented by a bond ordinance finally adopted by the Township Council on April 4, 2016 (collectively, the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvements or purposes described in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the additional sum of \$4,200,000, said sum being inclusive of \$210,000 as the amount of an additional down payment as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes. Therefore, the total appropriation contained in the Original Ordinance, as amended and supplemented hereby, shall be increased by \$4,200,000 from \$4,750,000 and shall equal the amount of \$8,950,000, said sum being inclusive of all appropriations heretofore made in the Original Ordinance, as amended and supplemented hereby, including the total amount of down payment increased by \$210,000 from \$230,000 to equal \$440,000. The total appropriation including the total amount of down payment is \$8,950,000.

SECTION 3. In order to finance the additional cost of the improvements or purposes set forth in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes of the Township in the amount of \$3,990,000 are hereby authorized to be issued by the Township for such improvements or purposes in Section 3(a) of the Original Ordinance, as amended and supplemented, such that the total authorization of negotiable bonds or notes to be issued by the Township for the improvements or purposes stated in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$3,990,000 from \$4,520,000 and shall equal the amount of \$8,510,000.

SECTION 4. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director of the Division of Local Government Services"), will be on file in the office of the Clerk and will be available for public inspection.

SECTION 5. The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$3,990,000 and the said obligations authorized herein will be within all debt limitations prescribed by law.

SECTION 6. For the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, the items of expense listed in and permitted under N.J.S.A. 40A:2-20, shall be increased by \$840,000 from \$750,000 and shall equal the amount of \$1,590,000, such total amount being included in the estimated cost indicated herein for the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby.

SECTION 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by the Original Ordinance, as amended and supplemented hereby. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 8. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of the Original Ordinance, as amended and supplement hereby, and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of the Original Ordinance, as amended and supplement hereby. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 9. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 11. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**Adopted on First Reading
March 5, 2018**

Julie A Picard, Township Clerk

**Adopted on Second Reading
March 19, 2018**

Julie A Picard, Township Clerk

Thomas Conrad, Councilman

David Perry, Councilman

Roland Roy, Jr., Councilman

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

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

RESOLUTION #2018-108

Title: **A RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING TO TESTA, HECK, TESTA & WHITE AS DEFENSE ATTORNEY FOR A LOWER TOWNSHIP APPOINTEE IN ACCORDANCE WITH CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF LOWER**

WHEREAS, the Township of Lower has a need to acquire a Defense Attorney and desires to authorize this appointment using a non-fair and open contract pursuant to the provisions of N.J.S.A. 40A:11-1 *et seq.* to enter into contracts for "Professional Services" without competitive bidding, when the need arises, so long as the award of such contract is made public by a Resolution of the Governing Body and satisfies the requirements of the New Jersey Pay-to-Play law; and

WHEREAS, Michael L. Testa Jr. of Testa, Heck, Testa & White has provided a proposal to provide said services to the Township at a rate of \$140.00 per hour not to exceed \$7,500.00; and

WHEREAS, the Township Council desires to approve the proposal and the CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation #: 8-01-20-155-281

CFO Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a contract without public bidding be awarded to Testa, Heck, Testa & White to provide the above stated services at a fee of \$140.00 per hour with a not to exceed amount of \$7,500.00.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above award shall be published in the Township's Official paper.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018.

Julie A Picard, Township Clerk

RETAINER AGREEMENT

THIS AGREEMENT dated February 16th, 2018 is made between the client, **David A. Stefankiewicz, Esquire, Solicitor for Lower Township**, referred to as "You", and **TESTA, HECK, TESTA & WHITE**, whose address is **424 Landis Avenue, P.O. Box 749, Vineland, New Jersey 08362**, referred to as the "Law Firm."

1. **LEGAL SERVICES TO BE PROVIDED:** You agree that the Law Firm will represent **Frank J. Simonsen**. The legal work includes all necessary court appearances, research, investigation, correspondence, preparation and drafting of pleadings and other legal documents, trial preparation, conference in person and by telephone with you and with others, and related work to properly represent you in this matter.

2. **OTHER LEGAL SERVICES:** You and the Law Firm may make additional agreements to provide for legal services not covered by this Agreement. Without such agreements, the Law Firm is not required to do any of the following:

- (a.) provide legal services after judgment of the initial court, board or agency;
- (b.) appeal any decision;
- (c.) enforce any judgment or order of the court, board or agency;
- (d.) represent you before any court, board or agency;

3. **LEGAL FEE:** The Law Firm cannot predict or guarantee what your final bill will be. This will depend on the time spent on your case and the amount of other expenses. For example, a case which is initially believed to be uncontested can become contested and require much more time and expense than originally anticipated.

A. INITIAL PAYMENT: The Law firm will begin work on your case upon execution of this agreement. With an initial payment of \$0.00.

B. HOURLY RATE: You agree to pay the Law Firm for legal services at the following rates:

RATE PER HOUR	\$140.00
SERVICES OF	MICHAEL L. TESTA, JR., ESQUIRE

4. ITEMIZED STATEMENTS: Your bill for services. Includes telephone calls, dictating and reviewing letters, travel time to and from meetings, court appearances, office conferences, legal research, negotiations, and any other service relating to this matter.

5. INCREASED LEGAL FEES. The Rules of Court allow attorneys to charge additional fees in certain cases. You may be charged an additional amount above the hourly rates set forth in this Agreement where the urgency of the case, the amount involved or the results obtained reasonably justify such an additional fee. If such an additional fee is charged, all reasons for such charges will be explained in detail.

6. COSTS AND EXPENSES: In addition to legal fees, you must pay the following costs and expenses: Experts' fee, court costs, accountants' fees, appraisers' fees, service fees, investigator fees, deposition costs, messenger services, photocopying charges, telephone toll calls, postage and any other necessary expenses in this matter. The Law Firm may require that expert(s) be retained directly by you. You would then be solely responsible to pay the expert(s).

7. BILLS: The Law Firm will periodically send you itemized bills. The Law Firm may require that costs and expenses (see paragraph 4 above) be paid in advance. All other bills for costs and legal expenses are due upon receipt. You will be charged interest at a yearly rate of 18% on any balance due that is not paid within thirty (30) days from the date of the bill.

8. YOUR RESPONSIBILITY: You must fully cooperate with the Law Firm and provide all information relevant to the issues involved in this matter. You must also pay all bills as required by this Agreement. If you do not comply with these requirements, the Law Firm may seek permission to withdraw from representing you. The Law Firm will also withdraw at your request.

9. NO GUARANTEE: The Law Firm agrees to provide conscientious, competent and diligent services and at all times will seek to achieve solutions which are just and reasonable for you. However, because of the uncertainty of legal proceedings, the interpretation and charges in

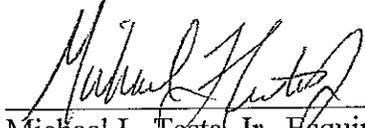
the law and many unknown factors, attorneys cannot and do not warrant, predict or guarantee results or the final outcome of any case.

10. SIGNATURES: You and the Law Firm have read and agree to this Agreement. The Law Firm has answered all of your questions and fully explained this Agreement to your complete satisfaction. You have been given a copy of this Agreement.

David A. Stefankiewicz, Esquire
Solicitor for Lower Township

Dated: _____

TESTA, HECK, TESTA & WHITE



Michael L. Testa, Jr., Esquire

Dated: 2/16/18

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N.J. 08646-0252

TAXPAYER NAME:

TESTA HECK TESTA & WHITE P.A.

TRADE NAME:

ADDRESS:

424 LANDIS AVE
VINELAND NJ 08360-8111

SEQUENCE NUMBER:

0071057

EFFECTIVE DATE:

12/30/82

ISSUANCE DATE:

01/27/17

James J. Guadagno
Director
New Jersey Division of Revenue

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127) N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

Firm Name: Testa Heck Testa + White
Name of Agent: Michael E. Testa, Jr., Esquire
Title: Attorney / Partner
Date: 2/22/18

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of

15-MAR-2013 to 15-MAR-2020

TESTA HECK SCROCCA & TESTA, P.A.
424 LANDIS AVENUE
VINELAND NJ 08360


Andrew P. Sidamon-Eristoff
State Treasurer

BUSINESS ENTITY DISCLOSURE CERTIFICATION

FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
TOWNSHIP OF LOWER

Part I – Contractor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the business entity by the name _____ has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 3, 2008 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Lower, defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Erik Simonsen	
Frank Sipple	Any present or future candidate committee or
Rolland Roy	joint candidate committee or local political party
Thomas Conrad	committee formed for the election of members of
David Perry	the Lower Township governing body.

Part II – Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

Partnership
 Corporation
 Sole Proprietorship
 Subchapter
 S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address
Michael L. TESTA	141 Country Club Lane, Bucara, NJ 08310
Todd W. Heck	PO Box 104, Mauricetown, NJ 08329
Michael L. Testa, Jr.	1809 Wynnwood Drive, Vineland, NJ 08360
Justin R. White	1119 New Bear St., Vineland, NJ 08360

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: _____

Signed: Michael L. Testa

Title: President

Print Name: Michael L. Testa

Date: 2-20-18

Subscribed and sworn before me this 20 day of February, 2018.

Karla Harris
(Affiant)
Karla Harris
(Print name & title of affiant) (Corporate Seal)

My Commission expires: **NOTARY PUBLIC OF NEW JERSEY**
MY COMMISSION EXPIRES 12/1/19

**LOWER TOWNSHIP
2600 BAYSHORE ROAD
VILLAS, NJ 08251
(609) 886-2005**

AFFIDAVIT OF PAY-TO-PLAY COMPLIANCE

The Undersigned, being duly sworn, of full age according to law, upon my oath, depose and say:

1. I am a duly authorized representative of (the "Business Entity"), which for the purposes of this Affidavit includes all entities of which the Business Entity owns, directly or indirectly, a more than 50% equity interest.

2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

3. In accordance with Lower Township Ordinance No. 2004-10 (the "Pay-to-Play Ordinance"), I am making this Affidavit under penalties of perjury to represent to the Township of Lower that neither I nor the Business Entity have made any political contributions in violation of Section 95-2 of the Pay-to-Play Ordinance.

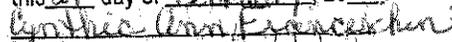
4. Also in accordance with the Pay-to-Play Ordinance, I am disclosing that the following represents all of the contributions that were made by the Business Entity and, to the best of my knowledge, all principals owning 10% more of the Business Entity's equity, their respective spouses, and all of the Business Entity's employees and officers and their respective spouses, to all New Jersey State and County political party committees commencing on the later of the effective date of the Pay-to-Play Ordinance (October 4, 2004) or twelve (12) months from date of this Affidavit and ending on the date of this Affidavit:

<u>Date</u>	<u>Name of Organization</u>	<u>Amount</u>
7/31/17	Cumberland County Regular Republican Organization	\$500.00

4. I represent and acknowledge that I have received, read and fully understand the Pay-to-Play Ordinance and that my violation of the Pay-to-Play Ordinance will disqualify me and the Business Entity from receiving any additional contract from the Township of Lower for a period of four (4) years and, in the event any statements made in this Affidavit are willfully false, that I and the Business Entity would be subject to criminal prosecution for perjury.


Michael L. Testa

Sworn and Subscribed to before me
this 21 day of February, 2018.


Notary Public

**CYNTHIA ANN FRANCESCHINI
A Notary Public of New Jersey
My Commission Expires 1/20/2020**

OUTSTANDING CHECKS:

DEC

2017

DEPOSITS IN TRANSIT:

PRIOR

55491	20.00
56083	21.17
56411	25.00
56596	15.84
57130	12.00
57300	4.00
57492	15.00
57535	10.89
57609	62.50
58258	120.00
59036	10,982.23
59162	9.61
59494	10.00
59497	139.86
59570	50.00
60187	132.00
60465	925.00
60687	30.00
60765	25.00
60797	35,000.00
60884	1,943.34
60893	1,400.00
60960	15.00
60962	56.44
61072	200.00
DUE TRUST POAA	2.00
DUE TRUST PD OCT	84.00
DUE TRUST PD SEPT	255.00

61188	4.98
61210	369.00
61253	1,448.08
61268	120.00
61271	93.94
61277	284.02
61279	928.44
61281	3,554.39
61286	229.00
61288	187.85
61291	174,949.37
51292	98,950.00
61301	586.88
61308	600.00
61310	1,400.00
61312	59.39
61317	179.00
61322	438.96
61327	120.00
61328	191.25
61344	1,522.98
61348	150.00
61349	86.46
31352	25.00
61357	15.00
61358	3,498.04
61360	1,902.50
61364	101.25
61369	348.00
61370	15.00
61371	15.00
61376	226.32
61377	143,847.50
61379	536.11
61380	1,069.34
DUE CAPITAL	699,687.25
Bank error-due escrow	600.00
DUE TRUST-UFSA	65,564.28

1,209.62	DUE ESCROW-YE INT
137,949.63	ONLINE TAX
104,706.74	ONLINE TAX
7,710.40	ONLINE TAX
20,924.56	ONLINE TAX
163,652.34	
7,776.08	
550.66	
236,015.92	
156.00	
19.20	
20,060.00	
20.00	
4,725.47	
1,393.30	
18,609.02	
389,180.46	
6,639.32	
19,000.00	
3,979.57	DUE FROM DOG
178,000.00	

51,565.88

1,203,904.58
1,255,470.46

1,322,278.29

CASH RECONCILIATION DECEMBER 31, 2017

	Cash		Less Checks Outstanding	Cash Book Balance
	*On Hand	On Deposit		
Current	1,865,648.03	12,169,103.30	1,982,220.33	12,052,531.00
Trust - Assessment				
Trust - Dog License	0.00	11,306.77	4,053.37	7,253.40
Trust - Other	84,890.81	2,786,898.74	7,545.36	2,864,244.19
Capital - General	699,687.25	6,483,879.17	178,000.00	7,005,566.42
Water - Operating				0.00
Water - Capital				0.00
Assessment Utility Trust				0.00
Public Assistance**				0.00
Garbage District				0.00
Grant Fund				0.00
Total	2,650,226.09	21,451,187.98	2,171,819.06	21,929,595.01

*Include Deposits In Transit (and change funds)

**Be sure to include a Public Assistance Account reconciliation and trial balance if the municipality maintains such a bank account.

REQUIRED CERTIFICATION

I hereby certify that all amounts shown in the "Cash on Deposit" column on Sheet 9 and 9(a) have been verified with the applicable bank statements, certificates, agreements or passbooks at December 31, 2017

I also certify that all amounts, if any, shown for Investments in Savings and Loan Association on any trial balance have been verified with the applicable passbook at December 31, 2017

All "Certificates of Deposits," "Repurchase Agreements," and other investments must be reported as cash and included in this certification.

(THIS MUST BE SIGNED BY THE REGISTERED MUNICIPAL ACCOUNTANT (STATUTORY AUDITOR) OR CHIEF FINANCIAL OFFICER) depending on who prepared this Annual Financial Statement as certified to on Sheet 1 or 1(a).

Signature:

Lauren Road

Title: CFO, Township of Lower

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

RESOLUTION # 2018-109

Title:

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

WHEREAS, the Township Council of the Township of Lower is subject to certain requirements of the Open Public Meetings Act, N.J.S.A 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Council of the Township of Lower to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____ (1) **Matters Required by Law to be Confidential:** Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____ (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:** Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____ (3) **Matters Involving Individual Privacy:** Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any 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 specific 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) **Matters Relating to Collective Bargaining Agreement:** 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.

_____ (5) **Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:** Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) **Matters relating to Public Safety and Property:** Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.. **Coastal Resiliency**

(7) **Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:** any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters 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. **Coastal Resiliency / Attorney/Client Privilege**

(8) **Matters Relating to the Employment Relationship:** Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting. **Personnel Issue**

_____ (9) **Matters Relating to the Potential Imposition of a Penalty:** Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss if a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on March 5, 2018 that an Executive Session closed to the public shall be held on this date at approximately _____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 5, 2018

Julie A Picard, Township Clerk